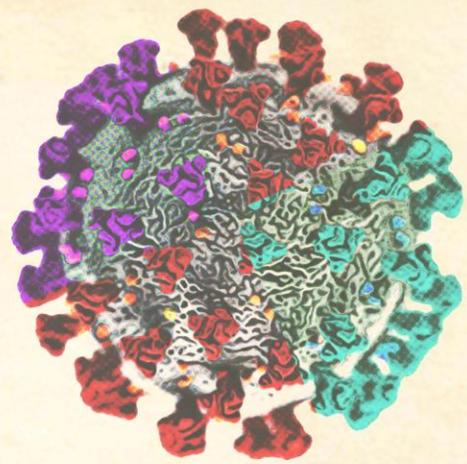


# COVID



# LOBBYING PALOOZA

**FEATURING**

**40 LOBBYISTS**

**150 CLIENTS**

**& \$10.5 BILLION**

**IN COVID FUNDS**

Lobbyists Who Worked for Trump's  
Campaigns, Committees and Administration  
Are Feasting on the Public Health Emergency

July 2020



## ACKNOWLEDGMENTS

This report was written by Mike Tanglis and Taylor Lincoln, both research directors of the Congress Watch division of Public Citizen. Susan Harley, deputy director of Congress Watch edited the report. The Center for Responsive Politics ([www.opensecrets.org](http://www.opensecrets.org)) and the COVID Stimulus Watch project of Good Jobs First (<https://covidstimuluswatch.org>) provided valuable data.

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## Key Findings

- At least 40 lobbyists who are connected to President Donald J. Trump through his campaigns, inaugural committee, presidential transition team, or his administration [hereinafter Trump-connected lobbyists] have thus far lobbied on COVID-19 issues or indicated that they have signed up clients to do so.
- Trump-connected lobbyists collectively have represented at least 150 clients on COVID matters. Trump-connected lobbyists from a single firm (Brownstein Hyatt Faber Schreck) have represented at least 45 clients on COVID issues.
- At least 14 clients represented by Trump-connected lobbyists are working on COVID vaccines, therapeutics or tests.
- Twenty-seven clients of Trump-connected lobbyists have received federal COVID aid, totaling more than \$10.5 billion. This consists of \$6.3 billion in grants, \$4.2 billion in loans and \$67 million worth of support in the form of corporate bond purchases by the Federal Reserve. These numbers are likely a gross undercount due to lagging disclosure by the Trump administration.
- The Trump-connected lobbyists include at least 20 people who worked in the administration or provided special services for the administration; 11 alumni of the Trump presidential transition team; eight members of Trump's campaigns; six people who raise money for Trump; and three vice chairs of Trump's scandal-ridden inaugural committee. (Some lobbyists have multiple connections.)
- Trump fundraisers lobbying on COVID issues include the national co-chairman of the Trump Victory Committee and two lobbyists who have combined to "bundle" more than \$5 million for Trump and the Republican National Committee for 2020.
- Trump-connected lobbyists have given more than \$1 million out of their own pockets to federal candidates this election cycle.
- At least five COVID lobbyists may have violated a Trump executive order that restricts lobbying activities by appointees who leave the administration. Public Citizen is calling for an investigation.
- The facts in this report call for short- and long-term responses to combat favoritism and potential corruption. The Trump administration should immediately disclose details of COVID-related federal spending to the fullest extent possible. Future administrations should work with Congress to codify tighter restrictions on former officials engaging in federal lobbying, increase the detail of lobbying disclosure requirement, and enact a viable form of public funding of elections.

## Executive Summary

As the rest of the nation hunkered down to survive the coronavirus, members of Washington, D.C.'s lobbying industry sprang into action.

Federal lobbying expenditures in the first quarter of 2020 roughly equaled the all-time record for a single quarter, according to the Center for Responsive Politics.<sup>1</sup> Lobbyists reported working on behalf of more than 3,200 clients on the Coronavirus Aid, Relief, and Economic Security (CARES) Act and other COVID-related issues during the quarter.<sup>2</sup> This statistic is even more striking given that the public-policy response to the coronavirus did not begin in earnest until March, the final month of the first quarter.

The crisis offered an especially lucrative opportunity for those lobbyists who enjoy close ties to President Donald Trump and his administration – and they seized it. They have reported lobbying to obtain special industry carveouts for aid, government approval of their clients' products and, most commonly, COVID-related aid across a myriad of programs.

### COVID Business Is Booming for Lobbyists With Close Ties to Trump

At least 40 lobbyists with ties to Trump's political enterprises or the administration have lobbied or registered to lobby on COVID-related matters. They include:

- At least 20 lobbyists who previously served in the Trump administration or performed specialized services for Trump or the administration, including:
  - A director of legislative affairs for Vice President Mike Pence;
  - An employee of Trump's National Security Council;
  - A chief of staff to Transportation Secretary Elaine Chao;
  - A director of the Centers for Medicare & Medicaid Services' Office of Legislation;
  - A deputy assistant secretary for legislation in the Department of Health and Human Services;
  - In the Department of the Treasury: a counselor to Treasury Secretary Steven Mnuchin, a senior Treasury Department advisor, and a deputy assistant secretary;

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<sup>1</sup> Karl Evers-Hillstrom, *Coronavirus stimulus spurs near-record first-quarter lobbying spending*, CENTER FOR RESPONSIVE POLITICS (April 24, 2020), <https://bit.ly/2Z3LFqU>.

<sup>2</sup> *Id.*

- A senior counsel in the White House’s Council on Environmental Quality;
- A principal deputy general counsel for the Department of Housing and Urban Development;
- At least two people whom Trump has appointed to federal commissions or board positions, including one whom *Bloomberg* characterized as an “outside presidential advisor;”<sup>3</sup>
- The “quarterback” of the effort to win approval of U.S. Supreme Court nominee Neil Gorsuch; and
- A member of the legal team representing Trump in his impeachment trial;
- At least 11 people who served on Trump’s presidential transition team, including its chief spokesman, Jason Miller;
- At least six people who raise money for Trump’s political committees. These include the national co-chairman of the Trump Victory Committee, which is the primary fundraising apparatus for Trump’s 2020 campaign. Other fundraisers include two “bundlers” who are credited with raising more than \$5 million, combined, for Trump Victory and the Republican National Committee; and
- At least three people who served on Trump’s inaugural committee. That committee, the *Wall Street Journal* reported in 2018, is under criminal investigation. The committee “has publicly identified vendors accounting for” only “\$61 million of the \$103 million it spent,” the *Journal* reported.<sup>4</sup> A Trump-connected lobbyist also lobbied on COVID matters for the private equity firm Colony Capital. Colony Capital is run by Tom Barrack, who managed the inaugural committee.

## Trump-connected Lobbyists Are Representing at Least 14 Clients Working on Coronavirus Vaccines, Therapeutics or Tests

Clients of Trump-connected lobbyists that are producing pharmaceutical products or tests to address the coronavirus include:

- AbbVie, which is testing its HIV treatment as a treatment for coronavirus.<sup>5</sup> It is represented on COVID matters by Emily Felder, who served as director of the

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<sup>3</sup> Jennifer Jacobs tweet (June 13, 2020), <https://bit.ly/2A8r2S0>.

<sup>4</sup> *Trump Inauguration Spending Under Criminal Investigation by Federal Prosecutors*, THE WALL STREET JOURNAL, <https://on.wsj.com/2NsRY1P>.

<sup>5</sup> AbbVie web site (viewed on June 29, 2020), <https://bit.ly/3dGBxtz>.

Centers for Medicare & Medicaid Services' Office of Legislation in the Trump administration, and now works for Brownstein Hyatt;

- Arcturus Therapeutics Inc., a firm that is working on a COVID vaccine. It is being represented by Barry Bennett of Avenue Strategies. Bennett was part of Trump's 2016 campaign;
- AdvaMed, a medical device trade association whose members include several firms working on COVID-related matters.<sup>6</sup> Two Trump-connected lobbyists for Brownstein Hyatt are representing it on COVID matters. AdvaMed's members include those making COVID tests, potential COVID vaccines and potential COVID therapeutics. AdvaMed's members also include at least two companies that produce hydroxychloroquine, the anti-malarial drug that Trump incessantly touted as a potential coronavirus cure until studies showed it did more harm than good;
- American Health Associates, which provides mobile laboratory services for nursing homes and is being represented by Brian Ballard. Ballard was a Trump transition team member, inaugural committee vice chair and is one of Trump's top fundraisers. Ballard Partners, which had not lobbied in Washington until Trump's election, now has the most clients of all federal lobbying firms;
- BacterioScan, which makes diagnostic products aimed at more rapidly detecting microbial infections. It is being represented by Robert Collins, who served on Trump's transition team and acted as the "quarterback" of the nomination process for U.S. Supreme Court nominee Neil Gorsuch;
- Beckman Coulter Diagnostics, which is working on an antibody test. It is represented on COVID matters by two Trump-connected lobbyists who work for Brownstein Hyatt;
- Eli Lilly, which is testing a COVID antibody in humans, and is represented by two Trump-connected lobbyists who work for Brownstein Hyatt;<sup>7</sup>
- Genentech, represented by David Urban, who was a high-ranking member of Trump's 2016 campaign and has been described by *Bloomberg* as an "outside presidential advisor." Genentech is developing a drug to treat COVID-19 pneumonia, and is the parent company of Roche, which makes COVID tests;<sup>8</sup>

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<sup>6</sup> AdvaMed members, <https://bit.ly/2BGiiTk>.

<sup>7</sup> Ben Adams, *Lilly starts second COVID-19 antibody test with partner Junshi Biosciences, eyes combo trials*, FIERCE BIOTECH (June 8, 2020), <https://bit.ly/2CIQwpT>.

<sup>8</sup> Roche web site (viewed on June 26, 2020), <https://bit.ly/2BDDhXa> and <https://bit.ly/2Zd2XSF>.

- GreyScan, an Australian company that is represented by Jessica Tocco of A10 Associated. Tocco was a member of Trump's transition team. GreyScan is developing a mobile COVID detection device.<sup>9</sup> Tocco, according to A10's lobbying disclosure form, lobbied 10 federal entities, including the White House and Office of the Vice President, within a week of registering to represent GreyScan.
- Inovio Pharmaceuticals, which hired Robert Wasinger to lobby on "advocacy and education for development of the Coronavirus vaccine." Wasinger was the director of Senate and gubernatorial outreach for Trump's 2016 campaign and has bundled more than \$20,000 for Trump's 2020 campaign;
- Johnson & Johnson, which is working on a COVID vaccine. It is represented by two Trump-connected lobbyists working for Brownstein Hyatt;
- Origin Logistics LLC, which offers laboratory testing services. It is represented by two Trump-connected lobbyists working for Ballard Partners;
- Nuclein, which announced in March that it was seeking to commercialize a hand-held device that could be used to diagnose coronavirus. It is represented by two Trump-connected lobbyists at Miller Strategies. These include Jeff Miller, who was a vice chair of Trump's inaugural committee and is a top Trump fundraiser;<sup>10</sup> and
- Pharmaceutical giant Pfizer, which was selected by the government as among the five firms most likely to develop a COVID vaccine, also is represented on COVID matters by Jeff Miller.

## Clients Touting Technology and Non-Pharmaceutical Health Products in Response to the Coronavirus

Several Trump-connected lobbyists are working on information technology systems or other non-pharmaceutical products, such as sanitizers, to address coronavirus threats. Examples include:

- Audacious Inquiry, which pitched Trump son-in-law Jared Kushner, Vice President Mike Pence and Secretary of Health and Human Services Alex Azar on an artificial intelligence system that would use patient records to determine the

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<sup>9</sup> GreyScan web site (viewed on June 26, 2020), <https://bit.ly/2Yz8ZOd>.

<sup>10</sup> Press release, NUCLEIN, *Nuclein Speeds Commercialization of First Ever Hand-Held PCR Test to Aid in COVID-19 Pandemic* (March 24, 2020), <https://bloom.bg/3fWQQ2D>.

availability of hospital beds and needed medical supplies.<sup>11</sup> Brian Ballard is representing the firm;

- Envigo RMS Holding Corp, which touts an array of research tools to combat coronavirus. It is represented by Robert Grand of Barnes and Thornburg. Grand is a longtime fundraiser for Vice President Mike Pence and was a co-chair of Trump's inaugural committee.<sup>12</sup> Grand is so close to Pence and the administration that Trump's campaign and a super PAC controlled by Pence have paid for Grand's travel on Air Force 2.<sup>13</sup>
- Joerns Healthcare, a medical equipment manufacturer that is being represented by Robert Wasinger;
- Panacea Life Sciences, which recently began making hand sanitizer, and also is represented by Wasinger;
- NanoPure, which is seeking EPA approval for a misting spray that it said could kill coronavirus,<sup>14</sup> and is represented by two Trump-connected lobbyists for Ballard Partners. NanoPure's CEO expressed optimism on winning approval to a reporter for *Mother Jones* who wrote about the firm's retention of Ballard Partners. "We're getting close," the CEO said, "and we're talking to the right people now."<sup>15</sup>
- Pernod Ricard, maker of Jameson's Irish Whiskey and other well-known alcoholic drinks, which announced in March that it would produce hand sanitizer to address COVID-related needs. Three Trump-connected employees of Miller Strategies worked on COVID issues for the Pernod Ricard in the first quarter of 2020. A Pernod Ricard executive credited the White House coronavirus task force with expediting regulatory approvals needed to begin production. Days after Pernod Ricard announced its plans to make hand sanitizer, Trump raved about the company at a White House briefing.<sup>16</sup>
- SAS, which is marketing predictive analytics technology to help hospitals and governments "optimize medical resources so citizens get the best health

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<sup>11</sup> Adam Cancryn, *Kushner's team seeks national coronavirus surveillance system*, POLITICO (April 7, 2020) <<https://politi.co/2A2rEbG>.

<sup>12</sup> Nolan D. McCaskill, *Trump announces inauguration team leaders*, POLITICO (Nov. 15, 2016), <https://politi.co/2VjsEQ3>.

<sup>13</sup> Michael Scherer, Josh Dawsey and Anu Narayanswamy, *Pence turns VP's office into gateway for lobbyists to influence the Trump administration*, WASHINGTON POST (June 15, 2018), <https://wapo.st/2ViuBwp>.

<sup>14</sup> Kenneth P. Vogel, *The Race for Virus Money Is On. Lobbyists Are Standing By*, THE NEW YORK TIMES (March 28, 2020), <https://nyti.ms/2BBaB11>.

<sup>15</sup> Dan Friedman, *How a Trump-Connected Lobbyist Is Cashing In on the Coronavirus*, MOTHER JONES (June 18, 2020), <https://bit.ly/3i3KEb6>.

<sup>16</sup> C-SPAN Clip (March 21, 2020), <https://cs.pn/2Vij5RI>.

outcomes possible.” It is represented by two Trump-connected lobbyists at Miller Strategies.

- Seal Shield, which makes sanitary devices, is being represented by two Trump-connected lobbyists at Ballard Partners. On April 24, the Environmental Protection Agency ordered Seal Shield to stop selling a product to hospitals “because Seal Shield has made false or misleading claims that the device kills pathogens and is effective against the novel coronavirus.”<sup>17</sup> On April 28, Seal Shield hired Ballard Partners to pursue “Environmental Protection Agency (EPA) approval for marketing materials.”<sup>18</sup>

## Clients Offering Non-Medical Products and Services Suited to the Coronavirus Economy

Several companies that are selling products that are well-suited to the coronavirus economy have hired Trump-connected lobbyists. Examples include:

- Cognizant Technology Solutions, a maker of virtual workplace solutions, which is represented by David Urban;
- Endurance International Group, Inc., a provider of cloud-based platforms, which is being represented by two lobbyists at Avenue Strategies: Barry Bennett (mentioned above) and Bud Cummins. Cummins was the Arkansas State Chairman for the Trump-Pence campaign in 2016 and a Trump whip at the 2016 Republican National Convention;
- Hazmat TSDf Inc., a California-based recycling and waste disposal company. It hired Aaron Szabo and others at CGCN Group to lobby on “issues related to the proper and safe cleanup and disposal” of coronavirus materials. Szabo is a former senior counsel in the Trump White House’s Council on Environmental Quality;
- OnDeck Capital Inc., which is an approved lender under the SBA’s Paycheck Protection Program that was created by the CARES Act. It is represented by Jared Sawyer, who served as deputy assistant secretary in the U.S. Department of Treasury during the Trump administration; and
- Fountainhead Commercial Capital, which is also making loans under the Paycheck Protection Program.<sup>19</sup> It is represented by Jason Miller, who was the

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<sup>17</sup> Press release, ENVIRONMENTAL PROTECTION AGENCY, *EPA Issues Order to Seal Shield, LLC in Orlando, Florida to Stop Selling Unregistered Pesticides and a Misbranded Pesticide Device* (April 24, 2020), <https://bit.ly/3grGXXK>.

<sup>18</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2B9wnZL>.

<sup>19</sup> John Reosti, *As PPP deadline approaches, a few lenders make a final push*, AMERICAN BANKER (June 09, 2020), <https://bit.ly/3eCQxcY>.

chief spokesman for the 2016 Trump campaign and the presidential transition team.

## Clients Seeking Essential Industry Status

Being defined as within a critical or essential industry can allow businesses to continue operating despite the pandemic and may give them some defense against lawsuits for unreasonably endangering workers or the public. At least four entities have hired Trump-connected lobbyists to help win such designation:

Examples include:

- LaundryLux, a supplier of commercial laundry machines, which hired Ballard Partners for the purpose of helping the laundry industry receive federal “designation as essential business in response to COVID-19 virus.”<sup>20</sup> As this timeline shows, Ballard Partners apparently delivered: On March 19, the Department of Homeland Security issued a memo that did not include laundry services among the categories of “essential businesses.”<sup>21</sup> On March 20, Ballard Partners registered to lobby for LaundryLux.<sup>22</sup> On March 28, DHS issued a follow up memo that listed “workers in laundromats, laundry services, and dry cleaners” as essential.<sup>23</sup> Agencies Ballard Partners lobbied were the Department of Homeland Security and the White House Office;<sup>24</sup>
- Energizer Holdings Inc., the battery manufacturer, hired Scott Mason and others at Holland & Knight in March 2020 to lobby the White House and Department of Homeland Security on issues including pursuing critical industry status for the battery industry.<sup>25</sup> Mason worked on Trump’s 2016 campaign as the director of congressional relations and later worked on the Trump transition team;
- Evoqua Water Technologies hired Martin Whitmer, of Whitmer & Worrall, to lobby for Evoqua to be categorized as an essential business.<sup>26</sup> Whitmer served as the team lead for President Trump’s transition team for the Department of Transportation. On an earnings call in April 2020, Evoqua said it was an “essential business that continues to operate during the COVID-19 global

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<sup>20</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/38ctHXc>.

<sup>21</sup> *Advisory Memorandum On Identification Of Essential Critical Infrastructure Workers During Covid-19 Response*, U.S. DEPARTMENT OF HOMELAND SECURITY CYBERSECURITY & INFRASTRUCTURE SECURITY AGENCY (March 19, 2020), <https://bit.ly/3gdITpS>.

<sup>22</sup> Lobbying registration records maintained by the secretary of the Senate, <https://bit.ly/38ctHXc>.

<sup>23</sup> *Advisory Memorandum On Identification Of Essential Critical Infrastructure Workers During Covid-19 Response*, U.S. DEPARTMENT OF HOMELAND SECURITY CYBERSECURITY & INFRASTRUCTURE SECURITY AGENCY (March 28, 2020), <https://bit.ly/2AZFwUN>.

<sup>24</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2B0KIYz>.

<sup>25</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2A2EXZI>.

<sup>26</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Nwht2q>.

pandemic, providing mission critical water service and support to both government and private water systems;”

- The National Association of Realtors, which has lobbied the Department of Homeland Security to include real estate as an essential service, a designation the industry received. The chief lobbyist for the National Association of Realtors is Shannon McGahn. McGahn worked in 2017 and 2018 as a counselor to Treasury Secretary Steven Mnuchin.<sup>27</sup> She is the wife of former Trump White House Counsel Don McGahn.<sup>28</sup>

## Some of the Biggest Players in the Private Equity Industry Are Represented

Private equity firms have been reported to have been left out of the CARES Act’s government subsidies because the some of the benefits called for are available only to firms of 500 employees or fewer, not including those controlled by larger enterprises.<sup>29</sup>

But private equity firms’ holdings have received substantial direct aid, as well as all sorts of other benefits from the CARES Act. The companies in which private equity firms are invested will enjoy increased flexibility to carryback operating losses to past years to reduce their taxes, ability to apply interest expenses to reduce their taxes, ability to defer employer payroll taxes, and receive credits for retaining employees.<sup>30</sup>

At least two Trump-connected lobbyists are representing the American Investment Council, the trade association for the private equity industry.

Many of the largest private equity firms or their holdings are represented by Trump-connected lobbyists who have reported working on COVID-related issues. Included among them are Blackstone Group, Apollo Global Management and Kohlberg Kravis, all three of which are commonly listed among the 10 largest private equity firms.<sup>31</sup>

Trump-connected lobbyists for Brownstein Hyatt are also lobbying on COVID matters for three affiliates of private-equity firm Apollo Global Management, as well as at least

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<sup>27</sup> Marianne Levine and Theodoric Meyer, *National Association of Realtors names Shannon McGahn as top lobbyist*, Politico (Oct. 2, 2018), <https://politi.co/2NsUncR>.

<sup>28</sup> *Treasury aide McGahn, wife of White House counsel, to leave for House panel*, THE HILL (Jan. 5, 2018), <https://bit.ly/2NG3pDx>.

<sup>29</sup> *Cares Act: ‘Affiliation’ – Can Private Equity Or Venture Capital Owned Small Businesses Obtain Paycheck Protection?* MORGAN LEWIS (March 30, 2020), <https://bit.ly/2NGCXX5>.

<sup>30</sup> *The CARES Act: Tax implications for transactions and private-equity-owned portfolio companies*, PLANTE MORAN (April 13, 2020), <https://bit.ly/2YwPrd7>.

<sup>31</sup> *Top 10 Private Equity Firms*, CFI (viewed on June 26, 2020), <https://bit.ly/31eoY64>.

three companies that are owned or partially owned by Apollo.<sup>32</sup> Companies owned by Apollo have received hundreds of millions of dollars in federal grants and loans. One of those companies is LifePoint Health, which has received \$260 million in federal COVID grants and \$504 million in federal COVID loans.<sup>33</sup>

An insidious nature of government support for private equity firms, at least so long as the support does not come with limiting conditions, is that it could enable private equity firms to buy more health care providers, further consolidating a market that is already suffering from depleted competition. “Some feared that lending money to private equity firms would only encourage their penchant for buying more companies and loading them up with high-interest debt,” *Bloomberg* reported.

## Clients of Trump-Connected Lobbyists Have Received More than \$10.5 Billion in COVID Assistance

The most tangible benefit that the clients of Trump-connected lobbyists have received are grants and low-interest loans from the federal government. The Federal Reserve has also begun purchasing the corporate bonds of some of the clients discussed in this analysis. With the help of COVID Stimulus Watch (<https://covidstimuluswatch.org>), a project of Good Jobs First, we have tabulated more than \$10.5 billion in grants and loans. Twenty-seven different clients represented by Trump-connected lobbyists have received COVID funds. These figures include little data from the \$500 billion-plus Paycheck Protection Program, which the government only recently agreed to partially disclose.

## Trump-Connected Lobbyists Have Bundled More Than \$5 Million for Trump and the RNC This Cycle

Jeff Miller has bundled close to \$4 million in this election cycle, while Brian Ballard has bundled more than \$1 million. All of Miller and Ballard’s bundled contributions have gone to either President Trump’s 2020 “Victory” committee or to the Republican National Committee.<sup>34</sup>

Eight Trump-connected lobbyists have each contributed more than \$100,000 to federal candidates since 2010. Brian Ballard contributed more than \$1 million, the most of any Trump-connected lobbyist. Ballard is followed by Marc Lampkin, of Brownstein, Hyatt, who contributed \$540,217 and Jeff Miller, who has contributed \$475,450.

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<sup>32</sup> David Kocieniewski and Caleb Melby, *Private Equity Lands Billion-Dollar Backdoor Hospital Bailout KKR, Apollo, Cerberus own medical-services companies that received no-interest loans from HHS*, BLOOMBERG (June 2, 2020), <https://bloom.bg/2Blup2c>.

<sup>33</sup> COVID Stimulus Watch (viewed on June 29, 2020), <https://bit.ly/2BcPgLp>.

<sup>34</sup> Trump Victory form, Federal Election Commission (April 15, 2020), <https://bit.ly/2YzfdgQ>.

Total contributions from lobbyists in this report jumped 85 percent from the 2016 election cycle to the 2018 cycle, from \$510,346 to \$943,247, and already exceed \$1 million for this cycle.

## At Least Five COVID Lobbyists May Have Violated a Trump Executive Order That Restricts Lobbying Activities by Former Officials

To much fanfare, Trump issued an executive order about one week into his presidency that established some prohibitions on the activities of lobbyists, whom Trump had demonized as part of his promise to “drain the swamp.”<sup>35</sup>

The executive order prohibited Trump appointees who leave the administration from engaging in any lobbying activities, including behind the scenes lobbying work, that involved their former agencies for five years after leaving the government. The executive order also prohibited those leaving the Trump administration from engaging in any lobbying activities, including work on behalf of their colleagues, that involved contact with most high-ranking executive branch officials for the duration of the administration.

Lobbying disclosure forms are not sufficiently precise, in most cases, to determine if violations have occurred. However, at least five Trump-appointees have appeared on forms indicating that they and their peers lobbied the executive branch on COVID issues. In many cases, the forms indicate that the former officials’ agencies were directly lobbied.

Investigation is warranted.

## Conclusion

The facts in this report call for short-term and long-term responses to sever the conflicts of interest that incentivize government officials to favor the wealthy and well-connected over the constituents whom they are hired to serve. The Trump administration should do everything in its power to enhance public disclosure of the details of COVID-related federal spending. Future administrations should work with Congress to codify tighter restrictions on former officials engaging in federal lobbying activities; vastly increase the detail of lobbying disclosure rules; and approve a system that would permit viable candidates for office to receive public funding in exchange for eschewing large private contributions.

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<sup>35</sup> *Executive Order: Ethics Commitments by Executive Branch Appointees*, THE WHITE HOUSE (Jan. 28, 2017), <https://bit.ly/3dwVYcb>.

# I. Clients of Trump-Connected Lobbyists Have Received More than \$10.5 Billion in COVID Aid

The most tangible benefit that the clients of Trump-connected lobbyists have received are grants and low-interest loans from the federal government. We have tabulated more than \$10.5 billion in grants, loans and corporate bond purchases that went to 27 clients that hired at least one Trump-connected lobbyist. These figures include little data from the \$500 billion-plus Paycheck Protection Program, which the government only recently agreed to partially disclose and, as of this writing, has not yet revealed. [Table 1]

Table 1: Federal COVID Money Flowing to Clients of Trump Connected Lobbyists

Lobbying Client	Grants	Loans	Bond Purchases	Total
American Airlines	\$4,100,000,000	\$1,700,000,000		\$5,800,000,000
Tenet Healthcare	\$621,041,182	\$801,229,861		\$1,422,271,043
Children's Hospital Association Member*	\$910,976,064	\$115,126,549		\$1,026,102,613
Cleveland Clinic	\$161,091,923	\$763,844,247		\$924,936,170
LifePoint	\$259,910,760	\$503,835,429		\$763,746,189
University of Southern California	\$38,107,437	\$89,982,869		\$128,090,306
Marshfield Clinic Health System	\$15,981,242	\$87,086,544		\$103,067,786
Stamford Hospital	\$39,702,152	\$51,721,011		\$91,423,163
LHC Group	\$6,569,477	\$58,207,179		\$64,776,656
Sun Country / Apollo Global Management	\$60,558,866	\$0		\$60,558,866
Walgreens	\$26,843,487	\$0	\$5,169,408	\$32,012,895
Comcast			\$13,315,347	\$13,315,347
Anthem			\$12,937,096	\$12,937,096
Advocare	\$6,597,527	\$5,288,094		\$11,885,621
AbbVie			\$7,394,460	\$7,394,460
Lindblad Expeditions	\$0	\$6,600,000		\$6,600,000
McDonalds			\$6,488,807	\$6,488,807
University of Louisiana at Lafayette Foundation	\$6,343,003	\$0		\$6,343,003
Pfizer			\$5,458,757	\$5,458,757
MasterCard			\$5,430,832	\$5,430,832
Marriott International			\$5,416,798	\$5,416,798
Intensive Specialty Hospital	\$1,020,666	\$3,887,943		\$4,908,609
American Health Associates	\$1,058,794	\$3,070,150		\$4,128,944
Community College of Allegheny County	\$3,993,739	\$0		\$3,993,739
Nucor Corporation			\$2,584,961	\$2,584,961
Ares Capital Corporation			\$2,562,600	\$2,562,600
Barry University	\$2,513,699			\$2,513,699
<b>Total</b>	<b>\$6,262,310,018</b>	<b>\$4,189,879,876</b>	<b>\$66,759,066</b>	<b>\$10,518,948,960</b>

Source: COVID Stimulus Watch, Good Jobs First, <https://covidstimuluswatch.org/>. (Figures subject to change with updates.)

\* Unlike the other recipients of COVID aid in this report, the money listed for Children's Hospital Association refers to money received by its member hospitals not the lobbying entity itself.

## II. Trump-Connected Lobbyists' Fundraising and Contributions Spiked After Trump's Victory

Trump-connected COVID lobbyists have contributed greatly to Trump's political fortunes both by acting as fundraisers for him and the Republican National Committee, and by increasing contributions out of their own pockets to GOP candidates.

These lobbyists also have benefited in their courtship of Capitol Hill legislators from the support of massive contributions from their firms' political action committees. PACs run by firms of Trump-connected lobbyists identified in this report have given more than \$50 million to federal candidates and national parties since 2010.

### Trump-connected COVID Lobbyists Have Bundled More Than \$5 Million to Trump and the RNC

Bundling refers to fundraising efforts that are tabulated by political committees, usually by way of a tracking number. The practice was popularized by presidential candidate George W. Bush, who honored those who raised \$100,000 or more for his campaign as "Pioneers" The 2007 Honest Leadership and Open Government Act required recipient committees to identify contributions directed to them by registered lobbyists.<sup>36</sup>

Three Trump-connected lobbyists have bundled a combined \$5 million in the 2020 election cycle for the Republican National Committee and for the Trump Victory Committee. The vast majority of this money was raised by Jeff Miller and Brian Ballard. [Table 2]

**Table 2 – Amounts Bundled for Trump by Trump-Connected COVID Lobbyists**

Trump Lobbyist Bundler	Bundled Amount for Trump (2020 Cycle)	Bundled Amount for RNC (2020 Cycle)	Total Bundled for Trump or RNC (2020 Cycle)
<b>Jeff Miller</b> , Miller Strategies	\$2,897,068	\$1,065,000	\$3,962,068
<b>Brian Ballard</b> , Ballard Partners	\$1,041,600	\$0	\$1,041,600
<b>Robert Wasinger</b> , McGuireWoods	\$22,867	\$0	\$22,867
<b>Total</b>	<b>\$4,094,368</b>	<b>\$1,065,000</b>	<b>\$5,026,535</b>

Source Public Citizen analysis of forms posted by the Federal Election Commission.

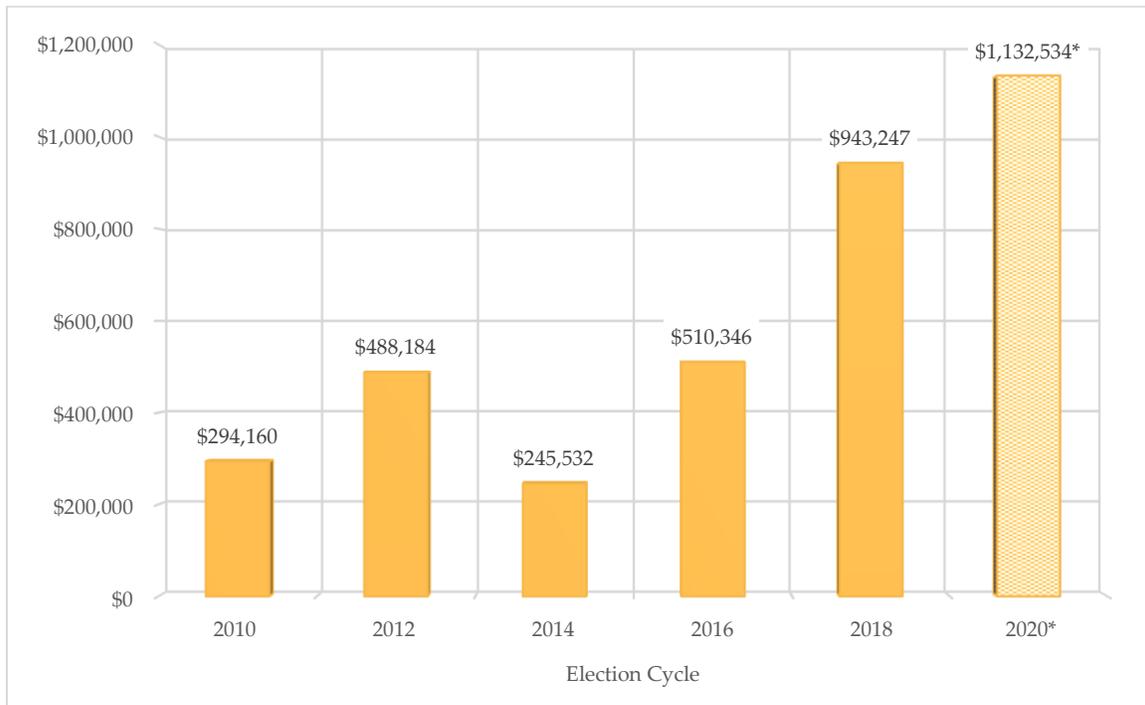
<sup>36</sup> H.R.2316 - Honest Leadership and Open Government Act of 2007, <https://bit.ly/2ZFQirp>.

## Personal Contributions From Trump-Connected Lobbyists Also Are Rising

Trump-connected lobbyists who have worked on COVID issues have contributed \$3.6 million to federal candidates and the national parties since 2010. The overwhelming majority, 97 percent, of the lobbyists' contributions have gone to Republicans.

Contributions from Trump-connected lobbyists jumped from \$510,346 during the 2016 election cycle to \$943,247 during the 2018 cycle, an increase of 85 percent. During the 2020 cycle thus far, these same lobbyists have already contributed \$1,132,534, surpassing the 2018 cycle total. [Figure 1]

**Figure 1 – Total Contributions to Federal Candidates From Trump-Connected COVID Lobbyists (2010 Election Cycle to Present)**



Source: Public Citizen analysis of data provided by the Center for Responsive Politics ([www.opensecrets.org](http://www.opensecrets.org)) and the Federal Election Commission.

\*The 2020 total is partial.

The 85 percent increase from the 2016 cycle to the 2018 cycle coincides with President Trump assuming office. The sharp uptick in contributions was driven by a small number of lobbyists.

- Brian Ballard contributed more than \$300,000 in the 2018 cycle. During the 2020 cycle thus far, Ballard has contributed \$323,000.

- Jeff Miller contributed \$164,000 during the 2018 cycle. During the 2020 cycle thus far, Miller has already contributed \$295,000.
- Jessica Beeson Tocco, of A10 Strategies, contributed \$70,550 during the 2018 cycle. Beeson Tocco has contributed \$246,403 during the 2020 cycle thus far, a significant increase from her 2018 total.

Eight Trump-connected lobbyists have contributed more than \$100,000 from the 2010 cycle through today to federal candidates. [Table 3]

**Table 3 – Trump-Connected COVID Lobbyists Contributing More Than \$100,000 to Federal Candidates (2010 to Present)**

<b>Trump Lobbyist</b>	<b>Contributions (2010 Cycle to Today)</b>
<b>Brian Ballard</b> , Ballard Partners	\$1,073,465
<b>Marc Lampkin</b> , Brownstein Hyatt, et al.	\$540,217
<b>Jeff Miller</b> , Miller Strategies	\$475,450
<b>Robert Grand</b> , Barnes & Thornburg	\$370,091
<b>Jessica Beeson Tocco</b> , A10 Strategies	\$323,603
<b>Michael Torrey</b> , Michael Torrey & Associates	\$242,300
<b>Robert Collins</b> , S-3 Group	\$157,941
<b>David Urban</b> , American Continental Group	\$120,789

Source: Public Citizen analysis of data provided by the Center for Responsive Politics ([www.opensecrets.org](http://www.opensecrets.org)) and the Federal Election Commission.

Over the last three election cycles, Trump’s personal committees have received more than \$55,000 from the lobbyists covered in this analysis, more than 60 percent of which has been contributed so far in the 2020 cycle. Marc Lampkin, Jessica Beeson Tocco and Jeff Miller all have contributed the maximum amount to Trump in 2020. Lampkin did the same in 2016. Brian Ballard contributed the maximum amount to Trump in 2018.

## **PAC Contributions Provide Support for Lobbyists Courting the Congress**

Aside from making contributions from their own pocketbooks, lobbyists’ chances of receiving a friendly reception from members of Congress are enhanced by campaign contributions from their company’s PACs. These contributions tend to be doled out on a bipartisan basis. Many firms split their contributions almost down the middle.

The PACs run by firms of Trump-connected lobbyists have contributed more than \$50 million to federal candidates and the national party committees since 2010. Two of the

PACs – the National Association of Realtors’ PAC and Ernst & Young’s PAC – account for 66 percent of the total. [Table 4]

**Table 4 – Total Contributions From the PACs of Firms That Lobbied on COVID Issues in Q1 2020 (Total Includes 2010 Election Cycle Through 2020 Cycle Thus Far)**

PAC	Total Contributions	Percent Contributed to Republicans	Percent Contributed to Democrats
National Assn of Realtors	\$22,802,878	52%	48%
Ernst & Young	\$10,266,000	59%	41%
Wells Fargo	\$4,558,500	61%	39%
Holland & Knight	\$3,387,066	51%	49%
Cigna Corp	\$3,004,724	55%	45%
Brownstein, Hyatt et al	\$2,010,413	53%	47%
McGuireWoods LLP	\$1,614,447	52%	48%
American Investment Council	\$1,205,200	68%	32%
Barnes & Thornburg LLP	\$784,921	49%	51%
National Assn for Behavioral Healthcare	\$438,226	49%	51%
National Assn of Manufacturers	\$108,500	76%	24%
CGCN Group	\$100,950	100%	0%
<b>Total</b>	<b>\$50,281,826</b>	<b>55%</b>	<b>45%</b>

Source: Public Citizen analysis of data provided by the Center for Responsive Politics ([www.opensecrets.org](http://www.opensecrets.org)) and the Federal Election Commission.

### III. At Least Five Trump-Connected Lobbyists May Have Violated a Trump Executive Order Prohibiting Lobbying the Administration

About one week into his presidency, Trump issued an executive order that laid out several restrictions on administration appointees who pursue lobbying careers after leaving public service.<sup>37</sup>

The executive order prohibited appointees leaving the Trump administration from engaging in any lobbying activities with respect to their former government agency.<sup>38</sup>

The executive order executive order's distinction restricting lobbying *activities*, not merely lobbying *contacts*, was significant. This definition (which the executive order drew from the Lobbying Disclosure Act of 1995<sup>39</sup>) encompasses "lobbying contacts" which regard direct communications with federal employees. Beyond that, it applies to "efforts in support of such contacts, including preparation and planning activities, research and other background work that is intended, at the time it is performed, for use in contacts, and coordination with the lobbying activities of others."<sup>40</sup>

In short, most any work to support or coordinate a lobbying contact constitutes a lobbying activity.

Aside from banning lobbying activities regarding an appointee's former agency, the executive order also prohibited former administration employees from engaging "in lobbying activities with respect to any covered executive branch official or non-career Senior Executive Service appointee for the remainder of the Administration."<sup>41</sup>

The executive order also defined "covered executive branch official" as it is defined in the Lobbying Disclosure Act of 1995.<sup>42</sup> The definition is quite sweeping. It captures the president, vice president, employees of the Executive Office of the President, high-ranking executive branch appointees, high-ranking career officials, and all Schedule C

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<sup>37</sup> *Executive Order: Ethics Commitments by Executive Branch Appointees*, THE WHITE HOUSE (Jan. 28, 2017), <https://bit.ly/3dwVYcb>.

<sup>38</sup> *Identifying Executive Branch Covered Officials under the LDA*, HOLLAND AND KNIGHT (June 18, 2016), <https://bit.ly/3fX8l2P>.

<sup>39</sup> Lobbying Disclosure Act of 1995, <https://bit.ly/2YQCdsd>.

<sup>40</sup> *Id.*

<sup>41</sup> *Identifying Executive Branch Covered Officials under the LDA*, HOLLAND AND KNIGHT (June 18, 2016), <https://bit.ly/3fX8l2P>.

<sup>42</sup> *Identifying Executive Branch Covered Officials under the LDA*, HOLLAND AND KNIGHT (June 18, 2016), <https://bit.ly/3fX8l2P>.

political appointees. Of the roughly 4,000 political appointees in the executive branch, more are appointed pursuant to Schedule C than any other status.<sup>43</sup>

Because the definition of lobbying activities so broadly encompasses actions in support of lobbying contacts, former administration officials would be in violation of the executive order if they support or coordinate the work of colleagues who make contacts with their former agencies or who contact “covered” employees anywhere in the executive branch.

The executive order did include a loophole that would potentially permit former administration officials to contact their former agencies or covered officials from other agencies without violating its terms. It exempts from the definition of “lobbying activities” communications regarding: a “judicial proceeding; a criminal or civil law enforcement inquiry, investigation, or proceeding; or any agency process for rulemaking, adjudication, or licensing, as defined in and governed by the Administrative Procedure Act.”<sup>44</sup>

Lobbying disclosure forms often do not provide sufficient information for members of the public to make definitive determinations about whether former executive branch officials contacted their former agencies or if they contacted covered officials in other agencies.

That is because lobbying disclosure forms provide imprecise information on the activities of individual lobbyists. A lobbying firm may list multiple lobbyists contacting multiple agencies but not indicate which of those lobbyists contacted which agencies.

Public Citizen has identified five lobbyists who previously worked for the Trump administration and have reported lobbying activities on COVID-related matters that potentially violate the executive order. Further investigation is warranted in each of these cases.

- Geoff Burr joined the lobbying firm Brownstein Hyatt after serving as chief of staff to U.S. Secretary of Transportation Elaine Chao.<sup>45</sup> Brownstein Hyatt’s lobbying disclosure form for the first quarter of 2020 shows Burr and others at the firm contacting both houses of Congress and the Executive Office of the President on issue on COVID issues on behalf of McDonald’s Corp.<sup>46</sup> If Burr contacted covered officials within the Executive Office of the President or if he worked in concert with colleagues who contacted covered officials within the

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<sup>43</sup> Zach Piaker, *Help Wanted: 4,000 Presidential Appointees*, CENTER FOR PRESIDENTIAL TRANSITION (March 16, 2016), <https://bit.ly/31kWnvR>.

<sup>44</sup> *Executive Order: Ethics Commitments by Executive Branch Appointees*, THE WHITE HOUSE (Jan. 28, 2017), <https://bit.ly/3dwVYcb>.

<sup>45</sup> *Geoffrey G. Burr*, BROWNSTEIN HYATT FARBER SCHRECK (viewed on June 29, 2020), <https://bit.ly/3eADDMz>.

<sup>46</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3hZIoWl>.

Executive Office of the President, he likely violated the executive order on lobbyists' activities.

- Emily Felder served in the Trump administration as director of the Centers for Medicare & Medicaid Services' Office of Legislation, then joined the lobbying firm Brownstein Hyatt.<sup>47</sup> Lobbying disclosure forms from the first quarter of 2020 list Felder and her colleagues contacting both houses of Congress, plus either the Executive Office of the President or the Office of the Vice President (or both offices) on COVID matters on behalf of three clients on COVID issues.<sup>48</sup> If Felder contacted covered officials within either of those executive branch offices or if she worked in concert with colleagues who contacted covered officials within either of the those offices, she likely violated the executive order.
- Courtney Lawrence served as deputy assistant secretary for legislation in the Department of Health and Human Services in 2017 and 2018. She became a lobbyist for Cigna in 2018.<sup>49</sup>

Cigna's 2020 first quarter lobbying filing indicates that Lawrence and her colleagues lobbied both houses of Congress, the Department of Commerce, the Department of the Treasury, and Lawrence's former employer, the Department of Health and Human Services, on COVID issues.<sup>50</sup>

In 2019, *ProPublica* reported that a Cigna lobbying disclosure form indicated that Lawrence was lobbying the Department of Health and Human Services, which would likely be in violation of the ethics executive order. At the time, Cigna told *ProPublica*, that perception was due to a "formatting issue" that it would correct.<sup>51</sup>

Now, as then, if Lawrence is lobbying Health and Human Services, that would most likely constitute a violation of the ethics executive order. Likewise, if she provided support or guidance to any of her colleagues who lobbied that agency or covered officials anywhere else in the executive branch, that would likely constitute a violation.

- Shannon McGahn worked in 2017 and 2018 as a counselor to Treasury Secretary Steven Mnuchin.<sup>52</sup> She later joined the National Association of Realtors as its top

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<sup>47</sup> *Emily Felder*, BROWNSTEIN HYATT FARBER SCHRECK (viewed on June 29, 2020), <https://bit.ly/31fqmFp>.

<sup>48</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3dxDYhO>, <https://bit.ly/31g3rKj> and <https://bit.ly/31iaIxe>.

<sup>49</sup> *Courtney Austin Lawrence*, PROPUBLICA (viewed on June 29, 2020), <https://bit.ly/381Chbx>.

<sup>50</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2NsgIuS>.

<sup>51</sup> Derek Kravitz, *Former Trump Officials Are Supposed to Avoid Lobbying. Except 33 Haven't*, PROPUBLICA (Feb. 14, 2019), <https://bit.ly/2Vg1vNS>.

<sup>52</sup> Marianne Levine and Theodor Meyer, *National Association of Realtors names Shannon McGahn as top lobbyist*, POLITICO (Oct. 2, 2018), <https://politi.co/2NsUncR>.

lobbyist.<sup>53</sup> The National Association of Realtors' first quarter 2020 lobbying form indicates that McGahn and her colleagues lobbied both houses of Congress, plus six agencies, including the U.S. Department of the Treasury, on COVID issues.<sup>54</sup>

If McGahn contacted anybody at the Treasury Department or any covered official in any executive branch agency, she would likely be in violation of the executive order. Moreover, if McGahn, who is senior vice president of government affairs at the National Association of Realtors, engaged in any work that supported or coordinated her colleagues' outreach to the Treasury Department or covered officials at other agencies, she likely also would likely be in violation of the executive order restricting lobbyists' activities after leaving government service.

- Jordan Stoick is vice president of government relations at the National Association of Manufacturers. Stoick's biography on NAM's web site indicates that he is "NAM's lead lobbyist in Washington." He joined the trade group after working as a senior advisor in the Treasury Department.<sup>55</sup>

NAM's lobbying disclosure form for the first quarter of 2020 indicates that Stoick and colleagues lobbied both houses of Congress plus at least five executive branch agencies, including the Treasury Department, on COVID issues.<sup>56</sup>

If Stoick contacted the Treasury Department or engaged in any work that supported or coordinated his colleagues' contacts with the Treasury Department or covered officials in other executive branch agencies, he likely violated the executive order restricting lobbyists' activities after leaving government service.

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<sup>53</sup> Marianne Levine and Theodoric Meyer, *National Association of Realtors names Shannon McGahn as top lobbyist*, POLITICO (Oct. 2, 2018), <https://politi.co/2NsUncR>.

<sup>54</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3dzNpNU>.

<sup>55</sup> *Jordan Stoick*, NATIONAL ASSOCIATION OF MANUFACTURERS (viewed on June 29, 2020), <https://bit.ly/2BHnxCd>.

<sup>56</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3g1tetV>.

## IV. Profiles of Trump-Connected Lobbyists' Activities

### Brian Ballard, Pam Bondi, Sylvester Lukis, Dan McFaul, Justin Sayfie and Susan Wiles: Ballard Partners

Ballard Partners is named after Brian Ballard, who was a lobbyist for the Trump Organization in Florida for years before Trump ran for president.<sup>57</sup> He was a fundraiser for Trump in 2016 and served on Trump's transition team as vice chair of Trump's inaugural committee.<sup>58</sup> Ballard Partners first engaged in federal lobbying after Trump's election. In 2019, Ballard Partners reported having 90 clients, which was more than any other federal lobbying firm that year. Through the first quarter of 2020, Ballard Partners reported federal lobbying work for 95 clients, and it has registered at least nine new clients in the second quarter of 2020.<sup>59</sup>

The firm has lobbied or registered to lobby on COVID-issues for at least 14 clients. Brian Ballard is listed on the forms covering 13 of them. Other Ballard Partners' lobbyists with Trump connections working on coronavirus issues include:

- Pam Bondi, who was a member of the legal team representing Trump in his impeachment trial. Bondi is a former Florida attorney general. In mid-September 2013, the *Florida Sun-Sentinel* reported that Florida officials had received dozens of complaints against the education businesses owned by Donald Trump.<sup>60</sup>

Four days after the article was published, a political action committee formed to support Bondi received a \$25,000 campaign contribution from the Donald J. Trump Foundation. The next month, Bondi's office announced that it would not join a multi-state lawsuit against Trump's education businesses. Florida provided those businesses with more customers than any state except one. "Pam Bondi is a fabulous representative of the people — Florida is lucky to have her," Trump said in a statement shortly after Florida announced it would not participate in the case against him. "The case in New York is pure politics brought by an incompetent attorney general, a political hack."<sup>61</sup>

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<sup>57</sup> See, for example, State of Florida lobbying records (2015), <https://bit.ly/31eYfpQ>.

<sup>58</sup> Anna Massoglia and Karl Evers-Hillstrom, *Revolving door brings Trump-tied lobbying firm even closer to the White House*, CENTER FOR RESPONSIVE POLITICS, (Jan. 22, 2019), <https://bit.ly/3fZaKKp>.

<sup>59</sup> Ilma Hasan and Tatyana Monnay, *Trump-tied lobbying firm flourishes as businesses push for coronavirus relief*, CENTER FOR RESPONSIVE POLITICS (April 28, 2020), <https://bit.ly/3fWBln>.

<sup>60</sup> Richard Burnett, *N.Y.'s Trump U suit draws Florida officials' attention*, ORLANDO SENTINEL (Sept. 13, 2013), <https://bit.ly/380kcuh>.

<sup>61</sup> Kevin Sack and Steve Eder, *New Records Shed Light on Donald Trump's \$25,000 Gift to Florida Official*, THE NEW YORK TIMES (Sept. 14, 2016), <https://nyti.ms/2NAgEW1>.

In 2016, shortly after being elected president, Trump agreed to pay \$25 million to settle the case brought by the states against his education businesses.<sup>62</sup>

- Susan Wiles, who served as Florida state director of Trump’s 2016 campaign.<sup>63</sup>
- Dan McFaul, who worked for the Trump transition team “on the Appointments Team responsible for recruiting and vetting potential appointees to the incoming Administration,” according to his biography on Ballard Partners’ web site.<sup>64</sup>
- Justin Sayfie, currently a commissioner on the White House Commission on White House Fellowships in the Trump administration.<sup>65</sup>
- Sylvester Lukis, a Trump fundraiser.<sup>66</sup>

### Ballard Partners’ COVID-related Lobbying Activities

The five Trump-connected lobbyists listed above have combined to lobby or register to lobby on COVID-related matters for at least 14 clients in 2020. Each of these clients is new to the firm this year. These clients are:

- LaundryLux, a supplier of commercial laundry machines. LaundryLux hired Ballard Partners for the specific purpose of helping its industry receive federal “designation as essential business in response to COVID-19 virus,” according to a lobbying registration filing.<sup>67</sup> Ballard Partners delivered, as this timeline shows. On March 19, an initial memo issued by the Department of Homeland Security on did not include laundry services among the categories of “essential businesses.”<sup>68</sup> On March 21, Ballard registered to lobby for LaundryLux.<sup>69</sup> On March 28, a follow up DHS memo listed “workers in laundromats, laundry services, and dry cleaners” as essential.<sup>70</sup> Agencies Ballard lobbied, according to

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<sup>62</sup> Steve Eder, *Donald Trump Agrees to Pay \$25 Million in Trump University Settlement*, THE NEW YORK TIMES (Nov. 18, 2016), <https://nyti.ms/2Ntg8cH>.

<sup>63</sup> Trip Gabriel, *Trump Campaign Vows to Fund Florida Push, Official Says, but Cash Is in Limbo*, THE NEW YORK TIMES (Sept. 20, 2016), <https://nyti.ms/2YzfNv2>.

<sup>64</sup> *The Dream Team*, BALLARD PARTNERS (viewed on June 29, 2020), <https://bit.ly/387A9ij>.

<sup>65</sup> *Justin Sayfie*, BALLARD PARTNERS (viewed on June 29, 2020), <https://bit.ly/3dA34ga>.

<sup>66</sup> Trump Victory Fund event, POLITICAL PARTY TIME (July 26, 2016), <https://bit.ly/2YvV2jW>.

<sup>67</sup> Lobbying registration records maintained by the secretary of the Senate, <https://bit.ly/38ctHXc>.

<sup>68</sup> *Advisory Memorandum On Identification Of Essential Critical Infrastructure Workers During Covid-19 Response*, U.S. DEPARTMENT OF HOMELAND SECURITY CYBERSECURITY & INFRASTRUCTURE SECURITY AGENCY (March 19, 2020), <https://bit.ly/3gdITpS>.

<sup>69</sup> Lobbying registration records maintained by the secretary of the Senate, <https://bit.ly/38ctHXc>.

<sup>70</sup> *Advisory Memorandum On Identification Of Essential Critical Infrastructure Workers During Covid-19 Response*, U.S. DEPARTMENT OF HOMELAND SECURITY CYBERSECURITY & INFRASTRUCTURE SECURITY AGENCY (March 28, 2020), <https://bit.ly/2AZFwUN>.

its lobbying disclosure form, were the Department of Homeland Security and the White House Office.<sup>71</sup>

- NanoPure, which is seeking EPA approval for a misting spray that it said could kill coronavirus.<sup>72</sup> NanoPure's CEO expressed optimism on getting EPA approval to a reporter for *Mother Jones* who wrote about the firm's retention of Ballard Partners. "We're getting close," the CEO said, "and we're talking to the right people now."<sup>73</sup>
- Audacious Inquiry,<sup>74</sup> which pitched Trump son-in-law Jared Kushner, Vice President Mike Pence and Secretary of Health and Human Services Alex Azar on an artificial intelligence system that would use patient records to determine the availability of hospital beds and needed medical supplies.<sup>75</sup>
- Seal Shield, a maker of sanitary devices.<sup>76</sup> On April 24, the EPA ordered Seal Shield to stop selling a product to hospitals "because Seal Shield has made false or misleading claims that the device kills pathogens and is effective against the novel coronavirus."<sup>77</sup> On April 28, Seal Shield hired Ballard Partners to pursue "Environmental Protection Agency (EPA) approval for marketing materials."<sup>78</sup>
- Barry University, which has received \$2.5 million in COVID-related federal payments.<sup>79</sup>
- The District of Columbia government, which signed Ballard Partners to pursue federal COVID funds. Shortly after Trump sent out a tweet attacking D.C. Mayor Muriel Bowser, Ballard dropped the District as a client.<sup>80</sup>

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<sup>71</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2B0KIYz>.

<sup>72</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3dxwueU> and <https://on.wsj.com/2NsRY1P>.

<sup>73</sup> Dan Friedman, *How a Trump-Connected Lobbyist Is Cashing In on the Coronavirus*, MOTHER JONES (June 18, 2020), <https://bit.ly/3i3KEb6>.

<sup>74</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2YBlism>.

<sup>75</sup> Adam Cancryn, *Kushner's team seeks national coronavirus surveillance system*, POLITICO (April 7, 2020), <https://politi.co/2A2rEbG>.

<sup>76</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2B9wnZL>.

<sup>77</sup> Press release, ENVIRONMENTAL PROTECTION AGENCY, *EPA Issues Order to Seal Shield, LLC in Orlando, Florida to Stop Selling Unregistered Pesticides and a Misbranded Pesticide Device* (April 24, 2020), <https://web.archive.org/web/20200424202421/https://www.epa.gov/newsreleases/epa-issues-order-seal-shield-llc-orlando-florida-stop-selling-unregistered-pesticides>.

<sup>78</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2B9wnZL>.

<sup>79</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3eDBgca> and <https://bit.ly/2BcHaSR>.

<sup>80</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/31eTJYF> and Zolan Kanno-Youngs, Jennifer Steinhauer and Kenneth P. Vogel, *D.C.'s Mayor Fights for Control of Her City at Trump's Front Door*, THE NEW YORK TIMES (June 5, 2020), <https://nyti.ms/3e4rKgZ>

- Delaware North Companies Gaming & Entertainment Inc., which provides concession and hospitality services for venues including sports stadiums, entertainment complexes, national and state parks, airports, and casinos.<sup>81</sup>
- American Health Associates, which provides mobile laboratory services for nursing homes.<sup>82</sup> The company has received \$4.1 million in COVID money.
- Origin Logistics LLC, which offers laboratory testing services.<sup>83</sup>
- Skyport North American, which operates concessions.<sup>84</sup>
- Fidelity National Financial Inc., which sells title insurance.<sup>85</sup>
- Harry's USA, a maker of personal care products.<sup>86</sup>
- Industrious National Management Company LLC, a provider of office space.<sup>87</sup>
- Inventure Holdings LLC, an investment company.<sup>88</sup>

### **Ballard Partners' Political Contributions and Fundraising**

- Brian Ballard has contributed a combined \$1,073,465 to federal candidates and the Republican National Party Committees since the 2010 election cycle. All but \$38,900 of this has gone to Republicans. During the 2018 cycle, Ballard contributed \$5,400 to President Trump.<sup>89</sup> During the 2020 cycle thus far, Ballard and his wife have contributed \$273,200 combined to the Republican National Committee. During the 2018 cycle that total was \$200,000.
- Ballard has bundled more than \$1 million for the Trump Victory Committee, a committee that funnels money to Trump's re-election campaign and to the Republican National Committee. Relatedly, the Republican National Committee

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<sup>81</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3eC0lyr> and <https://bit.ly/2Bd9g0r>.

<sup>82</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Bbje2j> and <https://bit.ly/3dAmxxh>.

<sup>83</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/380Rl7t>.

<sup>84</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3hZ5xnD>.

<sup>85</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2BG1ax0>.

<sup>86</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Z7Xooq>.

<sup>87</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Z7f6lF>.

<sup>88</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Z66e60>.

<sup>89</sup> Lobbyist profile, Brian D. Ballard, The Center for Responsive Politics (viewed on June 29, 2020), <https://bit.ly/2VfyZMj>.

named Ballard a financial vice chair in 2017 to help raise money for the 2020 cycle.<sup>90</sup>

## David Urban: American Continental Group

David Urban is the president of American Continental Group, a powerful lobbying firm in Washington, D.C.<sup>91</sup> American Continental Group regularly ranks in the top 20 of lobbying firms in terms of total revenue each year.<sup>92</sup> But what sets the firm apart from others is David Urban's close relationship with President Trump.<sup>93</sup>

Urban joined the 2016 Trump campaign in its "early days," and after working to help Trump win primary victories in Pennsylvania and Indiana, Urban was named a campaign senior advisor.<sup>94</sup>

After Trump was elected president, *Politico* named Urban one of the 30 most powerful people in Trump's Washington.<sup>95</sup> President Trump appointed Urban to serve as the chairman of the American Battle Monuments Commission<sup>96</sup> and also appointed him to the Board of Visitors for the United States Military Academy at West Point.<sup>97</sup>

Urban's closeness to President Trump has become his calling card. He displays his former Trump campaign senior advisor title in his Twitter bio and regularly tweets or retweets pro-Trump or anti-Joe Biden items.<sup>98</sup> He also appears on television defending the president against critics.<sup>99</sup>

Trump reportedly seeks guidance from Urban regularly. *The Wall Street Journal* reported that Trump sought advice from Urban in June 2020 on potentially firing Defense Secretary Mark Esper.<sup>100</sup> On a recent trip to West Point, Trump was joined by Urban,

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<sup>90</sup> Ilma Hasan and Tatyana Monnay, *Trump-tied lobbying firm flourishes as businesses push for coronavirus relief*, CENTER FOR RESPONSIVE POLITICS (April 28, 2020), <https://bit.ly/3fWBlrn>.

<sup>91</sup> *David Urban*, ACG ADVOCACY (viewed on June 29, 2020), <https://bit.ly/3813kDw>.

<sup>92</sup> Top lobbying firms, CENTER FOR RESPONSIVE POLITICS (viewed on June 29, 2020), <https://bit.ly/37Z2mHY>.

<sup>93</sup> Theodor Meyer, *The Most Powerful Lobbyist in Trump's Washington*, POLITICO (April 2, 2018), <https://politi.co/2BIOqWo>.

<sup>94</sup> *David Urban*, ACG ADVOCACY (viewed on June 29, 2020), <https://bit.ly/3813kDw>.

<sup>95</sup> Anna Palmer, Jake Sherman and Daniel Lippman, *The Playbook Power List*, POLITICO (2017), <https://politi.co/2B9S0Js>.

<sup>96</sup> *David John Urban, Chairman*, AMERICAN BATTLE MONUMENTS COMMISSION (viewed on June 29, 2020), <https://bit.ly/2Yv3qjL>.

<sup>97</sup> *The 2020 Board of Visitors*, THE U.S. MILITARY ACADEMY AT WEST POINT (viewed on June 29, 2020), <https://bit.ly/2BcDYGR>.

<sup>98</sup> David J. Urban twitter account (@DavidJUrban). (See, for example, "@joebiden is going to DESTROY 600,000+ jobs in PA @realDonaldTrump help create!" (June 26, 2020), <https://twitter.com/DavidJUrban/status/1276494079187193857>)

<sup>99</sup> See, for example, "Urban: 'Poppycock' that Trump is not empathetic," CNN, <https://cnn.it/3dAdjko>.

<sup>100</sup> Gordon Lubold, *Trump Wanted to Fire Esper Over Troops Dispute*, WALL STREET JOURNAL (June 9, 2020), <https://on.wsj.com/3hXZ2BL>.

according to a *Bloomberg* reporter. The reporter described Urban as an “outside presidential advisor.”<sup>101</sup> Trump reportedly wants Urban to play a more prominent role in his 2020 campaign.<sup>102</sup>

Urban has represented 44 lobbying clients in 2020 thus far,<sup>103</sup> 15 of which paid him to lobby on coronavirus issues.

### Urban’s COVID-related Lobbying Activities

- Walgreens paid Urban and three of his colleagues \$50,000 to lobby the Congress, the Department of Health and Human Services, the Centers for Medicare and Medicaid Services, and the White House on four issues, two of which were the “public health crisis” and the CARES Act.<sup>104</sup> Walgreens has received a total of \$32 million in COVID assistance, including \$27 million in grants from the HHS provider relief fund.<sup>105</sup> The Federal Reserve has also purchased \$5 million in Walgreens corporate bonds.
- Endeavor IMG, a sports, entertainment, and fashion company, paid Urban and his colleagues to lobby the Congress and Treasury. Among the issues the team lobbied on was the “public health crisis” and the CARES Act.<sup>106</sup>

Endeavor IMG’s parent company, Endeavor, also controls the mixed martial arts company UFC and entertainment agency WME. It laid off hundreds of employees in March.<sup>107</sup> The following month, the company announced it had secured a \$260 million dollar loan to help it through the pandemic.<sup>108</sup>

Endeavor’s CEO is Ari Emanuel, who is the brother of former White House Chief of Staff Rahm Emanuel and was reportedly vetted for a potential job in the Trump administration in 2016.<sup>109</sup> Trump sold his stake in the Miss Universe Organization to Emanuel’s company, and Emanuel has represented Trump in

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<sup>101</sup> Jennifer Jacobs tweet (June 13, 2020), <https://bit.ly/2A8r2S0>.

<sup>102</sup> Anita Kumar, *Trump gets the 2016 band back together as he tumbles in polls*, POLITICO (June 9, 2020), <https://politi.co/2BEuiF0>.

<sup>103</sup> *Lobbyist Profile: David J Urban*, CENTER FOR RESPONSIVE POLITICS (viewed on June 29, 2020), <https://bit.ly/3duWx6t>.

<sup>104</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/31fxcLa>.

<sup>105</sup> HHS Provider Relief Fund, CENTERS FOR DISEASE CONTROL AND PREVENTION (viewed on June 29, 2020), <https://bit.ly/2NwgcY8>.

<sup>106</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2BCbg0U>.

<sup>107</sup> Madeline Berg, *Endeavor To Lay Off 250 Employees Due To Coronavirus*, FORBES (March 25, 2020), <https://bit.ly/3icfG0y>.

<sup>108</sup> Miriam Gottfried, *Endeavor Group Secures \$260 Million Loan to Help Business Battered by Coronavirus*, THE WALL STREET JOURNAL (May 11, 2020), <https://on.wsj.com/2Czdf7I>.

<sup>109</sup> Jonathan Swan, Juliet Bartz, Alayna Treene, Orion Rummeler, *Exclusive: Leaked Trump vetting docs*, AXIOS (June 24, 2019), <https://bit.ly/2YvF6hN>.

Celebrity Apprentice negotiations.<sup>110</sup> Trump refers to Emanuel as a “close friend.”<sup>111</sup>

- Genentech Inc, a biotech company, paid Urban and a colleague to lobby Congress and the White House on the public health crisis and the CARES Act.<sup>112</sup> Genentech currently has a drug in phase III clinical trials aimed at combatting severe COVID-19 pneumonia, according to the company’s website.<sup>113</sup>

Genentech’s parent company, Roche, has produced a COVID-19 antibody test.<sup>114</sup> Dr. William Pao, Roche’s Head of Pharma Research & Early Development,<sup>115</sup> sits on the executive committee of a National Institutes of Health public-private partnership aimed at fast-tracking vaccines.<sup>116</sup>

- Stamford Hospital hired Urban and two of his colleagues to lobby on its behalf in late April 2020, according to the registration disclosure.<sup>117</sup>

Stamford Hospital has received \$91 million combined in grants and loans of COVID-19 stimulus money thus far, according to Good Jobs First.<sup>118</sup> The grants, which total \$39.7 million, came from the Centers for Disease Control and Prevention.<sup>119</sup> The loans, which total \$51.7 million, came from the Centers for Medicare and Medicaid Services.<sup>120</sup>

- Snow Phipps Group, a private equity firm,<sup>121</sup> hired Urban to lobby on its behalf in March 2020. Urban, who is the only American Continental Group lobbyist listed

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<sup>110</sup> Brian Stelter, *Donald Trump meets with ‘the King of Hollywood*, CNN (Nov. 20, 2016), <https://cnn.it/31nhVYZ>.

<sup>111</sup> Brian Stelter, *Donald Trump meets with ‘the King of Hollywood*, CNN (Nov. 20, 2016), <https://cnn.it/31nhVYZ>.

<sup>112</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/37XH2mm>.

<sup>113</sup> Press release, GENENTECH, *Genentech Initiates Phase III Clinical Trial of Actemra Plus Remdesivir in Hospitalized Patients With Severe COVID-19 Pneumonia* (May 27, 2020), <https://bit.ly/2YuOtye>.

<sup>114</sup> Press release, ROCHE, *Roche’s COVID-19 antibody test receives FDA Emergency Use Authorization and is available in markets accepting the CE mark* (May 3, 2020), <https://bit.ly/31et2TS>.

<sup>115</sup> William Pao CV (viewed on June 29, 2020), <https://bit.ly/2ViVTCl>.

<sup>116</sup> *ACTIV Public-Private Partnership*, NIH (viewed on June 29, 2020), <https://bit.ly/2VzqUmb>.

<sup>117</sup> Stamford Health web site (viewed on June 29, 2020), <https://bit.ly/2NGU3rf> and Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/31bLYTg>.

<sup>118</sup> COVID Stimulus Watch, <https://bit.ly/3dymfH9>. (Figures subject to change with updates.)

<sup>119</sup> See *Provider Relief Fund COVID-19 High-Impact Payments*, CENTERS FOR DISEASE CONTROL AND PREVENTION (viewed on June 29, 2020), <https://bit.ly/381TXnp> & *HHS Provider Relief Fund*, CENTERS FOR DISEASE CONTROL AND PREVENTION (viewed on June 29, 2020), <https://bit.ly/2NwcgY8>. (Figures subject to change with updates.)

<sup>120</sup> *Current Emergencies*, CENTERS FOR MEDICARE AND MEDICAID SERVICES (viewed on June 29, 2020), <https://go.cms.gov/3i3OdOw>.

<sup>121</sup> Snow Phipps web site (viewed on June 30, 2020), <https://bit.ly/2B2V3mO>.

- on the disclosure, indicated he will be lobbying on “issues related to the public health crisis.”<sup>122</sup>
- Bayer Corporation paid Urban and his colleagues to lobby Congress and the White House on the “public health crisis.”<sup>123</sup> Bayer reportedly benefited from the stockpiling of drugs early in the crisis.<sup>124</sup>
  - Cognizant Technology Solutions, a technology company,<sup>125</sup> paid Urban and a colleague to lobby the Senate and HHS on the CARES Act.<sup>126</sup> Cognizant offers virtual workplace solutions, among other products.<sup>127</sup>
  - Aptiv PLC, an auto parts and technology company, hired Urban and American Continental Group in April 2020 to lobby on the “public health crisis.”<sup>128</sup>
  - Leaf 4 Life LLC, a cannabis company,<sup>129</sup> first hired Urban and American Continental Group in April 2020 to lobby on “issues related to the public health crisis.”<sup>130</sup>
  - 7-Eleven paid Urban and a colleague to lobby the Small Business Administration, Treasury and the White house on the “public health crisis.”<sup>131</sup> 7-Eleven franchise owners have been critical of the parent company for its lack of support for the franchisees during the pandemic.<sup>132</sup>
  - The National Association of Home Builders, a trade group that represents builders, contractors, and other business associated with home building,<sup>133</sup> paid Urban and a colleague to lobby Congress and the White House on the CARES Act.<sup>134</sup>

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<sup>122</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Vix5uA>.

<sup>123</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2YyVJsl>.

<sup>124</sup> Angus Liu, *Bayer business up in the air as COVID-19 and Roundup litigation uncertainties persist*, FIERCE PHARMA (April 27, 2020), <https://bit.ly/2YvllKg>.

<sup>125</sup> Cognizant web site (viewed on June 29, 2020), <https://cogniz.at/2B1Nmxm>.

<sup>126</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3dxfwgF>.

<sup>127</sup> Cognizant web site (viewed on June 29, 2020), <https://cogniz.at/3dBKzb0>.

<sup>128</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/382wS3R>.

<sup>129</sup> Leaf for Life web site (viewed on June 29, 2020), <https://bit.ly/2Ywc95e>.

<sup>130</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2YwKT6x>.

<sup>131</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3eBo33p>.

<sup>132</sup> Shawn M. Carter, *7-Eleven coronavirus aid is an illusion, franchisees say after owner dies*, FOX BUSINESS (April 16, 2020), <https://fxn.ws/2ZbYHCz>.

<sup>133</sup> National Association of Home Builders web site (viewed on June 29, 2020), <https://bit.ly/2CKdfIH>.

<sup>134</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2ZnwBon>.

- Affordable Housing Developers Council, a group made up of the largest developers of affordable housing,<sup>135</sup> paid Urban and one other American Continental Group lobbyist \$120,000 to lobby Congress, Treasury and the White House on the CARES Act, the Paycheck Protection Program, and other issues.<sup>136</sup>
- Rural County Representatives of California, a trade group that works on issues facing rural California,<sup>137</sup> paid Urban and a colleague to lobby Congress and the White House on the CARES Act and Paycheck Protection Program.<sup>138</sup>
- Boys & Girls Clubs of America paid Urban and his colleagues to lobby Congress and the White House on the CARES Act.<sup>139</sup>
- Comcast paid Urban and American Continental Group to lobby Congress on the CARES Act.<sup>140</sup> The Federal Reserve has purchased \$13.3 million in Comcast corporate bonds.

### David Urban and ACG's Political Contributions and Fundraising

- David Urban has contributed more than \$120,000 to federal candidates and party committees from the 2010 cycle through today. He has contributed more than \$15,000 so far in the 2020 election cycle.
- Urban was also responsible for bundling \$106,400 in contributions to the National Republican Congressional Committee in 2010.<sup>141</sup>

### Geoff Burr, Emily Felder and Marc Lampkin: Brownstein, Hyatt et al.

Three Trump-connected lobbyists who work for lobbying powerhouse Brownstein, Hyatt combined to represent 45 clients on COVID-related matters. Of these, 18 clients are new to the firm this year.

These Trump-connected lobbyists representing clients on COVID issues were:

- Geoff Burr, who previously served as chief of staff to U.S. Department of Transportation Secretary Elaine Chao. Burr was responsible for “advising [Chao]

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<sup>135</sup> <https://bit.ly/3ezDzwD>.

<sup>136</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3i1S6Dz>.

<sup>137</sup> <https://bit.ly/2NwIB10>.

<sup>138</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3ez8YiU>.

<sup>139</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3fQ1Squ>.

<sup>140</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3i0chle>.

<sup>141</sup> Federal Election Commission disclosure, <https://bit.ly/2VikEyI>. This total also includes the contributions Urban made to the NRCC himself during the 2010 cycle, which was \$500. This \$500 is also included in the individual contribution total in the previous bullet.

on policy matters and acting as the primary liaison between the department, the White House and all other Cabinet secretary front offices.”<sup>142</sup>

- Emily Felder, who served in the Trump administration as director of the Centers for Medicare & Medicaid Services’ Office of Legislation. In that capacity, “she led CMS’ legislative planning efforts and managed all congressional relations,” according to her Brownstein bio.<sup>143</sup>
- Marc Lampkin, who was a Trump fundraiser in 2016 and describes himself as a founding member of the Great America committee affiliated with Vice President Mike Pence.<sup>144</sup>

### **Selected Lobbying Activities by Brownstein, Hyatt on COVID-related Issues in the First Quarter of 2020**

- Brownstein, Hyatt represented AdvaMed, a medical device trade association whose members include several firms working on COVID-related matters.<sup>145</sup> These members include:
  - COVID-test makers Roche and Abbott.
  - Pfizer and Johnson & Johnson, which were both selected by the U.S. government among the five research teams most likely to develop an effective vaccine for coronavirus.<sup>146</sup>
  - Sanofi, a maker of hydroxychloroquine,<sup>147</sup> the anti-malarial drug that Trump ceaselessly promoted as a COVID cure until studies disproved him; and Novartis, which pledged in March to produce and donate 130 million doses of hydroxychloroquine.<sup>148</sup>

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<sup>142</sup> Geoffrey G. Burr, BROWNSTEIN HYATT FARBER SCHRECK (viewed on June 29, 2020), <https://bit.ly/3eADDMz>.

<sup>143</sup> Emily Felder, BROWNSTEIN HYATT FARBER SCHRECK (viewed on June 29, 2020), <https://bit.ly/31fqmFp>.

<sup>144</sup> David M. Drucker, *Mike Pence hosting DC fundraiser in July for leadership PAC*, WASHINGTON EXAMINER (July 14, 2017), <https://washex.am/3g8Enck>.

<sup>145</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3dxDYhO> and AdvaMed members (viewed on June 29, 2020), <https://bit.ly/2BGiiTk>.

<sup>146</sup> Noah Weiland and David E. Sanger, *Trump Administration Selects Five Coronavirus Vaccine Candidates as Finalists*, THE NEW YORK TIMES (June 15, 2020), <https://nyti.ms/3dyks4T>.

<sup>147</sup> Press release, SANOFI, COVID-19: Sanofi to donate 100 million doses of hydroxychloroquine across 50 countries (April 20, 2020), <https://bit.ly/2NGTv4p>.

<sup>148</sup> Press release, NOVARTIS, Novartis commits to donate up to 130 million doses of hydroxychloroquine to support the global COVID-19 pandemic response (May 20, 2020), <https://bit.ly/2ZcKkhH>.

- Eli Lilly, which is testing a COVID antibody in humans.<sup>149</sup> Separately, an Eli Lilly arthritis drug is undergoing a federal test in human to test its efficacy in treating COVID patients.<sup>150</sup>

With regard to COVID lobbying for AdvaMed, Brownstein Hyatt disclosed on its lobbying forms only that it lobbied on “issues related to COVID-19 relief.”<sup>151</sup> Those vague words, which were the same or similar to the words it used to describe its COVID-related work for most of its other clients, do not provide much insight into that specific topics it lobbied upon. Brownstein did disclose lobbying the office of Vice President Mike Pence on AdvaMed’s behalf. Pence is the coordinator of the administration’s coronavirus task force.

- Trump-connected lobbyists for Brownstein Hyatt lobbied directly for the above-mentioned Johnson & Johnson and Eli Lilly (representing Eli Lilly affiliate Lilly USA).<sup>152</sup>
- Trump-connected lobbyists for Brownstein Hyatt represented AbbVie, which is testing its HIV treatment as a treatment for coronavirus.<sup>153</sup> The Federal Reserve has purchased \$7.4 million worth of AbbVie corporate bonds.
- Trump-connected lobbyists for Brownstein Hyatt represented Beckman Coulter Diagnostics, which is working on an antibody test. It is represented on COVID matters by Trump-connected lobbyists who work for Brownstein Hyatt.<sup>154</sup>
- Brownstein Hyatt lobbied on COVID issues for three affiliates of Apollo Global Management, a private equity firm.<sup>155</sup> It received nearly \$1 million in the first quarter of 2020 for its combined lobbying work for these entities.

Private equity firms were popularly reported as excluded from federal COVID relief programs, but that was not the case. Health care companies owned by Apollo Global Management have received at least \$500 million in federal loans,

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<sup>149</sup> Ben Adams, *Lilly starts second COVID-19 antibody test with partner Junshi Biosciences, eyes combo trials*, FIERCE BIOTECH (June 8, 2020), <https://bit.ly/2CjOwpT>.

<sup>150</sup> Carl O’Donnell, *Eli Lilly starts trial of rheumatoid arthritis drug in COVID-19 patients*, REUTERS (June 15, 2020), <https://reut.rs/31fyq9e>.

<sup>151</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3dxDYhO>.

<sup>152</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2ZjXNOj> and <https://bit.ly/3dRF5cn>.

<sup>153</sup> AbbVie web site (viewed on June 29, 2020), <https://bit.ly/3dGBxtz> and Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3febknq>.

<sup>154</sup> Press release, BECKMAN COULTER, *Beckman Coulter announces development of tests to detect coronavirus antibodies* (March 31, 2020), <https://bit.ly/38e9Ozc> and Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3e0q2NB>.

<sup>155</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3dX1h4U>, <https://bit.ly/3iA5zCX> and <https://bit.ly/2BxVg1D> and Apollo Global Management, Form 10-K, Securities and Exchange Commission filing (Feb. 21, 2020), <https://bit.ly/31gLRWA>.

*Bloomberg* reported.<sup>156</sup> One of those companies is LifePoint Health, which has received \$260 million in federal COVID grants and \$504 million in federal COVID loans.<sup>157</sup> Brownstein lobbied for LifePoint Health directly, as well.<sup>158</sup>

Private-equity firms are reportedly viewing the downturn resulting from the pandemic as an opportunity to buy up distressed assets.

“Some feared that lending money to private equity firms would only encourage their penchant for buying more companies and loading them up with high-interest debt,” *Bloomberg* reported. “Even some lobbyists who represent health-care companies were stunned to learn that HHS doled out billions of dollars in coronavirus aid without distinguishing between hospitals struggling for survival and those wealthy enough to view the no-interest loans as a free federal contribution to their cash hoards.”<sup>159</sup>

- Apollo Global Management owns Sun Country Airlines.<sup>160</sup> Sun Country Airlines has received \$60.6 million in federal COVID funds (as of June 29).<sup>161</sup> Brownstein Hyatt also lobbied directly for Sun Country Airlines. The only issues it reported working on for Sun Country in the first quarter was COVID-relief.<sup>162</sup>
- Apollo Global Management also is a part owner of Phoenix University, a for-profit university.<sup>163</sup> There were questions about whether for-profit colleges would be eligible<sup>164</sup> for federal COVID stimulus money, but Phoenix was awarded \$3.3 million.<sup>165</sup> Brownstein also lobbied directly for Phoenix University, but did not mention working on COVID-related issues.<sup>166</sup>

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<sup>156</sup> David Kocieniewski and Caleb Melby, *Private Equity Lands Billion-Dollar Backdoor Hospital Bailout KKR, Apollo, Cerberus own medical-services companies that received no-interest loans from HHS*, BLOOMBERG (June 2, 2020), <https://bloom.bg/2Blup2c>.

<sup>157</sup> COVID Stimulus Watch (viewed on June 29, 2020), <https://bit.ly/2BcPgLp>. (Figures subject to change with updates.)

<sup>158</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3fYp1a8>.

<sup>159</sup> David Kocieniewski and Caleb Melby, *Private Equity Lands Billion-Dollar Backdoor Hospital Bailout KKR, Apollo, Cerberus own medical-services companies that received no-interest loans from HHS*, BLOOMBERG (June 2, 2020), <https://bloom.bg/2Blup2c>.

<sup>160</sup> Press release, APOLLO, *Funds Managed by Affiliates of Apollo Global Management to Acquire Sun Country Airlines* (Dec. 14, 2017), <https://bit.ly/380JrfQ>.

<sup>161</sup> COVID Stimulus Watch (viewed on June 29, 2020), <https://bit.ly/3fYrzoR>. (Figures subject to change with updates.)

<sup>162</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/37YdiWs>.

<sup>163</sup> *Subsidiaries Of Apollo Global Management, LLC*, SECURITIES AND EXCHANGE COMMISSION (March 21, 2011), <https://bit.ly/31hRqnK>.

<sup>164</sup> Paul Fein, *For-Profit Colleges and Stimulus Funds*, INSIDE HIGHER ED (April 9, 2020), <https://bit.ly/31hRmo0>.

<sup>165</sup> COVID Stimulus Watch (viewed on June 29, 2020), <https://bit.ly/3fYrzoR>. (Figures subject to change with updates.)

<sup>166</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2BHzoAA>. The absence of such a mention does not necessarily mean it did not work on COVID-related issues for Phoenix

- Brownstein Hyatt lobbied for Tenet Healthcare, a healthcare company with hundreds of facilities around the country.<sup>167</sup> Tenet Healthcare facilities have received a total of more than \$1.4 billion in COVID funds. Brownstein Hyatt also lobbied for at least three healthcare entities besides Tenet Healthcare that have received COVID money. They were
  - Cleveland Clinic Foundation (\$924,936,170)<sup>168</sup>
  - LifePoint Health (\$763,746,189)<sup>169</sup>
  - Marshfield Clinic (\$103,067,786)<sup>170</sup>
- Brownstein Hyatt registered in the first quarter of 2020 to lobby on COVID issues for private equity firm Colony Capital,<sup>171</sup> which is run by Tom Barrack, who managed Trump’s scandal-plagued inaugural committee.<sup>172</sup> Colony Capital defaulted on \$3.2 billion in loans since Brownstein Hyatt registered to lobby for it.<sup>173</sup>

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University. Brownstein Hyatt’s description of its lobbying work for Phoenix University has been extremely vague for years, as it typically disclosed working on “issues related to postsecondary education.” It provided the same description when working for an investment group acquiring Phoenix University in 2017. Brownstein Hyatt was paid \$770,000 by the investment group that quarter. (See Lobbying disclosure records maintained by the secretary of the Senate, <http://bit.ly/2wVDQH3>.

<sup>167</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3guPdts> and Tenet Health web site (viewed on June 30, 2020), <https://bit.ly/3eOnCD5>.

<sup>168</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2NYQpsF> and COVID Stimulus Watch (viewed on June 29, 2020), <https://bit.ly/2NP5OvE>. (Figures subject to change with updates.)

<sup>169</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3fYp1a8> and COVID Stimulus Watch (viewed on June 29, 2020), <https://bit.ly/2VGXYsa> and <https://bit.ly/3gnE6m3>. (Figures subject to change with updates.) The LifePoint total includes COVID funds awarded to Duke LifePoint Healthcare, a joint venture between LifePoint Health and the Duke University Health System, <https://bit.ly/2YR9vXR>.

<sup>170</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Z2zAne> and COVID Stimulus Watch (viewed on June 29, 2020), <https://bit.ly/3dOqb6B>, <https://bit.ly/2YOTukM> and <https://bit.ly/3gck5Pc>. (Figures subject to change with updates.)

<sup>171</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3dXnKi9>.

<sup>172</sup> Daniel Lippman, *Trump cuts off one of his closest friends*, POLITICO (Aug. 19. 2019), <https://politi.co/2NuWpsX>.

<sup>173</sup> *Tom Barrack’s Colony Capital defaults on \$3.2B in loans*, THE REAL DEAL (May 10, 2020), <https://bit.ly/2B0aOeg>.

**Table 5: Full List of Clients for Which Trump-connected Lobbyists for Brownstein Hyatt Lobbied or Registered to Lobby on COVID Issues, First Quarter 2020**

Clients	New Client?	Clients	New Client?
Beckman Coulter Diagnostics	Y	Johnson & Johnson Services Inc.	
City and County of Denver	Y	KinderCare Education LLC	
National Mentor Holdings Inc.	y	LifePoint Health	
AbbVie		Lilly USA LLC	
AdvaMed		Marriott International Inc.	
Anthem		Marshfield Clinic	Y
Apollo Investment Management, Lp		McDonald's Corp.	
Apollo Management Holdings		National Association of Real Estate Investment Trusts	
Apollo Management, LP		National Association of Theatre Owners	Y
Ares Capital Corporation		National Retail Federation	Y
Athene Holding		NMAC (on behalf of the HIV/STD Partnership)	
Carlson Travel Inc.	Y	Novartis	
Cars.com	Y	PureStar Group	Y
Centene		Royal Caribbean	Y
CLEAR		Santa Cruz Healthcare	Y
Cleveland Clinic Foundation	Y	Searchlight Capital Partners	
Colony Capital	Y	Sun Country Airlines	
Credit Union National Association, Inc.		Tenet Healthcare Corp.	Y
Envision Healthcare	Y	Textile Rental Services Association	
Gogo Inc.	Y	The Early Care and Education Consortium	
Insperty Services		The Federation of State Medical Boards	
Jacobs Engineering Group Ind	y	Wynn Resorts Limited	y
		Ygrene Energy Fund Inc.	

### **Brownstein Hyatt's Political Contributions and Fundraising**

- Brownstein Hyatt lobbyist Marc Lampkin has given \$540,217 to federal candidates and the national party committees from the 2010 cycle through the 2020 cycle thus far. All of this money has gone to Republicans. After contributing \$103,550 during the 2018 cycle, Lampkin has given \$75,522 during the 2020 cycle thus far. He has already maxed out to President Trump during the 2020 cycle.
- Brownstein Hyatt's PAC has given \$2 million combined to federal candidates and the national party committees from the 2010 cycle through today, 53 percent of which has gone to Republicans.
- Brownstein Hyatt has bundled \$1.7 million for federal political committees since 2010. Most of this has gone to the Democratic Senatorial Campaign Committee.

The remainder, \$246,000, was bundled for the National Republican Senatorial Committee.

## Jeff Miller, George Caram, Ashley Gunn and Jonathan Hiler: Miller Strategies

Miller Strategies is a relatively new lobbying firm founded by Jeff Miller, who is possibly Trump's largest fundraiser.

Miller served as vice chair of Trump's 2016 inaugural committee.<sup>174</sup> Miller is a vice chair of the 2020 Republican National Convention and has raised millions of dollars for the Trump 2020 campaign and the Republican Party.<sup>175</sup>

Miller Strategies reported its first federal lobbying activity in the first quarter of 2017, which was the quarter in which Trump was inaugurated.

Jeff Miller and three other Miller Strategies lobbyists reported COVID lobbying in the first quarter 2020. The others were:

- George Caram, who worked on Trump's National Security Council.<sup>176</sup>
- Ashley Gunn, who served senior director of cabinet affairs for the Trump administration.<sup>177</sup>
- Jonathan Hiler, who served as director of legislative affairs for Vice President Mike Pence.<sup>178</sup>

## Lobbying Activities by Miller Strategies on COVID-related Issues in the First Quarter 2020

These lobbyists have combined to lobby, or registered to lobby, for at least 11 clients on COVID-related issues. Five of these clients were new to the firm.

These clients included:

- Adelanto HealthCare Ventures LLC, a healthcare consulting company.<sup>179</sup>
- Ashford Hospitality Trust Inc., a real estate investment trust company.<sup>180</sup> Ashford and two companies it advises collectively received \$59 million in Paycheck

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<sup>174</sup> *Our Team*, MILLER STRATEGIES (viewed on June 29, 2020), <https://bit.ly/380xXsL>.

<sup>175</sup> *Our Team*, MILLER STRATEGIES (viewed on June 29, 2020), <https://bit.ly/380xXsL>.

<sup>176</sup> *Our Team*, MILLER STRATEGIES (viewed on June 29, 2020), <https://bit.ly/380xXsL>.

<sup>177</sup> *Our Team*, MILLER STRATEGIES (viewed on June 29, 2020), <https://bit.ly/380xXsL>.

<sup>178</sup> *Our Team*, MILLER STRATEGIES (viewed on June 29, 2020), <https://bit.ly/380xXsL>.

<sup>179</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Z9llq3>.

<sup>180</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/381AkM5>.

Protection Program funds, but ended up returning the money over criticism that it was falsely representing itself as a small business.<sup>181</sup>

- Blackstone Administrative Services Partnerships L.P.,<sup>182</sup> which is owned by the private equity firm Blackstone Group.<sup>183</sup> The firm reported contacting the U.S. Department of Labor, U.S. Department of Treasury, Small Business Administration, Environmental Protection Agency, as well as both houses of Congress.
- California Business Roundtable, a group consisting of executives of major employers in California.<sup>184</sup>
- Free Conference Call, an audio conferencing platform.<sup>185</sup>
- iAero Group, a charter airline service.<sup>186</sup>
- Lindblad Expeditions, a tourism company.<sup>187</sup> The firm has received \$6.6 million in federal COVID grants.<sup>188</sup>
- Nuclein, which announced in March that it was seeking to commercialize a hand-held device that could be used to diagnose coronavirus.<sup>189</sup> Miller Strategies reported lobbying the Office of the Vice President and the Department of Health and Human Services on Nuclein's behalf.
- Pernod Ricard, maker of Jameson's Irish Whiskey and other well-known alcoholic drinks, which announced in March that it would produce hand sanitizer to address COVID-related needs.<sup>190</sup> A Pernod Ricard executive credited the White House coronavirus task force with expediting regulatory approvals to begin production.

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<sup>181</sup> *Hospitality Company at Root of Loan Controversy Pivots to Survival Mode Sans Federal Help*, SKIFT (June 18, 2020), <https://yhoo.it/3hVTwzy>.

<sup>182</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/37Z0bUO>.

<sup>183</sup> Brian Schwartz, *Investment firms spent millions lobbying Trump administration and Congress on coronavirus relief bill*, CNBC (April 27, 2020), <https://cnb.cx/2A0UB7Q>.

<sup>184</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/31dvEkW>.

<sup>185</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2BHLClA>.

<sup>186</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2NwLY8s>.

<sup>187</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3g06kms>.

<sup>188</sup> COVID Stimulus Watch (viewed on June 29, 2020), <https://bit.ly/3i1Vqys>. (Figures subject to change with updates.)

<sup>189</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Zbo4ob> & Press release, NUCLEIN, *Nuclein Speeds Commercialization of First Ever Hand-Held PCR Test to Aid in COVID-19 Pandemic* (March 24, 2020) <https://bloom.bg/3fWQQ2D>.

<sup>190</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3ezNq5I>.

“In coordination with Dr. Navarro and the White House Task Force, we are utilizing our network of American manufacturing sites to help curb the national shortage of hand sanitizer which we will produce and donate for domestic use,” the executive said in a press release issued on March 18.<sup>191</sup>

Pernot Ricard said it was donating the product. Even if so, it received free advertising from the president. Three days after the company announced its plans to make hand sanitizer, Trump said. “They’ve been unbelievable, Pernot Ricard. Trump said. “They are making a tremendous amount of hand sanitizer, at a very high level, too, by the way.”<sup>192</sup>

- Pfizer, which is working on a COVID vaccine. On behalf of Pfizer, the firm reported that Miller contacted both the Executive Office of the President and the Office of the Vice President.<sup>193</sup> Pfizer was selected by the U.S. government among the five research teams most likely to develop an effective vaccine for coronavirus.<sup>194</sup> The Federal Reserve has purchased \$5.5 million in Pfizer corporate bonds.
- SAS Institute Inc., which is marketing predictive analytics technology to help hospitals and governments “optimize medical resources so citizens get the best health outcomes possible.”<sup>195</sup>

### Miller Strategies’ Political Contributions and Fundraising

- Jeff Miller and his wife have contributed a combined \$475,450 to federal candidates and the national party committees from the 2014 cycle through the 2020 cycle thus far, all of which has gone to Republicans. The couple has already contributed \$295,000 during the 2020 cycle.<sup>196</sup>
- Miller and his wife have both maxed out to President Trump’s campaign during the 2020. Ashley Gunn has contributed \$2,000 to Trump during the 2020 cycle thus far.

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<sup>191</sup> Press release, PERNOD RICARD, *Pernod Ricard USA Produces Hand Sanitizer to Help U.S. Combat COVID-19 Virus* (March 18, 2020), (<https://prn.to/31ddi3v>).

<sup>192</sup> C-SPAN Clip (March 21, 2020), <https://cs.pn/2Vij5RI>.

<sup>193</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2YzJWuh> & <https://bit.ly/3ga31th>.

<sup>194</sup> Noah Weiland and David E. Sanger, *Trump Administration Selects Five Coronavirus Vaccine Candidates as Finalists*, THE NEW YORK TIMES (June 15, 2020), <https://nyti.ms/3dyks4T>.

<sup>195</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/31tewrF> and SAS web site, <https://bit.ly/3g2brm3>.

<sup>196</sup> Public Citizen analysis of records provided by the Center for Responsive Politics and the Federal Election Commission.

- Miller has bundled nearly \$4 million to the Trump Victory Committee since 2019. That committee funnels money to Trump’s campaign and the Republican National Committee.<sup>197</sup>

## Courtney Lawrence: Cigna Corporation

Courtney Lawrence’s Capitol Hill career began in 2008 when she worked for Rep. Tom Price (R-Ga.), who became secretary of Health and Human Services in the Trump administration. She later worked for Sen. Bill Cassidy (R-La.) before starting her lobbying career with health insurance trade group America’s Health Insurance Plans (AHIP).<sup>198</sup>

In 2017, Lawrence left AHIP for the Trump administration, joining the Department of Health and Human Services as a deputy assistant secretary for legislation – a position she held briefly, before leaving Health and Human Services to become a lobbyist for Cigna in 2018.<sup>199</sup> In 2019, *ProPublica* reported that one of Cigna’s lobbying disclosures showed Lawrence was lobbying the Centers for Medicare and Medicaid Services, the Department of Health and Human Services, and the Office of Management and Budget. This would be likely be in violation of Trump’s ethics pledge, which prohibits former Trump administration officials from lobbying their former federal agencies for five years.<sup>200</sup> A Cigna representative told *ProPublica* that the lobbying report’s indication that Lawrence lobbied executive branch agencies was due to a “formatting issue” that it would correct.<sup>201</sup>

Cigna’s 2020 first quarter lobbying filing reports nearly \$1.5 million in total lobbying spending.<sup>202</sup> It reports that Lawrence and her colleagues lobbied the Congress, the Department of Commerce, the Department of the Treasury, the Centers for Medicare and Medicaid Services, and Lawrence’s former employer, the Department of Health and Human Services, on four separate pieces of Covid-19 related legislation.<sup>203</sup>

Because Lawrence worked at Health and Human Services as recently as 2018, her five-year ban on lobbying HHS will not be up until sometime in 2023. If she lobbied HHS,<sup>204</sup>

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<sup>197</sup> Alex Isenstadt, *Trump launches unprecedented reelection machine: Unique structure of the president’s reelection campaign is an expression of his iron grip on the party*, POLITICO (Dec. 18, 2018), <https://politi.co/2VhYuga>.

<sup>198</sup> Courtney Lawrence, *Employment Timeline*, CENTER FOR RESPONSIVE POLITICS (viewed on June 29, 2020), <https://bit.ly/2VkJ1fc>.

<sup>199</sup> Courtney Austin Lawrence, PROPUBLICA (viewed on June 29, 2020), <https://bit.ly/381Chbx>.

<sup>200</sup> Derek Kravitz, *Former Trump Officials Are Supposed to Avoid Lobbying. Except 33 Haven’t*, PROPUBLICA (Feb. 14, 2019), <https://bit.ly/2Vg1vNS>.

<sup>201</sup> Derek Kravitz, *Former Trump Officials Are Supposed to Avoid Lobbying. Except 33 Haven’t*, PROPUBLICA (Feb. 14, 2019), <https://bit.ly/2Vg1vNS>.

<sup>202</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2NsgJuS>.

<sup>203</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2NsgJuS>.

<sup>204</sup> Derek Kravitz, *Former Trump Officials Are Supposed to Avoid Lobbying. Except 33 Haven’t*, PROPUBLICA (Feb. 14, 2019), <https://bit.ly/2Vg1vNS>.

she likely violated Trump's executive order on former federal employees' lobbying activities.

### **Cigna's Political Contributions and Fundraising**

Cigna's PAC has contributed more than \$3 million to federal candidates and the national party committees from the 2010 election cycle to today. So far in the 2020 election cycle, Cigna's PAC has contributed \$730,500 to federal candidates and the national party committees,<sup>205</sup> already topping its total for the entire 2018 cycle (\$711,000).<sup>206</sup>

### **Shannon McGahn: National Association of Realtors**

After a brief stint as an advisor to Treasury Secretary Steve Mnuchin, Shannon McGahn left the U.S. Department of the Treasury in January 2018.<sup>207</sup> McGahn, who is married to former White House Counsel Don McGahn, then joined the National Association of Realtors as its top lobbyist.<sup>208</sup> In the first quarter of 2020, the National Association of Realtors reported spending \$13.6 million on lobbying.<sup>209</sup> McGahn and her colleagues lobbied on a host of issues related to coronavirus. They lobbied McGahn's former employer, the Treasury Department, as well as the Small Business Administration, the Department of Housing and Urban Development, and other agencies.<sup>210</sup> If McGahn did lobby the Treasury Department or if she coordinated with others in lobbying Treasury, she likely violated Trump's executive order on lobbying activities by former executive branch employees. The same would be true regarding McGahn and her colleagues' contacts with covered officials throughout the executive branch.

The filings indicate McGahn and her colleagues lobbied Treasury to extend various IRS deadlines and they lobbied the White House on the COVID relief programs.<sup>211</sup> McGahn and her colleagues also lobbied DHS to include real estate as an essential service, a designation the industry received.<sup>212</sup>

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<sup>205</sup> *Cigna Corp. contributions*, CENTER FOR RESPONSIVE POLITICS (viewed on June 29, 2020), <https://bit.ly/3fYvDpZ>.

<sup>206</sup> *Cigna Corp. contributions to Federal Candidates 2018 Cycle*, CENTER FOR RESPONSIVE POLITICS (viewed on June 29, 2020), <https://bit.ly/3eDqeU8>.

<sup>207</sup> Saleha Mohsin, *Senior Treasury Official McGahn to Leave Post, Return to Capitol Hill*, BLOOMBERG (Jan 5, 2018), <https://bloom.bg/2Yw9JDB>.

<sup>208</sup> Marianne Levine and Theodor Meyer, *National Association of Realtors names Shannon McGahn as top lobbyist*, POLITICO (Oct. 2, 2018), <https://politi.co/2NsUncR>.

<sup>209</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3dzNpNU>.

<sup>210</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3dzNpNU>.

<sup>211</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3dzNpNU>.

<sup>212</sup> *Advisory Memorandum On Identification Of Essential Critical Infrastructure Workers During Covid-19 Response*, U.S. DEPARTMENT OF HOMELAND SECURITY CYBERSECURITY & INFRASTRUCTURE SECURITY AGENCY (March 28, 2020), <https://bit.ly/2AZFwUN>.

The National Association of Realtors regularly ranks at the top of the list of lobbying spenders, according to the Center for Responsive Politics. In 2019, the group spent \$41 million on lobbying, the third most of any lobbying client.<sup>213</sup>

### The National Association of Realtors' Political Contributions and Fundraising

- From the 2010 cycle through today, the National Association of Realtors' PAC contributed \$22.8 million to federal candidates and the national party committees. During the 2018 cycle, the PAC contributed \$3.9 million, more than any other PAC. The PAC has contributed more to candidates than any other PAC in every full election cycle over the past two decades.<sup>214</sup>
- The National Association of Realtors' PAC has bundled \$293,000 for federal candidates from the 2010 cycle through today.
- The National Association of Realtors also has a super PAC that has spent \$37.6 million from the 2010 cycle through today, including more than \$11 million in both the 2016 and 2018 cycles.<sup>215</sup>

### Bradley Bailey: American Investment Council

Bailey is a lobbyist for the American Investment Council, which represents private equity firms. He previously served as acting assistant secretary for legislative affairs at the U.S. Department of the Treasury. The agencies he reported lobbying on the CARES Act in the first quarter of 2020 included the both houses of Congress, as well as the Commodity Futures Trading Commission, the Federal Reserve System, the Securities & Exchange Commission, Department of the Treasury, the Department of Commerce, the Office of the Comptroller of the Currency, the Department of State, and the White House.<sup>216</sup>

Private equity firms have been popularly reported to have been left out of the CARES Act's government subsidies because part of the law pertained only to firms of 500 employees or fewer and excluded those controlled by larger enterprises.<sup>217</sup>

Companies owned by private equity firms have, in fact, received direct payments from the government. But their benefits did not stop there. They received all sorts of benefits in the CARES Act. Among them, the companies in which they are invested will enjoy increased flexibility to carryback operating losses from past years to reduce their taxes,

<sup>213</sup> *Top Spenders*, CENTER FOR RESPONSIVE POLITICS (viewed on June 29, 2020), <https://bit.ly/2BB1DRp>.

<sup>214</sup> *Top PACs 2020*, CENTER FOR RESPONSIVE POLITICS (viewed on June 29, 2020), <https://bit.ly/3826VRY>.

<sup>215</sup> *National Assn of Realtors, Spending by Cycle*, CENTER FOR RESPONSIVE POLITICS (viewed on June 29, 2020), <https://bit.ly/3ga5Qun>.

<sup>216</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/38sGBAy>.

<sup>217</sup> *Cares Act: 'Affiliation' – Can Private Equity Or Venture Capital Owned Small Businesses Obtain Paycheck Protection?* MORGAN LEWIS (May 30, 2020), <https://bit.ly/2NGCXK5>.

ability to apply interest expenses to reduce their taxes, ability to defer employer payroll taxes, and they will receive credits for retaining employees.<sup>218</sup>

### **The American Investment Council's Political Contributions and Fundraising**

The American Investment Council's PAC has contributed \$1.2 million to federal candidates from the 2010 election cycle through today. The PAC contributed \$269,500 during the 2018 election cycle and has contributed \$120,000 during the 2020 cycle thus far.

### **Jordan Stoick: National Association of Manufacturers**

National Association of Manufacturers Vice President of Government Relations Jordan Stoick joined the trade group after working as a senior advisor in the Treasury Department.<sup>219</sup> NAM spent \$3.4 million on lobbying in the first quarter of 2020.<sup>220</sup> Stoick and three of his colleagues lobbied on the CARES Act. They lobbied Congress, the Federal Reserve System, the SBA, and Stoick's former employer, Treasury.<sup>221</sup>

After the CARES Act passed, NAM praised itself for its "leadership and advocacy" for getting many of group's top priorities included in the legislation."<sup>222</sup>

NAM regularly lobbies on a wide range of issues and is often successful at pushing through its preferred policy objectives. In 2019 for example, Public Citizen published a report which found that in the first two years of the Trump administration, 85 percent of the deregulatory demands made by NAM were either completed or on the path to being completed by the administration.<sup>223</sup>

Stoick's biography on NAM's web site indicates that he is "NAM's lead lobbyist in Washington." He joined the trade group after working as a senior advisor in the Treasury Department.<sup>224</sup>

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<sup>218</sup> *The CARES Act: Tax implications for transactions and private-equity-owned portfolio companies*, PLANTE MORAN (April 13, 2020), <https://bit.ly/2YwPrd7>.

<sup>219</sup> *Jordan Stoick*, NATIONAL ASSOCIATION OF MANUFACTURERS (viewed on June 29, 2020), <https://bit.ly/2BHnxCd>.

<sup>220</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3g1tetV>.

<sup>221</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3g1tetV>.

<sup>222</sup> Press release, NATIONAL ASSOCIATION OF MANUFACTURERS, *CARES Act Offers Support for Manufacturers Affected by COVID-19* (April 8, 2020), <https://bit.ly/2VjAvgG>.

<sup>223</sup> Amit Narang and Matt Kent, *Your Wish is My Command*, PUBLIC CITIZEN (May 9, 2010), <https://bit.ly/3eBtyz5>.

<sup>224</sup> *Jordan Stoick*, NATIONAL ASSOCIATION OF MANUFACTURERS (viewed on June 29, 2020), <https://bit.ly/2BHnxCd>.

NAM's lobbying disclosure form for the first quarter of 2020 indicates that Stoick and colleagues lobbied both houses of Congress plus at least five executive branch agencies, including the Treasury Department, on COVID issues.<sup>225</sup>

If Stoick contacted the Treasury Department or engaged in any work that supported his colleagues' contacts with the Treasury Department or covered officials in other executive branch agencies, he likely violated the ethics executive order.

### **NAM's Political Contributions and Fundraising**

During the 2020 cycle thus far, NAM's PAC has contributed \$108,500 to federal candidates, three quarters of which went to Republicans.<sup>226</sup> This represents a change from previous cycles, when the PAC contributed very little to federal candidates.<sup>227</sup>

### **Aaron Szabo: CGCN Group**

Aaron Szabo joined the lobbying firm CGCN Group in 2018 after working as a senior counsel in the White House's Council on Environmental Quality.<sup>228</sup> Szabo also worked in the Obama administration.<sup>229</sup> He worked to enact the Clean Power Plan during the Obama administration and worked to undo it during the Trump administration.<sup>230</sup>

When Szabo worked in the Trump White House, he organized and attended multiple meetings between the EPA and the Executive Office of the President in which EPA Director Andrew Wheeler was in attendance, according to documents obtained by *EE News*.<sup>231</sup> The meetings were fairly intimate, ranging from six to 13 attendees. The Szabo-Wheeler meetings also included two current White House officials, Francis Brooke, a top energy advisor to Trump<sup>232</sup> and Mary Neumayer, the current chairman of the Council on Environmental Quality.<sup>233</sup>

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<sup>225</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3g1tetV>.

<sup>226</sup> *National Assn of Manufacturers expenditures*, CENTER FOR RESPONSIVE POLITICS (viewed on June 29, 2020), <https://bit.ly/2BG6BvU>.

<sup>227</sup> *National Assn of Manufacturers expenditures*, CENTER FOR RESPONSIVE POLITICS (viewed on June 29, 2020), <https://bit.ly/2Z8zPf9>.

<sup>228</sup> *Aaron Szabo employment history*, CENTER FOR RESPONSIVE POLITICS (viewed on June 29, 2020), <https://bit.ly/2Z84I3o>.

<sup>229</sup> Robin Bravender, *White House energy aide lands on K Street*, E&E NEWS (Nov. 29, 2018), <https://bit.ly/2Z6S7gV>.

<sup>230</sup> Robin Bravender, *White House energy aide lands on K Street*, E&E NEWS (Nov. 29, 2018), <https://bit.ly/2Z6S7gV>.

<sup>231</sup> Andrew Wheeler calendar, <https://bit.ly/2A3vn93>.

<sup>232</sup> Sean Reilly, *Wheeler speaks regularly with Trump's top energy adviser*, E&E NEWS (April 1, 2019), <https://bit.ly/2A483bh>.

<sup>233</sup> *Mary B. Neumayr*, THE WHITE HOUSE (viewed on June 30, 2020), <https://bit.ly/31idUoG>.

The meetings organized by Szabo also included EPA Chief of Staff Mandy Gunasekara,<sup>234</sup> EPA General Counsel Matthew Leopold,<sup>235</sup> and as other high-ranking EPA officials.<sup>236</sup> Former EPA Deputy General Counsel Justin Schwab was also in attendance. Schwab left the EPA and founded CGCN Law.<sup>237</sup> CCGN Law has a “strategic relationship” with CCGN Group, where Szabo works, but is a “legally separate entity” from the lobbying firm.<sup>238</sup>

### Szabo’s COVID-related Lobbying Activities

In the first quarter of 2020, Szabo lobbied on coronavirus related issues for 11 clients.

- Hazmat TSDF Inc., a California recycling and waste disposal company, disposes waste from all different types of industries. Most closely related to coronavirus, the company offers medical waste disposal services to the health care industry.<sup>239</sup>

It hired CGHN and Szabo in April 2020 to lobby on “issues related to the proper and safe cleanup and disposal” of coronavirus materials.<sup>240</sup> Hazmat’s first quarter filing represents the only federal lobbying records involving the company.

In October of 2019, California’s Department of Toxic Substances Control released a scorecard rating the 78 hazardous waste facilities in California.<sup>241</sup> Hazmat’s San Bernardino facility was one of five of the 78 facilities that received an “unacceptable” rating.<sup>242</sup> The facility has a number of environmental violations in its past.<sup>243</sup> In 2018, the company paid at \$500,000 to settle long-standing allegations that it had violated California’s Hazardous Waste Control Law.<sup>244</sup> At that point, the company was known as Filter Recycling Services Inc. Later that year the company changed its name to Hazmat TSDF, Inc., according to California business filings.<sup>245</sup>

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<sup>234</sup> Press release, ENVIRONMENTAL PROTECTION AGENCY, *Mandy Gunasekara Sworn in as EPA Chief of Staff* (March 17, 2020), <https://bit.ly/2Vdaxel>.

<sup>235</sup> Matthew Z. Leopold, ENVIRONMENTAL PROTECTION AGENCY (viewed on June 30, 2020), <https://bit.ly/31sYPR7>.

<sup>236</sup> Andrew Wheeler calendars (see Brittany Bolen, Carly Carroll), <https://bit.ly/2A3vn93>.

<sup>237</sup> Justin Schwab, LinkedIn page (viewed on June 30, 2020) <https://bit.ly/2Yz05jL>.

<sup>238</sup> Press release, CGCN, *CGCN Group Strengthens Team* (February 2020), <https://bit.ly/2VjlgUP>.

<sup>239</sup> HAZMAT web site (viewed on June 30, 2020), <https://bit.ly/3dyCEvc>.

<sup>240</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2AZsFC1>.

<sup>241</sup> Press release, DEPARTMENT OF TOXIC SUBSTANCES CONTROL (Oct. 9, 2019), <https://bit.ly/2YxqZIL>.

<sup>242</sup> Press release, DEPARTMENT OF TOXIC SUBSTANCES CONTROL (Oct. 9, 2019), <https://bit.ly/2YxqZIL>.

<sup>243</sup> *HAZMAT TSDF Inc., Former Filter Recycling Services Inc.*, EnviroStor, DEPARTMENT OF TOXIC SUBSTANCES CONTROL (viewed on June 30, 2020), (<https://bit.ly/2A6OtuY>).

<sup>244</sup> *People of the State of California v. Filter Recycling Services* (Dec. 5, 2012) (<https://bit.ly/3fRO6Ua>).

<sup>245</sup> California Secretary of State records (Nov. 6, 2018), <https://bit.ly/3dt2gcQ>.

As hazardous waste removal falls under the EPA's jurisdiction,<sup>246</sup> Szabo could prove to be valuable to Hazmat in creating inroads at the agency. Due to the pandemic, the EPA has temporarily relaxed its rules on hazardous waste disposal, allowing some non-compliance.<sup>247</sup>

- American Airlines hired CGCN in March 2020.<sup>248</sup> On the initial registration, CGCN reported that it was hired by American Airlines to lobby on “issues related to commercial airline industry policy and legislation related to the coronavirus disease 2019.”<sup>249</sup> In the 2020 first quarter lobbying disclosure filed by CGCN regarding its work on behalf of American Airlines, coronavirus was the only lobbying issue listed.<sup>250</sup>

American Airlines has received \$5.8 billion in payroll support from the United States government – a \$4.1 billion grant and a \$1.7 billion low-interest loan.<sup>251</sup> While the airline industry is undoubtedly facing an unprecedented crisis, it is important to note American Airlines did little to prepare financially for any type of crisis. American Airlines spent \$12.5 billion on stock buybacks over the past decade. The company spent so much on buybacks that it resulted in a negative cash flow during the decade.<sup>252</sup>

- The American Property Casualty Insurance Association (APCIA), the trade group for property and casualty insurers in the United States, paid Szabo and his colleagues to lobby the Congress and the Executive Office of the President on “COVID-19 related insurance legislation” during the first quarter of 2020.<sup>253</sup>

APCIA is laser focused on ensuring that its insurance company members are not required to pay out insurance claims to businesses for lost revenue during the pandemic, as some states have proposed.<sup>254</sup> APCIA is claiming that “business interruption” policies do not cover pandemics.<sup>255</sup> Paying out these claims for expenses owed and lost income due to coronavirus, according to APCIA, would

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<sup>246</sup> Press release, Environmental Protection Agency, *EPA Takes Action to Guide Health and Safety Decisions at Cleanup Sites During the COVID-19 Pandemic* (April 10, 2020), <https://bit.ly/2Vg6TAU>.

<sup>247</sup> Environmental Protection Agency memorandum (March 26, 2020), <https://bit.ly/2Nr3CKA>.

<sup>248</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/31hFphS>.

<sup>249</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/31hFphS>.

<sup>250</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2B9kd33>.

<sup>251</sup> COVID Stimulus Watch, <https://bit.ly/2Zmbr9T>. (Figures subject to change with updates.)

<sup>252</sup> Brandon Kochkodinm, *U.S. Airlines Spent 96% of Free Cash Flow on Buybacks*, BLOOMBERG (March 16, 2020), <https://bloom.bg/2BEgaeW>.

<sup>253</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3drX8pq>.

<sup>254</sup> Alwyn Scott and Suzanne Barlyn, *U.S. insurers use lofty estimates to beat back coronavirus claims*, REUTERS (June 12, 2020), <https://reut.rs/2YxfXDh>.

<sup>255</sup> Tom Hamburger and Tony Romm, *Hard-hit restaurants, gyms and other businesses are battling insurers over the coronavirus, sparking a new Washington lobbying war*, THE WASHINGTON POST (April 22, 2020), <https://wapo.st/2Yyeahf>.

cost hundreds of billions a month and would lead to insolvency in the industry.<sup>256</sup> But an analysis by *Reuters* and two professors that specialize in the insurance industry found that APCIA's estimates were wildly inflated.<sup>257</sup>

In April 2020, President Trump signaled he thought insurers should be required to pay out the claims as long as there was no exclusions for pandemics.<sup>258</sup> While some Democrats proposed legislation requiring that insurers pay such claims, Republican Sens. Steve Daines (Mont.) and John Cornyn (Texas) were said to be crafting a proposal that would have the government pay out these claims in the future, seen by many as a bailout of the insurance industry.<sup>259</sup>

As of now, the issue is playing out in the courts, with businesses around the country filing lawsuits against their insurance companies. Some states considering legislation requiring insurers pay out coronavirus claims have pulled back out of fears of lawsuits brought by the insurance industry.<sup>260</sup> While the courtroom battles continue, the lobbying push is on. And Szabo and his colleagues appear to be speaking directly to the White House on behalf of APCIA.<sup>261</sup>

- BSA The Software Alliance, a trade group representing the software industry,<sup>262</sup> paid Szabo and his colleagues to lobby Congress, the General Services Administration and the Small Business Administration to allow businesses receiving Paycheck Protection Program loans to use that money to pay for “business software” and “cloud computing services.”<sup>263</sup>
- U.S. Travel Association, a travel industry trade group,<sup>264</sup> paid Szabo and his colleagues to lobby Congress on the CARES Act.<sup>265</sup>
- Lennox International Inc., a residential and commercial heating and cooling company,<sup>266</sup> paid Szabo and others to lobby Congress on the pandemic.<sup>267</sup>

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<sup>256</sup> Alwyn Scott and Suzanne Barlyn, *U.S. insurers use lofty estimates to beat back coronavirus claims*, REUTERS (June 12, 2020), <https://reut.rs/2YxfXDh>.

<sup>257</sup> Alwyn Scott and Suzanne Barlyn, *U.S. insurers use lofty estimates to beat back coronavirus claims*, REUTERS (June 12, 2020), <https://reut.rs/2YxfXDh>.

<sup>258</sup> Jim Sams, *Trump Tells Insurers to Pay Virus Claims If Pandemics Not Excluded*, INSURANCE JOURNAL (April 14, 2020), <https://bit.ly/3g19dDQ>.

<sup>259</sup> Tom Hamburger and Tony Romm, *Hard-hit restaurants, gyms and other businesses are battling insurers over the coronavirus, sparking a new Washington lobbying war*, THE WASHINGTON POST (April 22, 2020), <https://wapo.st/2Yyeahf>.

<sup>260</sup> Alwyn Scott and Suzanne Barlyn, *U.S. insurers use lofty estimates to beat back coronavirus claims*, REUTERS (June 12, 2020), <https://reut.rs/2YxfXDh>.

<sup>261</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3drX8pq>.

<sup>262</sup> <https://bit.ly/2Yz1iaN>.

<sup>263</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2VkfF0B>.

<sup>264</sup> Lennox web site (viewed on June 30, 2020), <https://bit.ly/3fUWLW3>.

<sup>265</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3hYdR7c>.

- MasterCard Worldwide, the financial services company,<sup>268</sup> paid Szabo and his colleagues to monitor the CARES Act.<sup>269</sup> The Federal Reserve has purchased \$5.4 million in MasterCard corporate bonds.
- Children’s Hospital Association, a hospital association including 220 children’s hospitals,<sup>270</sup> paid Szabo and others to lobby Congress and the Department of Health and Human Services on hospital funding related to COVID-19.<sup>271</sup> Many children’s hospitals around the country have received relief from the government to combat the pandemic.<sup>272</sup> Thus far, Children’s Hospital Association members have received more than \$1 billion in COVID money.
- Bank Policy Institute, a research and advocacy group whose members include most of the largest banks in the country,<sup>273</sup> paid Szabo and others to lobby Congress on the CARES Act.<sup>274</sup>
- Beam Inc., a spirit company,<sup>275</sup> paid Szabo and others to lobby Congress, the Food and Drug Administration and the White House on COVID-19 response guidelines.<sup>276</sup>
- Investment Company Institute, which represents investment funds.<sup>277</sup> The SEC issued two no action letters on COVID-related matters in response to requests from the ICI.<sup>278</sup>

### **Szabo and CGCN’s Political Contributions and Fundraising**

- Szabo has contributed \$7,250 to Republicans during the 2020 cycle thus far, which included a \$500 contribution to President Trump.<sup>279</sup>

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<sup>266</sup> <https://bit.ly/3fQev4S>.

<sup>267</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Vi4Yf3>.

<sup>268</sup> MasterCard web site (viewed on June 30, 2020), <https://bit.ly/2Z82VLD>.

<sup>269</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3hW4ncI>.

<sup>270</sup> Children’s Hospital Association web site (viewed on June 30, 2020), <https://bit.ly/382eisC>.

<sup>271</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2YwNgX0>.

<sup>272</sup> COVID Stimulus Watch, <https://bit.ly/2A22c67>. (Figures subject to change with updates.)

<sup>273</sup> Bank Policy Institute web site (viewed on June 30, 2020), <https://bit.ly/3g2l8kr>.

<sup>274</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2VjHGp8>.

<sup>275</sup> *Fortune Brands becomes Beam Inc., sticks to liquor*, CLEVELAND.COM (June 12, 2019), <https://bit.ly/3eBNEco>.

<sup>276</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2B9wd4A>.

<sup>277</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2YC0MsN>.

<sup>278</sup> Investment Company Institute letter to the Securities and Exchange Commission (March 26, 2020), <https://bit.ly/2Vm60H0> and Securities and Exchange Commission letter to the Investment Company Institute (March 26, 2020), <https://bit.ly/3fUXWVt>.

<sup>279</sup> *Lobbyist Profile: Aaron Szabo*, CENTER FOR RESPONSIVE POLITICS (viewed on June 30, 2020), <https://bit.ly/2BHUXW5>.

- CGCN's PAC has contributed \$100,950 combined to federal candidates and the national party committees during the 2020 cycle thus far.<sup>280</sup> The 2020 contributions mark a spike in contributions from the PAC, which had only contributed \$1,500 during the entire previous cycle.

## Robert T. Grand: Barnes & Thornburg LLP

Grand is a longtime fundraiser for Vice President Mike Pence<sup>281</sup> and was a co-chair of Trump's inaugural committee.<sup>282</sup> Grand is so close to Pence and the administration that Trump's campaign and a super PAC controlled by Pence have paid for his travel on Air Force 2.<sup>283</sup>

Grand registered to lobby for two companies on COVID-related matters in the first quarter of 2020:

- Envigo, a company that provides research models and related services to the pharmaceutical and biotechnology industries, government, academia and other life science organizations,<sup>284</sup> paid Grand to "assist client with developing relationships with various HHS agencies in furtherance of research on COVID-19 and other diseases."<sup>285</sup> Envigo touts an array of tools to combat COVID-19.<sup>286</sup>
- Pacers Sports and Entertainment, the owner of the Indiana Pacers of the National Basketball Association, paid Grand and others at Barnes & Thornburg to lobby on "COVID-19 stimulus and CARES Act issues."<sup>287</sup>

## Robert T. Grand and Barnes and Thornburg's Political Contributions and Fundraising

- Grand has contributed \$370,091 to federal candidates and the national party committees combined from the 2010 election cycle through today. Grand has contributed more than \$40,000 each cycle. In the 2018 cycle, he contributed \$112,163. During the 2020 cycle thus far he has contributed another \$49,720.
- Grand has contributed a combined \$8,200 to President Trump's campaign since 2016.

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<sup>280</sup> CGCN Group, CENTER FOR RESPONSIVE POLITICS (viewed on June 30, 2020), <https://bit.ly/3hXPnet>.

<sup>281</sup> Kenneth P. Vogel, *At Private Dinners, Pence Quietly Courts Big Donors and Corporate Executives*, THE NEW YORK TIMES (July 9, 2018), <https://nyti.ms/2Zc4kks>.

<sup>282</sup> Nolan D. McCaskill, *Trump announces inauguration team leaders*, POLITICO (Nov. 15, 2016), <https://politi.co/2VjsEQ3>.

<sup>283</sup> Michael Scherer, Josh Dawsey and Anu Narayanswamy, *Pence turns VP's office into gateway for lobbyists to influence the Trump administration*, THE WASHINGTON POST (June 15, 2018), <https://wapo.st/2ViuBwp>.

<sup>284</sup> Envigo web site (viewed on June 30, 2020), <https://bit.ly/382ftZ4>.

<sup>285</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Z0IkOu>.

<sup>286</sup> Envigo web site (viewed on June 30, 2020), <https://bit.ly/31hFNwM>.

<sup>287</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2ViaP41>.

## Barry Bennett and Bud Cummins: Avenue Strategies Global, LLC

Bennett, a senior adviser to Trump's 2016 campaign, co-founded Avenue Strategies with Corey Lewandowski, who served as Trump's campaign manager for part of the 2016 campaign.<sup>288</sup>

Cummins was the Arkansas State Chairman for the Trump/Pence presidential campaign in 2016 and a Trump whip at the 2016 Republican National Convention.<sup>289</sup>

Avenue represented two clients in the first quarter of 2020 on COVID issues.

- Arcturus Therapeutics Inc., a firm that is working on a COVID vaccine,<sup>290</sup> paid Bennett to lobby the U.S. Department of Health & Human Services and the White House on behalf of Arcturus's technology's potential to stop the spread of coronavirus.<sup>291</sup>
- Endurance International Group, Inc., a provider of cloud-based platforms,<sup>292</sup> paid Bennett and Cummins to lobby on "activities of the U.S. government to stimulate the small business economy."<sup>293</sup> We deemed this likely to be COVID-related because it was a new registration and agencies lobbied included the U.S. Department of Treasury and the Small Business Administration, which are at the heart of the COVID-related stimulus programs.

## Robert Collins: S-3 Group

Collins worked on the Trump transition team on personnel matters.<sup>294</sup> He subsequently served as the "quarterback" of the effort to win approval of U.S. Supreme Court nominee Neil Gorsuch, according to Collins' bio on his lobbying firm's web site.

In his work on behalf of Gorsuch's nomination, Collins, according to his S-3 biography, worked with West Wing senior staff, the Office of the Vice President, the White House Counsel, the Department of Justice, the White House Office of Legislative Policy, Legislative Affairs, the Inter-governmental Office, the White House Public Liaison

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<sup>288</sup> Max Greenwood, *Lewandowski to leave lobbying firm: report*, THE HILL (May 4, 2017), <https://bit.ly/31in9ov>.

<sup>289</sup> Avenue Strategies web site (viewed on June 30, 2020), <https://bit.ly/3i376kl>.

<sup>290</sup> Press release, ARTURUS THERAPEUTICS, *Arcturus Therapeutics Announces Clinical Trial Timeline for its COVID-19 Vaccine* (April 9, 2020), <https://bit.ly/31fPCvf>.

<sup>291</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2YzNIDX>.

<sup>292</sup> Endurance International Group Reports 2020 First Quarter Results, MARKETWATCH (April 30, 2020), <https://on.mktw.net/2Z7SrvU>.

<sup>293</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Yxynnt>.

<sup>294</sup> *President Trump's Drain The Swamp Report Card*, OFFICES OF SENS. ELIZABETH WARREN AND SHELDON WHITEHOUSE (July 2017), <https://bit.ly/2CxWWYP>.

Office, and the White House Communications Office, as well as the Republican Senate leadership.<sup>295</sup>

Collins lobbied on behalf of two clients on COVID-related issues in the first quarter 2020. Both Clients were new to S-3 group.

- Advocare, a partnership of physicians in New Jersey and Pennsylvania. Advocare has received \$6.6 million in federal stimulus grants and \$5.3 million in federal stimulus loans relating to COVID-relief legislation.<sup>296</sup>
- BacterioScan, which makes diagnostic products aimed at more rapidly detecting microbial infections.<sup>297</sup> The firm's research director has postulated that superbugs could be responsible for fatalities within COVID patients.<sup>298</sup> On behalf of BacterioScan, Collins lobbied both Houses of Congress on "issues involving health care diagnostic research and development."<sup>299</sup>

#### Collins' Political Contributions and Fundraising

- From the 2012 election cycle through today, Collins has contributed at least \$150,000 to federal candidates and national party committees, nearly all of which went to Republicans.

### Scott Mason, Lauren Maddox: Holland & Knight

After more than two decades of lobbying, Scott Mason joined Trump's campaign in 2016 as the director of congressional relations and later worked on the Trump transition team.<sup>300</sup> In 2017, Mason joined the law and lobbying firm Holland & Knight.<sup>301</sup> Mason's company biography says he focuses on "the intersection between Capitol Hill and the Trump Administration on major policy initiatives."<sup>302</sup>

Lauren Maddox served on Trump's transition team after working as a lobbyist for the Podesta Group for years. On the transition, she worked to guide now Education

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<sup>295</sup> Rob Collins, *S-3 Group* (viewed on June 30, 2020), <https://bit.ly/2BB2LV8>.

<sup>296</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2ZeTfio> & COVID Stimulus Watch, <https://bit.ly/2Vjthcn>.

<sup>297</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/382oOzU>.

<sup>298</sup> Dr. Andrew Tomaras of Bacterioscan on Coronavirus, KMOX (Feb. 28, 2020), <https://bit.ly/3g41o09>.

<sup>299</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/382oOzU>.

<sup>300</sup> Scott D. Mason lobbying profile, Center for Responsive Politics (viewed on June 30, 2020), <https://bit.ly/3ezN1jM>.

<sup>301</sup> Scott D. Mason employment timeline, Center for Responsive Politics (viewed on June 30, 2020), <https://bit.ly/3ezN1jM>.

<sup>302</sup> Scott D. Mason, Holland and Knight (viewed on June 30, 2020), <https://bit.ly/31kOUVR>.

Secretary Betsy DeVos through the confirmation process, according to *Politico*.<sup>303</sup> Maddox soon rejoined the Podesta Group then moved to Holland & Knight.<sup>304</sup>

In March of this year, *The New York Times* reported that Holland & Knight was marketing itself to clients touting the firm's ability to secure "pandemic response funds in federal legislation."<sup>305</sup>

### Mason's COVID-related Lobbying Activities

Mason lobbied on coronavirus related issues for three Holland & Knights clients, Energizer Holdings Inc., National Fisheries Institute and Six Continents Hotels Inc. (InterContinental Hotels Group).

- Energizer Holdings Inc., the battery manufacturer,<sup>306</sup> hired Mason and his colleagues in March 2020 to lobby on its behalf.<sup>307</sup> In its first filing, in the first quarter of 2020, Mason and his colleagues indicated Energizer had paid them to lobby on a host of issues, including the CARES Act.<sup>308</sup> Mason lobbied the White House and DHS on the CARES Act and more specifically, to ensure that Energizer's industry would be awarded the label of a critical industry.<sup>309</sup>
- The National Fisheries Institute<sup>310</sup> paid Mason and his colleagues to lobby Congress, the National Economic Council and Treasury on issues related to the federal response to the COVID-19 pandemic.<sup>311</sup>
- Six Continents Hotels Inc., which is owned by InterContinental Hotels Group paid Mason and his firm to lobby Treasury and the White House on COVID-19 relief for hotels.<sup>312</sup>

The lobbying by Mason was not InterContinental Hotels Group's only contact with the White House. On March 17, 2020, President Trump met with executives from the tourism industry including Elie Maalouf, IHG's Chief Executive of the Americas.<sup>313</sup> Maalouf told Trump that 80 percent of the company's hotel rooms in

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<sup>303</sup> Theodoric Meyer and Michael Stratford, *Trump transition staffers head to K Street despite lobbying ban*, POLITICO (May 3, 2017), <https://politi.co/3dxxGKB>.

<sup>304</sup> Lauren M. Maddox, HOLLAND AND KNIGHT (viewed on June 30, 2020) <https://bit.ly/3ewOihW>.

<sup>305</sup> Kenneth P. Vogel, *The Race for Virus Money Is On. Lobbyists Are Standing By*, THE NEW YORK TIMES (March 28, 2020), <https://nyti.ms/2BBaB11>.

<sup>306</sup> Energizer Holdings web site (viewed on June 30, 2020), <https://bit.ly/3ft0flo>.

<sup>307</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2A2EXZI>.

<sup>308</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2VkmQ93>.

<sup>309</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2VkmQ93>.

<sup>310</sup> National Fisheries Institute Web site (viewed on June 30, 2020), <https://bit.ly/2Nvp3KI>.

<sup>311</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3i4DI2E>.

<sup>312</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3dFDzdv>.

<sup>313</sup> Remarks by President Trump in Meeting with Tourism Industry Executives on COVID-19 Response, THE WHITE HOUSE (March 17, 2020), <https://bit.ly/3g0MZ4u>.

the United States were owned by small businesses that needed help. Trump assured him the administration would help.<sup>314</sup> The CARES Act, which became law 10 days after Trump's meeting with Maalouf and others, allows individual hotels with fewer than 500 employees to receive PPP funds, even if the hotel is owned by a chain with far more than 500 employees in total,<sup>315</sup> the same scenario Maalouf brought up in his meeting with Trump.

- East West Bank, a southern California bank,<sup>316</sup> hired Mason in the first quarter of 2020 to lobby on its behalf specifically on the SBA's Paycheck Protection Program, according to the registration filing.<sup>317</sup>

### **Maddox's COVID-related Lobbying Activities**

- The University of Southern California hired Maddox and her colleagues to lobby on its behalf in the first quarter of 2020. The lobbying registration form indicates that Maddox and others will lobby on the CARES Act.<sup>318</sup> The university has received \$128 million in COVID money.

### **Maddox and Holland & Knight's Political Contributions and Fundraising**

- Lauren Maddox has contributed \$95,475 to federal candidates and the national party committees from the 2010 cycle through today.
- Holland & Knight's PAC has contributed a combined \$3.4 million to federal candidates and national party committees from the 2010 cycle through today, including \$593,750 during the 2018 cycle and \$400,050 during the 2020 cycle thus far.
- Holland & Knight's PAC has bundled \$513,340 for federal candidates in the three most recent election cycles.

## **Robert Wasinger: McGuireWoods LLP**

Robert Wasinger was the director of Senate and gubernatorial outreach for Trump's campaign prior to joining McGuireWoods in 2017.<sup>319</sup> In the first quarter of 2020, Wasinger reported that he lobbied on coronavirus related issues for three of his clients.

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<sup>314</sup> Remarks by President Trump in Meeting with Tourism Industry Executives on COVID-19 Response, THE WHITE HOUSE (March 17, 2020), <https://bit.ly/3g0MZ4u>.

<sup>315</sup> Eric Lipton and Kenneth P. Vogel, *Fine Print of Stimulus Bill Contains Special Deals for Industries*, THE NEW YORK TIMES (March 25, 2020), <https://nyti.ms/2YxJ9Ks>.

<sup>316</sup> East West Bank web site (viewed on June 30, 2020), <https://bit.ly/382L9gX>.

<sup>317</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Yxn7r9>.

<sup>318</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3dzXvhM>.

<sup>319</sup> *Robert Wasinger*, MCGUIRE WOODS CONSULTING (viewed on June 30, 2020), <https://bit.ly/31i5VYI>.

### Wasinger's COVID-related Lobbying Activities

- Inovio Pharmaceuticals hired Wasinger to lobby on “advocacy and education for development of the Coronavirus vaccine,” according to a lobbying registration.<sup>320</sup> Inovio is not a new client for Wasinger. Inovio has created a DNA vaccine for coronavirus that is currently in phase 1 trials. The vaccine, according to *The New York Times*, was created in just three weeks.<sup>321</sup>
- Joerns Healthcare, a medical equipment supplier,<sup>322</sup> began a lobbying relationship with McGuireWoods in 2019.<sup>323</sup> But Wasinger himself first began lobbying for the company on May 1, 2020.<sup>324</sup> Wasinger and his colleagues indicated they will lobby on “COVID-19 and manufacturing in Mexico.”<sup>325</sup>

Joerns makes a number of products likely in high demand during the crisis, such as hospital beds<sup>326</sup> and respiratory equipment.<sup>327</sup> Joerns regularly contracts with the U.S. government.<sup>328</sup>

- Panacea Life Sciences' lobbying relationship with Wasinger and McGuire Woods began on April 1, 2020.<sup>329</sup> The company hired Wasinger and his colleagues to assist in “constituent PPE issues.”<sup>330</sup> Panacea makes CBD and hemp products including supplements and more recently hand sanitizer.<sup>331</sup>

### Wasinger and McGuireWoods' Political Contributions and Fundraising

- During the 2020 cycle thus far, Wasinger has bundled \$22,867 for President Trump's joint fundraising committee.<sup>332</sup>
- From the 2010 cycle through today, McGuireWoods' PAC has contributed \$1.6 million to federal candidates and the national party committees. In the 2018

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<sup>320</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3g2nxLZ>.

<sup>321</sup> Heather Murphy, *Guaranteed Ingredient in Any Coronavirus Vaccine? Thousands of Volunteers*, THE NEW YORK TIMES (June 13, 2020), <https://nyti.ms/2VidPgB>.

<sup>322</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/31gzqK9>.

<sup>323</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/31gzqK9>.

<sup>324</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2NwgrDA>.

<sup>325</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2NwgrDA>.

<sup>326</sup> Joerns Healthcare web site (viewed on June 30, 2020), <https://bit.ly/381jNaU>.

<sup>327</sup> Joerns Healthcare web site (viewed on June 30, 2020), <https://bit.ly/2BCuGDZ>.

<sup>328</sup> Contract Data Reports for FPDS Users (viewed on June 30, 2020), <https://bit.ly/3ewPvPW>.

<sup>329</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Z7iAL7>.

<sup>330</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Z7iAL7>.

<sup>331</sup> Panacea Life Sciences web site (viewed on June 30, 2020), <https://bit.ly/2BztYY9>.

<sup>332</sup> Trump Victory filing, FEDERAL ELECTION COMMISSION, <https://bit.ly/3g2GEpv>.

cycle, the PAC contributed \$320,750. During the 2020 cycle thus far it has contributed another \$200,000.<sup>333</sup>

### Jason Miller: SHW Partners

Miller was a senior communications official on Trump's 2016 campaign<sup>334</sup> and communications director of the Trump presidential transition team.<sup>335</sup> He registered in April to lobby on the SBA Paycheck Protection Program for Jenkins Hill Consulting LLC on behalf of Fountainhead Commercial Capital.<sup>336</sup> Fountainhead Commercial Capital is a lender that is making loans under the Paycheck Protection Program.<sup>337</sup>

### Julia Richardson: National Association for Behavioral Healthcare

In 2017, after leaving the Consumer Product Safety Commission, where she served as the director of the Office of Congressional Relations, Julia Richardson became an in-house lobbyist for the National Association for Behavioral Healthcare (NABH).<sup>338</sup>

In its 2020 first quarter filing, NABH spent \$230,000 on the lobbying done by Richardson and two of her colleagues.<sup>339</sup> That spending included lobbying on "Coronavirus related packages," among other things.<sup>340</sup> Richardson and her colleagues lobbied the Congress, the Department of Education, the Department of Health and Human Services, and the Department of Labor.<sup>341</sup>

### NABH's Political Contributions and Fundraising

NABH's PAC has contributed \$438,226 to federal candidates from the 2010 cycle through today. It contributed \$97,309 during the 2018 cycle and has contributed \$55,500 during the 2020 cycle thus far.

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<sup>333</sup> McGuire Woods LLP contributions to federal candidates 2020 cycle, CENTER FOR RESPONSIVE POLITICS (viewed on June 30, 2020), <https://bit.ly/2NwDfmq>.

<sup>334</sup> Maggie Haberman, *Donald Trump Hires Former Adviser to Ted Cruz*, THE NEW YORK TIMES (June 27, 2016), <https://nyti.ms/3i9ZCwn>.

<sup>335</sup> Annie Karni, *Jason Miller, Former Trump Aide, Loses Job After Nadler Tweetstorm*, THE NEW YORK TIMES (June 24, 2019), <https://nyti.ms/2YwfvOR>.

<sup>336</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3e34BeE>.

<sup>337</sup> John Reosti, *As PPP deadline approaches, a few lenders make a final push*, AMERICAN BANKER (Jun 9, 2020), <https://bit.ly/3eCQxcY>.

<sup>338</sup> Press release, NATIONAL ASSOCIATION FOR BEHAVIORAL HEALTHCARE, *Julia E. Richardson Joins NABH as Director of Advocacy and Senior Counsel* (April 3, 2017), <https://bit.ly/3hZnjqR>.

<sup>339</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Nw616E>.

<sup>340</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Nw616E>.

<sup>341</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Nw616E>.

## Jessica Beeson Tocco: A10 Associates, LLC

After volunteering for the Trump transition team, Jessica Beeson Tocco became a lobbyist at the firm Rasky Partners. When she joined Rasky, the firm touted that Beeson Tocco “enjoys a longstanding political relationship with Vice President Mike Pence and his team.”<sup>342</sup> In early 2019, she left Rasky and restarted a firm she originally founded in 2011, A10 Associates.<sup>343</sup>

Beeson Tocco and A10 registered to lobby on behalf of GreyScan Australia, an Australian technology company, on March 25, 2020.<sup>344</sup> The only lobbying issue listed on the registration was coronavirus related: “Issues relating to medical and diagnostic testing, including federal funding for testing for COVID-19.” Beeson Tocco is the only lobbyist listed on the registration.<sup>345</sup>

The first quarter disclosure form that A10 subsequently filed indicates that she lobbied 10 entities in just the last few days of March. It lists her as lobbying on behalf of Grey Scan: both houses of Congress, the Department of Health and Human Services, the Centers for Disease Control and Prevention, the National Institutes of Health, the Department of Homeland Security, the Department of Defense, the Environmental Protection Agency, the Office of the Vice President, and the White House on behalf of GreyScan.<sup>346</sup>

According to its website, GreyScan is developing a device, TVD-1, which it claims will be able to “rapidly, reliably, and accurately detect the COVID-19 virus at the point of risk to human health.”<sup>347</sup> GreyScan claims TVD-1 will be able “to detect surface viruses as they evolve and spread throughout the globe.”<sup>348</sup>

### Jessica Beeson Tocco’s Political Contributions and Fundraising

Beeson Tocco has contributed \$323,603 to federal candidates and the national party committees from 2010 through today. Almost all of Beeson Tocco’s contributions occurred during the 2018 election cycle and the 2020 cycle thus far. She contributed \$70,550 in 2018. During the 2020 cycle thus far, Beeson Tocco has already contributed \$246,403.

During the 2020 cycle, Beeson Tocco has already contributed the maximum amount to President Trump’s campaign.

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<sup>342</sup> Theodoric Meyer, *Former members eyeing K Street jobs*, POLITICO (Jan. 3, 2019), <https://politi.co/2Z9UVd1>.

<sup>343</sup> A10 Associates web site (viewed on June 30, 2020), <https://bit.ly/2Z9UW0z>.

<sup>344</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3dz34Nx>.

<sup>345</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3dz34Nx>.

<sup>346</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/31jMUF4>.

<sup>347</sup> GreyScan web site (viewed on June 30, 2020), <https://bit.ly/2Yz8ZOd>.

<sup>348</sup> GreyScan web site (viewed on June 30, 2020), <https://bit.ly/2Nsr1Zc>.

## Michael Torrey: Michael Torrey Associates, LLC

Michael Torrey led President Trump's transition team's efforts for the Department of Agriculture.<sup>349</sup> Given that Torrey previously had done extensive lobbying for American Beverage Association, the Snack Food Association, and others, his role on Trump's transition was the antithesis of draining the swamp.<sup>350</sup> Torrey immediately returned to lobbying after his work on the transition.

### Torrey's COVID-related Lobbying Activities

In the first quarter of 2020, Torrey lobbied on COVID related issues for three of his clients, the Crop Insurance and Reinsurance Bureau, Dean Foods Company and Edge.

- The Crop Insurance and Reinsurance Bureau (CIRB) paid Torrey and his colleagues to lobby the Congress and the U.S. Department of Agriculture (USDA) on the coronavirus response.<sup>351</sup> The relationship appears to be a good deal for Torrey. He serves as the executive vice president of the CIRB.<sup>352</sup> In fact, the entire staff of CIRB, except for the group's legal counsel, appears to consist of staff members of Michael Torrey Associates LLC.<sup>353</sup> Crop insurance protects agriculture producers against losses due to natural disasters or declines in prices and is backed by the federal government
- Dean Foods Company, which is one of the country's largest dairy producers and also recently filed for bankruptcy,<sup>354</sup> paid Torrey and two of his colleagues to lobby Congress and USDA on the CARES Act.<sup>355</sup>
- Edge, a milk cooperative, describes itself as the "voice of milk in Washington."<sup>356</sup> The cooperative paid Torrey and two of his colleagues to lobby the Congress on the COVID-19 response, among other issues.<sup>357</sup>

The CARES Act includes \$9.5 billion in relief for agricultural producers, including "dairy producers."<sup>358</sup> The USDA announced in April that it would also

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<sup>349</sup> Helena Bottemiller Evich, *Michael Torrey leading Trump agriculture transition effort*, POLITICO (Nov. 9, 2016), <https://politi.co/2A2GoHA>.

<sup>350</sup> Chase Purdy, *As he prepares to take power, Donald Trump's point man for food issues is a veteran Big Soda lobbyist*, QUARTZ (Nov. 10, 2016), <https://bit.ly/3dyLuZN>.

<sup>351</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3eFjeX2>.

<sup>352</sup> Crop Insurance and Reinsurance Inc. web site (viewed on June 30, 2020), <https://bit.ly/2YxopCv>.

<sup>353</sup> Crop Insurance and Reinsurance Inc. web site (viewed on June 30, 2020), <https://bit.ly/2YxopCv>.

<sup>354</sup> Dean Foods web site (viewed on June 30, 2020), <https://bit.ly/2VicKFI>.

<sup>355</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/31hIw9u>.

<sup>356</sup> Edge web site (viewed on June 30, 2020), <https://bit.ly/3i2fy3t>.

<sup>357</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/31emvZm>.

<sup>358</sup> Coronavirus Aid, Relief, and Economic Security (CARES) Act (2020) (see page 225), <https://bit.ly/3i3YyK3>.

provide \$16 billion in support.<sup>359</sup> This support includes ensuring milk producers are not penalized for dumping milk as a result of the pandemic.<sup>360</sup>

### **Torrey's Political Contributions and Fundraising**

Michael Torrey has contributed \$242,300 to federal candidates and the national party committees combined from the 2010 cycle through the 2020 cycle thus far. He has contributed \$24,250 during the 2020 cycle thus far after contributing \$79,700 during the 2018 cycle.

### **Martin Whitmer: Whitmer & Worrall, LLC**

From September 2016 through November 2016, Martin Whitmer, founder of the lobbying firm Whitmer & Worrall, served as the team lead for President Trump's transition team for the Department of Transportation.<sup>361</sup> In the first quarter of 2020, Whitmer lobbied on coronavirus issues for four of his clients.

The language on each filing is very similar, typically mentioning the firm lobbied on issues related to the CARES Act for its clients.

### **Whitmer's COVID-related Lobbying Activities**

- Evoqua Water Technologies hired Whitmer to lobby the Congress for Evoqua to be categorized as an essential business.<sup>362</sup> Critical infrastructure workers, as indicated in guidance by the U.S. Department of Homeland Security, include "employees needed to operate and maintain drinking water and wastewater / drainage infrastructure."<sup>363</sup> This would appear to include Evoqua, as the company works in municipal drinking water, municipal wastewater treatment, healthcare, food & beverage and others.<sup>364</sup>

On an earnings call in April 2020, Evoqua said it was an "essential business that continues to operate during the COVID-19 global pandemic, providing mission

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<sup>359</sup> Dean Foods web site (viewed on June 30, 2020), <https://bit.ly/3i0iLRd>.

<sup>360</sup> Press release, USDA, *USDA Addresses Milk Dumping, Authorizes Other Flexibilities To Help Producers Amid Coronavirus Pandemic* (April 10, 2020), <https://bit.ly/2VixKwd>.

<sup>361</sup> *Martin T. Whitmer, Jr.*, WHITMER AND WORRALL (viewed on June 30, 2020) <https://bit.ly/2NwDSwi>.

<sup>362</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Nwht2g>.

<sup>363</sup> *Advisory Memorandum On Identification Of Essential Critical Infrastructure Workers During Covid-19 Response*, U.S. DEPARTMENT OF HOMELAND SECURITY CYBERSECURITY & INFRASTRUCTURE SECURITY AGENCY (March 19, 2020), <https://bit.ly/3gdITpS>.

<sup>364</sup> Evoqua Water Technologies web site (viewed on June 30, 2020), <https://bit.ly/2YwUWZk>.

critical water service and support to both government and private water systems, including many life-sustaining end markets.”<sup>365</sup>

- Community College of Allegheny County paid Whitmer and his colleagues to lobby the Congress on higher education funding related to the CARES Act.”<sup>366</sup> The college has received close to \$4 million in COVID grants.
- American Transaction Processors Coalition, a coalition of Georgia based payment processing companies,<sup>367</sup> paid Whitmer and two colleagues to lobby Congress and the Consumer Financial Protection Bureau (CFPB) on the CARES Act.<sup>368</sup>
- Coalition for American Electronics Recycling, a coalition of companies that recycle electronics,<sup>369</sup> paid Whitmer and two colleagues to lobby Congress on the CARES Act.<sup>370</sup>
- DocuSign, the electronic agreement company,<sup>371</sup> paid Whitmer and his colleagues to lobby 20 different government agencies, including the White House, Treasury and the SBA on the CARES Act and “federal agency continuity of operations.”<sup>372</sup>

### Whitmer’s Political Contributions and Fundraising

Whitmer has contributed \$29,130 combined to federal candidates and the national party committees from the 2010 cycle through today. During the 2020 cycle thus far, Whitmer has contributed \$1,080 to President Trump’s campaign.<sup>373</sup>

### Christian Whiton, Banner Public Affairs

From November 2016 to October 2017, Christian Whiton served as a senior advisor of strategic communications for the Trump transition team and the U.S. Department of State, according to his LinkedIn page.<sup>374</sup> Whiton left the government to begin lobbying for Banner Public Affairs.<sup>375</sup>

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<sup>365</sup> Press release, EVOQUA WATER TECHNOLOGIES, *Evoqua Provides Covid-19 Business Update And Announces Second Quarter 2020 Earnings Call And Webcast Date* (April 14, 2020), <https://bit.ly/31gvd9t>.

<sup>366</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3fRXwiu>

<sup>367</sup> American Transaction Processors Coalition Web site (viewed on June 30, 2020), <https://bit.ly/3dwTuKT>.

<sup>368</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3831YdW>.

<sup>369</sup> Coalition for American Electronics Recycling web page, <https://bit.ly/2Nt5HFT>.

<sup>370</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Z9VLqb>.

<sup>371</sup> DocuSign web page, <https://bit.ly/3ewQJe0>.

<sup>372</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2CGIkXk>.

<sup>373</sup> Contributions from Martin Whitmer to Donald Trump, FEDERAL ELECTION COMMISSION (viewed on June 30, 2020), <https://bit.ly/2Yw82Gk>.

<sup>374</sup> Christian Whiton LinkedIn page (viewed on June 30, 2020), <https://bit.ly/3dA7XWk>.

<sup>375</sup> *Christian Whiton*, BANNER PUBLIC AFFAIRS (viewed on June 30, 2020), <https://bit.ly/2Z8MYET>.

### Whiton's COVID-related Lobbying Activities

- AmericanTours International (ATI), a travel service provider,<sup>376</sup> hired Whiton and another Banner lobbyist to lobby on its behalf on March 20, 2020.<sup>377</sup> Whiton was hired to advocate for the company on “appropriations and COVID-19 economic relief.”<sup>378</sup>

On April 23, 2020, ATI's CEO published an op-ed on the web site of *Fox Business* calling for coordination between the travel industry and the government on efforts to encourage safe travel, similar to what was done after 9/11.<sup>379</sup>

### Beth Zorc: Wells Fargo

Beth Zorc was the principal deputy general counsel for the Department of Housing and Urban Development from April 2017 until January 2018.<sup>380</sup> Zorc left HUD to become a lobbyist and senior vice president of public policy for Wells Fargo.<sup>381</sup>

Well Fargo spent \$1.2 million on lobbying in the first quarter of 2020.<sup>382</sup> Among other issues, the bank's lobbyists lobbied the House, the Senate and Treasury on the banking provisions of the CARES Act as well as more generally on COVID-19 issues.<sup>383</sup>

### Wells Fargo's Political Contributions and Fundraising

From the 2010 election cycle through the 2020 cycle thus far, Wells Fargo's PAC has given a combined \$4.6 million to federal candidates and the national party committees. During the 2018 cycle, the PAC contributed \$806,000. During the 2020 cycle thus far it has contributed \$313,300.<sup>384</sup>

### Robert Stryk: Sonoran Policy Group

Robert Stryk, was a “sort of informal West Coast hand” of the Trump campaign, according to a *New York Times Magazine* profile written early in the Trump

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<sup>376</sup> American Tours International web site (viewed on June 30, 2020), <https://bit.ly/3dA82t6>.

<sup>377</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/37ZfxZw>.

<sup>378</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/37ZfxZw>.

<sup>379</sup> Noel Irwin Hentschel, *Coronavirus-hit travel industry will return, let's get to work now to save workers*, FOX BUSINESS (April 23, 2020), <https://fxn.ws/2VlbgKZ>.

<sup>380</sup> *Bethany "Beth" Zorc*, PROPUBLICA (viewed on June 30, 2020), <https://bit.ly/3eAaMYK>.

<sup>381</sup> Beth Zorc LinkedIn page (viewed on June 30, 2020), <https://bit.ly/380Yjea>.

<sup>382</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3g2HVwN>.

<sup>383</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3g2HVwN>.

<sup>384</sup> Wells Fargo contributions, Center for Responsive Politics (viewed on June 30, 2020), <https://bit.ly/3dAhBZh>.

administration.<sup>385</sup> A little known-lobbyist before he connected with Trump, Stryk's firm, the Sonoran Policy Group, saw an influx of cash in Trump's Washington.<sup>386</sup>

Stryk has been criticized for his willingness to represent brutal regimes, like the Democratic Republic of Congo, which paid his firm close to \$1.5 million in 2018.<sup>387</sup> According to an analysis by Public Citizen published in October 2017, after reporting no lobbying from 2013 to 2016, Sonoran billed at least \$5.7 million in lobbying in the first year of the Trump administration.<sup>388</sup>

Horizon Therapeutics, a pharmaceutical company,<sup>389</sup> paid Stryk and one other Sonoran lobbyist \$60,000 to lobby Congress and the White House on two issues during the first quarter of 2020, one of which was the CARES Act.<sup>390</sup>

## Hunter Hall: Picard Group

Hall previously served as special assistant to the secretary of Commerce in the Trump administration.

He lobbied on behalf of or registered to begin lobbying on behalf of eight clients on COVID-related issues in the first quarter of 2020. Three of these clients were new accounts for Hall. The clients were:

- City of Monroe, La., a municipality.<sup>391</sup>
- Emergency Care Partners LLC, Emergency physician staffing for hospitals.<sup>392</sup>
- Intensive Specialty Hospital LLC, long term care hospitals specializing in comorbidities.<sup>393</sup> The company has received \$4.9 million in COVID money.
- Lafayette Airport Commission, which operates a public airport.<sup>394</sup>

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<sup>385</sup> Nicholas Confessore, *How to Get Rich in Trump's Washington*, THE NEW YORK TIMES (Aug. 30, 2017), <http://nyti.ms/2vQZ4Cd>.

<sup>386</sup> Nicholas Confessore, *How to Get Rich in Trump's Washington*, THE NEW YORK TIMES (Aug. 30, 2017), <http://nyti.ms/2vQZ4Cd>.

<sup>387</sup> Theodor Meyer, *Trump-connected lobby firms cash in with foreign governments*, POLITICO (March 15, 2019), <https://politi.co/3fY1cR>.

<sup>388</sup> Taylor Lincoln and Alan Zibel, *Feeding Frenzy in Trump's Swamp*, PUBLIC CITIZEN (Oct 5, 2017), <https://bit.ly/2NGOhG5>.

<sup>389</sup> Horizon Therapeutics web site (viewed on June 30, 2020) <https://bit.ly/3fX6rPJ>.

<sup>390</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2NrfgoT>.

<sup>391</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2ZpkI5h>.

<sup>392</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Bbh8iX>.

<sup>393</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2B3hFnf>.

<sup>394</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/31guW6i>.

- LHC Group, a home health care services company,<sup>395</sup> has received \$64.8 million in COVID money this far.
- RiverBridge Specialty Hospital, a long term acute care hospital.<sup>396</sup>
- University of Louisiana at Lafayette Foundation. University of Louisiana at Lafayette, has received \$6.3 million in federal COVID relief money.<sup>397</sup>
- Viamed, which provides patients access to respiratory home-based care.<sup>398</sup>

Hall's disclosure of his work on behalf of these clients was vague, reporting in most instances lobbying on "issues related to COVID-19 relief."

### Jared Sawyer: Rich Feuer Anderson

Sawyer served as deputy assistant secretary in the U.S. Department of Treasury during the Trump administration.<sup>399</sup> In the first quarter of 2020 he lobbied on COVID issues on behalf of seven clients, each of which are in the financial services industry.

These included:

- American Investment Council, the trade association for private equity firms. Sawyer reported lobbying for the American Investment Council on "Application of H.R.748, the 'CARES Act,' to companies with private equity investments."<sup>400</sup>
- Emigrant Bancorp Inc., a bank.<sup>401</sup>
- Fair Isaac Corp., which issues the FICO credit score.<sup>402</sup>
- Freedom Mortgage Corporation, a mortgage lender.<sup>403</sup>
- Gusto, provider of cloud-based payroll and human resources management.<sup>404</sup>
- Institute of International Bankers, an association of financial institutions headquartered in other countries that operate in the United States.<sup>405</sup>

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<sup>395</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/31iyG7y>.

<sup>396</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Vh081p>.

<sup>397</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Vk6hKC>.

<sup>398</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3fUCbow>.

<sup>399</sup> Jared Sawyer LinkedIn page (viewed on June 30, 2020), <https://bit.ly/2YX1Lnz>.

<sup>400</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Vfu7qv>.

<sup>401</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3fYS1xs>.

<sup>402</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/37YXUce>.

<sup>403</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2VlbX73>.

<sup>404</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3hZpdYx>.

<sup>405</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2VkJD3p>.

- OnDeck Capital Inc., which is an approved lender under the SBA's Paycheck Protection Program.<sup>406</sup>
- The Hartford Financial Services Group, an insurance company.<sup>407</sup> The CARES Act stood to benefit insurance companies by increasing flexibility and refunds for which they would be eligible regarding operating losses from past years and Alternative Minimum Tax payments that they had made, according to an analysis by Price Waterhouse Coopers.<sup>408</sup>

### Sawyer's Political Contributions and Fundraising

- Sawyer has made \$22,050 in contributions to federal candidates since the 2016 election cycle. All were given to Republicans.

### Tara Bradshaw: Washington Council of Ernst & Young

Bradshaw served as spokeswoman to incoming Treasury Secretary nominee Steven Mnuchin for President-elect Trump's Transition Team.

Her relationship with her lobbying clients was emblematic of how little regard the Trump Transition team showed for its supposed policy to prevent lobbyists from having undue influence. The transition team established an ethics policy that called for lobbyists who remained with the team to file forms with "the appropriate government agency to terminate" lobbying relationships.<sup>409</sup>

The closest approximation by which individual lobbyists can officially terminate lobbying relationships under the federal Lobbying Disclosure Act is to for their lobbying firms to include on their quarterly reports the names of any lobbyists who are "no longer expected to act as a lobbyist for the client."<sup>410</sup>

When the Washington Council of Ernst & Young filed its fourth quarter 2016 lobbying reported, it indicated on the forms for all 22 clients for which Bradshaw had served as a lobbyist that she was "no longer expected to act as a lobbyist for those clients." Those forms were filed in January 2017. But forms filed by the Washington Council of Ernst & Young for the first quarter of 2017 indicated that Bradshaw had resumed lobbying for

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<sup>406</sup> Press release, OnDeck, OnDeck Approved as SBA Paycheck Protection Program Lender (April 14, 2020), <https://bit.ly/2YxXNl5> and Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2B80wbK>.

<sup>407</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Nqf3SS>.

<sup>408</sup> CARES Act provides tax relief to insurers, PWC (April 2020), <https://pwc.to/2YvFFYY>.

<sup>409</sup> Taylor Lincoln and Alan Zibel, *Feeding Frenzy in Trump's Swamp*, PUBLIC CITIZEN (Oct 5, 2017), <https://bit.ly/2NGOhG5>.

<sup>410</sup> *How to Terminate a Registration*, U.S. SENATE (viewed on June 30, 2020), <http://bit.ly/2vObl8q>.

nine of those clients, meaning that her purportedly terminated relationships did not even involve skipping a single quarter.<sup>411</sup>

In the first quarter of 2020, Bradshaw lobbied on COVID issues for two clients:

- American Academy of Physician Assistants, for which Bradshaw lobbied the Office of the President and Centers for Medicare and Medicaid Services, as well as both houses of Congress.<sup>412</sup>
- California Schools Voluntary Employee Benefits Association, for which Bradshaw lobbied both houses of Congress.<sup>413</sup>

### **Ernst & Young's Political Contributions and Fundraising**

Ernst & Young's PAC has given \$10.3 million to federal candidates and national party committees from the 2010 election cycle through today, about 60 percent of which has gone to Republicans.

### **Roy Bailey: Bailey Strategic Advisors**

Bailey is the national co-chairman of the Trump Victory Committee,<sup>414</sup> which raises money for Trump's 2020 campaign and top fundraiser for America First Action, a super PAC that supports Trump.<sup>415</sup> In the first quarter of 2020, Bailey signed Ashford Inc. as a client. He lobbied on "COVID-19 financial relief legislation" and other COVID issues.<sup>416</sup>

Ashford is a real estate investment trust company. As mentioned above in the summary of activities by Jeff Miller, another Trump fundraiser, Ashford and two companies it advises collectively received \$59 million in Paycheck Protection Program funds. But it ended up returning the money over criticism that it was falsely representing itself as a small business.<sup>417</sup>

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<sup>411</sup> Taylor Lincoln and Alan Zibel, *Feeding Frenzy in Trump's Swamp*, PUBLIC CITIZEN (Oct 5, 2017), <https://bit.ly/2NGOhG5>.

<sup>412</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3gbQq8X>.

<sup>413</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2CJsdLz>.

<sup>414</sup> Web site of Trump-Pence Victory Fund (viewed on June 30, 2020), <https://bit.ly/2YvAw2Z>.

<sup>415</sup> Alex Isenstadt and Gabby Orr, *Trump recruitment failure sets off alarms over 2020*, POLITICO (March 1, 2019), <https://politi.co/2YvEyZk>.

<sup>416</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2BJ3QKg>.

<sup>417</sup> *Hospitality Company at Root of Loan Controversy Pivots to Survival Mode Sans Federal Help*, SKIFT (June 18, 2020), <https://yhoo.it/3hVTwzy>.

## Nova Daly: Wiley Rein LLP

Nova Daly worked on the transition team for the Office of the U.S. Trade Representative.<sup>418</sup>

Similar to the case of Tara Bradshaw, a lobbyist discussed elsewhere in this report, Daly attempted to satisfy his obligations regarding the transition team's ethics rules by ending his lobbying affiliations in name only.

He told *Reuters* during the transition that he had ended his lobbying activities. Forms for the fourth quarter of 2016 filed by Daly's employer, Wiley Rein, indicated that Daly was indeed "no longer expected" to lobby for his five lobbying clients. But Daly ended up lobbying with three of those five clients in the first quarter of 2017.<sup>419</sup>

In the first quarter of 2020, Daley lobbied on behalf of two clients on COVID issues:

- Century Aluminum, for which he lobbied on the CARES act on "provisions related to mid-size business loans."<sup>420</sup>
- Nucor, a steel company. Daly's lobbying disclosure form for Nucor simply indicates that Daly lobbied on the CARES Act.<sup>421</sup> The Federal Reserve has purchased \$2.6 million in Nucor corporate bonds.

Agencies Daly lobbied on behalf of at least one of the clients included the White House Office, U.S. Department of Commerce, U.S. Customs & Border Protection and the U.S. Trade Representative, which was the office that Daly served during the transition.

## Nova Daly's Political Contributions and Fundraising

- From the 2012 election cycle through today, Daly has contributed \$18,850 to federal candidates and the national party committees.

## Cory Claussen: Financial Industry Regulatory Authority

Claussen was a director of the office of legislative affairs at the Commodity Futures Trading Commission through the early part of the Trump administration in 2017.

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<sup>418</sup> Taylor Lincoln and Alan Zibel, *Feeding Frenzy in Trump's Swamp*, PUBLIC CITIZEN (Oct 5, 2017), <https://bit.ly/2NGOhG5>.

<sup>419</sup> Taylor Lincoln and Alan Zibel, *Feeding Frenzy in Trump's Swamp*, PUBLIC CITIZEN (Oct 5, 2017), <https://bit.ly/2NGOhG5>.

<sup>420</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3dwhwWx>.

<sup>421</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/2Clf0zI>.

On behalf of FINRA, Claussen lobbied both houses of Congress and the Securities and Exchange Commission. FINRA's lobbying disclosure form indicates that he provided "information on FINRA's COVID 19 actions and updates."<sup>422</sup>

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<sup>422</sup> Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3eDzCY2>.

## Conclusion

Few scenarios would better embody most people's image of the Washington "swamp" than dozens of hired-gun lobbyists cashing in on their government connections during a public health emergency.

The fact that the lobbyists who are capturing some of the largest bounties are those who also serve as the biggest fundraisers for the president must confirm the public's worst suspicions. These mega-fundraisers are benefiting not only from the president's friendship but also from his dependency upon them.

The rush of companies to enlist close allies of the president speaks to an understanding that this is a government that trades on its power instead of making decisions based on merit. It's no wonder that providers were reduced to banging on the door of first son-in-law Jared Kushner to offer desperately needed personal protective equipment and other medical supplies to address the crisis.

The phenomenon of government by connections cries out for an array of short-term and long-term reforms.

In the short term, the government, of course, should do everything it possibly can to offer the public an unobstructed window into the details of where the trillions of public dollars are going. This includes putting additional transparency and conflict of interest measures like those found in the Coronavirus Oversight and Recovery Ethics (CORE) Act in place for future tranches of money going out the door. Likewise, the administration should embrace and cooperate with oversight panels established by the Congress. Any government intent on deterring corruption would do that without a second thought. The Trump administration's resistance to these steps speaks volumes.

In the long term, future administrations and the Congress should embrace systemic reforms to sever the conflicts of interest that incentivize government officials to favor the wealthy and well-connected over the constituents whom they are hired to serve.

A major overhaul to lobbying disclosure laws is long past due. Those who lobby the government should be required to disclose – as foreign agents are today – whom they meet with and what they ask for. If there's nothing to hide, then there's little to be afraid of other than the inconvenience of paper work, which is a small price to pay.

Relatedly, the government should enlist the nation's ample reserve of information technology wizards to adapt ways to present lobbying disclosure information in a manner that allows ordinary Americans to easily obtain and digest it. The efficacy of sunlight as a disinfectant is not absolute. But our leaders should harness that power to its maximum potential, and nothing short of that is acceptable.

Further, restrictions on public officials cashing in on their public service by peddling their insider connections as lobbyists should be tightened and codified into law. This report, with its discussion of the ineffectiveness of Trump's executive order, shows the folly of relying on the whims of whoever is in power to police the pernicious revolving door between government and special interests. The opportunity to work for the government should go to those who regard it as an honor and a privilege, and not those intent on using it as a springboard to a seven-figure paycheck. Laws that would meaningfully slow the revolving door would help separate opportunists from public servants.

Finally, the next president and the Congress should prioritize adopting a system that would permit political candidates who show viability to fund their campaigns with public money in exchange for forswearing large private contributions. It is not for nothing that so many lobbyists and others with business before the government routinely contribute hundreds of thousands of dollars – or more – out of their own pockets in political contributions.

The cost to create a viable system of public funding would be a fraction of the coronavirus relief expenditures that the Trump administration has fought so hard to keep secret. If only for the intangible value of the restoring faith in government, that investment would quickly repay itself many times over.



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