

**Campaign Legal Center • CREW • Common Cause
Democracy 21 • League of Women Voters • Public Citizen
Sunlight Foundation • U.S. PIRG**

August 1, 2012

RE: Lobbyist Sponsored Parties at the Nomination Conventions

Dear Representative:

As you know, the new congressional ethics rules prohibit Members from participating in parties at the national nominating conventions that are paid for by lobbyists or lobbying organizations and are held to “honor” the Members. *See* sec. 305 of the Honest Leadership and Open Government Act of 2007, Pub. L. 110–81, 121 Stat. 735 (HLOGA).

The purpose of this rule is to prevent lobbyists and lobbying organizations from gaining favor and influence with Members by paying for lavish parties at the national conventions that highlight a specific Member or group of Members.

Our organizations strongly urge you to comply with the spirit, intent and letter of this important new ethics rule by not participating in any lobbyist-financed party at the coming national conventions that in any way “honors” you, either individually or as part of a group of Members.

The organizations include the Campaign Legal Center, Citizens for Responsibility and Ethics in Washington, Common Cause, Democracy 21, the League of Women Voters, Public Citizen, Sunlight Foundation and U.S. PIRG.

Unfortunately, conflicting interpretations of the new rules between the House and the Senate – with the House ethics committee offering guidance that runs directly counter to the intent of the rules – has created confusion among lobbyists, lawmakers and staff as to what is permissible. This confusion may well result in a number of violations of the rules that will be witnessed by the public and press at the conventions.

While the Senate Ethics Committee has provided constructive guidance to its Members consistent with the letter of HLOGA, the House Ethics Committee on December 11, 2007, issued an indefensible interpretation of the new rule regarding lobbyist-funded parties at the conventions. The House Ethics Committee’s guidance interprets the rule on parties that “honor” Members at nominating conventions to apply only where a party is held to honor a specific Member. The House guidance exempts lobbyist-sponsored parties that honor a group of members, such as a House delegation, House committee or House caucus.

This is an absurd interpretation of the rule because it would prohibit the narrowest form of the problem while “authorizing” much broader efforts by lobbyists to buy access and influence. In

contrast, the Senate Ethics Committee does not provide a similar exemption with regard to its almost identical Senate ethics rule.

We note that under the new lobbying disclosure law, any lobbyist or lobbying organization that funds an event to “honor” a Member will have to disclose this information on their lobbying disclosure reports, including the amount spent to “honor” the Member.

Unlike the House Ethics Committee guidance on how to circumvent the new ethics rules, however, the guidance on the lobbying disclosure provision, provided by the Clerk of the House and Secretary of the Senate, correctly interprets the lobbying disclosure provision to cover all parties honoring a Member, or a group of Members.

This means that all funds spent by a lobbyist or lobbying organization to pay for an event at the conventions to “honor” a Member, or a group of Members, including events to honor a congressional delegation, congressional committee or congressional caucus, will be disclosed on lobbying disclosure reports.

The House Ethics Committee’s guidance also incorrectly attempts to authorize lobbyists and lobbying organizations to finance parties to “honor” a Member simply by laundering their contributions through another entity.

Our organizations strongly urge you to ignore this interpretation of the new congressional ethics rule. It is nothing more than a roadmap for lobbyists and Members to circumvent the rule, and it directly contravenes the spirit, purpose and meaning of the rule.

Finally, we also strongly urge you not to participate in any lobbyist-funded party to “honor” you that is held during the weekend before or on the eve of the conventions. Your participation in any such party would be contrary to the clear spirit of the new ethics rule.

The convention proceedings, and especially the evening parties at the conventions, are going to be closely monitored by the press. Any violations of the ethics rules will likely be broadcast on television and written in the newspapers. So we strongly encourage all Members in the House and Senate to preserve the integrity of the convention proceedings, as well as the integrity of Congress itself, by honoring the spirit and letter of the new ethics rules.

Respectfully Submitted,

Campaign Legal Center
Citizens for Responsibility and Ethics in Washington
Common Cause
Democracy 21
League of Women Voters
Public Citizen
Sunlight Foundation
U.S. PIRG