

Publications

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Lobbying Disclosure Act Registration and Reporting for Organizations Contacting Congress



The Lobbying Disclosure Act of 1995 ("LDA"), as amended by the Honest Leadership and Open Government Act of 2007, requires organizations employing in-house lobbyists, lobbying firms and self-employed lobbyists to register and report with the Clerk of the U.S. House of Representatives and the Secretary of the U.S. Senate ("Clerk of the House" and "Secretary of the Senate" respectively).

The LDA was amended again in 2019 by the Justice Against Corruption on K Street Act ("JACK Act"), which requires disclosure of certain criminal offenses. The LDA will matter to any company whose employees contact Congress concerning the coronavirus stimulus package.

Whether an organization or any affiliated entity will have to register depends on whether the entity employs any individual who meets the LDA's definition of "lobbyist."

Under the LDA, a "lobbyist" is an employee who makes at least two "lobbying contacts" and spends at least 20% of his or her compensated time for the organization, in a three-month reporting period, on "lobbying activities." Whether an activity qualifies as a lobbying contact or a lobbying activity depends on the facts of each particular interaction, and on their application to the law. If any organization employee meets the definition of "lobbyist," and the organization spends more than \$13,000 in a quarterly reporting period on its federal lobbying (including payments to outside consultants), the organization would have to register.

Please note that the LDA only applies to the organization's federal lobbying activities. It does not apply to the organization's lobbying activities at the state and local level. States, counties, and municipalities may have their own registration and reporting requirements for lobbying activities. Before engaging in any government relations activities with a state, county, or municipality, we recommend that you confer with counsel to determine whether the activities trigger any lobbying registration, reporting, or other requirements in that jurisdiction.

If you have questions about whether your organization has triggered lobbying registration in any jurisdiction, contact the Perkins Coie Political Law Group.

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