

(Pub. L. 104–4, title IV, §401, Mar. 22, 1995, 109 Stat. 70.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (b), was in the original “this Act”, meaning Pub. L. 104–4, Mar. 22, 1995, 109 Stat. 48, known as the Unfunded Mandates Reform Act of 1995. For complete classification of this Act to the Code, see Short Title note set out under section 1501 of this title and Tables.

CHAPTER 26—DISCLOSURE OF LOBBYING ACTIVITIES

Sec.	
1601.	Findings.
1602.	Definitions.
1603.	Registration of lobbyists.
1604.	Reports by registered lobbyists.
1605.	Disclosure and enforcement.
1606.	Penalties.
1607.	Rules of construction.
1608.	Severability.
1609.	Identification of clients and covered officials.
1610.	Estimates based on tax reporting system.
1611.	Exempt organizations.
1612.	Sense of Senate that lobbying expenses should remain nondeductible.
1613.	Prohibition on provision of gifts or travel by registered lobbyists to Members of Congress and to congressional employees.
1614.	Annual audits and reports by Comptroller General.

§ 1601. Findings

The Congress finds that—

(1) responsible representative Government requires public awareness of the efforts of paid lobbyists to influence the public decision-making process in both the legislative and executive branches of the Federal Government;

(2) existing lobbying disclosure statutes have been ineffective because of unclear statutory language, weak administrative and enforcement provisions, and an absence of clear guidance as to who is required to register and what they are required to disclose; and

(3) the effective public disclosure of the identity and extent of the efforts of paid lobbyists to influence Federal officials in the conduct of Government actions will increase public confidence in the integrity of Government.

(Pub. L. 104–65, §2, Dec. 19, 1995, 109 Stat. 691.)

EFFECTIVE DATE

Section 24 of Pub. L. 104–65 provided that:

“(a) Except as otherwise provided in this section, this Act [see Short Title note below] and the amendments made by this Act shall take effect on January 1, 1996.

“(b) The repeals and amendments made under sections 9, 10, 11, and 12 [amending section 4804 of Title 15, Commerce and Trade, section 219 of Title 18, Crimes and Criminal Procedure, sections 611, 613, 614, 616, 618, and 4002 of Title 22, Foreign Relations and Intercourse, section 1352 of Title 31, Money and Finance, and section 1490p of Title 42, The Public Health and Welfare, repealing sections 261 to 270 of this title and section 3537b of Title 42, and repealing provisions set out as a note under section 261 of this title] shall take effect as provided under subsection (a), except that such repeals and amendments—

“(1) shall not affect any proceeding or suit commenced before the effective date under subsection (a), and in all such proceedings or suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this Act had not been enacted; and

“(2) shall not affect the requirements of Federal agencies to compile, publish, and retain information filed or received before the effective date of such repeals and amendments.”

SHORT TITLE OF 2007 AMENDMENT

Pub. L. 110–81, §1(a), Sept. 14, 2007, 121 Stat. 735, provided that: “This Act [see Tables for classification] may be cited as the ‘Honest Leadership and Open Government Act of 2007’.”

SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105–166, §1(a), Apr. 6, 1998, 112 Stat. 38, provided that: “This Act [amending sections 1602, 1604, and 1610 of this title and section 613 of Title 22, Foreign Relations and Intercourse] may be cited as the ‘Lobbying Disclosure Technical Amendments Act of 1998’.”

SHORT TITLE

Section 1 of Pub. L. 104–65 provided that: “This Act [enacting this chapter, amending sections 3304 of Title 5, Government Organization and Employees, section 102 of Pub. L. 95–521, set out in the Appendix to Title 5, section 4804 of Title 15, Commerce and Trade, sections 207 and 219 of Title 18, Crimes and Criminal Procedure, section 2171 of Title 19, Customs Duties, sections 611, 613, 614, 616, 618, 621, and 4002 of Title 22, Foreign Relations and Intercourse, section 1352 of Title 31, Money and Finance, and section 1490p of Title 42, The Public Health and Welfare, repealing sections 261 to 270 of this title and section 3537b of Title 42, enacting provisions set out as notes under this section, section 3304 of Title 5, section 102 of Pub. L. 95–521, set out in the Appendix to Title 5, and section 207 of Title 18, and repealing provisions set out as a note under section 261 of this title] may be cited as the ‘Lobbying Disclosure Act of 1995’.”

CONSTRUCTION OF 2007 AMENDMENT

Pub. L. 110–81, title VII, §703, Sept. 14, 2007, 121 Stat. 776, provided that: “Nothing in this Act [see Tables for classification] or the amendments made by this Act shall be construed to prohibit any expressive conduct protected from legal prohibition by, or any activities protected by the free speech, free exercise, or free association clauses of, the First Amendment to the Constitution.”

§ 1602. Definitions

As used in this chapter:

(1) Agency

The term “agency” has the meaning given that term in section 551(1) of title 5.

(2) Client

The term “client” means any person or entity that employs or retains another person for financial or other compensation to conduct lobbying activities on behalf of that person or entity. A person or entity whose employees act as lobbyists on its own behalf is both a client and an employer of such employees. In the case of a coalition or association that employs or retains other persons to conduct lobbying activities, the client is the coalition or association and not its individual members.

(3) Covered executive branch official

The term “covered executive branch official” means—

(A) the President;

(B) the Vice President;

(C) any officer or employee, or any other individual functioning in the capacity of such an officer or employee, in the Executive Office of the President;