Municipal Lobbying Data Guidebook

Why do we need access to lobbying data?

Information that is critical to understanding access to power and how that access is being used should be made available to the public with as few restrictions as possible. That means making information available in searchable, sortable and machine-readable formats, but also taking into consideration the kinds of information that should be disclosed (the difference between lobbying registration, say, and lobbying activity). For lobbying disclosure to live up to its full potential, the transparency it creates needs to be proportional to the influence that it seeks to influence, with real-time reporting and substantive disclosure empowering public scrutiny of political power at work.

The goal of disclosing this data isn’t to make life more difficult for the lobbyists, but to ensure that citizens have the ability to track influence -- to glean the context critical to understanding political decision-making and legislation.

Meaningful, complete, open lobbying data is vital to creating accountable government. As the state of municipal lobbying data collection and disclosure varies enormously from one city or county to the next, the Sunlight Foundation has created this guide to help local policymakers and advocates create stronger lobbying disclosure.

Index:
1. What does a comprehensive lobbying dataset include?
   I. Registration and Termination
   II. Information About Activity
   III. Contribution Reports
2. How should this data be collected and shared?
   I. Publish open, structured data
   II. Require electronic filing
   III. Require online disclosure
   IV. Use unique identifiers
   V. Release in real-time
   VI. Publish bulk data
3. How does the government regulate this data?
4. How can this data be useful?
5. What other datasets add context to this data?

1. What does a comprehensive lobbying dataset
include?

A good suite of data about lobbying activities should include structured information from the reports that lobbyists file. Lobbying data shouldn’t just contain information about who lobbies, but about who is lobbied and what they’re being lobbied about. These basic details and others are essential for the public to gain insight into the world of municipal influence. Here’s the range of what we should be talking about when we talk about “lobbying data.”

I. Registration and Termination

The most basic dataset a municipality collects on lobbying activity is a record of who is a lobbyist. Anyone who is paid to ask for action from a government official should be required to register, subject only to minimal exceptions. Registration is usually fairly simple: Often only a lobbyists’ name, contact information (including their address, phone number, and email address), and clients are required. Termination reports are equally important to help track details about the end of lobbying efforts and to help fill in any revolving door timelines that might be relevant.

What should be included:

a. Name of lobbyist
b. Date of registration (or termination)
c. Contact information: Office address, email address, phone number
d. Client information: Information (including name and contact information) of the individual or firm paying for the lobbyist’s time
e. Employment history: Information about previous employment in government should be mandated for disclosure to help shed light on any revolving door issues or conflicts of interest. Some cities include employment history as part of registration, although it may also be appropriately listed on activity reports.

II. Information About Activity

Three key elements of lobbying activity and meetings need to be disclosed: who is doing the lobbying, who they are lobbying, and the subject of the meeting (or other lobbying activity). These three pieces of information provide the baseline for gaining insight into the day-to-day workings of municipal influence.

What should be included:

a. Name of the official: The name of the official with whom the lobbying contact was made should be disclosed.
b. Date of the contact
c. Specific action requested
d. Any specific legislation discussed
e. Name of the client, if the contact was made on behalf of a client.
f. **Who or what entity paid for lobbying activity:** Whether an individual or company, information about the paying party should be made available. If a company paid for the lobbying, the name of an authorized officer or agent should also be required.

III. **Contribution reports:**
Depending on the local context, contribution reports may stand alone from other campaign finance reporting requirements. Information about political contributions made by lobbyists can be important to help reveal how much money lobbyists are throwing behind their efforts to sway public officials’ opinions. At the federal level, all contributions above $200 are required to be disclosed, though the exact limit in a municipal context may vary.

*What should be included:*
- a. **Name of lobbyist**
- b. **Name of candidate**
- c. **Amount of contribution**
- d. **Date of contribution**

2. **How should this data be collected and shared?**
Data about lobbying, whether we’re looking at registration forms or meeting reports, should be collected and released in a way that lowers barriers to use and reuse -- not in a format that locks up the information and requires reformatting, license-struggles, and scraping before it can be analyzed. Many points of our open data policy guidelines apply to ideas for best practices governments can apply when collecting and releasing lobbying data.

I. **Publish information as open, structured data**
Publishing information in an open format means sharing it in a way that is machine-readable, or structured, and is easy to search and sort. This increases opportunities for the public to reuse the data, when thoughtful consideration is given to licensing and removing technical restrictions. **Chicago**, for example, releases its lobbying data in sortable and downloadable lists. The interface allows users to choose the format for their data download, meaning the public has a variety of options for analyzing and interfacing with lobbying data.

II. **Require electronic filing**
Electronic filing is a requirement that makes lobbying disclosure easier for everyone. It's easier for governments to collect data this way rather than retyping handwritten forms (a time consuming task that can result in inaccuracies). It's easier for lobbyists to have a consistent, online, easy-to-access interface for their required filings (an online guest book, if you will). And, it’s easier -- and often cheaper -- for the government to provide the data in an open, structured format to the public. **Los Angeles** is one example of a city that requires e-filing for lobbying registration and for quarterly disclosure reports.
E-filing also helps with the long-term sustainability of disclosure and related electronic systems, if properly funded. Registration fees, which many states already have, can even prove to be a creative source of sustainable funding. California, for example, simply raised their registration fees by an additional $50 for lobbyists and other influencers to help pay for an update to its public disclosure portal.

III. Require disclosed information to be posted online
The prevalence of technology and Internet access means that any lobbying information that is disclosed should also be posted online. This provides public access to important government information in the place where the public is looking for it, rather than burdening individuals with the time and costs associated with making records requests, and saves government officials time by posting information en masse rather than delivering it on an as-requested basis.

Some local governments have created a central portal for lobbying information. These portals can include anything from the ordinances overseeing lobbying to databases of the reports lobbyists file. Austin, New York City, Los Angeles, and San Diego are just a few examples of cities with lobbying disclosure portals.

IV. Use unique identifiers
Tracking lobbyists can be difficult even with detailed reporting requirements. Lobbyists may work for more than one client or file paperwork under different names. Assigning unique identifiers to lobbyists and lobbying organizations increases the accuracy of the associated data and others that utilize lobbying information.

V. Release information in real-time
Public oversight of lobbying activity would be further improved by releasing information in real time. Releasing lobbying information every year or even twice per year leaves long gaps of time in which the public does not know which interests are working to influence their government. Even quarterly disclosure would be better than requiring only semi-annual or annual reports as a way of keeping the public informed.

VI. Publish bulk data
Allowing the public to download lobbying data in bulk help maximize the opportunities of finding narratives in the disclosures. Bulk downloads of information in open, structured formats to allow for easy analysis and reuse of data.

3. How does the government regulate this data?
How is lobbying disclosure mandated and affected? One of the most common ways for cities to regulate lobbying appears to be through city ordinances, but there are several other venues for affecting the disclosure of this information.
Ordinances

- **Austin** has a section of city code devoted to lobbying regulations, which fall under the "business regulation" category of its ordinances.
- **New York City** lobbying is regulated by its municipal administrative code.
- **Los Angeles** has a municipal lobbying ordinance.
- **San Diego** includes lobbying regulations in the same section of its ordinance that covers elections and campaign finance.
- **San Jose** has a specific ordinance for lobbying.

*Lobbying disclosure requirements could also be affected through these policies:*

- Public records law
- Ethics law
- Open data law
- Executive Order
- Regulations change
- State law

**On the role of states:** Some municipalities defer to state laws and regulations overseeing lobbying. **Atlanta** is one city that defers to state regulations and makes note of it on its website. This practice might be fairly common in states where many of the local policies are set at the state level. The National Conference of State Legislatures has a list of state definitions of "lobbying" and "lobbyist" complete with legal citations that can help shed more light on how municipalities might envision the details of lobbying disclosure based on state regulations.

4. **How can this data be useful?**

There are many examples of the impacts that releasing lobbying data can have. Journalists and watchdogs across the country have contextualized lobbying data in a way that gives citizens insight into the forces trying to influence government for various interests. Developers have also made applications and interfaces that let users sort through the data easily and do their own watchdog investigations.

**Journalism**

- **AxisPhilly:** "Philadelphia doubles down on casinos: Is it a good bet?"
- **AxisPhilly:** "Checking the record on paid sick leave lobbying"
- **AxisPhilly:** "Who's spending big money to influence city government?"
- **Chicago Sun-Times:** "City Hall’s new No. 1 lobbyist? Lawyer who got Emanuel on ballot"
- **Chicago Sun-Times:** "Seven former Chicago aldermen now lobbying City Hall"
- **Chicago Tribune:** "Chicago puts lobbyists' pay online"
The Texas Tribune: "Despite Reforms, Some Elected Officials Still Lobby"
Voice of San Diego: "Who City Hall's Lobbyist Like for Mayor"

Apps, etc.
- Chicago Lobbyists
- Lobbying.ph

5. What other datasets add context to this data?
Lobbying data can help provide context for other kinds of information. Knowing who is trying to sway government officials to act in certain ways, combined with data about how government officials act and where their interests lie, can help show a narrative of influence that may not initially be apparent. Some datasets that could be combined with well-structured, detailed lobbying data include:

- Contracts
- Procurement
- Zoning
- Grants
- Economic interests
- Conflicts of interest
- Holdings
- Financial disclosure
- Revolving door
- Campaign finance
- Meeting agendas and minutes
- City spending on lobbying (available at Open Secrets)