

GAO Begins Random Audits of Lobbying Reports

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Remember that old movie *Defending Your Life*? Well, now the question is are you ready to defend your lobbying report? If not, you may need to rethink the backup documentation that you have for your report.

Pursuant to the congressional directive found in the Honest Leadership and Open Government Act (HLOGA), the Government Accountability Office (GAO) has started its random audit of the first quarter lobbying reports. If you were so lucky as to be picked for an audit, then you would have received a notification letter stating that "Congress has authorized GAO to, within the scope of our audit, 'request information from and access to any relevant documents from any person registered' under the Act. We plan to assess the extent to which information provided in the lobbying report is supported by internal records and other documentation. GAO is interested in seeing all documents upon which the report is based."

GAO is not kidding either. GAO's auditing team wants to see your backup documentation for the amount of money you reported as having spent on lobbying. It wants to know why you put a certain bill or issue under a certain category. It wants to know how you know that the bill or issue was lobbied during the reporting period and what documentation you have to prove that you did lobby that bill.

How about proof that you lobbied the House and the Senate, and whatever agency you put on the bill?

If you have terminated a lobbyist, it wants to know the basis for the termination from the report and what backup documentation you have for that. You may even have to show materials documenting the

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termination date of the individual.

What's the lesson learned here?

You should scrutinize each piece of information on your lobbying report and keep documentation for each line of the report. The good news, if there is any, is that GAO's auditors only want to see the documentation; they don't want to take it with them. Furthermore, GAO does not have any power to enforce the law, but it's able to refer apparent reporting violations to the Clerk of the House and the Secretary of the Senate who will, in turn, send you a notice of a potential reporting issue to which you have to respond within 60 days.

And one other thing—if you want to get anything off your chest about the form or guidance, GAO is going to give you the opportunity to do that, too. The first GAO report to Congress is due on September 30. The next report is due April 1, 2009, so GAO is going to be auditing those second and third quarter reports soon. Now is the time to make sure you have your ducks in a row and that you can back up the information on your lobbying report.