

(**Washington D.C.**) - Congressman Robert C. “Bobby” Scott, (D-VA-3), continued his efforts on the Floor of the House of Representatives to promote lobbying reform that reduces corruption in lobbying.

Rep. Scott spoke against The Lobbying Accountability Act because it fails to offer a comprehensive, permanent solution to the current rules governing lobbying activities. In particular, Rep. Scott is concerned about lobbying contingency fee contracts.

Today, more and more lobbyists appear to be entering into contracts that pay the lobbyist a percentage contingency fee or “success fee” for securing earmarks in appropriations bills.

Rep. Scott offered an amendment to the lobbying reform bill that called for a study of the practice of some lobbyists charging percentage contingency fees for obtaining earmarks in appropriations bills. The amendment was adopted by the Judiciary Committee, but it was removed by Republicans in the Rules Committee last week. Today, the bill passed the House by a vote of 217 - 213.

These contingency fee contracts are illegal for lobbyists representing foreign governments and illegal in some lobbying activities involving the Executive branch. They are also illegal in lobbying activities in 39 state legislatures. However, such contracts involving Congressional lobbying do not appear to be illegal under federal criminal law.

The Supreme Court has questioned the morality of contingency fee contracts for lobbying dating as far back as 1853, stating that “common law . . . will not lend its aid to enforce a contract to do an act . . . which is inconsistent with sound morals or public policy; or which tends to corrupt or contaminate, by improper influences, the integrity of our social or political institutions.”

“These contracts have been found to encourage corruption and so any bill dealing with lobbying activities must consider percentage contingency fees charged by lobbyists. If we are going to adopt a bill that suggests it is going to do something about corruption, then it ought to include at least a study of the prevalence of these contracts which everybody knows have a corrupting influence. Unfortunately, Republicans on the Rules Committee would not even allow a vote on a study of this practice, ” Rep. Scott concluded.

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