



# Tester proposal would ban retired members from lobbying Congress forever

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A Montana lawmaker wants to end a long-running practice that fuels mistrust of the federal government.

After retiring from office or losing re-election, many congressional lawmakers — Republicans and Democrats alike — launch lucrative careers as lobbyists at law firms, lobbying shops, business and trade organizations and other well-heeled interest groups, many of which are located on the infamous K Street.

Sen. Jon Tester, D-Mont., introduced a bill this month to ban that. The bill, which he introduced along with Sen. Michael Bennet, D-Colo., would prevent former members from lobbying Congress. Permanently.

Under current law, senators are barred from lobbying Congress for two years after leaving Capitol Hill. House members are barred from doing so for one year. Members' senior staff are subject to a one-year ban.

The Bennet-Tester bill, which had no co-sponsors as of Friday, would increase the staffer ban to six years, impose a six-year prohibition on lobbyists seeking to work for lawmakers or committees they've tried to influence, create a user-friendly website for the public to track lobbying and increase the penalty for violating the law.

The idea is to prevent former members and high-level staffers from cashing in on their public service careers and relationships within Congress and the executive branch to unduly benefit a few deep-pocketed clients.

“Too many Montanans think backroom deals in Washington, D.C., run this country,” Tester said in a statement. “Slamming shut the revolving door between lawmakers and lobbyists will let folks know that Congress puts constituents first and will make government more accountable to the American people.”

The ambitious proposal is unlikely to pass because lawmakers don't want to close off a lucrative employment pipeline once they leave Congress, supporters say.

Even supporters like Craig Holman of Public Citizen, a liberal advocacy group, and Ilya Shapiro of the libertarian Cato Institute, acknowledge that the bill is more of a "marker" that Bennet and Tester introduced in hopes of sparking a debate over lobbying reform and chumminess between K Street lobbyists and Congress.

Holman said voters must be worried about former lawmakers selling their insider knowledge and contacts in exchange for seven-figure salaries from wealthy groups seeking a level of access to Capitol Hill unavailable to everyday Americans.

A study by Public Citizen — a grass-roots advocacy group that also lobbies Congress on reform measures — showed that 43 percent of lawmakers who retired between 1998 and 2006 became lobbyists.

Money is a big lure. Wealthy special interests pay former members handsomely — \$1 million or more annually according to anecdotal reports, Holman said. That's 10 times as much as the salary for rank-and-file members, who earn \$174,000 annually.

Former lawmakers "are essentially renting the Rolodex out to lobbying firms that hire them," Holman said. "If these members of Congress were truly astrophysicists and are being hired by some sort of science business that would be expertise. ... (Firms) are paying them for their connections."

Bennet and Tester failed twice before when they tried to pass versions of their bill.

Shapiro, of the Cato Institute, said he likes the bill but said a lifetime lobbying ban may be too much. He suggested a ban lasting several years or one that says former members can lobby Congress only after, say, half of those they served with leave office.

Though it's unlikely to pass as written, the measure would still go a long way in shredding the influence game, Shapiro said.

A former Colorado congressman disagreed.

Republican Joel Hefley, who represented the Colorado Springs area for 20 years before retiring in 2006, called the bill "extreme overkill."

It plays up the stereotype of lobbyists as shadowy figures who slither around, showering money, gifts and favors on lawmakers — as disgraced super lobbyist Jack Abramoff did and went to prison for in the mid-2000s. Most lobbyists don't operate that way and are, in fact, important to the political process, he said.

The Bennet-Tester bill also assumes that every former lawmaker is a crook, said Hefley, former chairman of the House Ethics Committee who called it quits after angering GOP leaders for admonishing then-House Majority Leader Tom DeLay.

“These kind of bills are playing to the crowd,” he said in a telephone interview. “This gives the senators or anybody who signs on as a co-sponsor ... something to talk about, to show their constituents how righteous they are. I don’t think it makes any sense.”

There’s nothing wrong with a former lawmaker talking to a friend who’s still in Congress about a policy or a bill “as long as it’s done honestly, and there’s no quid pro quo, there’s no bribery or anything like that,” said Hefley, who considered becoming a Washington lobbyist after retiring but decided to become a rancher in Oklahoma instead.

According to the Center for Responsive Politics, hundreds of former senators and House members are working on K Street, though the migration slowed in the last two election cycles because of the troubled economy.

Of the 117 members who left Capitol Hill after the 2010 midterm elections, 43 — or 37 percent — went to work for lobbying firms or organizations that hire people to lobby Congress on their behalf. In 2012, 31 of the 97 members — nearly 32 percent — who departed Capitol Hill ended up on K Street, the nonprofit group found.

Two of Tester’s former aides — senior economic adviser Jason Rosenberg and chief of staff Stephanie Schriock — went on to join the Washington influence industry, according to the Center for Responsive Politics. Schriock, who is not a registered lobbyist, landed a particularly high-profile job — she’s president of EMILY’s List, a group dedicated to electing pro-choice women to Congress.

Lobbying reform is a big part of Tester’s legislative agenda.

As a political novice in 2006, Tester beat then-Sen. Conrad Burns, a Republican, by 3,562 votes after highlighting the \$150,000 in campaign contributions Burns received from Abramoff and his clients and associates. Burns claimed no wrongdoing and donated the money, but lost nevertheless.

After leaving the Senate, Burns became a lobbyist, joining Gage International, a Washington firm established by his former chief of staff, Leo Giacometto.

Former Rep. Denny Rehberg, R-Mont., who narrowly lost to Tester in 2012, is also a lobbyist. He’s a co-chairman of Mercury, a firm that does lobbying, political consulting and media relations.