



RESTORE TRUST IN GOVERNMENT AND IMPROVE TRANSPARENCY

"Too often the American people don't know who Washington is working for, and when they find out, they don't like what they hear. . . . We're not going to be able to change America unless we challenge the culture that has dominated Washington for far too long. And that means shining a bright light on how Washington works."

[Speech in New Hampshire, 9/4/2007]

SHINE THE LIGHT ON LOBBYING, EARMARKS, & TAX BREAKS & BRING PEOPLE BACK INTO THEIR GOVERNMENT

It is no coincidence that the disastrous policies of the Bush-Cheney years have been accompanied by unprecedented secrecy for the American people and unprecedented access by lobbyists, the wealthy and the well-connected. Vice President Cheney went to the Supreme Court to keep the names of the lobbyists his Energy Task Force met with secret. The administration has ignored public disclosure rules and has invoked a legal tool known as the "state secrets" privilege more than any other previous administration to get cases thrown out of civil court. The American people are frustrated with Washington's secrecy. As president, Barack Obama will restore the American people's trust in their government by making government more open and transparent and by giving regular Americans unprecedented new tools to keep track of government officials, who they are meeting with, who is giving them money and how they are spending taxpayer dollars.

I. Shine Light on Washington Lobbying

As a senator, Barack Obama pushed Congress to pass the most sweeping lobbying reform legislation since Watergate. The legislation Obama championed will ban gifts from lobbyists and eliminate Senate floor, gym, and parking privileges for former Senators, Senate Officers, and Speakers of the House who are lobbyists. As president, Obama will build on these successes to grant the public specific and useful information about how lobbyists are trying to influence Washington.

Expand Definition of "Lobbying" to Include Government Contracts and Presidential Pardons: Under current law, there are entire classes of lobbying not subject to disclosure requirements. For instance, lobbying for government contracts is a well-known practice called 'procurement lobbying,' which is separate from lobbying for specific legislation or earmarks. Much of procurement lobbying is not subject to existing reporting requirements. Barack Obama will expand disclosure requirements to include procurement lobbying, along with lobbying for presidential pardons.

Centralize Ethics and Lobbying Information for Voters: Under current law, enforcement of ethics and lobbying laws is spread widely among a variety of different agencies, which do not frequently work together, and do not provide the public information in an easily accessible format. As president, Barack Obama will create a centralized database of lobbying reports, congressional ethics records, and campaign finance filings that is made available on the Internet in a searchable, sortable and downloadable format, and compiled and

maintained by one agency and under one roof. This database will allow Americans to see easily and in one place who their legislators are meeting with; who they are collecting money from and how much money they are collecting; and to review their ethics records.

Require Independent Monitoring of Lobbying Laws and Ethics Rules: Currently, Congress polices itself on ethics and lobbying rules, creating a situation where the fox is guarding the henhouse. Earlier this year, Congress defeated legislation that Barack Obama championed to create an independent and professional enforcement agency to investigate congressional ethics violations. As president, Obama will use the power of the presidency to fight for passage of this law, ensuring an independent watchdog oversees the investigation of ethics violations so that the public can be assured that ethics complaints will be investigated. Final enforcement for violations would remain with the Ethics Committees.

Disclose All Contributions to Organizations Affiliated with the President or Members of Congress: The ethics reform bill passed by Congress in August only requires disclosure of lobbyist contributions to entities such as presidential inaugural committees, presidential libraries, and foundations affiliated with members of Congress. These contributions should be disclosed whether they're made by a corporation's lobbyist or the corporation's CEO. For that reason, Obama will work to ensure that all contributions to these types of organizations are fully disclosed to the public.

II. Shine the Light on Federal Contracts, Tax Breaks and Earmarks

Every American has the right to know how the government spends their tax dollars, but that information has been hidden from public view for too long. In the Senate, Barack Obama teamed up with Sen. Tom Coburn (R-OK) to pass a law that will lift the veil of secrecy in Washington by creating a Google-like search engine that will allow regular people to track federal grants, contracts, earmarks and loans online. As president, Obama will give voters more tools to track special interest spending.

Create a Public “Contracts and Influence” Database: The nation's top government contractors have spent millions lobbying the government and contributing to federal candidates. Many of these companies go on to cash-in on lucrative no-bid contracts. For instance, Halliburton, the sixth-largest recipient of federal contracts has spent more than \$2.8 million on lobbying and \$527,800 on political contributions since President Bush took office. As president, Obama will create an “contracts and influence” database which will disclose how much federal contractors spend on lobbying, and ensure citizens have easy access to contract details and contractor performance, such as compliance with federal regulations. Obama's plan will apply to all contractors that receive at least \$150,000 in federal funds.

Expose Special Interest Tax Breaks to Public Scrutiny: Thousands of high-priced lobbyists descend on Congress to try to work special-interest tax breaks for their corporate clients into the tax code. Opening this process up to public view is the first step of holding government accountable. Building on his “Google for Government” bill, which allows every American to do a simple search and see exactly how federal money is being spent, Barack Obama will ensure that any tax breaks for corporate recipients – or tax earmarks – are also publicly available by directing the Office of Management and Budget to post them on its website in an easily searchable format.

Sunlight Before Signing: Too often bills are rushed through Congress and to the president before the public has the opportunity to review them. As president, Barack Obama will not sign any non-emergency bill without giving the American public an opportunity to review and comment on the White House website for five days. In addition to ensuring that the public has the ability to review legislation, the sunlight will help ensure that earmarks tucked into appropriations bills are exposed. And Obama will sign legislation in the light of day without attaching signing statements that undermine the legislative intent.

III. Bring Americans Back into their Government

Hold 21st Century Fireside Chats: People who care deeply about issues in Washington but live outside the Beltway rarely have the opportunity to question and interact with government agencies. Messages are filtered through the media, and many times the hard questions are not asked. Barack Obama will bring democracy and policy directly to the people by requiring his Cabinet officials to have periodic national broadband town hall meetings to discuss issues before their agencies.

Conduct Regulatory Agency Business in Public: Every day, government agencies make decisions that affect Americans' lives. These decisions should be informed by public deliberation and input, but at many agencies, these deliberations are conducted out of the public view. For example, several agencies, including the Securities & Exchange Commission and the Federal Communications Commission, hold public meetings only one or two days a month. On all the other days, the commissioners and staff members host lobbyists and lawyers in private meetings, and operate outside of the public eye. In these private meetings, companies can make their case for the regulation that they want. Average citizens cannot participate in this process, and consumer groups just do not have the resources to offset the waves of corporate lobbyists that constantly walk the halls of these agencies.

As president, Barack Obama will require his appointees who lead the Executive Branch departments and rulemaking agencies to conduct the significant business of the agency in public, so that any citizen can see in person or watch on the Internet as the agencies debate and deliberate the issues that affect American society. Videos of meetings will be archived on the web, and the transcript will be available to the press and public. Obama will also require his nominees to commit to employ all the technological tools available to allow average citizens not just to observe, but to participate and be heard on the issues that affect their daily lives.

Open Up Rulemaking to Public View: Established in 1993, Executive Order 12866 establishes the process for federal agencies to make federal rules and regulations. It is supposed to increase transparency and public participation in the rulemaking process, but those parts of the order have been ignored by federal agencies under President Bush. For instance, the required record of meetings with outside experts and lobbyists is only sporadically updated and often the rule in discussion is not properly identified. As president, Barack Obama will amend the order to ensure that communications about regulatory policymaking between persons outside government and all White House staff are disclosed to the public. The Obama White House will invoke its executive privilege to protect the confidentiality of communications concerning national security and similar traditionally sensitive matters, not to withhold information about private interests' communication on regulatory policy. There are communications that should be kept private because disclosure could endanger the public. But the White House is the people's house and the people have a right to know who visits.

Release Presidential Records: Under the Presidential Records Act, presidential records are supposed to be released to the public 12 years after the end of a presidential administration. In November 2001, President Bush issued an order that gave current and former presidents and vice presidents broad authority to withhold presidential records or delay their release indefinitely. As president, Barack Obama will nullify the Bush order and establish procedures to ensure the timely release of presidential records.