

**III. ЗАМОНАВИЙ НАЗАРИЙ ТАДҚИҚОТЛАР ВА ҚАРАШЛАР**  
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**LOBBISM AND ITS INFLUENCE ON THE US POLITICS**

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**Abstract:** *This research article examines the complex issues surrounding lobbying, which plays a key role in shaping the political process in the United States of America. Lobbying is the primary instrument that allows interest groups to influence political actors and advance their political priorities. The close relationship between significant financial resources used in lobbying activities and their influence on the formation and implementation of domestic and foreign policy priorities of various interest groups is also explored. The first part of the article discusses the history of lobbying in the United States, as well as various typologies and methods of lobbying, and the legal and regulatory framework, with particular attention paid to ethics and transparency issues in lobbying activities.*

**Keywords:** *Lobbying, Interest Groups, Policy Making, Influence, Promotion, United States of America.*

**The Origins and Evolution of Lobbying in the United States**

The history of the term “lobbying” can be traced back to the development of English parliamentary democracy. The word “lobby” originally referred to a room adjoining the hall of the British House of Commons where Members of Parliament met with constituents and representatives of interest groups. Over time, the term “lobbying” came to mean the act of attempting to influence government officials and politicians through various means, such as persuasion, advocacy, and promotion of interests, provision of information or resources. In practical terms, lobbying is an informal activity conducted in the corridors of legislative bodies, carried out by various representative or monopoly agencies, and sometimes by individuals, aimed at exerting direct or indirect influence on

the process of preparing and adopting laws in the concern of specific interest groups<sup>1</sup>.

Interest groups are organized social groups that are united by common political goals and seek to influence the process of making political decisions. Whatever the political interests of the group – cement industry problems, social insurance, endangered species – it is highly beneficial for them to have an active lobby operating in Washington D.C. Members of Congress represent a multitude of interests in their districts and states, and some of them conflict with each other. The interests of government officials are also directed in different paths, and they also have their own political preferences. Interest groups clearly formulate the problems of their members, directly representing and defending them in the political process.

Examples of well-known interest groups in the United States are the American Federation of Teachers-College Professionals (AFT-CPP), which represents the interests of union members, the American Farm Bureau Federation, promoting the farmers' interests, the Business Roundtable, defending the interests of big business, and Common Cause, a citizens' organization interested in reforming government. Interest groups are also known as lobbies, and their representatives are called lobbyists.

Lobbyists have become an integral part of the American political landscape since the first Congress. This term acquired a political connotation closer to the end of the 18<sup>th</sup> century, during the period of rapid development of democratic institutions and entrepreneurship in the United States. Initially, the main focus of lobbying efforts was on tariff bills. In 1789, Senator William Maclay of Pennsylvania described how New York merchants delayed the passage of a tariff bill by bribing congressmen with “treats, dinners, and attention.” The American political model became a key factor that allowed interest groups to integrate into the functioning processes of government interactions<sup>2</sup>. Alexis de Tocqueville, a French diplomat, and scholar who visited the United States in the early 19<sup>th</sup> century, was amazed by the variety of organizations he found here. He wrote: “Americans of all ages, all conditions, and all dispositions constantly form

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<sup>1</sup>Ozhegov, S. I., & Shvedova, N. Yu. (1997). *Tolkovyy slovar' russkogo yazyka: 80 000 slov i frazeologicheskikh vyrazheniy* [Explanatory Dictionary of the Russian Language: 80,000 Words and Phraseological Expressions] (4th ed., supplement). Moscow, Russia: Azbukovnik. (Original work published 1949)

<sup>2</sup>Drutman, L. (2015). *The Business of America is Lobbying*. Oxford University Press.

associations.” Tocqueville hypothesized that the readiness with which Americans join various organizations reflects a political culture committed to democratic values<sup>3</sup>.

In contrast to de Tocqueville’s enthusiasm for the breadth of mass participation in political processes, other observers expressed concerns much earlier about the possible negative consequences of interest group involvement in politics. In particular, James Madison, a prominent figure of the American Revolution, warned of the danger of factional interests conflicting with each other, representing different groups in American society. In “Federalist No. 10”, written in 1787, Madison argued that significant differences would inevitably arise between factions and that each faction would seek to compel the government to adopt policies that would benefit it to the detriment of others<sup>4</sup>. Madison’s theory of factions suggests that to prevent discrimination of minority interests by the majority, situations in which the majority can unite to advance their interests must be avoided. Therefore, American political culture assumes the existence of lobbying as a tool to maintain a balance between the unorganized majority and organized minorities. Madison, however, opposed attempts to suppress factions. He concluded that factions could only be destroyed by taking away the freedoms of American citizens, because “liberty is to faction what air is to fire.” Madison suggested that the negative effects of factional struggle could only be mitigated by establishing control over it and transferring it to the legal field. Such control could be provided by a republic, whose government would act as a mediator between opposing factions. The size and diversity of the country, as well as the federal structure of the government, were intended to ensure that no faction, even the largest, could ever suppress the rights of others.

By the mid-19<sup>th</sup> century, lobbying had already become a common practice in American politics. One of the first known lobbyists was William Hull, an American soldier, and politician who was hired by the organization “Continental Army Veterans of Virginia” to lobby for legislation on additional compensation. Hull was born in Virginia and participated in the Revolutionary War. After the war, he was elected to the Virginia House of Delegates and then to the US Congress<sup>5</sup>. In 1836, a law was passed that provided additional compensation to

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<sup>3</sup> Tocqueville, A. (2000). *Democracy in America*. University of Chicago Press.

<sup>4</sup> Madison, J. (1787). *Federalist No. 10*. In *The Federalist Papers* (pp. 81-85). New York: Penguin Classics.

<sup>5</sup> The New York Times. (2011, December 22). *The First Lobbyist: William Hull*. // Internet Source URL: <https://www.nytimes.com/2011/12/23/opinion/the-first-lobbyist-william-hull.html>

Revolutionary War veterans. The “Continental Army Veterans of Virginia” organization hired Hull to lobby the US Congress for an increase in the compensation amount. Hull conducted intensive work to persuade lawmakers of the need for additional compensation, and as a result, a decision was made to increase the income amount for Revolutionary War veterans.

Samuel Colt, an American inventor, businessman, and hunter, became one of the first industrial lobbyists in the United States when he tried to extend the validity of his patent for mass production of the revolver in the 19<sup>th</sup> century<sup>6</sup>. Colt ordered his lobbyists to give pistols as gifts to lawmakers to persuade them to vote in favor of extending the patent. Colt was considered one of the most successful businessmen in the United States of his time<sup>7</sup>. Thanks to his lobbyists and the fact that his weapons were in demand by the US Army and government, he was able to extend his patent on the revolver<sup>8</sup>. As a result, his business became one of the most successful in the United States.

Lobbying further developed in the last quarter of the 19<sup>th</sup> century<sup>9</sup>. This was associated with the Reconstruction period in the United States, a stage in the country’s history after the Civil War of 1861-1865 aimed at restoring unity and transforming the South. From 1865 to 1877, industrialization in the United States grew at a rapid pace, outpacing Europe. GDP growth reached up to 3.7% per year, new technologies were introduced, and agriculture was mechanized. Economic changes required greater government regulation and the development of the banking system. Industrialization influenced the development of the political system: the role of the executive branch increased, and the state apparatus became more professionalized. Industrialization contributed to the global expansion of the United States, and eventually, the country entered the global markets.

However, alongside the penetration of machines into new sectors of the economy (all-encompassing mechanization) and the decisive role of heavy industry in the economic process, the last third of the 19<sup>th</sup> century saw the

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<sup>6</sup> Colt’s Manufacturing Company. (n.d.). History of Colt’s Revolver. // Internet Source URL: from <https://www.colt.com/Colt/Page-Display/Colts-History>

<sup>7</sup> Smithsonian Magazine. (2014, August). Samuel Colt and the Revolver. // Internet Source URL: <https://www.smithsonianmag.com/history/samuel-colt-and-the-revolver-14629878/>

<sup>8</sup> Wadsworth Atheneum Museum of Art. (n.d.). Samuel Colt: Arms, Art, and Invention. // Internet Source URL: <https://www.thewadsworth.org/exhibitions/samuel-colt-arms-art-and-invention/>

<sup>9</sup> Vance, S. (2012). *The Influence Game: 50 Insider Tactics from the Washington D.C. Lobbying World that Will Get You to Yes*. John Wiley & Sons.

completion of the “communications revolution” in railroad transportation, which also had an impact on lobbying in the United States. Primarily, the revolution was associated with railroad companies and other large corporations that attempted to influence legislation in their favor. One of the first lobbyists was Philip Randolph, who began working for the Southern Pacific Railroad in 1925<sup>10</sup>. Randolph began lobbying the US government on behalf of his union, demanding improved working conditions and protection of workers’ rights<sup>11</sup>. He used various lobbying methods, including organizing rallies, negotiating with government officials, and signing agreements with employers. Randolph was also an activist in civil rights and lobbied for the passage of legislation aimed at combating racial discrimination and protecting the rights of African Americans<sup>12</sup>. In 1963, he was one of the organizers and leaders of the historic March on Washington for Jobs and Freedom, which became one of the most famous events in the struggle for civil rights in the United States.

In the early 20<sup>th</sup> century, lobbying became more organized and professional. The National Association of Manufacturers (NAM) was founded in 1895, which was one of the most influential and powerful lobbying organizations in the United States<sup>13</sup>. It united the largest industrialists and bankers and began actively lobbying for the interests of its members in Congress and the government<sup>14</sup>. One of the most significant events of the time when NAM was active in lobbying was the passage of the national tax reform in 1913<sup>15</sup>. This reform included the creation of a federal income tax and an estate tax, which became important sources of revenue for the government<sup>16</sup>.

The principle of dual federalism also contributed to the emergence of political lobbying organizations<sup>17</sup>. An example of this was the establishment of the National Governors Association (NGA) in 1908, which serves as a liaison between state government administrations and the federal government.

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<sup>10</sup> Kersten, A. E. (2006). *A. Philip Randolph: A Life in the Vanguard*. Rowman & Littlefield Publishers

<sup>11</sup> Pfeffer, P. F. (2015). *A. Philip Randolph, Pioneer of the Civil Rights Movement*. LSU Press.

<sup>12</sup> Spero, S. D., & Harris, A. L. (2003). *The Negro and the Labor Movement*. University of Alabama Press.

<sup>13</sup> Novak, W. J. (1997). *The Business of America: The Cultural Production of a Post-War Nation*. University of Chicago Press.

<sup>14</sup> Blumenthal, S. (1986). *The Rise of the Counter-Establishment: The Conservative Ascent to Political Power*. Times Books.

<sup>15</sup> Briody, D. (2003). *The Iron Triangle: Inside the Secret World of the Carlyle Group*. John Wiley & Sons.

<sup>16</sup> Katz, A. (2016). *The Influence Machine: The U.S. Chamber of Commerce and the Corporate Capture of American Life*. Spiegel & Grau.

<sup>17</sup> Birnbaum, J. (1992). *The Lobbyists: How Influence Peddlers Work Their Way in Washington*. Times Books.

Nowadays, the NGA has members from 55 states, territories, and commonwealths. The association provides governors and their staff with services ranging from representing states' interests on Capitol Hill and at the White House on federal issues to developing reports on state programs and conducting seminars for state executive officials. Thus, the NGA acts as a powerful lobbyist for states' interests. Although the organization is officially nonpartisan, governors who hold leadership positions in the NGA belong to both the Republican and Democratic parties, which increases its political weight.

In 1946, the first professional lobbying association in Washington, D.C. was established – the National Association of Government Communicators (NAGC)<sup>18</sup>. The organization united professional lobbyists and began developing ethical standards for its members. In 1946, a group of lobbyists representing the interests of the automobile industry created the association to strengthen their influence on the government and legislation. Over time, the NAGC began working with other industries and groups, such as the pharmaceutical and energy industries, as well as with municipal and state governments. One of NAGC's most notable achievements in its history was the passage of the Lobbying Disclosure Act in 1995, which required all lobbyists to register with government agencies and disclose information about their clients and activities.

In the 1970s, new professional organizations were created, such as the American League of Lobbyists and the Public Affairs Council. The creation of these organizations reflected the growing need for professionalizing lobbying and increasing its ethical standards. One of the important achievements of these two organizations was the creation of codes of ethics that establish standards of conduct for lobbyists and their clients. These codes include requirements for transparency and openness in lobbying activities, as well as restrictions on gifts and other forms of influence on government officials.

The democratic theory of pluralism explains the appearance of lobbying organizations by stating that new interest groups are formed by themselves with the emergence of a need for them. The American academic, sociologist, and political scientist David Truman wrote that “when individuals begin to feel threatened, they organize into interest groups. For example, if the government is

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<sup>18</sup> Novak, W. J. (2004). *The Business of America: The Cultural Production of a Post-War Nation*. Johns Hopkins University Press.

planning to introduce rules for a specific industry, companies in that industry begin to create a business association to protect their financial well-being<sup>19</sup>.” Truman saw a direct cause-and-effect relationship: existing groups form a state of equilibrium that persists until some disturbance (such as a decline in income or a drop-in price for agricultural products) leads to the formation of new groups. At the same time, people do not always automatically organize into groups under the influence of adverse disturbances. The critical factor in this issue is the leadership qualities of the interest group.

Each existing interest group has its own history, but there are three common factors that can explain why groups might or might not become fully organized. Firstly, disturbance or hostile changes usually lead people to realize the need for political representation. However, mere realization does not guarantee that an interest group will be organized. But a group can be organized even in the absence of disturbance. Secondly, the critical factor in organizing an interest group is the qualities of the leader. Thirdly, the higher the socio-economic level of potential members, the more likely they are to realize the value of an interest group and join it<sup>20</sup>.

### **The Legal Oversight of Lobbying Practices.**

Legal regulation of lobbying activity began in the early 20<sup>th</sup> century in the United States, although the most significant laws were enacted later<sup>21</sup>. The right to lobby was formally established during the introduction of the Bill of Rights in 1789. The First Amendment of the Bill allowed citizens to petition the government, and such petitions could be used as a mechanism of pressure. The following are the main legislative acts regulating lobbying in the United States, listed in chronological order:

**1. The Federal Corrupt Practices Act (FCPA)**, also known as the Publicity Act, was the first federal law in the United States to establish restrictions on lobbying and corruption in government structures<sup>22</sup>. The law was passed in 1910 and signed by President William Taft. The FCPA prohibited the provision

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<sup>19</sup> David Truman. *The Governmental Process: Political Interests and Public Opinion*. Praeger, 1981.

<sup>20</sup> Truman, D. B. (1951). *The Governmental Process: Political Interests and Public Opinion*. New York: Alfred A. Knopf.

<sup>21</sup> Straus, J. R. (2018). *Lobbying Disclosure: Historical Overview and Recent Developments*. Congressional Research Service. // Internet Source URL: <https://fas.org/sgp/crs/misc/R45068.pdf>

<sup>22</sup> Federal Corrupt Practices Act (1910). (n.d.). // Internet Source URL: <https://www.govinfo.gov/content/pkg/STATUTE-36/pdf/STATUTE-36-Pg822.pdf>

of gifts and rewards to legislators and federal government officials. The law also imposed restrictions on the use of money to influence elections and decision-making processes in government structures. Violation of the act was subject to criminal punishment.

However, the FCPA was ineffective in combating corruption and lobbying. This was due to the fact that the law did not provide clear definitions and established rules for identifying corrupt actions. In addition, the law was not effective in preventing corporations from influencing the government process. Subsequently, the FCPA was replaced by more effective legislative acts, such as the Lobbying Disclosure Act (1995) and the Honest Leadership and Open Government Act (2007), which establish clearer rules and requirements for registering lobbyists and disclosing information about their funding.

**2. The Foreign Agents Registration Act (FARA)** was passed in the United States in 1938 and is a law that requires foreign government agents and organizations to register as lobbyists and disclose information about their activities<sup>23</sup>.

FARA establishes registration requirements for foreign agents who engage in lobbying in the United States on behalf of foreign governments, political parties, organizations, and other foreign entities. Agents must register with the United States Department of Justice and provide reports on their activities, including information about their clients, contracts, expenses, and actions taken on behalf of their clients. Violations of FARA requirements may result in administrative and criminal liability, including fines and imprisonment.

**3. The Legislative Reorganization Act (LRA)**, which was passed in 1946, became an important legislative act that had a significant impact on lobbying in the United States. The LRA required lobbyists to register with the Secretary of the House of Representatives and the Secretary of the Senate, and disclose information about their clients, the issues they were lobbying for, and their compensation. The law also established rules of conduct for lobbyists in Congress, including restrictions on gifts and services to legislators.

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<sup>23</sup> Foreign Agents Registration Act (1938). (n.d.). // Internet Source URL: <https://www.justice.gov/nsd-fara/file/1376061/download>



The LRA had a serious impact on lobbying in the United States. Firstly, it provided a new level of transparency and accountability for lobbying activities, making it easier for the public to understand who was engaging in lobbying and what issues they were advocating for. Secondly, the law promoted the professionalization of the lobbying industry, as lobbyists were required to follow certain rules and standards of conduct. Thirdly, it created more equal opportunities for small interest groups, as they could now compete with larger groups that had greater resources.

**4. The Lobbying Disclosure Act (LDA)** was passed in 1995 in the United States and is a law that establishes rules and requirements for registering lobbyists and disclosing information about their funding<sup>24</sup>.

The LDA requires lobbyists working in the federal government of the United States to register with the US Congress and provide reports on their activities. The law also requires lobbying organizations to register and provide reports on their activities, including information about lobbyists, clients, and expenses. The legislation does not apply to those lobbyists whose “activity constitutes less than 20% of the time spent on services,” thus not able to regulate lobbying at the grassroots level (small donors). The LDA includes a number of other “thresholds” that determine what must be registered. Any organization that spends more than \$10,000 on lobbying activities must also be registered.

**5. The Bipartisan Campaign Reform Act (BCRA)**, also known as the McCain-Feingold Act, was passed by Congress in 2002 and is a document that establishes rules and limitations for candidate and political committee campaigns. The BCRA sets limits on political campaign financing, including a ban on corporate financing and some forms of union financing. The law also establishes maximum donation amounts that individual donors can make and requires candidates and committees to disclose information about their financial reports.

The BCRA also prohibits lobbying organizations from financing advertising campaigns that explicitly support or oppose a particular candidate, within 60 days after federal elections and 30 days after local elections. The aim of the BCRA is to limit the influence of money on political campaigns and prevent corruption and interference in the electoral process. The law also helps ensure

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<sup>24</sup> Lobbying Disclosure Act (1995). (n.d.). // Internet Source URL: <https://www.govinfo.gov/content/pkg/PLAW-104publ65/pdf/PLAW-104publ65.pdf>

more equal conditions for candidates who do not have access to large sums of money and increases transparency in political campaign financing.

Some critics of the BCRA argue that the law violates the right to freedom of speech and the freedom of political activity guaranteed by the First Amendment to the US Constitution. However, the US Supreme Court upheld the constitutionality of the BCRA in 2010, although some of its provisions were amended or overturned in subsequent decisions.

**6. The Honest Leadership and Open Government Act (HLOGA)** was passed in 2007 in the United States and is an act that expands requirements and limitations on lobbying established in the LDA regarding disclosure of lobbying information and other laws<sup>25</sup>. HLOGA introduces stricter rules for lobbyists working in the US federal government, including expanding the definition of lobbying, establishing more stringent restrictions on gifts and dinners for officials, and prohibiting the registration of lobbyists who fail to meet their reporting obligations. HLOGA also establishes new rules for political campaign financing and requires candidates and political committees to disclose information about their financial reports in online databases to ensure greater transparency in political campaign financing.

**7. The Lobbying Disclosure Enhancement Act (LDEA)** was passed in the United States in 2007 as an amendment to the Lobbying Disclosure Act, which was passed in 1995. LDEA tightens reporting requirements for lobbyists and introduces new rules to increase transparency and openness in government processes. For example, LDEA expands the definition of lobbying to include a wider range of activities that may be considered lobbying, such as working in committees and preparing reports. Under the new law, only individuals who have engaged in more than one lobbying deal, have more than one client receiving more than \$2,500 per month, and whose lobbying income constitutes more than 20% of their total three-month earnings can be considered lobbyists.

LDEA also establishes stricter registration rules for lobbyists and requires them to provide more detailed reports of their activities, including information about agreements, deals, and other details of their work. The law also establishes new reporting rules for lobbying expenses, including requirements to disclose

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<sup>25</sup> Honest Leadership and Open Government Act (2007). (n.d.). // Internet Source URL: <https://www.govinfo.gov/content/pkg/PLAW-110publ81/pdf/PLAW-110publ81.pdf>

information about expenses for events, gifts, lunches, and other forms of influencing officials. Furthermore, LDEA introduces new rules for members of Congress who work with lobbyists. For instance, the law requires members of Congress to disclose information about their meetings with lobbyists and the relationships they have developed with them.

**8. The Stop Trading on Congressional Knowledge Act (STOCK)** was passed in the United States in 2012 and aimed to prevent lobbying and corruption in government processes. The law also establishes additional measures to combat the trading of confidential information obtained by members of Congress and other officials.

The law requires members of Congress and other officials to disclose information about their financial operations, including purchases and sales of securities. This helps to prevent the trading of confidential information that may be obtained by members of Congress and other officials in the course of their work. The act also increases penalties for violating rules on trading confidential information. Violators can be fined and removed from office. Additionally, the law expands the definition of lobbying and requires lobbyists to disclose information about their work and relationships with officials.

However, some critics of the law argue that it has not done enough to prevent corruption and trading of confidential information. For example, they point out that the law does not apply to family members of officials who may use information obtained from their relatives for trading on the stock market.

**9. The Foreign Influence Transparency Act (FITSA)** was passed in the United States in 2018 and aimed to increase transparency and openness in government processes related to lobbying and political campaign financing<sup>26</sup>. FITSA requires organizations representing foreign agents to register with the US Department of Justice and disclose information about their clients, financial operations, and activities. The law also requires organizations to submit annual reports about the foreign clients they represent and their overall activities<sup>27</sup>.

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<sup>26</sup> Foreign Influence Transparency Act (2018). (n.d.). // Internet Source URL: <https://www.congress.gov/bill/115th-congress/house-bill/4170/text>

<sup>27</sup> Riedl, B. (2015). The History of Lobbying Regulation in the United States. The Heritage Foundation. // Internet Source URL: <https://www.heritage.org/political-process/report/the-history-lobbying-regulation-the-united-states>

FITSA also expands the definition of lobbying to include activities related to media resources, advertising, and influencing public opinion. This helps to prevent hidden forms of influence on government processes, such as the use of social networks and other online platforms for spreading propaganda and manipulating public opinion. FITSA also requires candidates for federal positions to disclose information about external sources of financing and their connections to foreign agents. This helps to prevent foreign states from influencing political processes in the United States.

These laws are the main federal instruments for regulating lobbying in the United States. In addition to this, there are also state laws and ethical rules that supplement the federal legislative registry.

Lobbying is a legal activity in all 50 states of the United States, but, according to the principle of “dual federalism”, restrictions and requirements for registering lobbyists and reporting on their activities may vary in different states<sup>28</sup>. Below are some examples of restrictions and requirements applied in some states, according to the report by State and Federal Communications, which provides an overview of lobbying laws and regulations in each state<sup>29</sup>:

<i>States with the most stringent lobbying regulation rules</i>	<i>States with a moderate level of lobbying regulation.</i>	<i>States with relatively weak lobbying regulation rules.</i>
California	Alaska	Alabama
Florida	Arizona	Idaho
Illinois	Delaware	Indiana
Maryland	Hawaii	Iowa
Massachusetts	Minnesota	Kansas
New York	Missouri	Louisiana
Oregon	Nevada	Mississippi
Texas	New Mexico	Montana
Washington	New Jersey	Nebraska
Virginia	Pennsylvania	North Dakota
	Rhode Island	South Dakota
	South Carolina	Tennessee
		Utah

<sup>28</sup> State and Federal Communications. (2023). 50 State Survey of Lobbying Laws. // Internet Source URL: <https://stateandfed.com/research/50-state-surveys/lobbying-laws/>

<sup>29</sup> NCSL. (2023). State Lobbying Disclosure Laws. // Internet Source URL: April 17, 2023, from <https://www.ncsl.org/research/ethics/state-lobbying-disclosure-laws.aspx>

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		Vermont
		West Virginia
		Wisconsin
		Wyoming

*Table 1. Level of lobbying regulation by the state.*

Regulating lobbying in different states depends on the legislation of each state. In some states, the legislation may be quite strict, while in others it may be more lenient. For example, in California, the lobbying legislation is quite rigorous, while in New York, it is lighter. In New York, lobbying is regulated by the Lobbying Act, which prohibits any monetary payments or gifts intended to gain political advantages or prevent legislation from being passed. The law also requires lobbyists to register and provide detailed information about their activities and income. The law provides for penalties for violating its provisions.

In California, lobbying is regulated by the Political Reform Act of 1974. This law prohibits people holding positions in state and municipal bodies from accepting money or other gifts from lobbyists. The law also requires lobbyists to register and provide detailed information about their activities and donors.

Since lobbying is often treated as a form of hidden political corruption, regulating lobbying at the legislative level helps to clearly distinguish conflicts of interest and provide more rigorous control over it. The introduction of new restrictions imposes clearer frameworks on lobbying. However, it should be noted that there is indirect lobbying, which is a phenomenon that can partially circumvent the control system.

Indirect lobbying is often based on the use of public opinion to achieve goals. Large corporations often use indirect lobbying because it allows them to maintain anonymity for those who order it, provides confidentiality for financial transactions, and hides the true goals of the client. Fighting this type of lobbying in the United States is difficult due to the First Amendment to the US Constitution, which guarantees freedom of speech, the press, assembly, and the right to petition the government. Attempts to restrict indirect influence on the government would contradict the First Amendment, which is considered one of the fundamental principles of democracy and ensures basic freedoms.

Indirect lobbying is difficult to call lobbying in its pure form, as it is not always aimed at directly influencing the decision-maker. However, an indirect

lobbying campaign can be organized so effectively that it requires little support from direct actions.

### **Classification of Lobbying Approaches and Methods**

Interest groups represent the interests of different social groups and advocate for their interests before the government, as well as influence the formation of the political agenda and monitor government programs. Before delving into the methods of lobbying, it is necessary to define the main functions of interest groups.

*Representation.* Interest groups represent the interests of people before their government. Just as a member of Congress represents a certain group of people, a lobbyist does the same. For example, a lobbyist for the National Association of Broadcasters advocates for the interests of radio and television broadcasters when Congress or any government agency considers political decisions that affect them.

*Participation.* Interest groups are also a mechanism for political participation. They offer a means for like-minded citizens to pool resources and direct their energy toward collective political action. A farmer who is trying to fight a new pesticide bill in Congress alone is unlikely to succeed. However, thousands of farmers united in an organization have a much greater chance of getting politicians to consider their needs.

*Increasing knowledge* is a part of the efforts made by interest groups to promote their interests and expand their membership. This includes raising the level of knowledge among their members, society as a whole, and government officials. High-tech companies were initially slow to open offices for their lobbyists in Washington and develop awareness within their corporate structures that maintaining connections with people in government is a part of their job. However, as the government began to pay more attention to the high-tech industry, company executives began to realize that politicians lacked an understanding of the problems facing this rapidly changing industry. Leading computer companies such as “Microsoft”, “Cisco Systems”, and “Dell” have become more active in seeking opportunities to discuss industry issues with government officials. To gain the attention of politicians they seek to enlighten, interest groups need to provide them with information that is difficult to obtain from other sources.

*Agenda building.* It is a process by which interest groups bring new issues to the political stage. American society has numerous problem areas, but politicians do not address all of them. Through their activities, interest groups inform the authorities about the existence of certain problems and then try to ensure that something is done to solve them. For example, women's groups played a crucial role in drawing attention to problems that were chronically ignored, such as unequal pay for women performing the same work as men.

*Program monitoring.* Lobbyists monitor government programs that are important to their groups, gathering information about what is happening in Washington and in the environment where political decisions are being implemented. If a program is not being executed as it should, groups whose interests are affected by it exert pressure on administrators to resolve the issues in a way that promotes their goals. They draw attention to the illegal actions of officials in the relevant agency and even initiate legal proceedings to stop actions they deem unlawful.

Lobbying in the United States has various types and forms, and there are several approaches to its typology. Based on the lobbying typology of scholars such as Jeffrey Berman, Edward Corwin, Larry Sabato, John Grant, and Robert Lenders, a universal typology of lobbying can be derived. There are three types of lobbying methods that should be highlighted:

1. Those used by representatives of interest groups aimed at politicians (direct lobbying);
2. Those involving ordinary members of the group;
3. Those aimed at society (information campaigns).

Lobbying can be federal or state-level depending on the level of government power, corporate or professional depending on the sector of activity, public or government depending on the type of organization, and direct or indirect depending on the type of action.

A variety of lobbying methods are used in the United States, which have been adopted by the American League of Lobbyists, and here are some of them<sup>30</sup>:

1. *Direct contact with legislators.* Lobbyists can schedule meetings with congressmen and other lawmakers to discuss their interests and persuade

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<sup>30</sup> American League of Lobbyists. (n.d.). Resources. // Internet Source URL: <https://www.alldc.org/resources/>

them of their position. A survey of Washington lobbyists showed that 98% of them use direct contact with government officials to express the views of their groups.

2. *Campaign financing.* Lobbyists can finance political candidates who support their interests. This may include donations to election campaigns, the creation of independent committees, and advertising campaigns. One organizational resource that facilitates the lobbyist's task is the political action committee (PAC). Committees collect campaign donations from group members and pass these funds on to political candidates. Under federal law, one PAC can donate to a candidate running for Congress \$5,000 for each election. In addition, lobbyists can participate in election campaigns not only financially but also as volunteers, helping candidates in their election efforts.
3. *Support for public organizations.* Lobbyists can support public organizations that advocate for their interests. This may include financial assistance, providing expert assistance, and support in media campaigns<sup>31</sup>. For example, lobbyists working on behalf of the National Rifle Association (NRA) finance campaigns of candidates who support the right to bear arms and provide expert assistance in the development of laws related to firearms.
4. *Lobbying in government institutions.* Lobbyists promote their interests in government agencies such as the Department of Transportation or the Department of Health to influence regulatory decision-making. In 2016, "The Washington Post" reported that lobbyists for the pharmaceutical company "Pfizer" tried to persuade the US Congress not to lower drug prices. "Pfizer" was concerned that price reductions could negatively impact the company's profits.
5. *Personal lobbying.* Lobbyists must maintain contact with congressional staff or agency personnel, constantly providing them with relevant information. One lobbyist described his strategy for personal meetings as the simplest and most direct: "The most reliable way is to provide information. People start relying on you." A method associated with direct

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<sup>31</sup> Sunlight Foundation. (n.d.). Lobbying. // Internet Source URL: <https://sunlightfoundation.com/topics/lobbying/>



lobbying is expert testimony in committee hearings on a bill presented in Congress. This method allows interest groups to record their opinion in congressional documents and widely disseminate it through the publication of hearing materials. Lobbyists can speak at public events such as conferences and forums to draw attention to their interests and exert pressure on lawmakers.

6. *Media campaigns.* Groups usually believe that public support enhances the effectiveness of lobbying their interests. They believe that they will receive this support if they can convey their position to the public and supporting information. Interest groups conduct information campaigns – organized efforts aimed at obtaining public support by attracting attention to their views. Various means are used for this purpose. Some are designed to influence a wide range of people, while others are aimed at small audiences with a sustained interest in the issue.
7. *Development of bills and legislative initiatives.* Lobbyists can help develop bills and legislative initiatives that reflect their interests and support their implementation in legislation<sup>32</sup>. A method associated with direct lobbying is expert testimony in committee hearings on a bill presented in Congress. This method allows interest groups to record their opinion in congressional documents and widely disseminate it through the publication of hearing materials.
8. *Lobbying at the local level.* Lobbyists work at the local level with municipal and state legislators to influence the adoption of local decisions and regulatory acts. In 2018, “The Seattle Times” published an article reporting that lobbyists for Amazon lobbied municipal legislators in the city of Seattle, Washington, to change local legislation regarding corporate taxes. Amazon was concerned that new tax rates could lead to increased tax payments, which could negatively impact the company’s profits.
9. *Educational programs support* related to the priorities of interest groups is also one of the widely used lobbying tools. As an example, in 2015, lobbyists for an interest group representing electronic book manufacturers lobbied municipal legislators in New York City to change municipal

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<sup>32</sup> U.S. Senate Office of Public Records. (n.d.). Lobbying Disclosure Act Guidance. // Internet Source URL: [https://www.senate.gov/legislative/Public\\_Disclosure/LDA\\_guidance.htm](https://www.senate.gov/legislative/Public_Disclosure/LDA_guidance.htm)

legislation regarding the use of electronic books in schools. Lobbyists used their influence to persuade lawmakers of the need to include the use of electronic books in the school curriculum, which would provide electronic book manufacturers with a new market and allow them to promote their products in schools.

10. *Creating coalitions.* Lobbyists can work to create coalitions by bringing together various groups and organizations to increase their influence on lawmakers. Combining efforts allows for the conservation or more efficient use of resources of groups with similar views. Most coalitions are informal alliances created on an ad hoc basis to lobby for a particular issue. Usually, coalitions are formed among groups that operate in the same policy area and have a close composition of participants, such as environmental advocacy groups or feminist groups. However, coalitions often go beyond organizations with similar participant composition and views. For example, some business groups support the same goals as environmental advocacy lobbying because it serves their interests. For instance, in business, waste management companies have collaborated with environmental advocacy groups.
11. *Garnering public attention.* Lobbyists can attract public attention to their interests, for example, by holding protest actions, creating petitions, and organizing campaigns on social media. Public relations is one of the methods of information campaigns, which involves speakers participating in rallies in various parts of the country, composing pamphlets and distributing leaflets, as well as using advertising in newspapers.
12. *Grassroots lobbying* involve people who are not members of the organization but sympathize with its goals. Methods of this type of lobbying, such as letter-writing campaigns and protest campaigns, are often used in combination with direct lobbying by representatives of the group in Washington. Politicians are more likely to listen to what the lobbyist says if they know that voters are really paying attention to the decisions they make<sup>33</sup>.

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<sup>33</sup> Congressional Research Service. (n.d.). Lobbying and Advocacy: Sources of Information. // Internet Source URL: <https://www.loc.gov/rr/business/govdocs/crs-lobby.html>

13. *Expert knowledge*. Lobbyists use their expert knowledge and experience to help lawmakers understand complex issues and make the right decisions. Within Congress, a “mole” can use standard methods to raise an urgent issue, while the concept of a “bully pulpit” exists if a discreet idea needs to be introduced into the political space. Speaking from a “bully pulpit” allows the speaker to voice any idea without taking any responsibility for its implementation. Although electioneering is one of the most visible elements of lobbying, it is usually seen as “the ability to put on a good face.” Most lobbyists believe that electioneering alone does little to convince members of Congress.

All of the methods used by lobbyists are aimed at achieving specific goals that may be related to the interests of businesses, unions, public organizations, etc. It is important to note that lobbying itself is not illegal, but it can become problematic if it violates ethical norms and transparency rules.

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