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## K STREET INSIDERS

*This series of weekly columns by the biggest names on K Street unpacks the most important issues facing the lobbying business and the people in it.*

# Strength of message over money

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Sen. Barack Obama's prescription on accepting money from lobbyists might have been disappointing to some in the industry, but not to those who base their lobbying on the strength of their arguments and on good strategy — not on money. And, in the long run, I believe that the Illinois senator's stand may work to help our profession. Here is why.

Since no lobbyist can give money to Obama's presidential campaign or to the Democratic National Committee, our ideas and suggestions will have to be accepted or rejected on their merits and not because of any perceived special standing based on a campaign contribution.

Lobbyists would have no special status, and we will have to rely on the value of our ideas and our advocacy skills, just like all the others who are participating in the political and policymaking process. Thus, by cutting the link between campaign contributions and lobbyists, Obama has addressed the cause of the public's angst — the sense that campaign contributions equate to influence — and thus created the basis for lobbyists to participate in the political and policymaking process.

Let me make clear that I don't agree with the notion that lobbyists should not be able to participate fully in the campaign or that their contributions, which

are entirely allowed under the law, should be rejected. I believe former California Assembly Speaker Jesse Unruh had it right. His admonition to assembly members, cleaned up for this newspaper, was that if you can't take lobbyists' contributions and vote against their interests, you have no business being here. That said, I understand and agree with Obama's desire not to appear to be granting any special access based on campaign contributions, and since, as we all know, perception becomes reality, I can also understand and appreciate his desire to have his position on this issue understood by the public.

On the other hand, in my more than 30 years of experience lobbying, I have observed relatively few "bad actors" in the system, and they didn't last very long. And, notwithstanding the public's perception, my experience has been that members of Congress and their staffs, as well as the lobbyists with whom I have worked over the years, have acted with integrity, trustworthiness and dedication.

No matter what lobby rules and restrictions are in place at any given time and whether or not campaign contributions from lobbyists are welcomed in any particular campaign, maintaining integrity on both an individual and institutional basis remains the essential ingredient for the continued legitimacy of good policymaking and for the repair of lobbying's damaged image. We should remember what President Truman said when asked how he

felt about lobbyists who favored his programs. "They wouldn't be lobbyists," Truman said, "they'd be citizens appearing in the public interest."

Finally, I want to address the concern about so-called "special interests" (with their lobbyists) taking over to "thwart" the will of the people. Remember, we are dealing with the constitutional right of all citizens to petition their government — no interest being more or less important than any other, whether it be a large corporation, trade association, groups of citizens organized around specific issues or individual private citizens. For example, think about the difference of positions among these special interests — the American Lung Association and National Tobacco; the National Rifle Association and the Brady Campaign to Prevent Gun Violence; the Coalition for Home Fire Safety and the American Pyrotechnics Association; the American Meat Institute and the Defenders of Wildlife.

The point is that no special-interest idea or position, good or bad, gets a free ride. Proposals and positions of special interests are tested at each stage of the process. In Congress, for example, the positions of the special interests are tested and challenged upon introduction, during a hearing, during consideration in a subcommittee, in a full committee, on the floors of the House and Senate and in conference. They are then further tested and chal-

lenged at the White House, where the legislation is either signed into law or vetoed by the president. Of course, if the legislation becomes law, it is also subject to review by the judicial branch. It is true that sometimes the system breaks down temporarily, as in the case of certain earmarks, but eventually the abuses are addressed and the system is corrected.

Therefore, under our system of policymaking, this system of "checks and balances," which is somewhat complicated, works fairly well to ensure a fair process because there are always opposing interests. Accordingly, since special-interest ideas and positions are subject to checks and balances, the integrity of the policymaking process is maintained.

As James Madison indicated in *The Federalist* No. 10, "Besides other impediments, it may be remarked that, where there is a consciousness of unjust or dishonorable purposes, communication is always checked by distrust in proportion to the number whose concurrence is necessary." And in conjunction with transparency created by the important scrutiny of the press and the blogs, this "check" allows the system to produce a better and more balanced product. It is called compromise. And when "concurrence" is not possible, that may mean the will of the people has also been achieved.

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