

# United States Senate

OFFICE OF THE SECRETARY

OFFICE OF PUBLIC RECORDS

November 19, 2009

Mr. Grover G. Norquist, President  
Americans for Tax Reform  
722 12<sup>th</sup> Street Northwest, 4<sup>th</sup> Floor  
Washington, DC 20005

Mr. Brian M. Johnson, Executive Director  
Alliance for Worker Freedom  
711 12<sup>th</sup> Street Northwest, 4<sup>th</sup> Floor  
Washington, DC 20005

Dear Mr. Norquist and Mr. Johnson:

I am writing in response to your letter of November 13, 2009 concerning the alleged non disclosure of Mr. Andy Stern as a lobbyist by the Service Employees International Union ("SEIU").

*The Lobbying Disclosure Act Guidance* prepared by the Clerk of the House of Representatives and the Secretary of the Senate states that "Previously identified lobbyists and new lobbyists for this reporting period must be listed on Line 18 of LD-2 if they had any lobbying activities during the reporting period, whether or not they made lobbying contacts." The issue raised in the letter is if, after termination on Line 23 of LD-2 for the 2006 Year End Report, Mr. Stern subsequently met the definition of "lobbyist," and should have been listed on 2009 quarterly reports.

In situations in which we receive information from a third party alleging a registration or reporting discrepancy, our procedure is to advise the entity that the office has received a third party complaint; to advise the entity of the reporting obligations of the Act; and to request a response to our letter. While Section 6 of the Act authorizes the Secretary of the Senate to administer the registration and reporting requirements of the LDA, it does not grant the Secretary enforcement authority. Upon receipt of a response from the entity being questioned, the office advises the organization making the complaint regarding its disposition.

Please do not hesitate to contact me if I may be of further assistance.

Sincerely,



Pam Gavin