

Spending on grassroots, issue advocacy should be disclosed to the public



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BY JEFF BRINDLE

COMMENTARY

There is an issue advocacy explosion in New Jersey.

A published report by the Election Law Enforcement Commission showed spending by lobbyists last year reached \$65.9 million.

This total represents a 14 percent increase

over 2009, when special interests spent \$57.6 million attempting to influence policy.

The past few years saw special interest spending average close to \$56 million, a figure that has held steady since 2006.

So what is to account for this sudden surge in spending?

For one thing the nature of lobbying is changing; from a profession relying on personal contact to one augmented by an issue advocacy approach. Lobbying is shifting away from the traditional to grassroots, or issue advocacy. It helps to have public opinion on your side.

Spending on grassroots lobbying amounted to \$10.3 million in 2010. This figure is 69 percent higher than the year before, when communication spending reached just \$3.2 million.

Leading the way were five organizations: The New Jersey Education Association, \$6.6 million; Excellent Education for Everyone Inc., \$458,928; Exelon Corp./Exelon Generation Co. LLC, \$446,456; Reform New Jersey Now, \$402,456; and Competitive Suppliers Coalition, \$348,179.

The lobbying wave now hitting New Jersey follows a trend first identified nationally in the late 1980s and 1990s.

Several forces are driving this trend. There is a communications revolution, an increase in the size of government, greater specialization within once broad interest categories, and voter discontent. New media has been especially important in connecting people to politics, recruiting supporters, and mobilizing the public.

Further, there have been “hot button” issues recently, including, but not limited to, cuts in municipal and school aid, and proposed initiatives in education, pensions, and healthcare. Groups concerned about these issues, both pro and con, have gone on the offensive. While grassroots lobbying seems to have suddenly burst on the scene, in reality the seeds were planted in New Jersey in the 1990s.

A white paper on lobbying published in 1990 by ELEC urged the Legislature to require disclosure of grassroots lobbying. Years later, in 2004, the Legislature reformed the lobbying law, in part to make this change.

Grassroots lobbying occurred on a small scale in the 1990s

In an article in a 1995 edition of New Jersey Reporter Magazine, I wrote: “Both sides of the gun issue undertook advertising campaigns during the battle over assault weapons a few years back. And cable television industry mounted a successful campaign to block passage of a tax on cable services.”

Because these campaigns were contrived by lobbyists, the organizers were called “AstroTurfers,” a catchphrase to describe artificial grassroots movements. However, as the practice has become common, this term has faded from use.

In citing several grassroots initiatives in the 1990s, then Star-Ledger reporter Joe Donohue wrote, “now a fast-expanding and unregulated form of persuasion, astroturfers work on getting members of the public so riled up that they pressure elected officials into backing one side of an issue.”

So issue advocacy in New Jersey is not new, but it’s now costing more and becoming pervasive.

Moreover, the public never gets to see who is underwriting these efforts until long after the fact. Attempts to influence public policy through appeals to the public via radio, TV, direct mail, or Internet-advertising undertaken today will not be disclosed until next February.

That’s too long!

The Legislature should consider an amendment to the Lobbying Law that requires issue advocacy campaigns by well-healed interests to be disclosed quarterly. While these and all types of lobbying efforts are protected by the First Amendment, and should be, the public does have the right to know who is undertaking these campaigns and at what cost.

Disclosure of this type is always in the public interest.

Jeff Brindle is the Executive Director of the New Jersey Election Law Enforcement Commission.

The opinions presented here are his own and not necessarily those of the Commission.