

The Covid Lobbyists

Just 6% of contractors providing COVID-related products lobbied the federal government. They got more than half the money.

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This report was written by Mike Tanglis and Taylor Lincoln, both research directors of the Congress Watch division of Public Citizen. Public Citizen Executive Vice President Lisa Gilbert edited the report. The Center for Responsive Politics (www.opensecrets.org) provided the lobbying and campaign finance data for the report.

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Key Findings

- In 2020, the federal government awarded more than \$36 billion in contracts to more than 6,300 companies to combat the pandemic. Just 6 percent of these companies (around 400 in total) reported that they lobbied the federal government in 2020.
- Just 2% of the COVID contractors lobbied either the Trump administration or the agency that awarded them a contract and reported lobbying on specific COVID-related issues. These companies received 37% of the money, \$13.4 billion.
- Companies lobbying the White House or their awarding agency on COVID issues dispatched more than 3,500 lobbyists to Capitol Hill, federal agencies, or the White House in 2020.
- The PACs and employees of companies that lobbied their awarding agency or the White House on COVID issues gave \$313 million in campaign contributions to Donald Trump, members of Congress, and party committees from the 2016 to 2020 election cycles.
- Across all contractors, recipients of nearly \$400 million in ventilator contracts and more than \$50 million in COVID testing contracts lobbied the government for the first time ever in 2020.

Methodology

The contracts dataset used in this report was the COVID-19 Report downloaded from the federal government's System for Award Management Data Bank.¹ The only contracts included were those with the national interest action code "COVID-19 2020," which indicated that the contract was awarded to combat the pandemic. We included only contracts in which a given vendor received at least \$1,000 from a given agency. The government database reports various dollar figures for the value of contracts. We used figures reported in the Action Obligation column, which refers to the amount of money the government has obligated as part of the contract.² Many contracts have additional options that if exercised, could increase the value of the contract significantly.

Campaign contribution data in this report are from the Center for Responsive Politics. In our discussion of campaign contributions from employees of companies, we count only contributions from donors who gave at least \$1,000 in an election cycle. We used this restriction in order to limit the contributions we counted primarily to those given by executives and other very highly compensated employees who likely are involved in the companies' strategic decisions.

For all campaign contributions, totals include only contributions to federal elected officials (meaning members of Congress plus the president), to the campaign committees of the Democratic and Republican parties, and to the super PACs that the leaders of the major parties coordinate as unofficial party committees. (These are the Senate Leadership Fund and Congressional Leadership Fund for the Republicans, and the Senate Majority PAC and House Majority PAC for the Democrats.)

When we reference companies' lobbying efforts, we do not always distinguish between lobbying activities that companies engaged in directly and those that lobbying firms undertook on their behalf. Therefore, at times, we say that a contract recipient lobbied various agencies on COVID issues even if the actual entity lobbying the agencies was a lobbying firm that the contract recipient hired.

When we refer to lobbyists contacting the White House, we include all White House offices, including the vice president's office and Office of Management and Budget, as well as the White House Office. Executive Office of the President and others. Specific terms reported in lobbying disclosure records that we categorized as COVID-related lobbying were COVID, coronavirus, pandemic, stimulus, Paycheck Protection Program, stimulus, the CARES Act, the HEROES Act, and associated bill numbers.

¹ See, Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

² See, GSA Federal Procurement Data System-Next Generation (FPDS-NG) Data Element Dictionary (March 2, 2021), https://www.fpds.gov/downloads/Version_1.5_specs/FPDSNG_DataDictionary_V1.5.pdf.

Introduction

Quelling the rampaging coronavirus clearly demands the best resources our country has to offer. But when it came to selling goods and services to the federal government to address the crisis in 2020, vendors were far more likely to be chosen if they supplemented their offers of assistance with visits from their lobbyists.

In 2020, the federal government awarded more than \$36 billion in contracts to more than 6,300 companies to combat the pandemic. Just 6 percent of these companies (around 400 in total) reported that they lobbied the federal government in 2020. These relatively few companies were awarded more than half – \$19.4 billion – of the COVID contract money doled out.

For a narrower slice of COVID contractors that lobbied the government, consider these figures: Just 2 percent of all COVID contractors (142 in total) disclosed that they lobbied the Trump White House and/or the agency that awarded them a contract on issues directly related to the pandemic. These 2 percent of contractors received 37 percent – \$13.4 billion – of all the contract money awarded.

Overall, the federal lobbying industry's revenue declined slightly in 2020,³ which would be expected amid months of shutdowns and social distancing restrictions. Companies that received COVID contracts also spent slightly less on lobbying than in the previous year. But the contract recipients who lobbied the White House or an awarding agency on COVID issues actually increased the number of lobbyists at their disposal. They deployed 3,559 lobbyists in 2020, an increase of more than 150 compared to 2019.⁴

Lobbyists for COVID contractors stampeded the White House, including the office of Vice President Mike Pence, who acted as the coordinator of the COVID task force. Of the 142 companies that lobbied either the White House or their awarding agency on COVID issues, 107 lobbied the White House. More than a quarter of the 107 had not previously lobbied the Trump White House.

The lobbyists' outreach to lawmakers and executive branch officials was supplemented with campaign contributions. The 142 companies awarded COVID contracts that either lobbied the White House and / or their awarding agency on COVID issues contributed \$313 million to Trump, members of Congress, and party committees from the 2016 election cycle through the 2020 election cycles, including \$130 million in the 2020 cycle.

³ *Lobbying Data Summary*, CENTER FOR RESPONSIVE POLITICS (viewed on March 10, 2021), <https://www.opensecrets.org/federal-lobbying/summary?inflation=N>.

⁴ The 3,559 figure double counts lobbyists who represented more than one company.

Among our findings about specific contracts:

- A recipient of \$390 million in contracts for ventilators lobbied for the first time ever in 2020. A separate recipient of \$80 million in ventilator contracts lobbied in 2020 for the first time since 2015;
- Among suppliers of COVID testing supplies, at least three contractors (receiving \$34 million, \$14 million and \$5.8 million) lobbied for the first time ever in 2020;
- GovernmentCIO received \$50 million in IT contracts from the Department of Veterans Affairs. Lobbying on behalf of GovernmentCIO was former Rep. Jeff Miller (R-Fla.), who previously served on the U.S. House Veterans' Affairs Committee and as an informal spokesman for Donald Trump on veterans' issues during the 2016 presidential campaign. *Politico* profiled Miller in a piece titled, "The Congressman Who Turned the VA into a Lobbying Free-For-All";
- The Silicon Valley data company Palantir received government contracts to provide services including monitoring the incidence of COVID cases and coordinating the rollout of the COVID vaccine. Palantir's founder and chairman, Peter Thiel, served on Trump's 2016 presidential transition team and was a business partner of Trump son-in-law Jared Kushner. Kushner, in turn, reportedly operated a shadow White House task force that focused in part on making connections with the private sector; and
- North Carolina textiles company Parkdale Mills, which had previously received just one very small government contract, received nearly \$600 million in contracts for masks, gowns and swabs in the early months of the pandemic. Parkdale hosted Vice President Pence a year earlier for a speech during which Pence touted the trade deal the administration had negotiated with Mexico. Parkdale Mills' CEO has made more than \$200,000 in campaign contributions to federal candidates and committees since the 2016 election cycle, and gave \$60,000 to the National Republican Congressional Committee in early March 2020, just before Parkdale Mills received the spree of massive COVID contracts.

These and other examples highlighted in this report do not necessarily indicate that companies inappropriately received contracts. Indeed, the wide array of goods and services that the companies provided (including testing technology, personal protective equipment, vaccine development, and much more) were the types of things the public wanted more of as the coronavirus ravaged the country. (There are some exceptions. We report on instances in which defense contractors received tens or hundreds of millions of COVID-tagged dollars to furnish missile/space systems and fighter jet engines.)

But even accepting that the vast majority of the contracts likely did procure goods and services that were needed to combat the pandemic, the heavy lobbying effort and

occasional close personal ties between contract recipients and government decision makers raises questions.

Why did so many companies feel the need to engage lobbyists to secure contracts to sell these goods and services? Did the government choose offers based on merit or connections? Were contractors with potentially valuable products and services able to receive a fair hearing if they did not back up their pitches with lobbyists' visits?

I. Just Two Percent of Contractors Lobbied the White House and/or an Awarding Agency on COVID in 2020, But They Received 37 Percent of the Money

Through the end of 2020, the federal government awarded more than \$36 billion in contracts to more than 6,300 companies to combat the pandemic.

About 6 percent of these companies reported that they lobbied the federal government in 2020. These companies were awarded more than half – \$19.4 billion – of the COVID contract money.

In this section, we focus on a subset of those contractors. Specifically, those companies that in 2020 lobbied either the Trump White House or a federal agency that awarded the company a COVID contract and specified in their disclosure report that they lobbied on COVID-related issues.

Those criteria were met by 142 COVID contractors, equaling 2 percent of all companies receiving COVID-related contracts. These 142 companies were awarded \$13.4 billion in contracts. Thus, while only 2 percent of all COVID contractors lobbied the Trump White House and/or their awarding agency, these companies received 37 percent of all the contract money awarded through December 2020.

These 142 also made \$313 million in political contributions from the 2016 cycle through today, including \$130 million in the 2020 cycle.

COVID Contractors Lobbying the White House or Their Awarding Agency in 2020 Have Spent \$2.2 billion on Lobbying Since 2015

The 142 COVID contractors that lobbied the White House and/or their awarding agencies on COVID issues in 2020 have spent \$2.2 billion on lobbying since 2015. In 2020, they spent

\$372 million on lobbying. (Note: These spending figures include their lobbying activities on all issues, not just COVID-related issues.) [Figure 1]

Figure 1 – All Lobbying Spending by White House and / or Awarding Agency Lobbying Companies, By Year (dollars in millions)

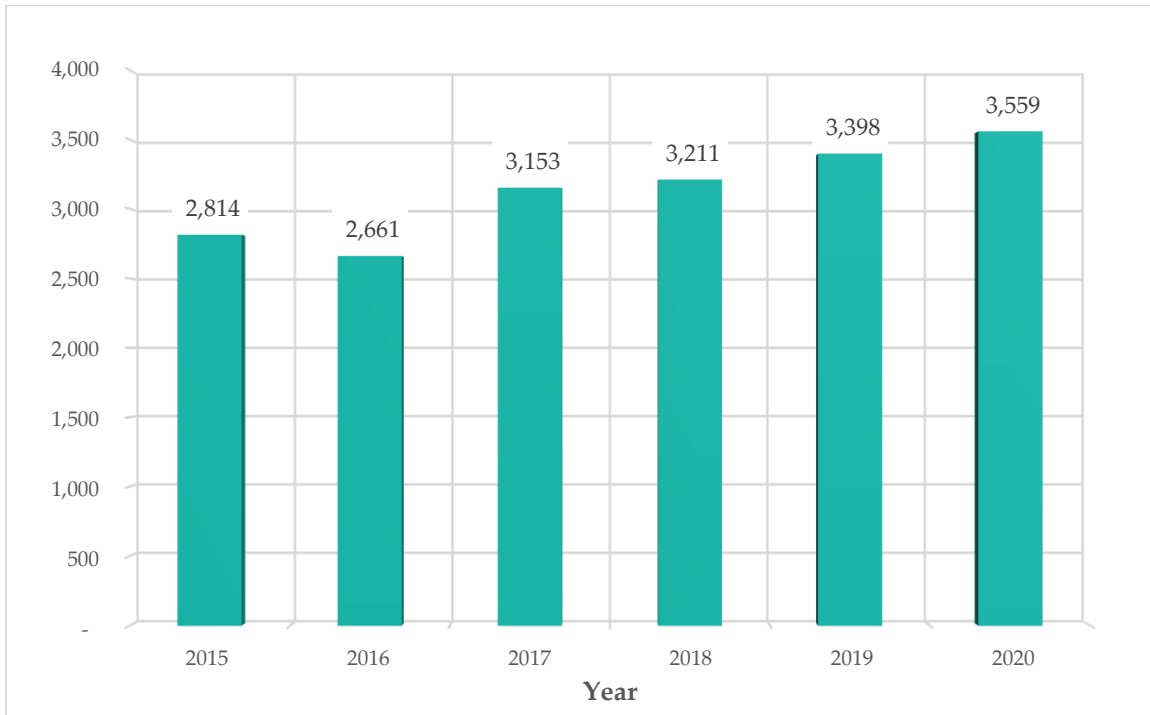


Source: The Center for Responsive Politics (www.opensecrets.org).

The firms' reported lobbying total in 2020 was down slightly from the \$376 million they reported spending in 2019. But the fact that these companies came as close to spending the same amount on lobbying in 2020 as they did in 2019 reveals that it was largely business as usual for the companies vying for COVID contracts, even as the rest of the country hunkered down.

Meanwhile, the number of lobbyists deployed by these COVID contractors actually increased during 2020. COVID contractors lobbying the White House and/ or their awarding agency on COVID issues deployed 3,559 lobbyists in 2020, up from 3,398 they retained in 2019. [Figure 2]

**Figure 2 – Number of Lobbyists Hired by White House and / or Awarding Agency
Lobbying Companies, By Year**



Source: The Center for Responsive Politics (www.opensecrets.org).

Nearly half of the 142 companies sent more lobbyists to D.C. in 2020 than they had in 2019, and some sent significantly more.

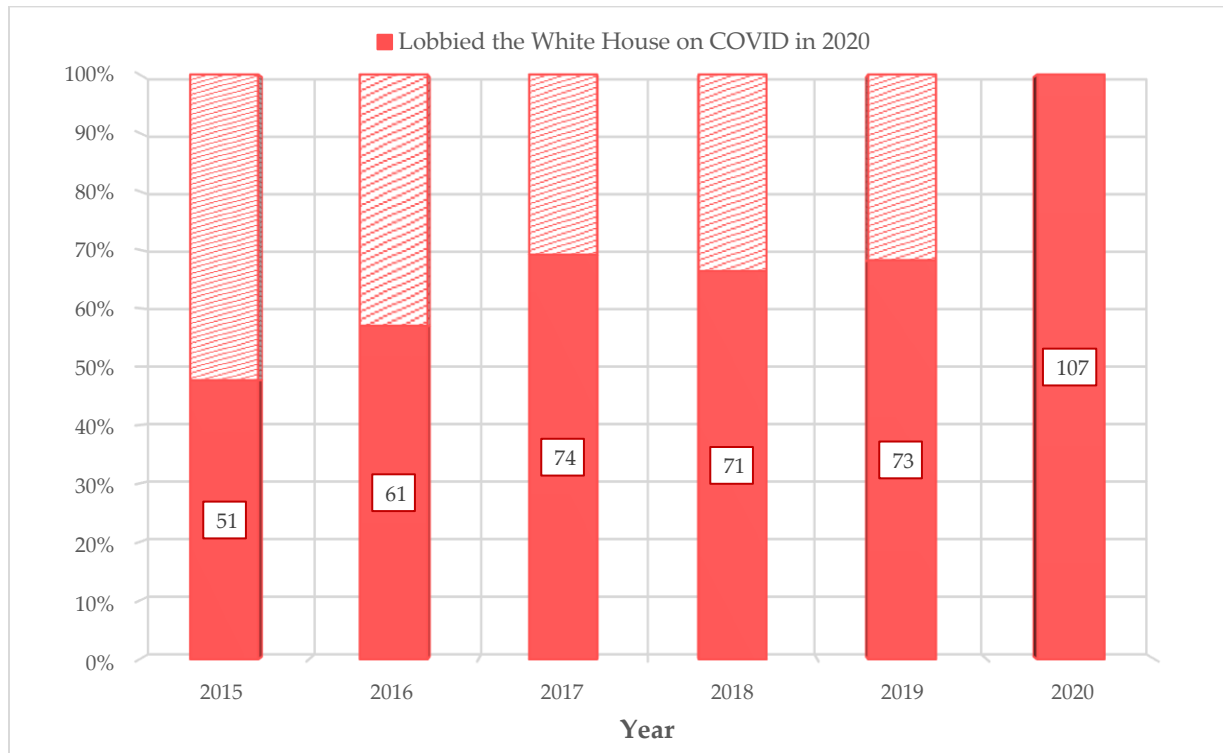
Nearly One Third of Companies Lobbying the White House Did Not Lobby the White House in 2019; Nearly a Quarter Had Never Lobbied the Trump White House

Of the 142 companies highlighted in this section, 107 lobbied the White House on COVID issues in 2020. These businesses were awarded \$11.9 billion in COVID contracts, amounting to one quarter of all the money awarded to all contractors.

For many of these companies, lobbying the White House was either completely new for them or something they had not done recently.

In 2019, for example, just 73 of these 107 companies lobbied the White House on any issue. [Figure 3]

Figure 3 – Number of Contract Recipients That Lobbied the White House on COVID Issues in 2020 Compared to How Many of These Same Companies Lobbied the White House in Previous Years

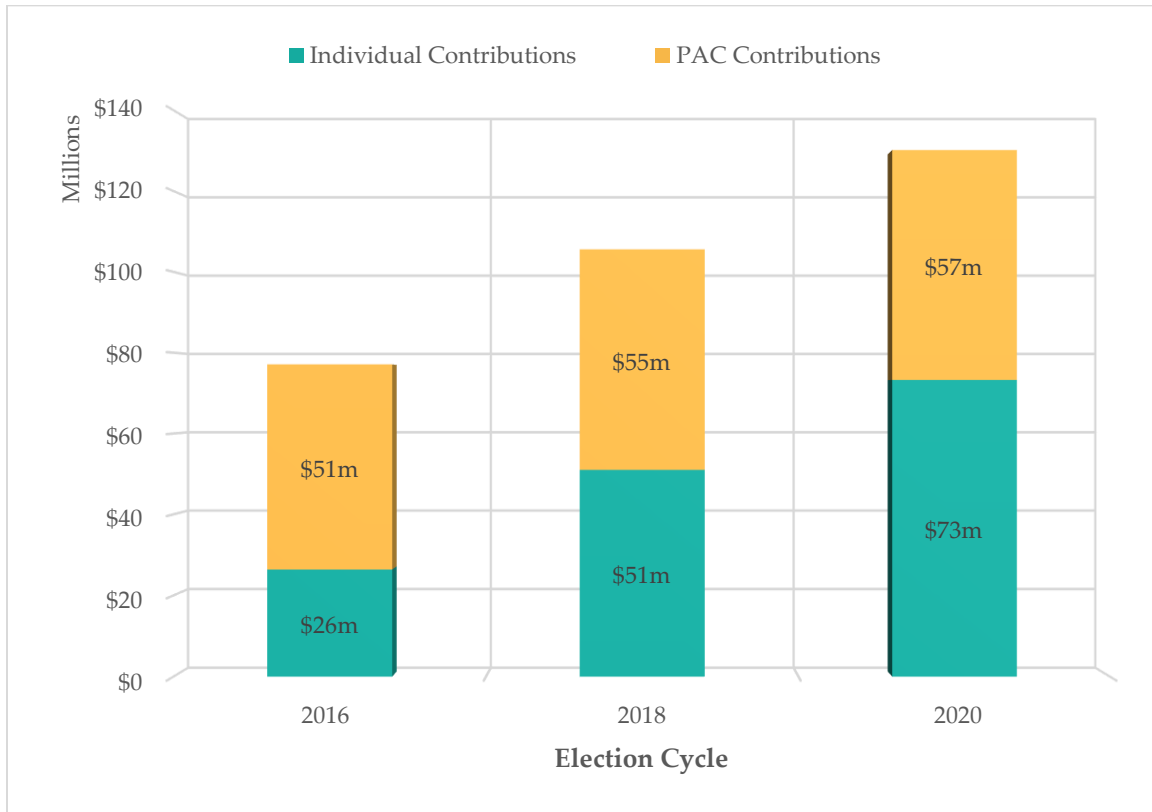


Source: The Center for Responsive Politics (www.opensecrets.org).

COVID Contractors Lobbying the White House or Their Awarding Agency Have Spent \$313 Million on Political Contributions Since the 2016 Election Cycle, \$130 Million During the 2020 Cycle

Lobbying is one lever used by those trying to influence policy in D.C. Another is political contributions. The 142 companies awarded COVID contracts that either lobbied the White House and/or their awarding agency on COVID issues contributed \$313 million to members of Congress, the four national party committees, four party-aligned super PACs and former President Trump from the 2016 election cycle through the 2020 election cycle. They contributed \$130 million in the 2020 cycle. [Figure 4]

Figure 4 – Political Spending by the 142 Companies Lobbying the White House or an Awarding Agency in 2020, by Spending Type



Source: The Center for Responsive Politics (www.opensecrets.org).

II. Lobbying and Political Spending Profiles of Selected COVID-contract Recipients

Thirty-two companies receiving COVID contracts worth more than \$50,000 and lobbying either the White House or an awarding agency on COVID-issues increased their total lobbying spending by 25 percent or more from 2019 to 2020. Nineteen companies increased their lobbying by 100 percent or more (including 13 that spent money on lobbying in 2020 after having spent \$0 in 2019). [Table 1]

Altogether, the 32 companies increased their spending on lobbying by \$12.7 million, from \$19.7 million in 2019 to \$32.5 million in 2020. These 32 companies received a total of \$3.1 billion in COVID contracts. Note that these lobbying totals include lobbying work on all issues, as disclosure laws do not require companies to break down their expenditures by issue.

Table I: The 32 COVID Contract Recipients That Lobbied the White House and/or an Awarding Agency on COVID Increased Lobbying Spending by 25 Percent or More From 2019 to 2020
(Lobbying Total Includes Lobbying on all Issues. Only Those Receiving More Than \$50,000 in Contracts Are Included)

Company Name	COVID Contract Total	2019 Lobbying Total	2020 Lobbying Total	Lobbying Change \$ 2019 - 2020	Lobbying Increase % 2019 - 2020
Compass Group	\$342,498	\$25,000	\$231,250	\$206,250	825%
Medline Industries	\$43,215,369	\$60,000	\$470,000	\$410,000	683%
Danaher Corp	\$129,885,530	\$90,000	\$666,000	\$576,000	640%
Moderna Inc	\$1,225,000,000	\$40,000	\$280,000	\$240,000	600%
Novavax Inc	\$21,952,384	\$40,000	\$210,000	\$170,000	425%
American Heart Assn	\$2,119,050	\$435,733	\$1,127,750	\$692,017	159%
Cengage Learning	\$95,996	\$120,000	\$227,500	\$107,500	90%
Palantir Technologies	\$42,598,688	\$1,430,000	\$2,420,000	\$990,000	69%
IDEMIA	\$12,298,757	\$820,000	\$1,370,000	\$550,000	67%
Fitbit Inc	\$900,000	\$500,000	\$800,000	\$300,000	60%
Blackstone Group	\$3,529,535	\$3,650,000	\$5,649,000	\$1,999,000	55%
Masimo Corp	\$899,670	\$230,000	\$350,000	\$120,000	52%
KKR & Co	\$290,382,348	\$1,660,000	\$2,410,000	\$750,000	45%
Jacobs Engineering Group	\$98,710,639	\$490,000	\$690,000	\$200,000	41%
Regeneron Pharmaceuticals	\$146,502,752	\$1,070,000	\$1,500,000	\$430,000	40%
Illumina Inc	\$9,083,061	\$640,000	\$890,000	\$250,000	39%
Philips	\$682,167,147	\$1,430,000	\$1,900,000	\$470,000	33%
Fresenius Medical Care	\$47,596,379	\$4,651,326	\$6,170,000	\$1,518,674	33%
Cerberus Capital Management	\$199,569,529	\$2,365,475	\$3,130,000	\$764,525	32%

Company Name	COVID Contract Total	2019 Lobbying Total	2020 Lobbying Total	Lobbying Change \$ 2019 - 2020	Lobbying Increase % 2019 - 2020
Vyaire Medical	\$8,216,310*	\$0	\$430,000	\$430,000	∞
GOJO Industries	\$63,324	\$0	\$270,000	\$270,000	∞
Ortho-Clinical Diagnostics	\$14,051,676	\$0	\$160,000	\$160,000	∞
EMD Millipore	\$85,553	\$0	\$160,000	\$160,000	∞
98point6 Inc	\$700,000	\$0	\$150,000	\$150,000	∞
Combat Medical Systems	\$80,635,598	\$0	\$150,000	\$150,000	∞
Fluidigm Corp	\$34,016,056	\$0	\$140,000	\$140,000	∞
Meso Scale Diagnostics	\$5,788,187	\$0	\$120,000	\$120,000	∞
Kajeet Inc	\$51,001	\$0	\$100,000	\$100,000	∞
Stratasys	\$244,475	\$0	\$60,000	\$60,000	∞
UV-Concepts	\$103,300	\$0	\$50,000	\$50,000	∞
Vitalant	\$27,976,644	\$0	\$10,000	\$10,000	∞

*Vyaire Medical received federal contracts for more than \$390 million to provide ventilators to support COVID-19 efforts. However, only \$8.6 million of this money was coded as a COVID-19 expenditure in the government's award data bank. This was likely due to an error or a technicality. Although the ventilators were purchased to address COVID, we report the \$8.6 million figure in this table for methodological consistency.

Companies That Lobbied the White House or Awarding Agency on COVID Issues and Reported Increased Lobbying Expenditures

In this section, we detail the 32 examples in which contract recipients lobbied either the White House or the agency that awarded them a COVID-related contract. In each of these cases, the vendors lobbied at least one of these entities on COVID-related issues. Moreover, in each case, the company reported spending at least 25 percent more on lobbying in 2020 than it had in the previous year.

98Point6 Inc.

Lobbied Awarding Agency and White House on COVID Issues; Began Lobbying in 2020

98Point6 Inc., a company that provides virtual primary care technology, received a COVID-related contract from Health and Human Services for \$700,000 to provide “text-based medical care via a smartphone interface and artificial intelligence to assess, triage, diagnose and treat COVID-19.”⁵

⁵ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

The company spent \$150,000 on lobbying in 2020.⁶ The company, which was founded in 2015, had not previously reported lobbying activities.⁷

98Point6 Inc. hired two lobbying firms to lobby on its behalf in 2020. Both firms lobbied HHS on COVID-related issues.⁸ One of the firms also lobbied the White House on COVID issues.⁹

American Heart Association

Lobbied Awarding Agency and White House on COVID Issues

The American Heart Association was awarded a COVID-related contract from Veterans Affairs worth \$2.1 million to provide electronic resuscitation courseware.¹⁰ The organization has spent \$1.2 million on lobbying in 2020, \$567,000 more than it spent in 2019.¹¹

The American Heart Association lobbied both houses of Congress, the White House and Veterans Affairs, plus several other agencies, on COVID issues in 2020.¹²

Blackstone Group / Spectrum Healthcare Resources

Lobbied Awarding Agency and White House on COVID Issues

Spectrum Healthcare Resources, which provides health care staff to federal agencies, has been awarded \$3.5 million in COVID contracts from the Department of Health and

⁶ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?id=F319308>.

⁷ *Our Leadership*, 98POINT6 (viewed on Jan. 4, 2020), <https://www.98point6.com/our-leadership/> and Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3fNGyoA>.

⁸ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=AC8915EA-45A0-4260-9CCB-55D95F84544C&filingTypeID=60> and <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=077E9C20-5475-4B01-8AE9-50BF578C40C0&filingTypeID=60>.

⁹ Lobbying disclosure records maintained by the secretary of the Senate, <https://lda.senate.gov/filings/public/filing/ac8915ea-45a0-4260-9ccb-55d95f84544c/print/>.

¹⁰ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

¹¹ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/orgs/american-heart-assn/lobbying?id=D000044642>.

¹² Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=163662DE-17F3-4E3A-8A25-DCA3D0457EE4&filingTypeID=60>.

Human Services.¹³ Spectrum is controlled by TeamHealth,¹⁴ a portfolio company of private-equity firm Blackstone.¹⁵

Blackstone spent more than \$5.6 million on lobbying in 2020, a 55 percent increase over 2019.¹⁶ This total encompasses both lobbying activities funded directly by Blackstone and those funded by its holding companies.

Blackstone holding Spectrum Healthcare retained the firm Faegre Drinker Biddle & Reath to lobby both houses of Congress, the Vice President and HHS – the agency awarding Spectrum contracts – on “coronavirus matters” in 2020.¹⁷ Spectrum’s in-house lobbyists also lobbied HHS sub-agency CMS, as well as both houses of Congress on multiple COVID-related topics.¹⁸

Employees of Blackstone made more than \$32 million in campaign contributions to elected officials and party committees in the 2020 election cycle. The overwhelming majority of this money came from the firm’s CEO, Stephen Schwarzman, who gave \$25 million to the Senate Leadership Fund and \$2.5 million to the Congressional Leadership Fund.¹⁹

These two entities are super PACs that are effectively controlled by the Republican leaders in the U.S. Senate and House.

Schwarzman also gave \$3 million to America First, a super PAC that supported President Trump, although that figure is not included in the \$32 million figure referenced above.²⁰

¹³ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

¹⁴ *Spectrum Health Company Profile*, SPECTRUM HEALTH (viewed on Jan 4, 2020), <https://www.spectrumhealth.com/company-profile/>.

¹⁵ *Team Health, TeamHealth to be Acquired by Blackstone*, TEAMHEALTH (Oct. 31, 2016), <https://www.teamhealth.com/news-and-resources/press-release/teamhealth-to-be-acquired-by-blackstone/>.

¹⁶ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=D000021873>.

¹⁷ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=A6F350EA-4B8E-4981-A0B0-E6513E12B17F&filingTypeID=60>.

¹⁸ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=8919C49F-6846-4661-8518-AD7FDC3FBC39&filingTypeID=60>.

¹⁹ Analysis of campaign finance records by the CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org).

²⁰ Campaign finance records reported to the Federal Election Commission, <https://bit.ly/3wDOtv0>.

Cengage Learning

Lobbied White House on COVID Issues

Cengage Learning, a maker of digital textbooks, received \$95,000 in COVID-related contracts from the Department of the Interior. Cengage spent \$227,500 on lobbying in 2020, an increase of nearly 90 percent over the previous year.²¹

The company lobbied both houses of Congress and the White House on issues related to COVID-19.²²

Cerberus Capital Management (DynCorp International)

Combat Medical Systems

Lobbied Awarding Agency and White House on COVID issues; Resumed Lobbying in 2020

Combat Medical Systems, which serves military and law enforcement medical professionals, received \$80 million in COVID-related government contracts, most of which came from Health and Human Services and the Department of Defense for medical kits and products relating to ventilators.³¹

Combat Medical Systems spent \$150,000 on lobbying in 2020. It had not lobbied since 2015.³²

The law firm Kutak Rock hired the Vogel Group in March 2020 to lobby on behalf of Combat Medical. The Vogel Group lobbied both houses of Congress, Health and Human Services, the Executive Office of the President, the Vice President, and several executive branch agencies. In description of its work, the Vogel Group listed “Issues relating to COVID-19 medical equipment supply and distribution.”³³

²¹ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=D000071782>.

²² Lobbying disclosure records maintained by the secretary of the Senate, <https://lda.senate.gov/filings/public/filing/daed60c9-29a7-481e-a8f4-cd1e421d9e35/print/>.

³¹ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

³² Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/Lobby/clientsum.php?id=F204045%20%20%20&year=2020>.

³³ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=2426DD52-D6E0-4FBC-B0EF-134DE58E9CF9&filingTypeID=60>.

One of the lobbyists, William McGinley, worked in the White House from 2017 to 2019 as a Deputy Assistant to the President.³⁴ The disclosure filing indicates McGinley lobbied the House and Senate only.³⁵

Compass Group

Lobbied White House on COVID Issues

The Compass Group, a food and hospitality company,³⁶ was awarded two COVID contracts worth more than \$342,000 for providing dining services for the Department of Defense and Health and Human Services.³⁷

The Compass Group and its subsidiaries spent \$231,250 on lobbying in 2020, more than eight times what it spent in 2019.³⁸ Compass paid the firm K&L Gates to lobby both Houses of Congress, White House offices and various agencies on COVID issues.³⁹

Danaher Corporation

Lobbied Awarding Agency and White House on COVID Issues

Two companies in the Danaher Corp portfolio – Cepheid Inc and Beckman Coulter – have been awarded a total of 51 COVID contracts worth \$129 million in sum, mostly for COVID testing supplies. Other Danaher holdings received at least \$816,000 in additional COVID-related contracts.⁴⁰

Cepheid Inc and Beckman Coulter both lobbied agencies on COVID issues that awarded them COVID contracts.

Cepheid Inc, a company that makes COVID tests,⁴¹ was awarded COVID-related contracts worth a total of \$126 million, including \$73 million to supply the Department of Defense

³⁴ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), https://www.opensecrets.org/revolving/rev_summary.php?id=79286.

³⁵ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=2426DD52-D6E0-4FBC-B0EF-134DE58E9CF9&filingTypeID=60>.

³⁶ *What We Do*, COMPASS GROUP (viewed on Jan. 5, 2021), <https://www.compass-usa.com/what-we-do/>.

³⁷ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

³⁸ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=D000073546> and <https://www.opensecrets.org/federal-lobbying/clients/summary?id=F227189>.

³⁹ Lobbying disclosure records maintained by the secretary of the Senate, <https://lda.senate.gov/filings/public/filing/0630aa1d-518f-4056-a826-1220f6678760/print/>.

⁴⁰ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

⁴¹ *Cepheid Sars-2 Test Information*, CEPHEID (viewed on Jan. 4, 2020), https://www.cephheid.com/en_US/tests/Critical-Infectious-Diseases/Xpert-Xpress-SARS-CoV-2-Flu-RSV.

with medical supplies that appear, from their descriptions in government data, to relate to COVID testing.⁴²

Beckman Coulter, a health care diagnostics company,⁴³ has been awarded COVID-related contracts worth more than \$3 million, primarily from HHS and the DoD.⁴⁴

Danaher entities combined to spend \$666,000 combined on lobbying in 2020, more than six times as much as they spent in 2019.⁴⁵

Cepheid lobbied both houses of Congress and HHS on COVID-related issues in 2020.⁴⁶ HHS and its subagencies have awarded more than \$13 million in COVID contracts to Cepheid.⁴⁷

On behalf of Beckman Coulter, Brownstein Hyatt Farber Schreck lobbied Congress, the White House, HHS and its sub-agency the Centers for Disease Control and Prevention on COVID issues.”⁴⁸ Beckman has been awarded \$1.4 million in COVID contracts by HHS.⁴⁹

EMD Millipore

Lobbied Awarding Agency on COVID Issues; Lobbied for the First Time in 2020

EMD Millipore, a global life sciences company,⁵⁰ has been awarded \$85,533 in COVID contracts from the National Institutes of Health for drugs & biologicals and other medical products.⁵¹ EMD Millipore did not report federal lobbying activities until 2020,⁵² when it

⁴² Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

⁴³ *About Beckman Coulter*, BECKMAN COULTER (viewed on Jan. 4, 2020), <https://www.beckmancoulter.com/en/about-beckman-coulter>.

⁴⁴ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

⁴⁵ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=D000033033> and <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=D000048514>.

⁴⁶ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=0B995CB0-D3E3-452F-B093-0144DA0C8253&filingTypeID=69>.

⁴⁷ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

⁴⁸ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=EECAC660-4199-4A93-ABDF-B1059B27FDCD&filingTypeID=60> and <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=BF9E92E2-4DAB-42AB-9ED3-DAA06C0881FA&filingTypeID=69>.

⁴⁹ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

⁵⁰ Web site of Millipore Sigma (viewed on Jan. 4, 2020), <https://www.emdmillipore.com/US/en>.

⁵¹ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

⁵² Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3fNpDTq>.

reported \$160,000 in expenditures. In all four quarters of 2020, the company paid the firm Peck Madigan Jones to lobby HHS on “issues impacting the life sciences industry, including vaccine development and testing.”⁵³

Fitbit Inc

Lobbied White House on COVID Issues

Fitbit Inc., a maker of digital health products, received \$900,000 in contracts from the Department of Veterans Affairs for identifying risks with digital health technologies.⁵⁴

Fitbit spent \$800,000 on lobbying in 2020, an increase of 60 percent over the previous year.⁵⁵ The firm lobbied the Executive Office of the President, both houses of Congress and various agencies on topics including, “Educat[ing] policymakers about company initiatives on COVID-19 and benefits of wearable fitness technology; discuss use of aggregated data for public health monitoring.”⁵⁶

Fluidigm Corporation

Lobbied Awarding Agency on COVID Issues; Began lobbying in 2020

The Fluidigm Corporation, a biotechnology company, has been awarded contracts by the National Institutes of Health worth a total of \$34 million for technology to be used in COVID testing.⁵⁷

Fluidigm spent \$140,000 on federal lobbying in 2020. The company had not spent money on federal lobbying prior to that.⁵⁸

On behalf of Fluidigm, Mercury Public Affairs lobbied both houses of Congress, Health and Human Services and Veterans Affairs on “issues related to COVID testing.”⁵⁹ The

⁵³ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=9301ECBA-C1ED-49AD-A853-D74C5D55533C&filingTypeID=51>.

⁵⁴ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

⁵⁵ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?id=D000071517>.

⁵⁶ Lobbying disclosure records maintained by the secretary of the Senate, <https://lda.senate.gov/filings/public/filing/573eb2e6-a705-4393-ac39-9bf2391cf816/print/>.

⁵⁷ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

⁵⁸ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=F320001>.

⁵⁹ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=F544C523-4870-4F53-AE0D-A6AE0BBC5110&filingTypeID=60>.

National Institutes of Health, which awarded Fluidigm COVID-testing contracts, operates within HHS.⁶⁰

Fresenius Medical Care

Lobbied Awarding Agency and White House on COVID Issues

Fresenius Medical Care., the largest kidney dialysis provider in the United States and a maker of other products to treat chronic conditions,⁶¹ received more than \$48 million in COVID-related contracts for medical supplies. The contracts were primarily from Health and Human Services.⁶²

The Federal Procurement Data System does not clearly describe the purpose of the contracts. However, the company reported in June that it was involved in transfusions of plasma from people who had already contracted COVID.⁶³

Fresenius spent \$6.2 million on lobbying in 2020, which represented a 33 percent increase over the previous year. The firm deployed 35 lobbyists in 2020, more than it had in any year from 2015 to 2019.⁶⁴

Fresenius's PAC has contributed more than \$1.5 million to federal candidates since the 2016 election cycle. It contributed \$748,500 in the 2020 cycle, an increase of 63 percent over 2016.⁶⁵

The company reported lobbying contacts with Health and Human Services, the White House and Office of the Vice President on COVID-related topics.⁶⁶

Fresenius became a subject of controversy in summer of 2020 when it revealed that it had accepted \$277 million in federal assistance (distinct from contracts) from federal government pandemic relief programs. That revelation came as the company reported on

⁶⁰ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

⁶¹ Deena Beasley, *Exclusive-Dialysis clinics provide new path for delivery of stockpiled COVID-19 antibody drugs in U.S.*, REUTERS (Dec. 30, 2020), <https://www.reuters.com/article/us-health-coronavirus-antibodies-exclusive/exclusive-dialysis-clinics-provide-new-path-for-delivery-of-stockpiled-covid-19-antibody-drugs-in-u-s-idUSKBN2941IQ>.

⁶² Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

⁶³ COVID-19 plasma clinical treatment trial using Fresenius Kabi blood bags, FRESENIUS KABI (June 8, 2020), <https://www.fresenius-kabi.com/gb/news/covid-19-plasma-clinical-trial-using-fresenius-kabi-blood>.

⁶⁴ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?id=D000025929>.

⁶⁵ Analysis of campaign finance records by the CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org).

⁶⁶ Lobbying disclosure records maintained by the secretary of the Senate, <https://lda.senate.gov/filings/public/filing/b3fea0fb-7222-4092-ae8f-2d5afcbcd867/print/>.

its second quarter 2020 earnings call that it made \$400 million in profits and had not experienced adverse financial effects from the pandemic.⁶⁷

DaVita, which is also a major provider of dialysis services, decided to turn down \$240 million in COVID-related aid that it was offered by the government. “From our perspective, [the government payments] were a safety net,” DaVita CEO Javier Rodriguez said to analysts, explaining the decision to return the money. “And they were to be used for people that needed that money, because the economic damage was so severe that they couldn’t keep their doors open.”⁶⁸

In February 2021, Fresenius pleaded guilty to charges stemming from hiding records prior to an FDA inspection of one of its facilities in India. The federal government alleged that the company removed and deleted records that “would have revealed [the company] was manufacturing drug ingredients in contravention of FDA requirements.” Fresenius agreed to pay \$50 million in fines and forfeitures.⁶⁹

GOJO Industries

Lobbied Awarding Agency; Resumed lobbying in 2020

GOJO Industries, maker of the hand sanitizer Purell, received \$63,000 in federal COVID-related contracts from Health and Human Services.⁷⁰ The company spent \$270,000 on lobbying in 2020, after reporting zero federal lobbying expenditures from 2016 to 2019.⁷¹ The company lobbied HHS on COVID-related issues, but the reported lobbying activity occurred after the contract was awarded.⁷²

⁶⁷ Jordan Rau and Rachana Pradhan, *Business is booming for dialysis giant Fresenius. It took a bailout of at least \$137 million anyway*, WASHINGTON POST (Aug. 5, 2020), <https://www.washingtonpost.com/business/2020/08/05/healthcare-bailout-kidney-disease-dialysis-fresenius/>.

⁶⁸ Jordan Rau and Rachana Pradhan, *Business is booming for dialysis giant Fresenius. It took a bailout of at least \$137 million anyway*, WASHINGTON POST (Aug. 5, 2020), <https://www.washingtonpost.com/business/2020/08/05/healthcare-bailout-kidney-disease-dialysis-fresenius/>.

⁶⁹ *Indian Cancer Drug Manufacturer Agrees to Plead Guilty and Pay \$50 Million for Concealing and Destroying Records in Advance of FDA Inspection*, U.S. DEPARTMENT OF JUSTICE (Feb. 9, 2021), <https://www.justice.gov/opa/pr/indian-cancer-drug-manufacturer-agrees-plead-guilty-and-pay-50-million-concealing-and-destroying-records-in-advance-of-fda-inspection>.

⁷⁰ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

⁷¹ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=D000034097>.

⁷² Lobbying disclosure records maintained by the secretary of the Senate, <https://lda.senate.gov/filings/public/filing/9d1d16d5-0d85-41b8-8663-684773b5e028/print/>.

IDEMIA

Lobbied Awarding Agency on COVID Issues

IDEMIA, which develops identity security technology, received a \$12.3 million COVID-related contract from the Transportation Security Administration. In January 2020, the TSA hired IDEMIA to assist with registering flyers under the TSA Pre-Check program.⁷³ It appears that the government-related COVID payments that IDEMIA received compensated the company for COVID-related circumstances surrounding its TSA registration work.⁷⁴

IDEMIA spent \$1.4 million on lobbying in 2020, representing a 67 percent increase over the previous year. The firm deployed 28 lobbyists in 2020, more than three times as many as in 2019.⁷⁵ It lobbied both houses of Congress, the Transportation Security Agency (which awarded it COVID-related money) and other agencies.⁷⁶

It retained the firm Crossroads Strategies LLC to lobby the TSA throughout the year on the CARES Act and other matters.⁷⁷ Among the Crossroads' lobbyists working on IDEMIA's behalf was former Senate Majority Leader Trent Lott (R-Miss.).⁷⁸

Illumina

Lobbied Awarding Agency and White House on COVID Issues

Illumina, a DNA sequencing firm, received more than \$9 million in COVID-related contracts from the Department of Health and Human Services for reagents, sequencing, research and other services.⁷⁹ The firm spent \$890,000 on lobbying in 2020, a nearly 40 percent increase over the previous year.⁸⁰ It lobbied HHS and the White House on the CARES Act.⁸¹

⁷³ *Additional vendors to provide TSA PreCheck enrollment for travelers*, TRANSPORTATION SECURITY ADMINISTRATION (Jan. 9, 2020), <https://www.tsa.gov/news/press/releases/2020/01/09/additional-vendors-provide-tsa-prechecktm-enrollment-travelers>.

⁷⁴ The description of the contract work refers to a contract modification of an existing contract, including "provid[ing] financial support due to covid19 in a one-time amount of \$5,811,334."

⁷⁵ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=D000070061>.

⁷⁶ Lobbying disclosure records maintained by the secretary of the Senate, <https://lda.senate.gov/filings/public/filing/17507f94-2839-446b-9652-4b74f958d69a/print/>.

⁷⁷ *Id.*

⁷⁸ *Id.*

⁷⁹ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

⁸⁰ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=D000071004>.

⁸¹ Lobbying disclosure records maintained by the secretary of the Senate, <https://lda.senate.gov/filings/public/filing/9c6112b9-4ab6-4eda-867e-59771ad6cf50/print/>.

Jacobs Engineering Group

Lobbied Awarding Agency on COVID Issues

Jacobs Engineering Group, a technical professional services firm, received \$98 million in COVID-related contracts, mostly from the Department of Defense and Department of Energy. With the exception of \$20.8 million in contracts for missile/space systems from the DoD, the majority of the work had to do with work related to the demolition of buildings.⁸² It is not clear from data provided by the government why any of this work was categorized as COVID-related.

The firm spent \$690,000 lobbying in 2020, an increase of 40 percent over the previous year. It deployed 15 lobbyists compared to four in the previous year.⁸³ It reported lobbying both houses of Congress and the Department of Defense on the CARES Act.⁸⁴

The firm made more than \$1 million in PAC contributions from the 2016 through 2020 election cycles.⁸⁵

Kajeet Inc

Lobbied White House on COVID Issues; Began Lobbying in 2020

Kajeet Inc, a mobile technology company,⁸⁶ has been awarded a COVID-related contract worth \$51,000 for “digital computers” from the Bureau of Indian Affairs (BIA), a sub-agency of the Department of Interior.⁸⁷

Kajeet, which was formed in 2003,⁸⁸ lobbied for the first time in 2020, paying the firm Subject Matter a total of \$100,000 to lobby.⁸⁹ Subject Matter lobbied the White House on COVID issues and “issues related to technology.”⁹⁰

⁸² Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

⁸³ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=D000000371>.

⁸⁴ Lobbying disclosure records maintained by the secretary of the Senate, <https://lda.senate.gov/filings/public/filing/9e95a9c0-8ae7-45ff-9ca1-416069aae848/print/>.

⁸⁵ Analysis of campaign finance records by the CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org).

⁸⁶ *About Kajeet*, KAJEET INC. (viewed on Jan. 4, 2020), <https://www.kajeet.net/company/about-us/>.

⁸⁷ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

⁸⁸ *About Us*, KAJEET (viewed on March 15, 2021), <https://www.kajeet.net/company/about-us/>.

⁸⁹ Lobbying disclosure records maintained by the secretary of the Senate, <https://lda.senate.gov/filings/public/filing/6a025300-b33e-4f05-806e-b69898d1f67f/print/>.

⁹⁰ Lobbying disclosure records maintained by the secretary of the Senate, <https://lda.senate.gov/filings/public/filing/6a025300-b33e-4f05-806e-b69898d1f67f/print/>.

KKR & Co / American Medical Response

Lobbied White House on COVID Issues

American Medical Response Inc. (AMR), a medical transportation company, is owned by KKR & Co., a major private equity firm. AMR received \$290 million in federal contracts from the Department of Homeland Security, primarily for emergency support services.⁹¹

American Medical Response hired lobbying firm Miller Strategies LLC to lobby the Department of Health and Human Services on “Issues related to medical transportation and disaster services.”⁹² Jeffrey Miller, a lobbyist on that account, was one of the largest fundraisers and contributors to Donald Trump and Republican causes during the 2020 election cycle.⁹³

KKR subsidiary Envision Health lobbied the Executive Office of the President, Office of the Vice President, Health and Human Services and both houses of Congress on “Issues related to COVID-19 relief.”⁹⁴

KKR’s reported 2020 lobbying total (including expenditures by its subsidiaries) was \$2.4 million, a 45 percent increase over 2019.⁹⁵

Executives of KKR contributed \$802,000 to federal elected officials in the 2020 election cycle, 75 percent of which went to Republicans. The firm’s executives contributed more than \$65,000 to Trump in 2020, after contributing just \$2,800 to Trump in the 2016 election cycle. Additionally, KKR’s PAC contributed \$197,000.⁹⁶

Masimo Corp

Lobbied White House on COVID Issues

Masimo Corp. and affiliated Masimo Americas, which make medical devices, have received nearly \$1.2 million in federal contracts to provide federal agencies with medical and surgical instruments, equipment, and supplies.⁹⁷

⁹¹ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

⁹² Lobbying disclosure records maintained by the secretary of the Senate, <https://lda.senate.gov/filings/public/filing/a4442ee6-53ec-41f6-9d1d-1e95b2e81400/print/>.

⁹³ See, Mike Tanglis and Taylor Lincoln, *COVID Lobbying Palooza*, PUBLIC CITIZEN (July 6, 2020), <https://mkus3lurbh3lbztg254fzode-wpengine.netdna-ssl.com/wp-content/uploads/Covid-Lobbying-Palooza.pdf>.

⁹⁴ Lobbying disclosure records maintained by the secretary of the Senate, <https://lda.senate.gov/filings/public/filing/97b74565-e555-4629-b31c-cd6669d0168f/print/>.

⁹⁵ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=D000000358>.

⁹⁶ Analysis of campaign finance records by the CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org).

⁹⁷ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

The firm's reported lobbying expenditures for 2020, \$350,000, were more than 50 percent greater than in the previous year.⁹⁸ The firm reported lobbying on "COVID19 Response Efforts and patient monitoring," and other COVID-related issues. On those issues, it reported contacting the White House Office and other agencies, in addition to the U.S. House and Senate.⁹⁹

Since the 2016 election cycle, Masimo Corp. employees have made nearly \$610,000 in contributions to federal office holders and national party committees.¹⁰⁰

Medline Industries

Lobbied Awarding Agency and White House on COVID Issues

Medline Industries, a medical supplies company, has received COVID contracts worth more than \$43 million, the largest being \$27 million in contracts from Health and Human Services to provide medical kits and supplies.¹⁰¹ The company spent \$470,000 on lobbying in 2020, nearly eight times more than the \$60,000 it reported spending in 2019.¹⁰²

In 2020, Medline paid the lobbying firm Mayer Brown to lobby the White House, the Vice President's office, HHS and several other agencies on "issues related to pandemic relief."¹⁰³

Meso Scale Diagnostics

Lobbied Awarding Agency on COVID Issues; Began Lobbying in 2020

Meso Scale Diagnostics, a maker of biological testing technology,¹⁰⁴ has been awarded COVID contracts for biologicals, laboratory equipment and other services worth nearly \$5.8 million. The contracts are primarily from the National Institutes of Health for testing-related services.¹⁰⁵

⁹⁸ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=D000053441>.

⁹⁹ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=006BF65C-35EE-404D-BA59-8E0D45E676BC&filingTypeID=51>.

¹⁰⁰ Analysis of campaign finance records by the CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org).

¹⁰¹ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

¹⁰² Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/orgs/medline-industries/lobbying?id=D000022109>.

¹⁰³ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=767C269F-A745-426F-9071-99C22CDA2104&filingTypeID=60>.

¹⁰⁴ *Our Company*, MESO SCALE DISCOVERY (viewed on Jan. 4, 2020), https://www.mesoscale.com/en/our_company.

¹⁰⁵ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

Meso Scale spent \$120,000 on federal lobbying in 2020. These were the first federal lobbying expenditures the company had ever made.¹⁰⁶ The company hired the East End Group to lobby Congress and Health and Human Services on “legislative and regulatory issues related to COVID-19 surveillance and diagnostic testing.”¹⁰⁷

Moderna Inc.

Lobbied White House on COVID Issues

Pharmaceutical firm Moderna Inc. received \$1.2 billion in contracts for COVID-19 vaccine products in 2020.¹⁰⁸

Unlike many pharmaceutical firms, Moderna does not report extensive lobbying activities. It did not report federal lobbying activities prior to 2019, when it reported spending only \$40,000. In 2020, Moderna reported spending \$240,000 on lobbying.¹⁰⁹

During 2020, Moderna hired lobbying firm Avenue Solutions and retained W Strategies LLC, which had previously filed forms indicating a termination of its lobbying work for Moderna.¹¹⁰

When W Strategies re-registered to lobby for Moderna, it reported that it would be working on “education around potential COVID-19 vaccines and related issues.”¹¹¹ Avenue Solutions reported an intent to work on the same issues when it registered in July 2020 to work on Moderna’s behalf.¹¹²

¹⁰⁶ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?id=F320098>.

¹⁰⁷ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=9E07B130-BEA8-4398-A2CA-1D2A4D2D98A2&filingTypeID=69>.

¹⁰⁸ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

¹⁰⁹ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?id=D000073555>.

¹¹⁰ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=3FB68644-6DF7-4CEE-900E-CF9C1BB4DA97&filingTypeID=81>.

¹¹¹ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=01767A37-11A3-43F4-A94B-D4BDFAE18401&filingTypeID=2>.

¹¹² Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=55D2DEFF-E65B-4937-BD5C-3D8B41DE0054&filingTypeID=1>.

In W Strategies' case, it reported lobbying the Executive Office of the President (EOP), as well as both houses of Congress.¹¹³ Avenue Solutions reported lobbying both houses of Congress but no executive offices.¹¹⁴

Novavax Inc.

Lobbied White House on COVID Issues

Novavax Inc., a biotechnology company, was awarded a contract by the Department of Defense in June for nearly \$22 million to develop a COVID-19 vaccine candidate.¹¹⁵

Its reported lobbying expenditures for 2020 were \$210,000, more than five times what it reported in 2019.¹¹⁶

In the course of 2020, Novavax hired a new lobbying firm, Farragut Partners, which lobbied on its behalf on "Issues related to a COVID-19 Vaccine."¹¹⁷ A separate firm, Faegre Drinker Biddle & Reath, lobbied on its behalf on the CARES Act. Faegre Drinker reported contacting the White House Office of Management and Budget and the U.S. Department of Health and Human Services on the CARES Act.¹¹⁸

Ortho-Clinical Diagnostics

Lobbied Awarding Agency and White House on COVID Issues; Began Lobbying in 2020

Ortho-Clinical Diagnostics, a maker of COVID-19 tests, has received COVID-related contracts worth \$14 million, \$13.6 million of which came from Health and Human Services.¹¹⁹

¹¹³ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=AAE22443-9DD7-4DC1-AC3E-B5F94E4C107D&filingTypeID=69>.

¹¹⁴ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=D6FD3F93-8F84-4D67-9668-928E49050F43&filingTypeID=60>.

¹¹⁵ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

¹¹⁶ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=D000054834>.

¹¹⁷ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=108564AD-B9FF-49C9-B17B-C8BD90BF7080&filingTypeID=2>.

¹¹⁸ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=45A58F33-35DD-4601-969A-21262A4D10DB&filingTypeID=51>.

¹¹⁹ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

In 2020, Ortho-Clinical reported spending \$160,000 on federal lobbying. Prior to that, the company had never spent money on federal lobbying.¹²⁰

On behalf of Ortho-Clinical, The Nickles Group lobbied both houses of Congress, the Executive Office of the President, Health and Human Services and other executive branch agencies on “issues related to antibody tests for COVID-19.”¹²¹

Palantir Technologies

Lobbied Awarding Agency and White House on COVID Issues

Palantir Technologies, a Silicon Valley data analysis company that has been contracted by the U.S. government to evaluate COVID treatments and furnish other tracking services,¹²² has been awarded COVID contracts worth \$43 million, nearly \$30 million of which came from Health and Human Services.¹²³ Palantir separately has received at least \$1.5 billion in non-COVID contracts, according to Vox.¹²⁴

The government procurement database does not provide detailed explanation of the services it received under each COVID-related contract. However, separate reporting offers some details. At least some of the contract money paid for Palantir to create a software platform called Tiberius that is being used to coordinate the distribution of COVID vaccines. State officials have blamed that software for creating confusion in the vaccine rollout.¹²⁵

Palantir also helped manage a project called HHS Protect that the Trump administration temporarily used to monitor the daily incidence of new COVID cases.¹²⁶ In July 2020, the Trump administration’s Department of Health and Human Services called on health care providers to report new COVID cases to the HHS Protect instead of to the Centers for

¹²⁰ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=D000021367>.

¹²¹ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=1670CEF8-D262-4018-A690-21DDE450E5D5&filingTypeID=60>.

¹²² Taylor Hatmaker, *Palantir will soon help the FDA evaluate drugs, including COVID-19 treatments*, TECHCRUNCH (Dec. 8, 2020), <https://techcrunch.com/2020/12/08/palantirs-fda-hhs-contract/>.

¹²³ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

¹²⁴ Sara Morrison, *Everything you need to know about Palantir, the secretive company coming for all your data*, VOX (Aug. 26, 2020), <https://www.vox.com/recode/2020/7/16/21323458/palantir-ipo-hhs-protect-peter-thiel-cia-intelligence>.

¹²⁵ Darius Tahir and Rachel Roubein, *States complain feds’ data system is holding up vaccination effort*, POLITICO (Feb. 4, 2021), <https://www.politico.com/news/2021/02/04/states-complain-feds-data-system-is-holding-up-vaccination-effort-465864>.

¹²⁶ Laura Dyrda, *10 things to know about Palantir and TeleTracking, which power the HHS COVID-19 data system*, BECKER’S HEALTH IT (July 17, 2020) <https://www.beckershospitalreview.com/healthcare-information-technology/10-things-to-know-about-palantir-and-teletracking-which-power-the-hhs-covid-19-data-system.html>.

Disease Control and Prevention. The plan evoked an uproar and the administration soon abandoned it.¹²⁷

Palantir spent \$2.4 million on lobbying in 2020, nearly \$1 million more than it spent in 2019.¹²⁸ Invariant LLC, which was newly retained to lobby on behalf of Palantir in 2020, lobbied Congress and HHS “regarding Palantir commercial software, including efforts for the COVID-19 response.”¹²⁹

Palantir was founded by entrepreneur Peter Thiel, who remains its chairman.¹³⁰ Thiel was one of the few Silicon Valley figures who supported Donald Trump’s candidacy and presidency. He served on Trump’s 2016 Transition Team.¹³¹

Thiel separately has invested in a real estate data company formed by Trump’s son-in-law, Jared Kushner.¹³² Kushner reportedly operated a shadow COVID task force, focusing in part on making connections with the private sector.¹³³

Thiel contributed \$100,000 in the 2020 election cycle to the Senate Leadership Fund, a super PAC coordinated by Republican leaders in the U.S. Senate. In the 2018 election cycle, Thiel contributed nearly \$500,000 to Republican party committees and \$250,000 to the Trump Victory committee. In 2016, Thiel contributed \$1 million to a super PAC supporting Trump’s election, another \$250,000 to the Trump Victory committee and nearly \$250,000 to the Republican National Committee.¹³⁴

¹²⁷ Sara Morrison, Everything you need to know about Palantir, the secretive company coming for all your data, VOX (Aug. 26, 2020), <https://www.vox.com/recode/2020/7/16/21323458/palantir-ipo-hhs-protect-peter-thiel-cia-intelligence>.

¹²⁸ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2019&id=D000055177>.

¹²⁹ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=FC3D3F0F-1889-4912-AC88-4ACBF1749726&filingTypeID=69>.

¹³⁰ Ari Levy, *Peter Thiel’s Palantir is skyrocketing as Trump’s prospects grow dim*, CNBC (Nov. 6, 2020), <https://www.cnbc.com/2020/11/06/peter-thiels-palantir-is-skyrocketing-as-trumps-prospects-grow-dim.html>.

¹³¹ Elizabeth Dwoskin, *The secretive brain trust of Silicon Valley insiders who are helping Trump*, WASHINGTON POST (Nov. 21, 2016), <https://www.washingtonpost.com/news/the-switch/wp/2016/11/21/the-secretive-brain-trust-of-silicon-valley-insiders-who-are-helping-trump/>.

¹³² Jean Eaglesham, Juliet Chung and Lisa Schwartz, *Trump Adviser Kushner’s Undisclosed Partners Include Goldman and Soros*, WALL STREET JOURNAL (May 3, 2017), <https://www.wsj.com/articles/trump-adviser-jared-kushner-didnt-disclose-startup-stake-1493717405>.

¹³³ Yasmeen Abutaleb, Ashley Parker and Josh Dawsey, *Kushner coronavirus team sparks confusion, plaudits inside White House response efforts*, THE WASHINGTON POST (March 18, 2020), https://www.washingtonpost.com/politics/kushner-coronavirus-team-sparks-confusion-plaudits-inside-white-house-response-efforts/2020/03/18/02038a16-6874-11ea-9923-57073adce27c_story.html.

¹³⁴ Campaign finance data reported to the Federal Election Commission, <https://www.fec.gov/data/receipts/individual->

Philips

Lobbied Awarding Agency on COVID Issues

The multinational conglomerate Philips received \$683 million in COVID-related contracts in 2020, most of which was from the Department of Health and Human Services for the production of ventilators. Philips was compelled to manufacture the ventilators due to the use of the Defense Production Act.¹³⁵

Philips reported spending \$1.9 million on lobbying in 2020, which was 33 percent more than the year before. The firm deployed 16 lobbyists, a 78 percent increase over the previous year.¹³⁶ It reported lobbying both houses of Congress, HHS and other federal agencies on COVID-related issues.¹³⁷

Philips also maintains an active political action committee. Its PAC gave \$172,500 to elected officials in the 2020 election cycle. Its PAC giving in the 2020 election cycle was more than double its giving in the 2018 and 2016 election cycles.¹³⁸

Regeneron Pharmaceuticals

Lobbied Awarding Agency and White House on COVID Issues

Regeneron Pharmaceuticals, the company that makes a COVID-19 antibody treatment given to former President Donald Trump,¹³⁹ has received COVID contracts from Health and Human Services worth nearly \$147 million for biomedical research and development.¹⁴⁰

The company spent \$1.5 million on lobbying 2020, \$430,000 more than in 2019.¹⁴¹

[contributions/?data_type=processed&contributor_name=thiel%2C+peter&two_year_transaction_period=2016&two_year_transaction_period=2018&two_year_transaction_period=2020.](#)

¹³⁵ HHS Announces Ventilator Contract with Philips under Defense Production Act, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (April 8, 2020), <https://www.hhs.gov/about/news/2020/04/08/hhs-announces-ventilator-contract-with-philips-under-defense-production-act.html>.

¹³⁶ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=D000045329>.

¹³⁷ Lobbying disclosure records maintained by the secretary of the Senate, <https://lda.senate.gov/filings/public/filing/d5b99c49-85ff-4d5e-b452-a0ed31bc4322/print/>.

¹³⁸ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org).

¹³⁹ Berkeley Lovelace Jr., *FDA authorizes Regeneron's Covid treatment, taken by Trump, for emergency use*, CNBC (Nov. 21, 2020), <https://www.cnbc.com/2020/11/21/covid-treatment-fda-authorizes-regeneron-drug-used-by-trump.html>.

¹⁴⁰ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

¹⁴¹ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/orgs/regeneron-pharmaceuticals/lobbying?id=D000067512>.

Regeneron lobbied HHS, which awarded the company its COVID contracts, as well as the Food & Drug Administration, the White House Office, the Office of the Vice President and both houses of Congress on “pandemic readiness and response.”¹⁴²

Stratasys

Lobbied Awarding Agency on COVID Issues; Began Lobbying in 2020

Stratasys, a 3D printing company,¹⁴³ was awarded a Department of Defense contract for reproducing equipment worth \$244,475 in April 2020.¹⁴⁴

The company spent \$60,000 on lobbying in 2020. It had not reported federal lobbying expenditures since 2015.¹⁴⁵

Stratasys hired Holland & Knight to lobby the federal government to lobby Congress, Health and Human Services and the DoD on “3-D printing technology related to COVID-19.”¹⁴⁶

UV-Concepts

Lobbied Awarding Agency and White House on COVID issues; Began Lobbying in 2020

UV-Concepts is a roughly five-year old company that provides disinfectant products that use ultraviolet light.¹⁴⁷ In April 2020, UV-Concepts was awarded a \$103,300 COVID contract from the Department of Veterans Affairs to provide an “ultraviolet enclosure.”¹⁴⁸

UV-Concepts lobbied the federal government for the first time in 2020,¹⁴⁹ paying Prenda Group a total of \$50,000. Prenda contacted both houses of Congress, the Department of

¹⁴² Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=F123EA30-2416-4EAB-BBDF-8ED74CAE5075&filingTypeID=51>.

¹⁴³ *Innovation Starts Here*, STRATASYS (viewed on Jan. 4, 2020), <https://www.stratasys.com/>.

¹⁴⁴ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

¹⁴⁵ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/Lobby/clientsum.php?id=F214981&year=2014>.

¹⁴⁶ Lobbying disclosure records maintained by the SECRETARY OF THE SENATE, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=0A0B0CCD-4A5B-4A19-951B-21C59D88BB29&filingTypeID=69>.

¹⁴⁷ Records of the Colorado Secretary of State, <https://www.sos.state.co.us/biz/BusinessEntityDetail.do?quitButtonDestination=BusinessEntityResults&nameType=ENT&masterFileId=20151699468&entityId2=20151699468&fileId=20151699468&srchTyp=ENTITY>.

¹⁴⁸ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

¹⁴⁹ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=6AB5AA4B-B018-4235-83FA-4FFE4BA48478&filingTypeID=60>.

Homeland Security and the Office of the Vice President and other federal agencies on various COVID-related issues.¹⁵⁰

Vitalant

Lobbied Awarding Agency and White House on COVID Issues; Began Lobbying in 2020

Vitalant, which specializes in blood transfusions, received \$28 million in COVID related contracts, mostly from the Department of Health and Human Services for services involving blood plasma.¹⁵¹ The firm paid lobbying firm K&L Gates \$10,000 to lobby HHS on “issues related to the disbursement of CARES Act funding for independent blood centers and CARES provider Relief Funds.”¹⁵² The firm had not previously reported federal lobbying activities.¹⁵³

Vyaire Medical

Lobbied Awarding Agency and White House on COVID Issues; Began Lobbying in 2020

Vyaire Medical, a maker of respiratory solutions, received more than \$390 million in contracts for ventilators, nearly all of which was awarded by Health and Human Services and Veterans Affairs.¹⁵⁴

Vyaire spent \$430,000 on lobbying in 2020 after not reporting any lobbying previously.¹⁵⁵ In 2020, it hired two lobbying firms to deploy six lobbyists to contact the White House, the vice president’s office, HHS and other agencies on Vyaire’s behalf. Most of the issues the lobbying firms reported working on were COVID related, such as “legislation related to the Covid-19 Pandemic and ventilator production.”¹⁵⁶

¹⁵⁰ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=6AB5AA4B-B018-4235-83FA-4FFE4BA48478&filingTypeID=60>.

¹⁵¹ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

¹⁵² Lobbying disclosure records maintained by the secretary of the Senate, <https://lda.senate.gov/filings/public/filing/df5988b1-e4e8-4cd1-aedb-0b59ccf3e873/print/> and <https://lda.senate.gov/filings/public/filing/afc5360b-0d45-433c-bee1-178034934c12/print/>.

¹⁵³ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=F320860>.

¹⁵⁴ Vyaire Medical received contracts for more than \$390 million to provide ventilators to support COVID-19 efforts, but only \$8.6 million of this money was coded as a COVID-19 expenditure in the government’s award data bank. See, POGO COVID tracker, <https://covidtracker.pogo.org/table-view> and Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

¹⁵⁵ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=F319766>.

¹⁵⁶ Lobbying disclosure records maintained by the secretary of the Senate, <https://lda.senate.gov/filings/public/filing/5a1e3ffa-8a2b-4666-8f67-63fd13c63695/print/>.

Xenex Disinfection Services

Lobbied Awarding Agency and White House on COVID Issues; Resumed Lobbying in 2020

Xenex Disinfection Services, a maker of ultraviolet disinfectant products, has received \$2 million worth of COVID-related contracts from the federal government, mostly from the Department of Veterans Affairs.¹⁵⁷

Xenex spent \$170,000 on lobbying in 2020. Prior to that, the company last reported lobbying activities in 2017.¹⁵⁸

On behalf of Xenex, Akin Gump lobbied Congress and multiple federal agencies, including the Executive Office of the President, the Office of the Vice President, and Veterans Affairs, on “utilization of full-germicidal spectrum UV technologies for the COVID-19 pandemic.”¹⁵⁹

Other Selected Examples

We also looked at other cases in which companies had particularly large political spending operations, received large contracts, or significantly increased their lobbying activities in 2020 regardless of whether they reported specifically lobbying on COVID issues. The latter distinction is important because the federal disclosure law gives lobbying entities discretion on how to describe the issues upon which they lobby, and some choose extremely broad or vague descriptions.

Emergent Bio Solutions

Lobbied Awarding Agency and White House on COVID Issues

The U.S. Department of Health and Human Services announced on June 1 that it had signed an agreement for approximately \$628 million with Emergent BioSolutions calling on the company to assist in the manufacture of COVID vaccines.¹⁶⁰

The contract called for Emergent to produce vaccines at a center in Baltimore that Emergent previously created with financial assistance from the government.

¹⁵⁷ Data Bank, System for Award Management (downloaded in December 2020),

<https://beta.sam.gov/reports/awards/static>.

¹⁵⁸ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/orgs/xenex-disinfection-services/lobbying?id=D000071525>.

¹⁵⁹ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=DF6242D6-1938-49A0-9FD4-5E0A48BD63BB&filingTypeID=60>.

¹⁶⁰ HHS Adds \$628 Million to Contract with Emergent BioSolutions to Secure CDMO Manufacturing Capacity for Operation Warp Speed, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (June 1, 2020), <https://www.hhs.gov/about/news/2020/06/01/hhs-adds-628-million-contract-emergent-biosolutions-secure-manufacturing-capacity-operation-warp-speed.html>.

Emergent has long been one of the federal government's primary providers of resources in the government's strategic stockpile of medicines to combat public health risks, in part because it has purchased the rights to many of these products from other companies. A confidential 2018 report commissioned by the U.S. Department of Health and Human Services concluded that consolidation in the biodefense industry created vulnerabilities in the supply chain and also reduced the firms' incentive to keep prices low.¹⁶¹

Emergent has increased the cost of a vaccine to prevent anthrax poisoning by about five times over what it charged 20 years ago and has doubled the price it charges the government for a smallpox vaccine.¹⁶²

Robert Kadlec, an assistant secretary of Health and Human Services who runs the office that provided Emergent with the contract to produce vaccines, previously "consulted for Emergent as a strategic adviser and started a biodefense consulting company with Emergent's founder," according to the *Washington Post*.¹⁶³

Emergent is a major spender on lobbying activities. The firm spent nearly \$3.7 million to deploy 42 lobbyists in 2020.¹⁶⁴ Those numbers, which were nearly the same in 2019, are striking for a relatively small firm like Emergent, which had annual revenue of only about \$1.55 billion in 2020, which was about a half billion dollars more than in 2019.¹⁶⁵

In 2020, Emergent reported lobbying on COVID-19 provisions "related to development, acquisition, and stockpiling of medical countermeasures for the U.S. Government," among other topics. It listed the Department of Health and Human Services and the Office of the Vice President among the agencies its lobbyists contacted.¹⁶⁶

¹⁶¹ Robert O'Harrow Jr., Jon Swaine and Aaron C. Davis, *Before the pandemic, top contractor received billions from government to help prepare the nation for biowarfare*, THE WASHINGTON POST (June 17, 2020), https://www.washingtonpost.com/investigations/before-the-pandemic-top-contractor-received-billions-from-government-to-help-prepare-the-nation-for-biowarfare/2020/06/17/38d9ad3a-a41b-11ea-8681-7d471bf20207_story.html.

¹⁶² Robert O'Harrow Jr., Jon Swaine and Aaron C. Davis, *Before the pandemic, top contractor received billions from government to help prepare the nation for biowarfare*, THE WASHINGTON POST (June 17, 2020), https://www.washingtonpost.com/investigations/before-the-pandemic-top-contractor-received-billions-from-government-to-help-prepare-the-nation-for-biowarfare/2020/06/17/38d9ad3a-a41b-11ea-8681-7d471bf20207_story.html.

¹⁶³ *Id.*

¹⁶⁴ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/lobbyists?cycle=2020&id=D000025674>.

¹⁶⁵ *Emergent BioSolutions Reports Financial Results for Fourth Quarter and Full Year 2020*, EMERGENT BIOSOLUTIONS (Feb. 18, 2021), <https://www.globenewswire.com/news-release/2021/02/18/2178502/0/en/Emergent-BioSolutions-Reports-Financial-Results-for-Fourth-Quarter-and-Full-Year-2020.html>.

¹⁶⁶ Lobbying disclosure records maintained by the secretary of the Senate, <https://lda.senate.gov/filings/public/filing/1542097d-4b11-4445-8bce-d161279c3324/print/>.

Emergent also maintains a political action committee that contributed \$197,000 to federal candidates in the 2020 election cycle. The company's PAC and its employees have combined to make more than \$1.1 million in contributions to federal officeholders and party committees since the 2016 election cycle.¹⁶⁷

In June 2020, Emergent CEO Fuad El-Hibri and his wife made contributions of \$68,800 to the National Republican Congressional Committee.¹⁶⁸

General Electric

Lobbied Awarding Agency on COVID Issues

General Electric has received contracts worth \$778 million that were categorized as related to the COVID pandemic. The contracts are primarily to produce ventilators (\$400 million) and to build F110 engines for airplanes (\$354 million).¹⁶⁹

In a press release announcing the F110 contract, General Electric suggested that the engines would be necessary to transport personnel and materials for matters related to the pandemic. "Hundreds of military aircraft around the world are in the air daily to assist in critical areas needed to combat the coronavirus pandemic," the press release said. "The U.S. military alone is handling a variety of coronavirus responses, including building and converting facilities into temporary care centers, distributing food, providing security and transporting critical medical supplies."¹⁷⁰

But suggesting there is a relationship between these jet engines and dealing with the pandemic is likely a stretch. The F110 engine, according to General Electric, is used in F-15 and F-16 fighter jets.¹⁷¹ These planes are unlikely to be used for transporting people or materials.

A separate DoD statement likely provided a more accurate rationale for the contract. It said that the fighter jet engine contract was intended to offset losses General Electric was experiencing in its commercial sector work due to the COVID crisis. "This will enable GE Aviation to retain critical workforce capabilities throughout the disruption caused by

¹⁶⁷ Analysis of campaign finance records by the CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org).

¹⁶⁸ *Id.*

¹⁶⁹ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

¹⁷⁰ *GE Aviation Awarded \$707 Million for F110 engine production*, GENERAL ELECTRIC (April 30, 2020), <https://www.geaviation.com/press-release/military-engines/ge-aviation-awarded-707-million-f110-engine-production>.

¹⁷¹ *The F110 Engine*, GENERAL ELECTRIC (viewed on Jan. 4, 2021), <https://www.geaviation.com/military-engines/f110-engine>.

COVID-19 and to sustain engineering positions put at risk by commercial aviation contraction during the pandemic,” the DoD wrote.¹⁷²

General Electric reported lobbying the Department of Defense on an array of issues in 2020, although not specifically on the F110 engine program. That program may have been covered under broader topics that GM listed on its lobbying disclosure forms, such as “appropriations.” GE also reported lobbying a multitude of non-DoD agencies, including the Executive Office of the President and Health and Human Services, on the “Defense Production Act for Ventilators” and on “COVID-19 response.”¹⁷³

General Electric is a significant political spender. Its political action committee in the 2020 election cycle contributed \$1.2 million to federal candidates and committees. The largest recipients were the Democratic and Republican committees that collect contributions to spend on U.S. House and Senate contests.¹⁷⁴ General Electric’s PAC contributed \$30,000 to each of these four committees.¹⁷⁵

The firm spent more than \$6.3 million on lobbying in 2020, deploying 92 lobbyists.¹⁷⁶

GovernmentCIO

Lobbied the White House, Although Not Expressly on COVID Issues

GovernmentCIO, an information technology company founded in 2010 with a mission of “transforming government IT,”¹⁷⁷ has been awarded nearly \$50 million in COVID-related ID contracts by Veterans Affairs.¹⁷⁸

GovernmentCIO spent \$190,000 on lobbying in 2020, more than nine times as much as the \$20,000 it spent in 2019.¹⁷⁹

¹⁷² DOD Announces \$135 Million in Defense Production Act Title 3 COVID-19 Actions, U.S. DEPARTMENT OF DEFENSE (June 10, 2020),

<https://www.defense.gov/Newsroom/Releases/Release/Article/2214497/dod-announces-135-million-in-defense-production-act-title-3-covid-19-actions/>.

¹⁷³ Lobbying disclosure records maintained by the secretary of the Senate,

<https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=B98EA846-8921-4423-BD3E-C3387D5B595C&filingTypeID=51>.

¹⁷⁴ These are the Democratic Senatorial Campaign Committee, the Democratic Congressional Campaign Committee, the National Republican Senatorial Committee and the National Republican Congressional Committee.

¹⁷⁵ Analysis of campaign finance records by the CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org).

¹⁷⁶ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=D000000125>.

¹⁷⁷ About, GOVERNMENTCIO (viewed on Jan. 5, 2020), <https://governmentcio.com/about>.

¹⁷⁸ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

¹⁷⁹ Lobbying disclosure records maintained by the secretary of the Senate, <https://bit.ly/3g2wecP>.

Mercury Public Affairs lobbied the White House on behalf of GovernmentCIO to “educate house senate and exec branch issues related to Information Technology at the Department of Veterans Affairs.”¹⁸⁰

Those lobbying the White House on IT issues at the VA on behalf of GovernmentCIO included former Florida Rep. Jeff Miller (R-Fla), an ally of then-President Donald Trump.¹⁸¹ Before leaving Congress in 2017, Miller was the chair of the House Veterans’ Affairs Committee, which conducts oversight of the VA. Miller is responsible for drafting the legislation that allowed for an increase in privatization at the VA.¹⁸²

Miller served as an “ad hoc spokesman on veterans’ issues” for Trump in 2016, according to *Politico*. President Trump reportedly considered nominating Miller to run the VA.¹⁸³ In 2019, *Politico* published an in-depth investigation into Miller’s VA lobbying, titling the piece “The Congressman Who Turned the VA into a Lobbying Free-For-All.”¹⁸⁴ Miller’s clients have received hundreds of millions in VA contracts.¹⁸⁵

Johnson & Johnson

Lobbied Awarding Agency and White House on COVID Issues

Johnson & Johnson, one of the world’s largest pharmaceutical companies, announced in August that it had reached an agreement¹⁸⁶ with the Department of Health and Human Services to produce 100 million doses of a COVID vaccine being developed by its

¹⁸⁰ Lobbying disclosure records maintained by the secretary of the Senate,

<https://lda.senate.gov/filings/public/filing/9efc574b-7e92-4c30-b33b-478b1f7dc864/print/>.

¹⁸¹ Brian Schwartz, *Amazon hires Trump-allied lobbyist Jeff Miller as president threatens to intervene in battle over Pentagon contract*, CNBC (July 19, 2019), <https://www.cnbc.com/2019/07/19/amazon-hires-trump-allied-lobbyist-as-fight-brews-over-cyber-contract.html>.

¹⁸² Jasper Craven, *The Congressman Who Turned the VA into a Lobbying Free-For-All*, POLITICO (April 4, 2019), <https://www.politico.com/magazine/story/2019/04/04/donald-trump-veterans-affairs-jeff-miller-226483>.

¹⁸³ Emily Wax-Thibodeaux and John Wagner, *Former congressman Jeff Miller emerges as a leading contender for Trump’s VA*, THE WASHINGTON POST (May 2, 2018), https://www.washingtonpost.com/world/national-security/former-congressman-jeff-miller-emerges-as-leading-contender-for-trumps-va/2018/05/02/b425a5de-4964-11e8-827e-190efaf1f1ee_story.html.

¹⁸⁴ Jasper Craven, *The Congressman Who Turned the VA into a Lobbying Free-For-All*, POLITICO (April 4, 2019), <https://www.politico.com/magazine/story/2019/04/04/donald-trump-veterans-affairs-jeff-miller-226483>.

¹⁸⁵ *Id.*

¹⁸⁶ *Johnson & Johnson Announces Agreement with U.S. Government for 100 Million Doses of Investigational COVID-19 Vaccine*, JOHNSON & JOHNSON (Aug. 5, 2020), <https://www.jnj.com/johnson-johnson-announces-agreement-with-u-s-government-for-100-million-doses-of-investigational-covid-19-vaccine#:~:text=New%20Brunswick%2C%20N.J.%2C%20August%202005,Janssen's%20SARS%2DCoV%2D2%20investigational>.

subsidiary Janssen Pharmaceuticals.¹⁸⁷ It has received COVID-related contracts from the federal government for \$1.1 billion.¹⁸⁸

The firm reported spending \$5.6 million in 2020 to deploy 70 lobbyists.¹⁸⁹ The lobbying firm Brownstein Hyatt Farber Schreck reported lobbying the office of Vice President Mike Pence on “Issues related to COVID-19 treatment.”¹⁹⁰ Pence coordinated the federal government’s response to the COVID crisis.

On J&J’s behalf, Navigators Global LLC contacted both houses of Congress, the Executive Office of the President and Health and Human Services to lobby on “issues related to the COVID-19 pandemic response and recovery effort.”¹⁹¹

The firm’s PAC contributed \$718,000 to federal office holders and party committees during the 2020 election cycle. The largest recipients were the Democratic and Republican committees that collect contributions to spend on U.S. House and Senate contests. Johnson & Johnson’s PAC contributed \$30,000 to each of these four committees.¹⁹²

Parkdale Mills

Major Contributor to Republican Causes; Hosted Event for Vice President Mike Pence in 2019

In mid-March 2020, the chief executive of Gastonia, N.C., textiles company Parkdale Mills received a phone call from White House trade adviser Peter Navarro in which Navarro asked if Parkdale Mills could produce materials to assist in the fight against the coronavirus.¹⁹³

Within two months, Parkdale Mills and its affiliates had signed government contracts of nearly \$600 million to produce reusable medical gowns, cloth face masks, and nasal swabs to be used in coronavirus testing.¹⁹⁴

¹⁸⁷ *Timeline of Our Story: Johnson & Johnson Acquires Janssen Pharmaceutica, 1961*, JOHNSON & JOHNSON (viewed on Jan. 4, 2020), <https://ourstory.jnj.com/johnson-johnson-acquires-janssen-pharmaceutica>.

¹⁸⁸ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

¹⁸⁹ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=D000000386>.

¹⁹⁰ Lobbying disclosure records maintained by the secretary of the Senate, <https://lda.senate.gov/filings/public/filing/b85820b2-08f1-4281-9bec-a5db446b4398/print/>.

¹⁹¹ Lobbying disclosure records maintained by the secretary of the Senate, <https://lda.senate.gov/filings/public/filing/ca77fa75-e818-4fbb-b49a-278cbc4be524/print/>.

¹⁹² Analysis of campaign finance records by the CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org).

¹⁹³ Virginia Annable, *Some N.C. Manufacturers Find a Lifeline in Protective Equipment*, GASTON GAZETTE (JULY 24, 2020), <https://www.govtech.com/em/safety/Some-NC-Manufacturers-Find-a-Lifeline-in-Protective-Equipment-.html>.

¹⁹⁴ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

Parkdale Mills had hardly any experience contracting with the federal government prior to the pandemic. The only previous federal contract on record for Parkdale Mills and its subsidiaries was for \$13,770, according to a federal database of federal expenditures that goes back to 2008.¹⁹⁵

Prior to the pandemic, Parkdale Mills had a relationship with Vice President Mike Pence. In May 2019, Pence visited the Parkdale factory, where he touted a proposed renegotiated trade deal between the United States, Mexico and Canada.¹⁹⁶

A Parkdale official said that the company had no contact with Pence between his 2019 visit and the award of the COVID-related contracts.¹⁹⁷

Parkdale executives have long been major political contributors, typically to Republican candidates and party committees. Parkdale Mills CEO Anderson Warlick, who received the initial telephone inquiry from White House trade adviser Peter Navarro, has made more than \$200,000 in campaign contributions to federal candidates and committees since the 2016 election cycle.¹⁹⁸

On March 3, 2020, Warlick contributed almost \$60,000 to the National Republican Congressional Committee.

Phlow Corp

Lobbied Awarding Agency, Although Not Expressly on COVID Issues

Phlow Corp, a medicine manufacturer,¹⁹⁹ has been awarded \$360 million in COVID contracts for drugs and biologicals and research and development from Health and Human Services.²⁰⁰ Phlow is a new company, formed in January 2020,²⁰¹ and is a first-time contractor.²⁰²

¹⁹⁵ Search on keyword “Parkdale” at www.USASpending.gov.

¹⁹⁶ Adam Klasfield, *Half a Billion Dollars for Medical Gowns: Yarn Maker That Hosted Pence Lands Giant Coronavirus Contract*, COURTHOUSE NEWS (April 27, 2020), <https://www.courthousenews.com/half-a-billion-dollars-for-medical-gowns-yarn-maker-that-hosted-pence-lands-giant-coronavirus-contract/>.

¹⁹⁷ Casey Tolan, *Federal agencies turn to untested suppliers for big PPE contracts*, CNN (as printed in St. LOUIS POST-DISPATCH (May 27, 2020)), https://www.stltoday.com/news/national/federal-agencies-turn-to-untested-suppliers-for-big-ppe-contracts/article_b90d10d9-4d7d-57ee-a84c-205b68a76531.html.

¹⁹⁸ Analysis of federal campaign finance records, Center for Responsive Politics (www.opensecrets.org).

¹⁹⁹ *About Us*, PHLOW USA (viewed on Jan. 4, 2020), <https://www.phlow-usa.com/about-us/>.

²⁰⁰ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

²⁰¹ Records of the Virginia State Corporation Commission, <https://cis.scc.virginia.gov/EntitySearch/BusinessInformation?businessId=11054809&source=FromEntityResult&isSeries=False>.

²⁰² Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

Phlow Corp spent \$170,000 on lobbying in 2020, retaining 10 lobbyists.²⁰³

The firm hired three lobbying firms to work on its behalf. Lobbyists for the Conafay Group lobbied both houses of Congress and Health and Human Services on “U.S. pharmaceutical manufacturing.”²⁰⁴

It is not clear from this disclosure if this topic included discussion of issues related to the \$360 million in contracts that Phlow later received from HHS, but such contracts would fall within the general description of lobbying issues the Conafay Group provided.

Phlow CEO, Eric Edwards previously co-founded a pharmaceutical company that raised the price of its opioid overdose drug from \$575 to \$4,100 over a three-year period, sparking outrage.²⁰⁵

Signify Health

Lobbied Awarding Agency, Although Not Expressly on COVID Issues

Signify Health has been awarded \$1.7 million in COVID contracts from the Centers for Disease Control and Prevention for COVID tests in nursing homes.²⁰⁶ The company is a first-time contractor, according to ProPublica.²⁰⁷

After spending \$100,000 in lobbying in 2019, Signify spent \$640,000 on lobbying in 2020.²⁰⁸ The number of lobbyists it deployed jumped from three to 16.

Two lobbying firms hired by Signify – Williams and Jensen, and Tarplin, Downs & Young – lobbied Congress on COVID related issues.²⁰⁹ Williams and Jensen’s lobbying included

²⁰³ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=D000073246>.

²⁰⁴ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=D4E1B866-4565-4499-87F4-24A1CB4BED12&filingTypeID=51>.

²⁰⁵ David J. Lynch, Jeanne Whalen and Laurie McGinley, *Trump takes a first step toward returning medical supply chains to the U.S.*, THE WASHINGTON POST (July 11, 2020), <https://www.washingtonpost.com/business/2020/05/19/trump-takes-first-step-toward-returning-medical-supply-chains-us/>.

²⁰⁶ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

²⁰⁷ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

²⁰⁸ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org) and <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=D000072802>.

²⁰⁹ Lobbying disclosure records maintained by the secretary of the Senate, Williams: <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=B64BFF0D-248D-402A-983A-3421174380C1&filingTypeID=64>. Tarplin: <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=B64BFF0D-248D-402A-983A-3421174380C1&filingTypeID=64>.

lobbying on “COVID 19 testing in vulnerable populations,” the very issue for which Signify was awarded federal contracts.²¹⁰

Aside from reporting that it lobbied Congress on COVID issues on behalf of Signify, Tarplin, Downs & Young reported that it contacted Health and Human Services, the agency in charge of the CDC.²¹¹ The filing does not specifically indicate Tarplin lobbied HHS on COVID issues, however.

Ventec Life Systems

Lobbied Awarding Agency on COVID Issues; Resumed Lobbying in 2020

Ventec Life Systems has been awarded \$75 million in COVID contracts for ventilators from Health and Human Services.²¹² The company is a first-time contractor, according to *ProPublica*.²¹³

Ventec spent \$490,000 on lobbying in 2020. The company had not reported spending on lobbying since 2016.²¹⁴ The company retained the lobbying firm King and Spalding to lobby Congress and HHS on the “acquisition of critical care ventilators.”²¹⁵ Separately, Covington & Burling lobbied Congress on behalf of Ventec on “coverage and payment for multi-function ventilators.”²¹⁶

²¹⁰ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=FCC1E730-160A-488B-96C8-21D609FC8704&filingTypeID=60> and <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=B64BFF0D-248D-402A-983A-3421174380C1&filingTypeID=64>.

This is a company Signify merged with in 2019. See, Heather Landi, *Signify Health, Remedy Partners announce merger to create unified value-based payment platform*, FIERCE HEALTHCARE <https://www.fiercehealthcare.com/tech/signify-health-remedy-partners-merging-to-create-comprehensive-value-based-care-solutions>.

²¹¹ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=B64BFF0D-248D-402A-983A-3421174380C1&filingTypeID=64>.

²¹² Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

²¹³ *Id.*

²¹⁴ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=F214214>.

²¹⁵ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=FDE0DCB5-0794-450B-B5B9-7ABE9E93B7AE&filingTypeID=51>.

²¹⁶ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=D5936B50-5CC7-492A-8D75-8F33591AE9A4&filingTypeID=60>.

Zoom Video Communication

Lobbied Awarding Agency on COVID Issues; Lobbied for the First Time in 2020

Zoom, the video communications company that has become a household name during the pandemic,²¹⁷ has been awarded one federal COVID contract, from the National Institutes of Health, worth \$141,981.²¹⁸ Zoom was founded in 2011²¹⁹ but did not engage in federal lobbying activities until 2020. It spent a combined \$590,000 on lobbying in 2020.²²⁰

Zoom paid American Continental Group to lobby Health and Human Services, the parent agency of NIH, on “issues relating to video conferencing and other communication and collaboration services.”²²¹

Conclusion

The COVID crisis thrust tremendous responsibility onto the federal government. The government was – and remains – obligated to spend billions of dollars to procure goods and services to combat the pandemic. The stakes of the government’s decisions are highly consequential, and the financial costs are significant.

The public deserves the maximum amount of information possible to be reassured that the money is being spent wisely, and that recipients are chosen fairly. The strikingly disproportionate share of COVID contracts received by vendors who engaged in federal lobbying raises questions about whether the work of professional influencers figured into procurement decisions.

There are some steps that Congress and the Biden administration could take to offer the public greater insight into activities that could influence government contracting decisions.

Congress could, for instance, call for vastly more detailed lobbying disclosures. Under current federal law, entities must only reveal rough, general descriptions of the issues upon which they lobby and nothing about the contents of their communications or the identities of the individual officials they contact. The Foreign Agent Registration Act

²¹⁷ Web site of Zoom Video Communications Inc. (viewed on Jan. 4, 2020), <https://zoom.us/>.

²¹⁸ Data Bank, System for Award Management (downloaded in December 2020), <https://beta.sam.gov/reports/awards/static>.

²¹⁹ Tom Huddleston Jr., *Zoom’s founder left a 6-figure job because he wasn’t happy – and following his heart made him a billionaire*, CNBC (Aug. 21, 2019), <https://www.cnbc.com/2019/08/21/zoom-founder-left-job-because-he-wasnt-happy-became-billionaire.html>.

²²⁰ Analysis of federal lobbying disclosure records, CENTER FOR RESPONSIVE POLITICS (www.opensecrets.org), <https://www.opensecrets.org/federal-lobbying/clients/summary?cycle=2020&id=F320301>.

²²¹ Lobbying disclosure records maintained by the secretary of the Senate, <https://soprweb.senate.gov/index.cfm?event=getFilingDetails&filingID=F7E638A7-8E17-4FED-8551-CEB43868A396&filingTypeID=60>.

(FARA), which applies to entities lobbying on behalf of foreign governments, requires entities to disclose details of whom they contact, copies of the materials they submit, and more.²²² Applying such disclosure to domestic lobbying would offer the public far more insight into efforts to influence public officials.

Additionally, Congress could amend lobbying disclosure laws to require reporting of activities that serve a lobbying purpose, such as formulating strategies or supervising other lobbyists, but do not involve actual contacts with government officials. This “shadow lobbying” practice is especially popular among former members of Congress.²²³

Third, the administration could issue an executive order, as was contemplated by the Obama administration,²²⁴ to require contractors to make comprehensive disclosure of their political contributions, including to third-party organizations that do not disclose their donors. Some of these third-party groups, which are typically 501(c) nonprofits, are essentially arms of the national political parties. They are cousins of party-controlled super PACs. But, unlike donations to super PACs, contributions to these nonprofits are hidden from view, making them ideal vessels for donors, potentially including contractors, that might seek to curry favor outside of public view.

Hardly anybody would dispute that government decisions – whether on procurement, policy or other matters – should be made on the merits rather than upon insider connections or enticement of campaign contributions. Transparency is an imperfect, yet invaluable, mechanism to ensure accountability. The government has an obligation to take every practical step to make the most of this tool.

²²² *Informational Brochure*, DEPARTMENT OF JUSTICE, FARA UNIT, <https://www.justice.gov/nsd-fara/page/file/1312086/download>.

²²³ Karl Evers-Hillstrom, Recent ex-members of Congress head to K Street as ‘shadow lobbying’ escalates, The Center for Responsive Politics (May 30, 2019), <https://www.opensecrets.org/news/2019/05/recent-ex-members-of-congress-head-to-k-street-as-shadow-lobbying-escalates/>.

²²⁴ Juliet Eilperin, *Obama weighs whether to force federal contractors to reveal political spending*, WASHINGTON POST (Jan. 20, 2016), <https://www.washingtonpost.com/news/post-politics/wp/2016/01/20/obama-weighs-whether-to-force-federal-contractors-to-reveal-campaign-contributions/>.