

CHAPTER 2-130 LOBBYING

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2-130-00 What is lobbying?

Lobbying is the practice of attempting to influence decisions made by the government.

2-130-10 What does this chapter do?

This chapter outlines government-wide, Department of the Interior, and Office of Surface Mining Reclamation and Enforcement (OSM) policies to restrict lobbying.

2-130-20 Where do these rules come from?

The anti-lobbying restrictions were established by the 1990 Department of the Interior and Related Agencies Appropriations Act, and subsequently amended by the Lobbying Disclosure Act of 1995. The Department of the Interior's regulations at 43 CFR Part 18 provide a detailed description of these requirements.

2-130-30 Are there any exceptions to these rules?

- A. These rules do not apply to grants or cooperative agreements with less than \$100,000 in Federal funds.
- B. These rules do not apply to Indian tribes for expenditures specifically permitted by other Federal law.

2-130-40 Can you lobby with Federal funds?

You or your subrecipients must not use Federal funds to pay any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the award or amendment of any Federal contract, grant, loan or cooperative agreement.

2-130-50 What certifications and disclosures must you give us about lobbying?

LOBBYING

- A. When you apply for a Federal grant or cooperative agreement, you must certify that you have not made, and will not make, any prohibited payments. Use this [Certifications](#) form in your application.
- B. If you have made or agreed to make any payment for lobbying efforts using other funds which would be prohibited if paid with Federal funds, you must include form [SF-LLL](#), Disclosure of Lobbying Activities, with your application.
- C. You must also submit an SF-LLL disclosure form at the end of each calendar quarter in which actual payments occur, or when there are changes that materially affect the accuracy of the information in your previous disclosure form.
- D. If you make any subgrants over \$100,000, your subrecipients must submit a certification to you. In addition, those subrecipients must submit to you the SF-LLL disclosure form for any payment for lobbying using other funds before the subaward or whenever actual payments or changes occur.

2-130-60 Are there any penalties for violations of these rules?

- A. Yes. Any person who makes a prohibited expenditure will be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure.
- B. Any person who fails to file or amend the required disclosure form will be subject to a civil penalty of not less than \$10,000, and not more than \$100,000 for each such failure.

2-130-70 What will we do with your certifications?

- A. Our awarding office must collect all lobbying certifications we receive and keep them in the official grant or cooperative agreement file.
- B. If our awarding office receives any SF-LLL disclosure forms, they must forward them immediately to the Assistant Director of Program Support to be included in OSM's report to the Department.