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| LOCAL COMMISSIONERS MEMORANDUM |
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Transmittal No: 90 LCM-165

Date: October 15, 1990

Division: Administration

TO: Local District Commissioners

SUBJECT: Federal Lobbying Act - Certification Requirements

ATTACHMENTS: None

The Federal Lobbying Act requires that certain certifications be made in claims for federal funds. The law applies to both local district claims for funds spent directly and also for funds spent by local district contractors.

Since there has never been authority to spend reimbursed funds on lobbying activities, the Department will consider all local district claims as having been submitted in compliance with this statute. The major compliance effort required of local districts is that they will now have to secure certifications of statutory compliance from contractors who are engaged to provide more than \$100,000 in goods or services.

The law states that no Federal appropriated funds may be spent by the recipient of a Federal grant or a subtier contractor or subgrantee to pay any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any of the following covered Federal actions: the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement.

Any person who receives a contract exceeding \$100,000 at any tier under a Federal grant will be required to file a certification that no Federal appropriated funds have been or will be expended in violation of the above prohibition. If any funds other than Federal appropriated funds have been or will be expended by the contractor to pay any person for influencing any Federal officer, employee or member of Congress described above in connection with such Federal grant, the contractor will be required to make a written disclosure on a specified disclosure form.

Local districts responsibilities in relation to contractors are to incorporate the above-stated language into all contracts for more than \$100,000 executed by the local districts which are supported by Federal funds; if the contract is the subject of a Request for Proposal, such language should also be included in the Request for Proposal; a notice should be sent to current contractors that their current billings will be subject to this requirement.

If you have any questions on the above, please call either Irid Gordon at 1-800-342-3715, extension 4-7549 or Marvin Gold at (212) 804-1108.

Richard Radzynski
Director
Local Financial Operations
Office of Financial Management