

**TITLE: CIB 96-09 - Changes to the Lobbying Requirements**

February 23, 1996

MEMORANDUM FOR ALL CONTRACTING OFFICERS AND NEGOTIATORS

FROM: DAA/M, Michael D. Sherwin, Procurement Executive

SUBJECT: Changes to the Lobbying Requirements

**CONTRACT INFORMATION BULLETIN 96-9**

On December 19, 1995, the President signed the "Lobbying Disclosure Act of 1995" which made significant changes to the lobbying requirements. This Act includes some amendments to 31 U.S.C. 1352 (Byrd Amendment), effective January 1, 1996 which: (a) simplify the information required to be disclosed; (b) eliminate the requirement that agencies submit semi-annual compilations to Congress; and (c) eliminates the requirement for the Inspectors General's annual report to Congress.

More specifically, the lobbying changes as they affect USAID are as follows.

1. The IG will no longer be required by law to audit compliance.
2. There are a few changes to Standard Form (SF)-LLL, Disclosure of Lobbying Entity. Item 10A of the form is amended by revising "Name and Address of Lobbying Entity" to read "Name and Address of Lobbying Registrant." In item 10, the statement "attach continuation sheet(s) SF LLL-A, if necessary)" is removed. Items 11 through 15 are removed. In Appendix B, the Instructions for Completion of SF-LLL, Disclosure of Lobbying Activities are amended as follows:
  - a. In the Introductory text, the sentence "Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate" is removed.
  - b. The instruction for item 10(a) is amended by revising "lobbying entity" to read "registrant under the Lobbying Disclosure Act of 1995."
  - c. The instructions for items 11 through 15 are removed.
  - d. The SF-LLL-A Disclosure of Lobbying Activities continuation Sheet is removed.

3. Finally, you no longer need to submit copies of the Lobbying Disclosure forms to the Policy Office, M/OP/P, since the semi-annual report to Congress is no longer required.

The FAR Council should be issuing a FAC to reflect these changes. The grant regulation will also be amended.

Attached is OMB's guidance which was published in the Federal Register on January 19, 1996.

If you any questions on the above, please contact Frances Maki at (703) 875-1324.

Attachment: a/s

[Federal Register: January 19, 1996 (Volume 61, Number 13)]  
[Notices]  
[Page 1412-1413]  
From the Federal Register Online via GPO Access [wais.access.gpo.gov]

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OFFICE OF MANAGEMENT AND BUDGET

Governmentwide Guidance for New Restrictions on Lobbying

AGENCY: Office of Management and Budget.

ACTION: Interim Final Amendments to OMB's Governmentwide Guidance on Lobbying.

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SUMMARY: The ``Lobbying Disclosure Act of 1995,'' signed by the President on December 19, 1995, included some amendments to 31 U.S. Code Section 1352, popularly known as the Byrd Amendment. The new law makes these amendments effective January 1, 1996. In response to the Byrd Amendment, in December 1989, OMB issued interim final guidance entitled ``Governmentwide Guidance for New Restrictions on Lobbying.'' Today's notice includes amendments to OMB's December 1989 guidance to reflect the new statute.

DATES: These interim final amendments are effective January 1, 1996. Comments must be in writing and must be received by March 19, 1996. Late-filed comments will be considered to the extent practicable.

ADDRESSES: Comments should be mailed to Office of Management and Budget, Lobbying Docket, Room 6025, New Executive Office Building, Washington, DC 20503. Comments up to three pages in length may be submitted via facsimile to 202-395-3952. Electronic mail comments may be submitted via Internet to KAHLOW--B@A1.EOP.GOV. Please include the full body of electronic mail comments in the text and not as an attachment. Please include the name, title, organization, postal address, and E-mail address in the text of the message.

FOR FURTHER INFORMATION CONTACT: For grants and loans, contact Barbara F. Kahlow, Office of Federal Financial Management, OMB (telephone: 202-395-3053). For contracts, contact Richard C. Loeb, Office of Federal

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Procurement Policy, OMB (telephone: 202-395-3254).

**SUPPLEMENTARY INFORMATION:**

**A. Background**

On December 19, 1995, the President signed the ``Lobbying Disclosure Act of 1995'' (Pub. L. 104-65). This Act includes some amendments to 31 U.S. Code Section 1352, popularly known as the Byrd Amendment, which was signed into law on October 23, 1989 (Pub. L. 101-121). The new law makes these amendments effective January 1, 1996.

The Byrd Amendment required the Director of the Office of Management and Budget (OMB) to issue governmentwide guidance for agency

implementation of, and compliance with, the requirements of the Byrd Amendment. On December 18, 1989 (published December 20, 1989), OMB issued interim final guidance entitled ``Governmentwide Guidance for New Restrictions on Lobbying'' (54 FR 52306). The Conference Report called for major agencies, as designated by OMB, to issue a common rule

complying with OMB's guidance. On February 26, 1990, 29 agencies co-signed such an interim final common rule (55 FR 6736). A second interim

final common rule, part of the Federal Acquisition Regulation (FAR), for most contracts was published on January 30, 1990 (55 FR 3190).

Today's notice includes amendments to OMB's December 1989 guidance to reflect the new lobbying statute. These amendments will apply governmentwide and will subsequently be reflected in the two governmentwide common rules.

The new lobbying statute essentially made three changes to the Byrd Amendment. The law: (a) simplified the information required by 31 U.S.C. 1352(b)(2)-(3) to be disclosed; (b) eliminated the requirement in 31 U.S.C. 1352(b)(6) that agencies submit semi-annual compilations to Congress; and, (c) eliminated the requirement in 31 U.S.C. 1352(d) for the Inspectors General's annual report to Congress.

## B. Paperwork Reduction Act

These amendments contain information collection requirements subject to the Paperwork Reduction Act. A Paperwork Reduction Act emergency approval was requested by OMB pursuant to 44 U.S.C. 3507(j) and 5 CFR 1320.13 and was granted under OMB control number 0348-0046. OMB estimates a substantial reduction in reporting burden due to these amendments. Instead of the prior estimate of 30 minutes per response, OMB estimates only 10 minutes per response.  
Alice M. Rivlin,  
Director.

### PART \_\_\_\_ NEW RESTRICTIONS ON LOBBYING

1. The authority citation for part \_\_\_\_ is revised to read as follows:

Authority: Sec. 319, Pub. L. 101-121, 103 Stat. 750, as amended by sec. 10, Pub. L. 104-65, 109 Stat. 700 (31 U.S.C. 1352).

2. Subpart F (Agency Reports), consisting of Sec. \_\_\_\_\_.600 (Semi-annual compilation) and Sec. \_\_\_\_\_.605 (Inspector General report), is removed.

3. In Appendix B, Standard Form (SF)-LLL, Disclosure of Lobbying Activities, is amended as follows:

- a. Item 10a is amended by revising ``Name and Address of Lobbying Entity'' to read ``Name and Address of Lobbying Registrant'';
- b. In item 10, the statement ``(attach Continuation Sheet(s) SF-LLL-A, if necessary)'' is removed; and,
- c. Items 11 through 15 are removed.

4. In Appendix B, the Instructions for Completion of SF-LLL, Disclosure of Lobbying Activities are amended as follows:

- a. In the introductory text, remove the sentence ``Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate.'';

- b. The instruction for item 10(a) is amended by revising ``lobbying entity'' to read ``registrant under the Lobbying Disclosure Act of 1995''; and,
- c. The instructions for items 11 through 15 are removed.

5. The SF-LLL-A Disclosure of Lobbying Activities Continuation Sheet is removed.