

LOBBYING DISCLOSURE ACT

OFFICE OF
MANAGEMENT
AND BUDGET



Brief introduction of the act.

The *Lobbying Disclosure Act* set the legal framework requiring lobbying activities registration and reporting, pursuing transparency and publicity on government affairs. These requirements are enforced when an employee, an organization, or its affiliates are actively participating in planning, supervision, or control of **lobbying activities**, or controlling at least some of the lobbying activities. Herein, “lobbying activities” means any oral, written, or electronic communication, contact/efforts to a covered official in support of such contacts, including background work, preparation or planning activities, research, coordination, and other work that is intended, at the time of its preparation, for use in contacts, and coordination with the lobbying activities of others.



WHO is the act applicable to?

1

Lobbyists: An Individual

- Who is either employed or retained by a client for financial or other compensation.
- Whose services include more than one lobbying contact.
- Whose lobbying activities constitute **20 percent or more** (the time threshold) of the time in services for that client over any three-month period.

2

Covered Official

Executive Branch Officials

- President
- Vice-President
- Officers and employees of the Executive Office of the President
- Executives Level I through V
- Members of the Uniformed Services serving at grade O-7 or above
- Schedule C employees

Legislative Branch Officials

- Member of Congress
- Elected Officer of either House or Congress
- Employees or individual functioning in the capacity of an employee, who works for a member, committee, leadership staff or either the Senate or House, for a joint committee, working group, caucus organized to provide services to Members, or and any other Legislative Branch employee.

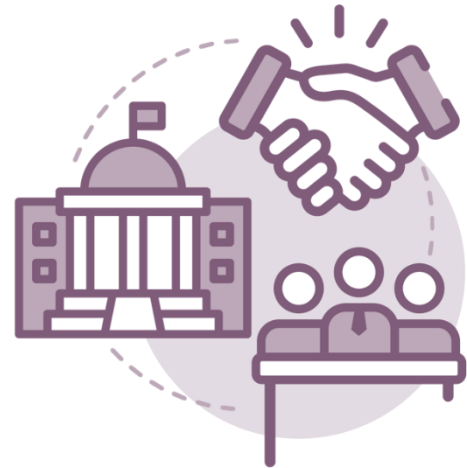
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WHEN is the act applicable?

Lobbyists Registration

Using Form LD-1, organizations and lobbying firms shall file a registration, **within 45 days**, for employees/lobbyist who reach the 20% of time threshold. The 45 days period begins either:

- The date the employee/lobbyist is employed and retained to make **more than one** lobbying contact on behalf of a client, or
- On the date the employee/lobbyist **in fact** makes a second lobbying contact, whichever is earlier.



Affiliates Reports

Registrant shall disclose all affiliates contributing more than **\$5,000** to the registrant or the Client, during a quarterly period.

Quarterly Activity Report

No later than 20 days, or the first business day after, for the periods beginning on January 1st, April 1st, July 1st, October 1st.

- Using form LD-2, registrants shall identify the name of each employee who acted or is expected to act as a lobbyist on its behalf.
- Disclose any Client that is a state or local government.

Third Party Firm

Registrant to include any third-party firm, who is paying the intermediary (client), as an affiliate.

HOW is the act applicable?

The requirements herein are enforced once an employee/organization "**actively participates**" in activities engaging directly in planning, supervising, or controlling at least some of the lobbying activities of the client or registrant.



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REQUIREMENT CHECKLIST

1

Contribution Report

Complete and submit a **Contribution Report**, using Form LD-203, on the following scenarios.

- Lobbying firms register each client if the total income from that client exceeds \$3,000 in lobbying activities during a quarterly period.
- Organizations with in-house lobbyist employees register if their total expenses for lobbying activities exceed \$14,000 during a quarterly period.

2

Oral Lobbying

For individuals making an **oral lobbying contact**: at the request of the covered official, shall disclose:

- If is registered under the Lobbying Disclosure Act, as individual or as a representative of his Client,
- If the Client is a foreign entity,
- The name of any foreign entity that has a direct interest in the outcome of the lobbying activity, if either contributes more than **\$5,000** on the activities or holds at least **20%** equitable ownership of the client.

3

Written Contact

For individuals making a **written contact**, shall disclose:

- If the client on whose behalf the lobbying contact was made is a foreign entity and, if so, the name of the client represented and whether the writer is a registrant, and
- Any foreign entity that has a direct interest in the outcome of the lobbying activity, if:
 - Contributes more than **\$5,000** to the lobbying activities
 - Either holds at **least 20** percent equitable ownership of the client or actively participates in the planning, supervision, or control of such lobbying activities.

4

For contacted individuals or employer must indicate

If contacted individual or its employing office is a covered official.

5

For Executive or Legislative branch officials or their offices

Indicate whether contacted officials are covered official.