



## ANTI-LOBBYING RESTRICTIONS

- Statutes:** The Anti-lobbying Act, 18 U.S.C. § 1913; provisions in annual Appropriations Acts.
- The Rule:** The Department may not use appropriated funds for activities designed to influence members of the public to contact Congress regarding any pending legislation or appropriation. The Anti-lobbying Act applies to explicit appeals to the public to contact Members of Congress. Moreover, implicit appeals that go beyond legitimate informational activities are not allowed.
- Prohibited:** The Anti-lobbying Act specifically prohibits expenditures for any personal service, advertisement, letter, or other means designed to influence a Member on legislation. In other words, you cannot tell the public to “contact your representative or senator.”
- The appropriation act provision specifically prohibits the use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before Congress.
- Permitted:** Government officials may make direct communications with Members of Congress regarding pending legislation.
- Government officials may communicate with the public through public speeches, appearances, and published writing to support Administration positions regarding proposed legislation. Just do not say the “magic words.” The restriction does not apply to communications by Government officials regarding the ratification of treaties or the Senate confirmation of Presidential nominees.
- Advice:** The limits of these restrictions are not entirely clear. This office recommends that public officials not test the limits because, ultimately, explaining and fighting charges of violations detracts from the fundamental issue the public official is attempting to address.
- Bottom Line:** No “grassroots” lobbying campaigns.