



## **POLICY FLASH 2013-60**

**DATE:** June 13, 2013

**TO:** Procurement Directors/Contracting Officers



**FROM:** Director  
Contract and Financial Assistance Policy Division  
Office of Policy  
Office of Acquisition and Project Management

**SUBJECT:** Reminder on Lobbying Restrictions

**SUMMARY:** The Department's Contracting Officers (CO) are reminded that the use of appropriated funds to lobby Congress, or to influence certain federal contracting and financial transactions, is strictly prohibited by Federal statute and regulation. All DOE and NNSA contracts include FAR 52.203-12, "Limitation on Payments to Influence Certain Federal Transactions," as well as a clause similar to the following Section H clause, "Lobbying Restrictions" in some contracts:

### ***LOBBYING RESTRICTIONS***

*The Contractor agrees that none of the funds obligated on this award shall be expended, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913. This restriction is in addition to those prescribed elsewhere in statute and regulation.*

CO's are also reminded of the importance of carefully reviewing contract and subcontract statements of work and supporting documents prior to approving for award, to ensure compliance with these terms and conditions to prevent potential violations of

statutes 18 U.S.C. 1913, “Lobbying with Appropriated Moneys” and 31 U.S.C. 1352, “Limitation on use of Appropriated Funds to Influence Certain Federal Contracting and Financial Transactions.”

For additional information about lobbying restrictions and Federal contractors, please see the following website:

<http://energy.gov/management/lobbying>

This Flash will be available online at the following website:

<http://energy.gov/management/office-management/operational-management/procurement-and-acquisition/policy-flashes>.

Questions concerning this policy flash should be directed to Kevin M. Smith, of the Contract and Financial Assistance Policy Division, at [Kevin.M.Smith@hq.doe.gov](mailto:Kevin.M.Smith@hq.doe.gov), or at (202) 287-1614.