



STATE OF INDIANA



Eric J. Holcomb, Governor  
Devon McDonald, Executive Director

## Information Regarding Subrecipient Lobbying Certification

### Overview of Requirements of Award Condition

Grant recipients and subrecipients cannot use Federal funds for the purposes of lobbying, i.e., to pay a person in order to influence or attempt to influence an officer or employee of any 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 entering into of any cooperative agreement; and/or
- the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, or cooperative agreement.

Recipients and subrecipients at **all tiers** (including subgrants, contracts under grants and cooperative agreements, and subcontracts) of a Federal award of **more than \$100,000** in the form of a grant, contract, or cooperative agreement must submit, upon requesting or receiving such award, (1) a **Certification Regarding Lobbying** and (2), if applicable, a **Disclosure Form to Report Lobbying**.

### What is a Certification Regarding Lobbying and when is it applicable?

A subrecipient, in making the **Certification Regarding Lobbying**, certifies that it has not and will not use Federal funds to make payments for lobbying activities. The certification also clarifies that if a subrecipient with an award exceeding \$100,000 has used or will use *non-Federal funds* for lobbying, then a Disclosure Form to Report Lobbying must be submitted.

### What is a Disclosure Form to Report Lobbying and when is it applicable?

The **Disclosure Form to Report Lobbying** identifies the type and status of lobbying activities that were or are being secured to influence covered Federal actions. The form will require data including the following:

- Name and address of the reporting entity;
- Federal program name;
- Federal award number;
- Federal award amount; and
- Name and address of lobbying registrant.



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If subrecipients have used or will use non-Federal funds to pay anyone for lobbying activities, they are required to submit the [Disclosure Form to Report Lobbying \(Standard Form LLL\)](#) at initiation or receipt of a covered Federal action or following a material change to a previous filing. **\*ICJI has received guidance from its federal partners indicating that the Disclosure Form must be submitted for all subawards exceeding \$100,000, regardless of whether lobbying activities are conducted.**

Subrecipients, contractors, and any subcontractors are required to forward disclosure forms from tier to tier. ICJI must forward all disclosure forms -- from all tiers -- to the federal awarding agency.

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### How to Satisfy the Requirements of this Special Condition

- 1) Review the full text of 28 C.F.R. Part 69 – New Restrictions on Lobbying – found here: <https://www.ecfr.gov/current/title-28/chapter-I/part-69>
- 1) Sign the ICJI Lobbying Certification regarding compliance with this condition for each federal award applied from ICJI.
- 2) If you receive a federal subaward from ICJI that is in excess of \$100,000, fill out the Disclosure Form to Report Lobbying (Standard Form LLL) – found here: [Disclosure Form to Report Lobbying \(Standard Form LLL\)](#). ***If you have not used any funds for lobbying activities, you should report “N/A” on the form in boxes 10.a and 10.b.*** Attach the completed form to your application.
- 3) For any contracts you enter into that utilize in excess of \$100,000 of grant funds, you must require your contractor(s) to fill out both the ICJI Lobbying Certification and the [Disclosure Form to Report Lobbying \(Standard Form LLL\)](#) and attach both forms to your application.