

## POLICY ALERT

### RESTRICTIONS REVISED ON LOBBYIST COMMUNICATIONS REGARDING STIMULUS FUNDS

On May 29, 2009, the White House announced that it is revising restrictions placed on lobbyists from communicating with executive branch officials regarding funds under the American Recovery and Reinvestment Act (Recovery Act). More detailed guidance is forthcoming from the Office of Management and Budget (OMB), but the statement released on Friday makes clear that the absolute ban on lobbyists communicating orally or participating in meetings with executive branch officials has been revised.

President Obama issued a memorandum on March 20, 2009 prohibiting registered lobbyists from having oral communications with government officials about specific Recovery Act projects or applications and requiring that government officials only consider the views of registered lobbyists on such issues if the views were submitted in writing. The memorandum also required that oral discussions of general policy matters regarding the Recovery Act made by registered lobbyists be publicly disclosed. (Please [click here](#) to read our alert on the March 20 memorandum.)

The May 29 announcement changes the previous memorandum in key areas. Under the revised policy, any person, whether a registered lobbyist or not, who submits a competitive grant application is prohibited from having oral communications with government officials only from the time that the application is submitted until the award is made. Once an application has been submitted, only written comments are permitted and they must be publicly disclosed.

The revised guidelines permit registered lobbyists to fully participate in meetings or telephone calls with government officials regarding Recovery Act issues so long as an application has not yet been submitted. However, oral communications made by registered lobbyists before an application is made or regarding general Recovery Act issues will continue to have to be publicly disclosed.

## CONTACT INFORMATION

If you have questions regarding this alert, please contact—

Melissa L. Laurenza .....	mlaurenza@akingump.com .....	202.887.4251 .....	Washington, D.C.
Cynthia Q. Pullom .....	cpullom@akingump.com .....	202.887.4496 .....	Washington, D.C.
Carrie M. Hoback .....	choback@akingump.com .....	202.416.5153 .....	Washington, D.C.
Kelly J. Eaton .....	keaton@akingump.com .....	202.887.4162 .....	Washington, D.C.