

monwealth, territory, or possession of the United States.

(Pub. L. 104-65, §3, Dec. 19, 1995, 109 Stat. 691; Pub. L. 105-166, §§2, 3, Apr. 6, 1998, 112 Stat. 38.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act” meaning Pub. L. 104-65, Dec. 19, 1995, 109 Stat. 691, known as the Lobbying Disclosure Act of 1995. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of this title and Tables.

Levels I, II, III, IV, and V of the Executive Schedule, referred to in par. (3)(D), are set out in sections 5312, 5313, 5314, 5315, and 5316, respectively, of Title 5, Government Organization and Employees.

Section 109(13) of the Ethics in Government Act of 1978, referred to in par. (4)(D), is section 109(13) of Pub. L. 95-521, which is set out in the Appendix to Title 5.

The Foreign Agents Registration Act of 1938, referred to in par. (8)(B)(iv), is act June 8, 1938, ch. 327, 52 Stat. 631, as amended, which is classified generally to subchapter II (§611 et seq.) of chapter 11 of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see Short Title note set out under section 611 of Title 22 and Tables.

The Federal Advisory Committee Act, referred to in par. (8)(B)(vi), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

The Whistleblower Protection Act of 1989, referred to in par. (8)(B)(xvii), is Pub. L. 101-12, Apr. 10, 1989, 103 Stat. 16, as amended, which enacted subchapters II [5 U.S.C. 1211 et seq.] and III [5 U.S.C. 1221 et seq.] of chapter 12 and section 3352 of Title 5, Government Organization and Employees, amended sections 1201 to 1206, 1209, 1211, 2302, 2303, 3393, 7502, 7512, 7521, 7542, 7701, and 7703 of Title 5 and section 4139 of Title 22, Foreign Relations and Intercourse, repealed sections 1207 and 1208 of Title 5, and enacted provisions set out as notes under sections 1201, 1211, and 5509 of Title 5. For complete classification of this Act to the Code, see Short Title of 1989 Amendment note set out under section 1201 of Title 5 and Tables.

The Inspector General Act of 1978, referred to in par. (8)(B)(xvii), is Pub. L. 95-452, Oct. 12, 1978, 92 Stat. 1101, as amended, which is set out in the Appendix to Title 5.

The Securities Exchange Act, referred to in par. (8)(B)(xix), probably means the Securities Exchange Act of 1934, act June 6, 1934, ch. 404, 48 Stat. 881, as amended, which is classified generally to chapter 2B (§78a et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see section 78a of Title 15 and Tables.

The Commodity Exchange Act, referred to in par. (8)(B)(xix), is act Sept. 21, 1922, ch. 369, 42 Stat. 998, as amended, which is classified generally to chapter 1 (§1 et seq.) of Title 7, Agriculture. For complete classification of this Act to the Code, see section 1 of Title 7 and Tables.

AMENDMENTS

1998—Par. (3)(F). Pub. L. 105-166, §2, substituted “7511(b)(2)(B)” for “7511(b)(2)”.

Par. (8)(B)(ix). Pub. L. 105-166, §3(a), inserted before semicolon at end “, including any communication compelled by a Federal contract, grant, loan, permit, or license”.

Par. (15)(F). Pub. L. 105-166, §3(b), inserted before period at end “, or a group of governments acting together as an international organization”.

§ 1603. Registration of lobbyists

(a) Registration

(1) General rule

No later than 45 days after a lobbyist first makes a lobbying contact or is employed or

retained to make a lobbying contact, whichever is earlier, such lobbyist (or, as provided under paragraph (2), the organization employing such lobbyist), shall register with the Secretary of the Senate and the Clerk of the House of Representatives.

(2) Employer filing

Any organization that has 1 or more employees who are lobbyists shall file a single registration under this section on behalf of such employees for each client on whose behalf the employees act as lobbyists.

(3) Exemption

(A) General rule

Notwithstanding paragraphs (1) and (2), a person or entity whose—

(i) total income for matters related to lobbying activities on behalf of a particular client (in the case of a lobbying firm) does not exceed and is not expected to exceed \$5,000; or

(ii) total expenses in connection with lobbying activities (in the case of an organization whose employees engage in lobbying activities on its own behalf) do not exceed or are not expected to exceed \$20,000,

(as estimated under section 1604 of this title) in the semiannual period described in section 1604(a) of this title during which the registration would be made is not required to register under this subsection with respect to such client.

(B) Adjustment

The dollar amounts in subparagraph (A) shall be adjusted—

(i) on January 1, 1997, to reflect changes in the Consumer Price Index (as determined by the Secretary of Labor) since December 19, 1995; and

(ii) on January 1 of each fourth year occurring after January 1, 1997, to reflect changes in the Consumer Price Index (as determined by the Secretary of Labor) during the preceding 4-year period,

rounded to the nearest \$500.

(b) Contents of registration

Each registration under this section shall contain—

(1) the name, address, business telephone number, and principal place of business of the registrant, and a general description of its business or activities;

(2) the name, address, and principal place of business of the registrant's client, and a general description of its business or activities (if different from paragraph (1));

(3) the name, address, and principal place of business of any organization, other than the client, that—

(A) contributes more than \$10,000 toward the lobbying activities of the registrant in a semiannual period described in section 1604(a) of this title; and

(B) in whole or in major part plans, supervises, or controls such lobbying activities.

(4) the name, address, principal place of business, amount of any contribution of more than

\$10,000 to the lobbying activities of the registrant, and approximate percentage of equitable ownership in the client (if any) of any foreign entity that—

(A) holds at least 20 percent equitable ownership in the client or any organization identified under paragraph (3);

(B) directly or indirectly, in whole or in major part, plans, supervises, controls, directs, finances, or subsidizes the activities of the client or any organization identified under paragraph (3); or

(C) is an affiliate of the client or any organization identified under paragraph (3) and has a direct interest in the outcome of the lobbying activity;

(5) a statement of—

(A) the general issue areas in which the registrant expects to engage in lobbying activities on behalf of the client; and

(B) to the extent practicable, specific issues that have (as of the date of the registration) already been addressed or are likely to be addressed in lobbying activities; and

(6) the name of each employee of the registrant who has acted or whom the registrant expects to act as a lobbyist on behalf of the client and, if any such employee has served as a covered executive branch official or a covered legislative branch official in the 2 years before the date on which such employee first acted (after December 19, 1995) as a lobbyist on behalf of the client, the position in which such employee served.

(c) Guidelines for registration

(1) Multiple clients

In the case of a registrant making lobbying contacts on behalf of more than 1 client, a separate registration under this section shall be filed for each such client.

(2) Multiple contacts

A registrant who makes more than 1 lobbying contact for the same client shall file a single registration covering all such lobbying contacts.

(d) Termination of registration

A registrant who after registration—

(1) is no longer employed or retained by a client to conduct lobbying activities, and

(2) does not anticipate any additional lobbying activities for such client,

may so notify the Secretary of the Senate and the Clerk of the House of Representatives and terminate its registration.

(Pub. L. 104-65, § 4, Dec. 19, 1995, 109 Stat. 696.)

§ 1604. Reports by registered lobbyists

(a) Semiannual report

No later than 45 days after the end of the semiannual period beginning on the first day of each January and the first day of July of each year in which a registrant is registered under section 1603 of this title, each registrant shall file a report with the Secretary of the Senate and the Clerk of the House of Representatives on its lobbying activities during such semi-

annual period. A separate report shall be filed for each client of the registrant.

(b) Contents of report

Each semiannual report filed under subsection (a) of this section shall contain—

(1) the name of the registrant, the name of the client, and any changes or updates to the information provided in the initial registration;

(2) for each general issue area in which the registrant engaged in lobbying activities on behalf of the client during the semiannual filing period—

(A) a list of the specific issues upon which a lobbyist employed by the registrant engaged in lobbying activities, including, to the maximum extent practicable, a list of bill numbers and references to specific executive branch actions;

(B) a statement of the Houses of Congress and the Federal agencies contacted by lobbyists employed by the registrant on behalf of the client;

(C) a list of the employees of the registrant who acted as lobbyists on behalf of the client; and

(D) a description of the interest, if any, of any foreign entity identified under section 1603(b)(4) of this title in the specific issues listed under subparagraph (A);

(3) in the case of a lobbying firm, a good faith estimate of the total amount of all income from the client (including any payments to the registrant by any other person for lobbying activities on behalf of the client) during the semiannual period, other than income for matters that are unrelated to lobbying activities; and

(4) in the case of a registrant engaged in lobbying activities on its own behalf, a good faith estimate of the total expenses that the registrant and its employees incurred in connection with lobbying activities during the semiannual filing period.

(c) Estimates of income or expenses

For purposes of this section, estimates of income or expenses shall be made as follows:

(1) Estimates of amounts in excess of \$10,000 shall be rounded to the nearest \$20,000.

(2) In the event income or expenses do not exceed \$10,000, the registrant shall include a statement that income or expenses totaled less than \$10,000 for the reporting period.

(Pub. L. 104-65, § 5, Dec. 19, 1995, 109 Stat. 697; Pub. L. 105-166, § 4(c), Apr. 6, 1998, 112 Stat. 39.)

AMENDMENTS

1998—Subsec. (c)(3). Pub. L. 105-166 struck out par. (3) which read as follows: “A registrant that reports lobbying expenditures pursuant to section 6033(b)(8) of title 26 may satisfy the requirement to report income or expenses by filing with the Secretary of the Senate and the Clerk of the House of Representatives a copy of the form filed in accordance with section 6033(b)(8).”

§ 1605. Disclosure and enforcement

The Secretary of the Senate and the Clerk of the House of Representatives shall—

(1) provide guidance and assistance on the registration and reporting requirements of