

To: OCJP Subrecipients

From: Jennifer Brinkman, Director
Office of Criminal Justice Programs

Re: Lobbying

Date: April 8, 2025

[Local Government and Non-profit Subrecipients] 2025-05

The purpose of this memo is to remind all subrecipients of compliance requirements regarding lobbying activities. For local governments and nonprofit agencies, the lobbying clause found in your contract contains the following language:

Lobbying. The Grantee certifies, to the best of its knowledge and belief, that:

- a. **No federally appropriated funds** have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.*
- b. **If any funds other than federally appropriated funds** have been paid or will be paid to any person for influencing or attempting 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 this contract, grant, loan, or cooperative agreement, the Grantee shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.*
- c. **The Grantee shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.***

This certification is a material representation of fact upon which reliance was placed when

this transaction was made or entered into and is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. § 1352.

Many OCJP funded projects have staff that are funded at **100% with Federal funds** and are subject to the special condition cited below. Special Conditions are signed by all federally-funded subrecipients when contracts are awarded regardless of fund source and places the following general restriction on “lobbying” activities:

“Federal funds may not be used by the recipient, or any subrecipient (“subgrantee”) at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification or adoption of any law, regulation, or policy, at any level of government”

Please be aware that the use of federal funds to support lobbying activities is expressly unallowable, and will result in questioned costs at a minimum. This includes the payment of membership fees to organizations whose primary functions are lobbying and/or the payment of grant funded staff involved directly or indirectly with lobbying activities.

Subrecipients may not bill any state or federally funded dollars towards lobbying activities.

For a more detailed description of unallowable lobbying activities please review the [Tennessee Office of Criminal Justice Programs Grants Manual, Chapter XV, Part 8.](#)

If you have questions about whether an activity is directly or indirectly considered lobbying, contact your Program Manager.

If you are STOP funded, please contact your Program Manager as some education and policy development activities may be allowable.

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