



Smithsonian  
Institution

## SMITHSONIAN DIRECTIVE 300

April 28, 2004

### USE OF APPROPRIATED FUNDS FOR LOBBYING PURPOSES

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#### **Background**

This directive, originally issued in 1962 as Office Memorandum 425, reminds Smithsonian employees of the prohibition on the use of appropriated funds for lobbying purposes. The policy is still in effect, although there have been changes to the language in the second paragraph quoted below, and the final citation has been updated.

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#### **Policy**

Title 18, Section 1913 of the United States Code states:

"No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to any such Member or official, at his request, or to Congress or such official, through the proper official channels, requests for any legislation, law, ratification, policy, or appropriations

**Policy**  
(continued)

which they deem necessary for the efficient conduct of the public business, or from making any communication whose prohibition by this section might, in the opinion of the Attorney General, violate the Constitution or interfere with the conduct of foreign policy, counterintelligence, intelligence, or national security activities. Violations of this section shall constitute violations of section 1352 (a) of title 31.” (June 25, 1948, ch. 645, § 1, 62 Stat. 792; Sept. 13, 1994, Pub. L. 103-322, Title XXXIII, § 330016(1)(G), 108 Stat. 2147.) (As amended Nov. 2, 2002, P.L. 107-273, Div A, Title II, §205(b), 116 Stat. 1778.)

Additional information on conduct expected of Smithsonian employees may be found in Smithsonian Directive 103, *Standards of Conduct*.

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**CANCELLATION:**  
**INQUIRIES:**  
**RETENTION:**

SD 300, October 18, 2002  
Office of General Counsel  
Indefinite. Subject to review for currency 24 months from date of issue