



United States
General Accounting Office
Washington, D.C. 20548

Office of the General Counsel

B-223423

October 15, 1986

Dr. [REDACTED]

Dear Dr. [REDACTED] :

This is in response to your May 27, 1986 letter asking (1) whether members of the House of Representatives are subject to conflict of interest laws, and (2) whether a foreign diplomat may lobby Members of Congress and attempt to influence legislation before the Congress. We do not have sufficient information to discuss the specific alleged lobbying incident to which you refer. We would like to note before addressing these specific questions that lobbying is generally a legal and often a constitutionally protected activity that is subject to certain specific regulations.

As to your first question, members of the House of Representatives are subject to certain conflict of interest laws. The Ethics in Government Act contained in part in 2 U.S.C. Chapter 18, requires Members of the House to file financial disclosure reports and provides civil penalties for violations. Each member in office must file an annual report on or before May 15, for the preceeding calendar year. Among other things, the report contains: (1) the source and amount of income of \$100 or more in value from non-Government sources; (2) the identity of the source and a brief description of any gifts of transportation, lodging, food, or entertainment with the value of \$35 or more; (3) the identity of the source, and a brief description of all gifts other than transportation, lodging, food or entertainment aggregating \$100 or more; (4) certain information about finances of a spouse and dependent children; and (5) the identity or assets and liabilities held or incurred during the proceeding calendar year. Members of the House must file their reports with the Clerk of the House of Representatives where they are available for public inspection.

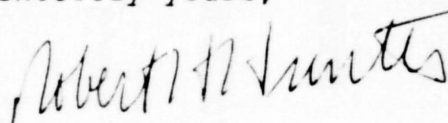
In addition, the rules of the House of Representatives provide that each member who has accepted a tangible gift of more than \$165 value, or a gift of travel or expenses of

travel taking place entirely outside the United States, its territories or possessions, tendered by a foreign government, is required to file a report with the Committee on Standards of Official conduct within 30 days after the acceptance of the gift. This report is also open for public inspection.

Second, with regard to your lobbying question, as a general rule, it is not illegal for a lobbyist to attempt to persuade Members of Congress to support or defeat legislation, when conducted in accordance with the provisions of 2 U.S.C. Chapter 8A, Regulation of Lobbying. Among other things, that statute requires lobbyists to register with officials of the Congress and file periodic statements listing expenditures and contributions relating to efforts to influence legislation. This statute also provides that officials of the Congress are responsible for its administration. Finally, the statute provides criminal penalties for anyone convicted of violating certain provisions. We are unaware of any law or regulation that would prohibit an ambassador of a foreign country from lobbying Members of Congress concerning legislation of interest to his or her Government.

We trust this information will be useful to you.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Robert H. Hunter".

Robert H. Hunter
Assistant General Counsel