

Clarification of Recent Notice and Revised Guidance Regarding Conditions for Lobbyist Termination

June 16, 2009

In response to several questions raised about the recently posted Notice and Guidance Revisions, please note the following: Page 23, Section 8, Termination of a Lobbyist/Termination of a Registrant is amended to read (the changed text is underlined)

Termination of a Lobbyist

The LDA is not specific as to how far into the future the registrant should project an expectation that an individual will act as a lobbyist. It seems neither realistic nor necessary to expect registrants to make such projections beyond the next succeeding quarterly reporting period. Accordingly, if a registrant reasonably expects an individual to meet the definition of lobbyist in either the current or next quarterly period, the lobbyist should remain in an "active" status. If a registrant does not believe this to be the case, the lobbyist can be removed from the list of lobbyists for the registrant. A registrant may remove a lobbyist only when (i) that individual's lobbying activities on behalf of that client did not constitute at the end of the current quarter, and are not reasonably expected in the upcoming quarter to constitute, 20 percent of the time that such employee is engaged in total activities for that client; or (ii) that individual does not reasonably expect to make further lobbying contacts. In order to properly terminate a lobbyist, the registrant must complete Line 23 of LD-2, which is used to remove names of employees who are no longer expected to act as lobbyists for the client due to changed job duties, assignments, or employment status. Amending the LD-1 or LD-2 to erase a lobbyist listed on lines 10 or 18, respectively, is not a proper termination.

All other sections of the Guidance remain as stated in the June revised Guidance posting. This revision also supersedes the comparable wording in the Notice (in answer to question 4).