U.S. Department of Labor

Mine Safety and Health Administration
201 12th Street South, Suite 401
Arlington, Virginia 22202-5452

We received the following question:

Q. Are 501 (c) (6) organizations eligible to apply for the Brookwood Sago grant? I see that "A nonprofit entity as described in 26 U.S.C. § 501(c)(4), which engages in lobbying activities, is not eligible for a grant award. See 2 U.S.C. § 1611."

A. Per 30 U.S.C. § 965(c)(1), any public or private nonprofit organization may apply for a Brookwood-Sago Mine Safety grant. The exception, per 2 U.S.C. § 1611, is "[a]n organization described in section 501(c)(4) of title 26 which engages in lobbying activities shall not be eligible for the receipt of Federal funds constituting an award, grant, or loan."

A 501(c)(6) organization may apply for a Brookwood-Sago Mine Safety grant, but restrictions exist for a grantee regarding lobbying. Restrictions exist on what a grantee may lobby on and to which entities. Whether an applicant applies would depend on the organization making a determination about their lobbying activities. Also, consistent with IRS code on what are not lobbying activities, those activities may be included in the indirect cost rate. Part 93 of title 29 of the code of federal regulations implements the government-wide restrictions on lobbying and the required grantee certification under 31 U.S.C. § 1352. In addition, consistent with the IRS code, 2 C.F.R. §§ 200.413(f) and 200.450 identify what lobbying activities are allowable and unallowable, and the records required for a grantee to recover costs through an indirect cost rate.

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