

116 S. Michigan Ave., Suite 4
Chicago, IL 60603-6001
Phone: (312) 263-2303
Fax: (312) 263-5626

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00 AUG 21 PM 2:57



America's Second Harvest
Ending Hunger

August 14, 2000

Secretary of the Senate
Office of Public Records
232 Hart Senate Office Building
Washington, D.C. 20510

RE: Senate ID # 34763-12
House ID # 32467000

Dear Secretary:

As required by the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601-1612), attached you will find form LD-2 for the period January 1, 2000 through June 30, 2000.

It is our understanding that this LD-2 report, provided simultaneously to your office and to the Clerk of the U.S. House, brings America's Second Harvest into compliance with the semi-annual reporting requirements of Section 5 of the Act (2 U.S.C. 1604) for the period January 1, 2000 through June 30, 2000.

Thank you for your consideration.

Sincerely,

Douglas O'Brien
Director - Public Policy and Research
America's Second Harvest
The National Food Bank Network

attachments:LD-2



Come visit our website at
www.secondharvest.org

Clerk of the House of Representatives
 Legislative Resource Center
 B-106 Cannon Building
 Washington, DC 20515

Secretary of the Senate
 Office of Public Records
 232 Hart Building
 Washington, DC 20510

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00 AUG 21 PM 2:52

LOBBYING REPORT

Lobbying Disclosure Act of 1995 (Section 5) - All Filers Are Required To Complete This Page

1. Registrant Name AMERICA'S SECOND HARVEST			
2. Address <input type="checkbox"/> Check if different than previously reported 116 SOUTH MICHIGAN AVENUE, SUITE 4			
3. Principal Place of Business (if different from line 2) City: CHICAGO State/Zip (or Country) IL 60603			
4. Contact Name DOUGLAS O'BRIEN	Telephone (312) 263-2303	E-mail (optional)	5. Senate ID # 34763-12
7. Client Name <input checked="" type="checkbox"/> Self	6. House ID # 32467000		

TYPE OF REPORT 8. Year 2000 Midyear (January 1-June 30) OR Year End (July 1-December 31)

9. Check if this filing amends a previously filed version of this report

10. Check if this is a Termination Report → Termination Date _____ 11. No Lobbying Activity

INCOME OR EXPENSES - Complete Either Line 12 OR Line 13	
<p>12. Lobbying Firms</p> <p>INCOME relating to lobbying activities for this reporting period was:</p> <p>Less than \$10,000 <input type="checkbox"/></p> <p>\$10,000 or more <input type="checkbox"/> ⇒ \$ _____ <small>Income (nearest \$20,000)</small></p> <p>Provide a good faith estimate, rounded to the nearest \$20,000, of all lobbying related income from the client (including all payments to the registrant by any other entity for lobbying activities on behalf of the client).</p>	<p>13. Organizations</p> <p>EXPENSES relating to lobbying activities for this reporting period were:</p> <p>Less than \$10,000 <input type="checkbox"/></p> <p>\$10,000 or more <input checked="" type="checkbox"/> ⇒ \$ <u>62,747</u> <small>Expenses (nearest \$20,000)</small></p> <p>14. REPORTING METHOD. Check box to indicate expense accounting method. See instructions for description of options.</p> <p><input type="checkbox"/> Method A. Reporting amounts using LDA definitions only</p> <p><input checked="" type="checkbox"/> Method B. Reporting amounts under section 6033(b)(8) of the Internal Revenue Code</p> <p><input type="checkbox"/> Method C. Reporting amounts under section 162(e) of the Internal Revenue Code</p>



Signature Douglas O'Brien
 Printed Name and Title DOUGLAS O'BRIEN, DIRECTOR OF PUBLIC POLICY AND RESEARCH

Registrant Name AMERICA'S SECOND HARVEST Client Name SELF

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code AGR (one per page)

(Faint text: H.R. 1324, FOOD BANK RELIEF ACT OF 1999)

16. Specific lobbying issues

- H.R. 1324, FOOD BANK RELIEF ACT OF 1999
- H.R. 1307, A BILL TO AMEND THE FOOD STAMP ACT OF 1977 TO PERMIT RECIPIENTS TO PURCHASE NUTRITIONAL SUPPLEMENTS
- H.R. 2738, A BILL TO PROVIDE GRANTS FOR FOOD STAMP OUTREACH
- H.R. 2709, A BILL TO PROVIDE A NATIONAL OPERATIONAL STANDARD FOR ELECTRONIC FOOD STAMP BENEFIT TRANSACTIONS
- H.R. 1181, A BILL TO FUND THE EMERGENCY FOOD ASSISTANCE PROGRAM

17. House(s) of Congress and Federal agencies contacted Check if None

- U.S. HOUSE OF REPRESENTATIVES
- U.S. SENATE
- U.S. DEPARTMENT OF AGRICULTURE

18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
DOUGLAS O'BRIEN	COVERED LEGISLATIVE BRANCH OFFICIAL	<input type="checkbox"/>
MARCUS FRUCHTER	COVERED LEGISLATIVE BRANCH OFFICIAL	<input type="checkbox"/>
ELEANOR THOMPSON	COVERED LEGISLATIVE BRANCH OFFICIAL	<input checked="" type="checkbox"/>
KIMBERLY PRENDERGAST	COVERED LEGISLATIVE BRANCH OFFICIAL	<input checked="" type="checkbox"/>
MALLEY TORRES ALDEEN	COVERED LEGISLATIVE BRANCH OFFICIAL	<input checked="" type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

19. Interest of each foreign entity in the specific issues listed on line 16 above Check if None

Signature *Douglas O'Brien* Date 8/14/00
 Printed Name and Title DOUGLAS O'BRIEN, DIRECTOR OF PUBLIC POLICY AND RESEARCH

Registrant Name AMERICA'S SECONDD HARVEST Client Name SELF

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code AGR (one per page)

16. Specific lobbying issues

- S. 1805/H.R. 3192, THE HUNGER RELIEF ACT
- H.R. 3453, THE EMERGENCY FOOD ASSISTANCE ENHANCEMENT ACT
- S. 1800/H.R. 2738, THE FOOD STAMP OUTREACH AND RESEARCH FOR KIDS ACT
- S. 2536/ H.R. 4461, FY2001 AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION AND RELATED AGENCIES APPROPRIATIONS BILL
- H.R. 4635, VETERANS ADMINISTRATION, HOUSING AND URBAN DEVELOPMENT AND INDEPENDENT AGENCIES APPROPRIATIONS BILL

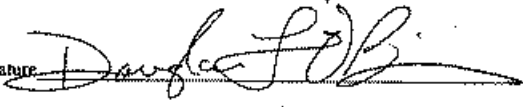
17. House(s) of Congress and Federal agencies contacted Check if None

- U.S. HOUSE OF REPRESENTATIVES
- U.S. SENATE
- U.S. DEPARTMENT OF AGRICULTURE

18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
DOUGLAS O'BRIEN	COVERED LEGISLATIVE BRANCH OFFICIAL	<input type="checkbox"/>
MARCUS FRUCHTER	COVERED LEGISLATIVE BRANCH OFFICIAL	<input type="checkbox"/>
ELEANOR THOMPSON	COVERED LEGISLATIVE BRANCH OFFICIAL	<input checked="" type="checkbox"/>
KIMBERLY PRENDERGAST	COVERED LEGISLATIVE BRANCH OFFICIAL	<input checked="" type="checkbox"/>
HALLEY TORRES ALDEEN	COVERED LEGISLATIVE BRANCH OFFICIAL	<input checked="" type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

19. Interest of each foreign entity in the specific issues listed on line 16 above Check if None

Signature  Date 8/14/00
 Printed Name and Title DOUGLAS O'BRIEN, DIRECTOR OF PUBLIC POLICY AND RESEARCH

Registrant Name DOUGLAS O'BRIEN Client Name SELF

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code AGR (one per page)

16. Specific lobbying issues

NATIONAL HUNGER CLEARINGHOUSE
THE EMERGENCY FOOD ASSISTANCE PROGRAM REGULATIONS
FOOD STAMP REGULATIONS

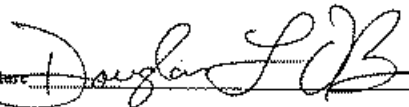
17. House(s) of Congress and Federal agencies contacted Check if None

U.S. DEPARTMENT OF AGRICULTURE

18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
DOUGLAS O'BRIEN	COVERED LEGISLATIVE BRANCH OFFICIAL	<input type="checkbox"/>
MARCUS FRUCHTER	COVERED LEGISLATIVE BRANCH OFFICIAL	<input type="checkbox"/>
ELEANOR THOMPSON	COVERED LEGISLATIVE BRANCH OFFICIAL	<input checked="" type="checkbox"/>
KIMBERLY PRENDERGAST	COVERED LEGISLATIVE BRANCH OFFICIAL	<input checked="" type="checkbox"/>
HALLEY TORRES ALDEEN	COVERED LEGISLATIVE BRANCH OFFICIAL	<input checked="" type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

19. Interest of each foreign entity in the specific issues listed on line 16 above Check if None

Signature  Date 2/14/00
Printed Name and Title DOUGLAS O'BRIEN, DIRECTOR OF PUBLIC POLICY AND RESEARCH

Registrant Name AMERICA'S SECOND HARVEST Client Name SELF

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code IMM (one per page)

16. Specific lobbying issues

H.R. 1399/S. 792, FAIRNESS FOR LEGAL IMMIGRANTS ACT
PUBLIC CHARGE REGULATIONS

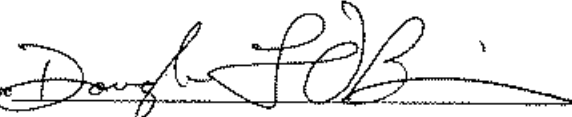
17. House(s) of Congress and Federal agencies contacted Check if None

U.S. HOUSE OF REPRESENTATIVES
U.S. SENATE
U.S. DEPARTMENT OF JUSTICE (IMMIGRATION AND NATURALIZATION SERVICE)

18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
DOUGLAS O'BRIEN	COVERED LEGISLATIVE BRANCH OFFICIAL	<input type="checkbox"/>
MARCUS FRUCHTER	COVERED LEGISLATIVE BRANCH OFFICIAL	<input type="checkbox"/>
ELEANOR THOMPSON	COVERED LEGISLATIVE BRANCH OFFICIAL	<input checked="" type="checkbox"/>
KIMBERLY PRENDERGAST	COVERED LEGISLATIVE BRANCH OFFICIAL	<input checked="" type="checkbox"/>
HALLEY TORRES ALDEEN	COVERED LEGISLATIVE BRANCH OFFICIAL	<input checked="" type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

19. Interest of each foreign entity in the specific issues listed on line 16 above Check if None

Signature  Date 8/14/00
Printed Name and Title DOUGLAS O'BRIEN, DIRECTOR OF PUBLIC POLICY AND RESEARCH

Registrant Name AMERICA'S SECOND HARVEST Client Name SELF

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code TAX (one per page)

16. Specific lobbying issues

H.R. 1324, THE GOOD SAMARITAN TAX ACT OF 1999
H.R. 954, A BILL TO PROVIDE A TAX CREDIT FOR TRANSPORTING FOOD TO FOOD BANKS
H.R. 2488, TAX CUT LEGISLATION
S. 2084, HUNGER RELIEF TAX INCENTIVE ACT
H.R. 8, DEATH TAX ELIMINATION ACT
H.R. 2488/S. 1429, MARRIAGE PENALTY TAX BILL

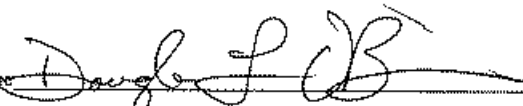
17. House(s) of Congress and Federal agencies contacted Check if None

U.S. HOUSE OF REPRESENTATIVES
U.S. SENATE
U.S. DEPARTMENT OF AGRICULTURE
U.S. DEPARTMENT OF THE TREASURY
OFFICE OF MANAGEMENT AND BUDGET

18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
DOUGLAS O'BRIEN	COVERED LEGISLATIVE BRANCH OFFICIAL	<input type="checkbox"/>
MARCUS FRUCHTER	COVERED LEGISLATIVE BRANCH OFFICIAL	<input type="checkbox"/>
ELEANOR THOMPSON	COVERED LEGISLATIVE BRANCH OFFICIAL	<input checked="" type="checkbox"/>
KIMBERLY PRENDERGAST	COVERED LEGISLATIVE BRANCH OFFICIAL	<input checked="" type="checkbox"/>
HALLEY TORRES ALDEEN	COVERED LEGISLATIVE BRANCH OFFICIAL	<input checked="" type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

19. Interest of each foreign entity in the specific issues listed on line 16 above Check if None

Signature  Date 8/14/00
Printed Name and Title DOUGLAS O'BRIEN, DIRECTOR OF PUBLIC POLICY AND RESEARCH

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code TRA (one per page)

16. Specific lobbying issues

TRANSPORTATION CONSORTIUM


17. House(s) of Congress and Federal agencies contacted Check if None

U.S. HOUSE OF REPRESENTATIVES
 U.S. SENATE
 U.S. DEPARTMENT OF AGRICULTURE
 U.S. DEPARTMENT OF TRANSPORTATION

18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
DOUGLAS O'BRIEN	COVERED LEGISLATIVE BRANCH OFFICIAL	<input type="checkbox"/>
MARCUS FRUCHTER	COVERED LEGISLATIVE BRANCH OFFICIAL	<input type="checkbox"/>
ELEANOR THOMPSON	COVERED LEGISLATIVE BRANCH OFFICIAL	<input checked="" type="checkbox"/>
KIMBERLY PRENDERGAST	COVERED LEGISLATIVE BRANCH OFFICIAL	<input checked="" type="checkbox"/>
HALLEY TORRES ALDEN	COVERED LEGISLATIVE BRANCH OFFICIAL	<input checked="" type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

19. Interest of each foreign entity in the specific issues listed on line 16 above Check if None

Signature  Date 8/14/00
 Printed Name and Title DOUGLAS O'BRIEN, DIRECTOR OF PUBLIC POLICY AND RESEARCH

Registrant Name AMERICA'S SECOND HARVEST Client Name SELF

LOBBYING ACTIVITY. Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code WEL (one per page)

16. Specific lobbying issues

REGULATIONS GOVERNING FINAL IMPLEMENTATION OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY ACT OF 1996
COMMUNITY FOOD AND NUTRITION PROGRAM

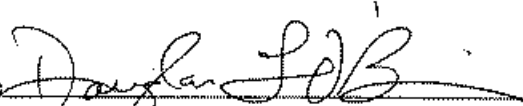
17. House(s) of Congress and Federal agencies contacted Check if None

U.S. HOUSE OF REPRESENTATIVES
U.S. SENATE
U.S. DEPARTMENT OF AGRICULTURE
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)	New
DOUGLAS O'BRIEN	COVERED LEGISLATIVE BRANCH OFFICIAL	<input type="checkbox"/>
MARCUS FRUCHTER	COVERED LEGISLATIVE BRANCH OFFICIAL	<input type="checkbox"/>
ELEANOR THOMPSON	COVERED LEGISLATIVE BRANCH OFFICIAL	<input checked="" type="checkbox"/>
KIMBERLY PRENDERGAST	COVERED LEGISLATIVE BRANCH OFFICIAL	<input checked="" type="checkbox"/>
HALLEY TORRES ALDEEN	COVERED LEGISLATIVE BRANCH OFFICIAL	<input checked="" type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

19. Interest of each foreign entity in the specific issues listed on line 16 above Check if None

Signature  Date 3/14/00
Printed Name and Title DOUGLAS O'BRIEN, DIRECTOR OF PUBLIC POLICY AND RESEARCH



CHARITY LOBBYING *in the* PUBLIC INTEREST

Educating charities about the important and appropriate role lobbying can play in achieving their missions.

Bob Smucker
Co-Director
David Arons
Co-Director

ADVISORY COMMITTEE

Thomas A. Troyer
Chairperson

Mathew Ahmann
Audrey Alvarado
Nan Aron
Gary Bass
Peter Berns
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Thomas Field
Matthew Hamill
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Timothy Saasta
Peter Swords
Arturo Vargas
Adam Yarmolinsky

VOTER EDUCATION BY CHARITIES DURING A POLITICAL CAMPAIGN

Charities sometimes confuse working for the election of a political candidate with lobbying. These two kinds of activity are in fact very different. It is perfectly legal (and highly appropriate) for a charity to work for the passage of a particular piece of legislation, during a political campaign or at any other time. Working for the election of a particular candidate, however, whether at federal, state, or local levels — is strictly prohibited and is cause for the charity to lose its tax-exempt status. While a 501(c)(3) group cannot work on behalf of or against candidates, there are a number of other voter education activities, such as those described below, that it can legally engage in. If you plan to engage in any of the following activities, visit the CLPI web site for more information.

~~Electioneering. A 501(c)(3) organization cannot endorse, contribute to, work for, or otherwise support a candidate for public office, nor can it oppose one. This in no way prohibits officers, individual members, or employees from participating in a political campaign, provided that they say or do everything as private citizens and not as spokespersons for the organization or while using the organization's resources.~~

Candidate's Statements. It is entirely proper for a charity to inform candidates of its positions on particular issues and to urge them to go on record, pledging their support of those positions. Candidates may distribute their responses both to the charity and to the general public. Charities, however, may not publish or distribute statements by candidates except as nonpartisan "questionnaires" (discussed in the following paragraph) or as part of bona fide news reports.

Questionnaires. Charities with a broad range of concerns can safely disseminate responses from questionnaires. The questions must cover a broad range of subjects, be framed without bias, and be given to all candidates for office. If a charity has a very narrow focus, however, questionnaires may pose a problem. The IRS takes the position that a charity's narrowness of focus implies endorsement of candidates whose replies are favorable to the questions posed. The same applies when candidates are asked to respond to a charity's position paper. Unless you are certain that your organization clearly qualifies as covering a broad range of issues, your organization should avoid disseminating replies from questionnaires.

Voting Records. Many charities follow the useful practice of telling their members how each member of a legislature has voted on a key issue. There is no legal problem with this practice provided that if the information is presented and disseminated during the campaign it is done in the same manner as it is at other times. A problem arises if an organization waits to disseminate voting records until a campaign is under way. If your

A Project of



INDEPENDENT
SECTOR

2040 S Street, NW, Washington, DC 20009
202-387-5048 phone • 202-387-5149 fax
charity.lobbying@independentsector.org email
www.independentsector.org/clpi website

organization has followed the practice of disseminating voting records as votes occur throughout the year, then you are safe in publishing the record of a vote that occurs during a campaign. If, however, your organization has not published the records regularly throughout the year, your group may not, during the campaign, publish a recap of the legislative votes throughout the legislative session. That is permissible, however, after the election.

Public Forums. Charities may invite candidates to meetings or to public forums sponsored by the organizations. The invitation must be extended to "all serious candidates." It is best to write to them all simultaneously and to use identical language in the invitations. It is not necessary that all candidates attend. Even-handedness must be maintained in promoting and holding such a meeting or forum. The charity should not state its views or comment on those of the candidates. If there is a question-and-answer period, each candidate must be given an equal opportunity to answer questions, and the moderator should strive to ensure balance. Speeches or other remarks by candidates at the forum may be published as news items in the charity's newsletter, if it is published regularly and if its circulation is limited to the organization's normal distribution patterns.

Testimony on Party Platforms. As part of a lobbying effort, charities may testify before party platform committees at the national, state, or local levels. Responses to testimony may be reported in regularly published newsletters. Both parties' platform committees should receive copies of the testimony. Any account of the testimony and responses may be reported in the charity's regularly scheduled publication.

Issue Briefings and Candidates' Statements. Issue briefings for candidates must be extended to all the candidates running for a particular office. A candidate may publish a position paper or statement on the issue, but a charity may not circulate the candidate's statement to the media, the general public, or the charity's members until after the election.

Membership Lists. The charity may sell, trade, or rent its list to others, including candidates for office. If it does so, all candidates must be aware of the opportunity and be given the same access. An organization that gives or lends its membership list to a candidate is in effect making an illegal campaign contribution. To stay within the law, the group must be paid fair value in return.

Additional Resources

These publications available from INDEPENDENT SECTOR will offer additional information and insight:

- *Playing by the Rules: Handbook on Voter Participation and Education Work for 501(c)(3) Organizations*
- *Nonprofit Lobbying Guide*
- *Power, Politics, and Nonprofits: A Primer on Tax-Exempt Organizations, Campaign Finance, and the Law*

The foregoing information is for general guidance and is not intended to replace legal counsel.

For more information, please contact:

Charity Lobbying in the Public Interest
www.IndependentSector.org/clpi
2040 S Street, NW
Washington, DC 20009
202/387-5048

INDEPENDENT SECTOR
www.IndependentSector.org
1200 Eighteenth Street, NW, Suite 200
Washington, DC 20036
202/467-6100

August, 1999