

Emory University Lobbying Policy (OGCA, April 2016)

Overview

As a major research university and health care provider, Emory University is committed to thoughtful communication with local, state and federal officials. Emory will adhere to all laws and guidelines that govern activities which involve certain elected and appointed officials. All activities that involve covered officials, including but not limited to honoring or lobbying, must be appropriate and lawful. Violations may be subject to criminal prosecutions and/or fines.

Federal and Georgia law require the disclosure of the activities of registered lobbyists that may affect decisions in the executive and legislative branches of government. Additionally, organizations, including colleges and universities, that have one or more employees who lobby are required to register and report to the US Congress on the lobbying activities of all employees. Emory University has registered with the Clerk of the House of Representatives and the Secretary of the Senate and must report its lobbying activities on a quarterly and semi-annual basis to those bodies. Emory University's registered lobbyists must also file monthly reports (semi-monthly reports January-May) with the Georgia Government Transparency and Campaign Finance Commission.

The purpose of this policy statement is to comply with the provisions of these laws and to define the rights and responsibilities of those who represent the University to the federal and state government.

Definitions

Covered Officials: Officials covered by federal law in the Executive Branch include The President, The Vice President, Officers and employees of the Executive Office of the President, any official serving in an Executive Level I through V position, any member of the uniformed services serving at grade 07 or above, and Schedule C Employees. In the federal Legislative Branch, Covered Officials include Members of Congress and Congressional Staff. At the State level, Covered Officials include all elected officials and their staff.

Lobbying Activities: include lobbying contacts (as defined below) and any efforts in support of such lobbying contacts. For purposes of federal law, this includes preparation or planning activities, and research and other background work that is intended, at the time of its preparation, for use in lobbying contacts and coordination with the lobbying activities of others.

Lobbying Contact: includes any oral (whether by telephone or face to face), written, or electronic communication to Covered Officials or staff **on behalf of the institution** regarding the formulation, modification, or adoption of legislation, rules, regulations, executive orders, or other programs, policies, or positions; or the administration of a federal or state, as applicable, program or policy. A lobbying contact includes not only direct contacts with federal Covered Officials, but also includes background research and planning activities intended expressly as preparation for a lobbying contact.

Examples of communications that are NOT considered lobbying contacts include:

- Speeches, articles, or communications made through the mass media.
- Testimony given before a committee of Congress or submitted in writing for the public record of a hearing of such committee.
- Information, provided in writing, in response to a written or oral request by a federal or state official.
- Communications required by subpoena, investigation, or otherwise compelled by law.

Lobbyist: for federal purposes, an individual employed or retained by the University who makes more than one lobbying contact and who spends at least 20 percent of his or her time over a three month period lobbying members of Congress, Congressional staff, and covered Executive branch staff, regarding the formulation, modification, or adoption of federal legislation, federal rule, regulation, executive order, or other federal program, policy, or position; or the administration of a

federal program or policy. This individual acts as the institution's official federal lobbyist and is reported on the University's registration with the Secretary of the Senate and the Clerk of the House of Representatives.

For purposes of Georgia state law, a lobbyist includes all natural persons who are paid specifically to lobby at the state level.

Policy Details

1. For purposes of federal law, lobbying activities must be reported for employees who act as lobbyists *on behalf of the institution*. Faculty or staff who participate in lobbying activities, at either the federal or state level, must do so with the guidance of the Office of Government and Community Affairs (OGCA), which operates under the Senior Vice President of Communications and Public Affairs. Faculty, staff, and students are considered to be acting as private citizens when engaging in lobbying activities, unless coordinated by the OGCA as representing the institution for purposes of a specific contact.

Faculty, administrators and staff who participate in lobbying activities must keep a record of their lobbying activities and expenses, and report the required information to the OGCA immediately after or prior to the activity occurring (See Attachment A). The Vice President for the Office of Government and Community Affairs will submit these reports to the federal government on behalf of the University. Additionally, the Vice President for Government Affairs will provide guidance to our Georgia registered lobbyists in filing an individual State of Georgia lobbying report that includes expenditures classified as advertising, lodging, entertainment, meals, equipment, postage, gifts and travel.

2. Having registered with the Clerk of the House and the Secretary of the Senate, Emory University must file quarterly reports of its lobbying activities. These reports are to include:

- (a) Issues discussed, including bill numbers if known;
- (b) The chamber of Congress or federal agencies contacted;
- (c) Staff person (lobbyist) who made the contacts;
- (c) A good faith estimate of the expenses incurred (e.g., travel, telephone charges, and employee salary costs including benefits).

3. There are stringent rules on the provision of gifts to Covered Officials. Emory employees may not give a gift, including meals or transportation, above a nominal value. Employees with questions about gifts to covered officials should contact the OGCA. Emory also must file reports detailing gifts and contributions to campaigns or Covered Officials. Emory University must file one report, and each registered lobbyist must also file a report. Reports include all contributions and gifts to a Covered Official from the university as well as personal contributions from registered lobbyists; expenses incurred sponsoring an event that honors a Covered Official; and expenses incurred in a site visit by a Covered Official. Expenses include meals, travel, salary, and equipment rental.

4. This policy is not intended to restrict the free-exercise rights of University employees to petition the government. Nor are employees restricted from identifying their profession and place of employment in the context of their communication with federal officials. However, in exercising this right, unless acting officially on behalf of the University, employees must make it clear that they are expressing their personal views, and not an official position of the institution.

5. As a tax exempt organization, no university funds may be used to make contributions to political action committees (PACs) or any other campaign funds that support PAC activities or political campaigns. Political activity is addressed in the Political Activity and Use of Emory Resources Policy. In addition, no federal money or grant can be used for lobbying or campaign purposes.