

LOBBYING ACTIVITY

OP 80.07

Purpose

Federal law prohibits recipients of federal funds, whether through grants, contracts, or other agreements, from using federally appropriated funds to influencing or attempting to influence ("Lobby" or "Lobbying") an officer or employee of a federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress ("Federal Official") in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, or the extension, continuation, renewal, amendment, or modification thereof ("Federal Award"). See 31 U.S.C. § 1352. The purpose of this law is to prevent the use of federally appropriated funds for lobbying activities, and to monitor the lobbying expenditures of federal funds recipients.

Policy/Procedure

It is the policy of the University that no federally appropriated funds have or will be expended, by or on behalf of the University, to Lobby any Federal Official in connection with a Federal Award. This policy applies to all Federal Awards and includes all proposals, sub-proposals, awards, and sub-awards.

Certification: If a Federal Award exceeds \$100,000, specific certification is required to certify that the University has followed this policy. Such certification should be submitted at the time of submission of the project proposal to Sponsored Programs Administration.

Employees: Regularly employed individuals at the University who are paid from federally appropriated funds are prohibited from Lobbying any Federal Official in connection with a Federal Award. Regularly employed individuals are also prohibited from utilizing federally appropriate funds for travel to engage in Lobbying of any Federal Official in connect with a Federal Award. For purposes of this policy, a "regularly employed individual" is one who has been continuously employed by the University for at least 130 days in the previous 12 months.

Disclosures: If *any* funds other than federally appropriated funds have or will be used to pay for Lobbying of a Federal Official in connection with a Federal Award by an individual or entity not regularly employed by the University, an appropriate disclosure

form must be completed prior to submission of the proposal for such award and thereafter at the end of each calendar quarter in which there occurs any event requiring disclosure or affecting the accuracy of the information contained in any previously filed disclosure. No disclosure is necessary for Lobbying conducted by regularly employed individuals at the University who are not otherwise prohibited from Lobbying. However, regularly employed individuals must not engage in Lobbying while being paid with or utilizing for travel federally appropriated funds.

Approval for Expenditure of Non-Federal Funds: Use of non-federally appropriated funds for Lobbying of Federal Officials must be approved through the appropriate administrative channels of the University. For projects originating from the Division of Agriculture, Forestry and Veterinary Medicine, non-federal funds to be expended for the purpose of Lobbying Federal Officials must be approved in writing by the Vice President for Agriculture, Forestry and Veterinary Medicine and Executive Director of External Affairs. For all other projects, non-federal funds to be expended for the purposes of Lobbying Federal Officials must be approved in writing by the Vice President for Research and Economic Development and Executive Director of External Affairs. Copies of approved requests to Lobby using non-federal funds and quarterly disclosure of expenditures used for lobbying purposes should be sent to the [Director of Sponsored Programs Administration](#).

Penalty for non-compliance: Penalties under federal law for violating 31 U.S.C. § 1352 could include fines of not less than \$10,000 and not more than \$100,000 per violation and any other remedies the federal government deems appropriate including loss of the particular award and/or suspension or debarment as an institution from further federal funding. Any university employee who violates this policy will be subject to appropriate disciplinary action, up to and including termination.

Review

This policy shall be reviewed every four years by the [Vice President of Research and Economic Development](#).

This policy has been superseded

Reviewed by:

/s/ Jennifer Easley
Director, Sponsored Programs Administration

11/29/12
Date

/s/ Kyle Steward
Executive Director of External Affairs

11/30/12
Date

/s/ Lesia Ervin
Director of Internal Audit

12/04/12
Date

/s/ Joan L. Lucas
General Counsel

01/14/13
Date

Recommended by:

/s/ David Shaw
Vice President for Research and
Economic Development

01/29/13
Date

Approved by:

/s/ Mark Keenum
President

01/29/13
Date

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Adopted 5/10/93
Reviewed 1/29/13

This policy has been superseded