

FLORIDA STATE UNIVERSITY

POLICY 7A-16

POLICY FOR CONTACTING FEDERAL ELECTED OFFICIAL AND AGENCIES

Responsible Executive: Gary K. Ostrander, Vice President for Research

Approving Official: Gary K. Ostrander, Vice President for Research

Effective Date: December 1, 2014

Revision History: New: December 1, 2014

Readopted: _____

Revised: _____

I. Introduction

This document establishes a policy for contacting Federal elected official and agencies.

II. Policy

Under the Lobbying Disclosure Act of 1995, as amended by Public Law 110-81, the Honest Leadership and Open Government Act of 2007, entities such as Florida State University and its employees are subject to stringent federal ethics and lobbying disclosure rules. Federal lobbying activities include contacts (in person, written, or by phone) with covered executive branch and legislative branch officials made on behalf of the University regarding: (1) legislation, legislative proposals, rules, regulations, executive orders, programs, policies, or positions of the government; (2) administration or execution of federal programs or policies [including federal contracts and grants]; and, (3) nomination or confirmation of a person for a position subject to confirmation by the Senate. In general, covered executive branch officials are political appointees, not program managers or grant administrators. It is not considered lobbying activity if you were asked by a Member of Congress or a Congressional Committee to testify or respond to a request for information.

A Covered Legislative Branch Official includes (a) a Member of Congress; (b) an elected officer of either the House or Senate; (c) an employee, or any other individual functioning in the capacity of an employee, who works for a Member, committee, leadership staff of either House or Senate, a joint committee of Congress, a working group or caucus organized to provide services to Members, and certain other legislative branch employees.

A Covered Executive Branch Official includes the President, Vice-President, Cabinet Officers, senior agency officials, and any member of the uniformed services serving at pay grade O-7

("one star") or above. For example, any officer or employee in the Executive Office of the President, including all employees of the Office of Management and Budget (OMB) and the Office of Science and Technology Policy (OSTP) are included. In other federal agencies, such as the National Institutes of Health (NIH) or the National Science Foundation (NSF), only the Director and Deputy Director(s) are covered officials.

The Office of Federal Relations is the primary point of contact between Florida State University and the federal executive and legislative branches in carrying out the federal initiatives of the University. Federal Relations represents the University's interests to the federal government and seeks to influence their actions when the University's interests may be affected. This includes invitations to campus and requests for appointments with legislative or senior executive branch officials regarding legislation, rules, or policies made on behalf of the FSU.

It is not the intention of the Office of Federal Relations to limit communication between FSU faculty and administration and federal representatives. Federal elected officials and agency staff receive numerous requests daily for government assistance from a diverse constituency. This policy is designed to coordinate FSU's highest priorities and ensure compliance with federal lobbying regulations.

Generally, senior University officials designate specific individuals to lobby on behalf of the FSU. However, it may be appropriate on occasion for other FSU employees to make federal lobbying contacts. FSU, through the Office of Federal Relations, is required to report all federal lobbying activities under the Lobbying Disclosure Act and applicable Internal Revenue Service regulations. Accordingly, in view of the significant restrictions on the use of either federal or state funds to engage in lobbying activities and the various requirements relating to the manner in which lobbying activities must be reported and conducted, FSU employees are strongly encouraged to notify the Office of Federal Relations in advance of any proposed lobbying contact or activity. In addition, any FSU employee that makes a lobbying contact with a covered federal official must complete a *Federal Lobbying Activities Report Form* and submit it via email to the Director of Federal Relations on or before the 5th day of the month immediately following the end of the calendar quarter in which the contact is made (i.e., January 5, April 5, July 5, and October 5).

Record Retention

Copies of reports and supporting documentation shall be retained for at least six (6) years.

Definitions

Definitions of terms related to lobbying regulations may be found in Section 3 of the [Lobbying Disclosure Act Guidance](#).

III. Legal Support, Justification, and Review of this Policy

[Lobbying Disclosure Act of 1995](#)

[Lobbying Disclosure Technical Amendments Act of 1998](#)

[Honest Leadership and Open Government Act of 2007 \(HLOGA\)](#)

[Fla. Stat. 1004.22.](#)

These policies will be reviewed when changes are necessary.

Gary K. Ostrander, Vice President for Research

December 1, 2014