

Clearance Policy for Contacts with Federal, State and Local Officials

Summary

Tulane University encourages faculty, staff and students to actively participate in all levels of government. The University is engaged in numerous government interactions and must be careful to comply with complex state and federal regulations regarding lobbying and advocacy.

The Office of Government and Community Relations (OGCR) manages many concurrent interactions with elected officials and senior executive staff at numerous federal, state and local government agencies, and is available to assist and advise faculty, staff and students who wish to communicate or advocate on behalf of Tulane University, including its Centers, Institutes, and other components. In order to do so effectively, it is important for Faculty, Staff and Students to consult with the Office of Government and Community Relations prior to initiating contact with Federal, State or Local elected officials and senior Executive Branch officials.

Nothing in this policy is intended to limit the constitutionally protected rights of citizens to **personally petition or contact** their elected representatives on behalf of their personal needs or beliefs. Faculty and staff are not required to report such contacts outside of the workplace provided no university resources are used. Contacts by faculty or staff regarding the routine execution or administration of **grants and contracts** are also excluded from these requirements.

Examples of common activities that benefit from prior consultation with the Office of Government and Community Relations appear below.

Typical Communications with Government Officials Requiring Approval

- **Inviting Government Officials to Campus or University Events:** Faculty and staff should always consult with the Office of Government and Community Relations prior to inviting government officials to speak at or attend University events. OGCR staff can provide valuable assistance and advice regarding such invitations.
- **Providing Expert Testimony:** The University encourages faculty and staff to participate in the legislative process by providing expert testimony, providing there has been prior consultation with OGCR staff. The OGCR should be contacted well in advance before faculty or staff agree to provide expert testimony to legislative bodies or government advisory panels, and can assist by providing relevant information, content, and protocol advice. Any planned testimony should be reviewed to determine whether it constitutes lobbying. In general, personal or professional views expressed during testimony should carry a disclaimer that such views do not represent the position of Tulane University.
- **Tulane Centers and Institutes:** Tulane Centers and Institutes, some of which may have advocacy roles, should always consult with OGCR staff prior to initiating contacts with government officials, and should carefully review the Lobbying Guidelines for Tulane University Faculty and Staff. The use of federal funds for lobbying, both Direct and Indirect, as described in the Lobbying Guidelines, is prohibited by law.

- **Professional and Membership Organizations:** Many professional associations and societies sponsor events in Washington or Baton Rouge involving meetings with legislators and government officials. Faculty and Staff planning to participate in such events should consult with the OGCR to determine if such participation would constitute lobbying and so that Tulane's government relations staff and consultants are aware of the contacts, issues and activities. It should always be made clear that any personal or professional opinions conveyed during such interactions do not represent positions of Tulane University.
- **Advocacy and Lobbying:** Tulane University policies regarding advocacy and lobbying are covered in the Lobbying Guidelines for Tulane University Faculty and Staff document, available from the Office of Government and Community Relations. Various government regulations require reporting of lobbying activities and/or expenditures through the OGCR, so it is important to inform the OGCR about any such planned activities.

Background and Policies

All Tulane faculty and administrators must clear in advance all requests made of the President of the United States, his cabinet officers, members of the Senate or House of Representatives and their staffs, the Governor of the State of Louisiana, Louisiana state legislators, or local elected officials, and coordinate all activities regarding them through the Office of Government and Community Relations. This includes all invitations to campus, requests for appointments and lobbying contacts with legislative or senior executive branch officials regarding legislation, rules, or policies made on behalf of the university.

In the past, Delegation members have been contacted on behalf of Tulane without prior clearance, leading to confusion and embarrassment for the university. These officials receive a multitude of requests each day for government assistance from a diverse constituency. For Tulane's requests to be taken seriously, they must be appropriate, carefully coordinated with other university requests, focused on the university's highest priorities, and tracked to ensure compliance with federal lobbying regulations.

The university is required to report expenditures related to certain lobbying activities under the Lobbying Disclosure Act and applicable Internal Revenue Service regulations. Broadly defined, lobbying includes all contact with elected and other government officials (local, state, and federal) for the purpose of influencing legislation. A record of all contacts, issues discussed, and costs involved must be kept and reported on semi-annually by the university. The university representative conducting the approved lobbying activity(s) will be required to complete a "Lobbying Activity Report Form," available from the Office of Government Affairs. Failure to disclose such information could result in fines and/or the possible loss of Tulane's tax-exempt status.

The Office of Government and Community Relations consolidates into one unit all administrative elements dealing with the university's government-related activities. The office assists faculty and administrators by facilitating communication between Tulane and federal, state and local government officials. Its activities are critical to the continuing development of much needed resources and Tulane's ability to maintain a sound financial position.

In reviewing requests to contact elected officials, the Office of Government Affairs and Community Relations works directly with the Senior Vice Presidents for the Health Sciences and Academic Affairs, the President's Council on Research Advancement, or the President, as appropriate. The President's Council on Research Advancement, which includes senior administrative staff representing academic, non-academic, medical, and non-medical components of the university, also meets to prioritize, coordinate and develop strategies for effectively implementing Tulane's government affairs activities at the federal, state and local levels.

Tulane's clearance policy does not apply to dealings with elected officials on personal matters that do not in any way involve activities related to an individual's employment at Tulane. In these cases, Tulane stationery should not be used, and it should be made clear that the individual or group is not representing the university.