

JOHNS HOPKINS

U N I V E R S I T Y

February 17, 2010

Memorandum

To: Johns Hopkins Faculty and Staff

From: Stephen S. Dunham, Vice President and General Counsel
Thomas S. Lewis, Interim Vice President of Government, Community and Public Affairs

Re: Lobbying and Political Activity

This memo sets forth requirements pertaining to institutional lobbying activity and reporting on behalf of The Johns Hopkins University.

Who can lobby?

All lobbying activity on behalf of the University must be coordinated through Johns Hopkins Government, Community, and Public Affairs (GCPA). GCPA is the designated entity that manages and provides strategic direction for all contacts with covered executive and legislative branch officials, including elected and high-level appointed officials. Most lobbying is conducted by authorized GCPA staff, though university officers and deans may also engage in lobbying in coordination with GCPA.

University faculty and staff may have occasion to engage with policymakers or lobby on issues related to their research or areas of expertise. To ensure compliance with lobbying disclosure requirements, such activity should be disclosed to, and conducted in coordination with, GCPA.

When engaging in political or lobbying activity for personal causes, university faculty and staff are not permitted to use university resources or the Johns Hopkins name, and they should make clear that they are acting on their own behalf, not on behalf of the university.

Questions about whether a contact or activity constitutes lobbying and/or who is a covered executive or legislative branch official may be addressed to GCPA or the General Counsel's Office. Contact information appears at the end of this memorandum.

What constitutes lobbying?

Reportable lobbying activities include:

- oral, written or electronic communication with covered executive and legislative branch officials;
- preparation and planning activities, research and other background work that is intended, at the time it is performed, for use in lobbying contact; and
- costs (reimbursed travel, hotels, conference fees, meals) related to these activities.

EXCEPTIONS – “lobbying contact” does not include:

- testimony submitted orally or in writing for inclusion in the public record
- information provided in response to a request for public comment
- a request for a meeting or for the status of an action

NOTE: There is no exception for “education” – depending on the circumstances, the process of “educating” a policy maker may be construed as lobbying under federal law.

How do I report?

University faculty and staff must report time and expenses associated with federal lobbying activities¹ on a quarterly basis. The Office of Federal Affairs has made reporting easy through the use of an electronic questionnaire sent directly to a JHU employee’s e-mail in-box each quarter. If you have been engaged in activity that may be considered lobbying and don’t yet receive the questionnaire, please call 443-287-9900.

What about external lobbying firms?

Prior to retaining outside representation with the intent to lobby on behalf of the university, including its centers and institutes, individuals must obtain approval from the Office of the Vice President and General Counsel and from GCPA. The Vice President for GCPA must approve any contracts with outside lobbying firms or consultants who intend to lobby on behalf of the university. This review and approval is essential to ensure appropriate coordination of lobbying activities and institutional compliance with applicable laws and regulations.

What about gifts?

Faculty and staff should refrain from offering gifts (even of nominal value) to elected officials or their staff, though the presentation of awards may be allowed in certain circumstances. Food, in the form of “refreshments” not “meals” (e.g. coffee, tea, pastries, or “standing up foods” like light hors d’oeuvres) may be made available in certain circumstances. GCPA should be consulted prior to the presentation of gifts or food to any federal, state or local elected/appointed official or their staff.

Political Activity

As a tax-exempt organization under section 501(c)(3) of the Internal Revenue Code, The Johns Hopkins University cannot intervene in any political campaign on behalf of, or in opposition to, any candidate for public office. *For more information on the University’s policy on political activities, refer to: http://www.jhu.edu/news_info/policy/politic.html*

Contact Information

Federal: *Melisa Lindamood, Director Federal Affairs at 443-287-9923*

State: *Sheila Higdon, Interim Director State Affairs at 443-287-9927 or 410-269-0057*

City: *Joseph Smith, Director Local Affairs at 443-287-9929*

Legal: *Gerard St. Ours, Associate General Counsel at 410-516-8128*

¹ 2 U.S.C Chapter 26: Disclosure of Lobbying Activities, amended by Public Law 110 – 81: Honest Leadership and Open Government Act of 2007