

NC STATE UNIVERSITY

Office of Federal Affairs
Campus Box 7003
304C Holladay Hall
Raleigh, NC 27695-7003

April 2, 2010

919.515.9340
919.513.2951 (fax)

FROM: Matt Peterson *Matt Peterson*
Director of Federal Research Affairs

TO: All Deans, Associate Deans and Vice Chancellors

RE: Federal Lobbying Disclosure Reports

To comply with the Lobbying Disclosure Act of 1995 and its recent modifications from October 2007, I am requesting that the colleges submit a brief reporting of federal lobbying activities by individuals within the college for the past three months, 1/1/2010 – 3/31/2010. The individual reports will be incorporated into the document that will be submitted by the University to the Federal Government on April 20.

The Act defines a lobbying contact as “any oral or written communication (including electronic communications) to a covered executive branch official or a covered legislative branch official” with the intent to influence legislation or executive action.

As a registrant, the University must fill out a report and estimate the amount of time spent contacting any Executive Branch officials, covered by the Lobbying Disclosure Act, or Members of Congress, including Legislative staff. In order for the University to make an accurate report, please report for the college/unit an estimated amount of money spent lobbying and the bill(s) and issues that were lobbied on when members of your college in their official capacity as an employee of the university made efforts to influence legislation or executive action.

Covered US executive branch officials include: the President, the Vice President, Officers and Employees of the Executive Office of the President, any official serving in an Executive Level I-V position, any military personnel at the rank of O-7 (Brigadier General) or above, and any Schedule C employees (any employees, appointed by the President, which advocate on policy on behalf of the Executive Branch). Schedule C officials are typically agency heads, deputy secretaries, and other high-ranking executive branch employees. **Routine communications between faculty or university administrators with agency program managers or other mid-level officials to discuss research grants or new thrust areas are NOT typically considered lobbying contacts.**

Covered legislative branch officials include: Members of Congress, any elected officers in either the House or the Senate, and any employee who works for a Member, committee, leadership staff of either the Senate or House, a joint committee of Congress, a working group or caucus organized to provide services to Members, and any other legislative branch employee serving in a position described under section 109(13) of the Ethics in Government Act of 1978.

You may review the complete act at the following web address:
http://www.senate.gov/legislative/Lobbying/Lobby_Disclosure_Act/TOC.htm. In addition we have attached a few examples of activities to guide you as you are completing your individual reports.

If you are unsure of whether or not an activity is considered lobbying according to the Act, please contact Matt Peterson, Director of Federal Relations, at 515-7876 or Matt_Peterson@ncsu.edu.

Please submit your report to the Office of Federal Relations, Campus Box 7003 / 206 Holladay Hall **by April 15.**

Enclosures

c: Dr. Terri Lomax, Vice Chancellor for Research and Graduate Studies
Miriam Hines, Office of Research and Graduate Studies
Chancellor Randy Woodson

**EXAMPLES OF LOBBYING AS DEFINED BY THE
LOBBYING DISCLOSURE ACT OF 1995**

Example 1:

You are contacted by a Member of Congress or his/her Legislative Staff. The Congressional office requests information from you regarding congressional business, research activities or comments on pending legislation. You supply the information that was requested by the Congressional office.

→ **This example is NOT lobbying as defined by the Lobbying Disclosure Act.**

Example 2:

You travel to Washington, D.C. for a work-related purpose (professional society conference, meeting with grant program officials, attend a conference) and while you are there, you meet with Members of Congress, any congressional staff or covered Executive branch officials. You request that the Member of Congress or Executive branch official develop, support or pass legislation that would have a direct or indirect impact on the university in some way.

→ **This example IS considered lobbying as defined by the Lobbying Disclosure Act.**

IMPORTANT: Expenditures including materials, preparation, and travel costs associated with the trip (and associated salary time) would be considered lobbying expenses that would need to be reported.

Example 3:

A Member of Congress visits the University and while the Representative is here you brief him/her on a program or initiative in your College.

→ This example MAY or MAY NOT be considered lobbying as defined by the Lobbying Disclosure Act. This situation would depend on the topics and issues covered during the meeting.