

TO: Distribution  
FROM: Christina West, Assistant Vice Chancellor for Federal Relations  
CC: Beth Fortune, Vice Chancellor for Public Affairs  
RE: Congressional gift, meal and travel restrictions and lobbying disclosure requirements  
DATE: January 2015

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With the start of the 1<sup>st</sup> session of the 114<sup>th</sup> Congress, we want to remind you of the current regulations regarding federal lobbying disclosure reports as well as congressional restrictions on gifts, meals and travel. As an institution that employs registered lobbyists to advance and safeguard its considerable interests in the nation's capital, Vanderbilt University is required to file quarterly disclosure reports with the House and Senate detailing lobbying activity<sup>1</sup> and associated expenses. We are also subject to sweeping rules severely restricting gifts and meals for Members and staff. There are substantial civil and criminal penalties for violations of these ethics rules and failing to file lobbying reports in a timely and accurate manner. These restrictions apply to all Vanderbilt employees, faculty and staff and we ask for your continued cooperation with the following internal guidelines, which are designed to reduce the possibility of inadvertently violating the rules. These guidelines are based on analysis prepared by the [American Council on Education](#), which has been monitoring this issue on behalf of the higher education community.

We would appreciate your assistance in distributing this memorandum and the accompanying form to faculty and staff as appropriate.

#### **Lobbying Disclosure**

While the majority of the lobbying activity in which Vanderbilt engages is conducted by the [Office of Federal Relations](#) in Washington, D.C., Vanderbilt has historically encouraged faculty and staff to communicate with our representatives on Capitol Hill on issues of particular concern to them and the University – sometimes individually, but often through their professional organizations. This communication could be in person, over the phone, or in writing.

We are not seeking to end this practice – indeed, Members of Congress and their staff are keenly interested in meeting with Vanderbilt experts on a range of issues, from financial aid to health policies to research priorities. Furthermore, our Federal Relations staff relies on our campus experts to illustrate and explain our federal priorities. Our faculty and administrators have tremendous credibility and are consistently Vanderbilt's best representatives in meetings with national policymakers.

However, in light of the ethics rules, any **direct lobbying by any Vanderbilt employee on behalf of the University or using University resources must be documented and reported.**<sup>2</sup> Our peer institutions face the same requirements and have put in place similar procedures to help ensure compliance. We need your assistance with this. All faculty and staff who directly lobby Members of Congress or their

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<sup>1</sup> "Direct lobbying" means any direct contact with Members of Congress or their staffs in which an individual is asking for federal funding, requesting specific legislative action or attempting to influence the position of an elected official on an issue pending before Congress.

<sup>2</sup> This does not include students.

staff on behalf of the University and University priorities and/or use University resources are asked to submit a report to Crystal Laster ([crystal.laster@vanderbilt.edu](mailto:crystal.laster@vanderbilt.edu)) in the Division of Public Affairs. Reports are required not only for in-person meetings with Members of Congress or their staff but also any other communications for the purpose of federal lobbying, such as meetings in Nashville, telephone calls, letters and e-mails.

**Lobbying contacts made by University employees in their capacity as private citizens and not using Vanderbilt resources do not need to be reported.**

The following information should be submitted within 10 days after the end of each quarter:

- the date of all such meetings or communications;
- who the meeting or communication was with;
- the subject discussed (e.g., “funding of Alpha Project research” or “amending the immigration bill to promote access by foreign students” or “increasing the budget of the National Endowment for the Humanities”);
- the approximate length of time of each meeting;
- the length of time spent preparing for each meeting or communication; and
- the costs associated with each meeting, including travel costs to Washington (or a *pro rata* share of those costs when the travel involves other, non-lobbying activities), if appropriate, and a portion of salary and benefits.

We have attached a form to facilitate this reporting. In addition, faculty and staff are encouraged to notify the Office of Federal Relations before, if possible, they engage in federal lobbying activities on behalf of the University. We are happy to help arrange meetings and provide guidance on the most effective way to communicate a message to a federal lawmaker or their staff.

Vanderbilt conducts its advocacy activities in a very transparent and professional manner; in light of the ethics rules, it is essential that we carefully and fully report all such activities by the University and its employees to the House and Senate.

**Gifts, Meals and Travel**

**1. Vanderbilt, and individuals employed by Vanderbilt and acting on our behalf, cannot provide gifts to Members of Congress and their staff with a value in excess of \$10.** This eliminates virtually any souvenir that might be offered at a meeting, conference or special event, such as a t-shirt, hat, or coffee mug. There are certain exceptions for longstanding personal friendships. In addition, the rules generally deem a gift to any family member (spouse or child) to be a gift to the Member, subject to all of the ticket, gift, and food restrictions. Please check with the [Office of Federal Relations](#) if you have any questions.

**2. Vanderbilt cannot pay for any meal, food or drink with a Member of Congress or their staff.** While there are certain prescribed exceptions such as for longstanding personal friendships and for “widely-attended” public events at which passed canapés can fit on a toothpick (the so-called “toothpick exemption”), please check with the Office of Federal Relations in advance of extending an invitation so we can ensure that the meal is not otherwise prohibited.

**3. Vanderbilt can continue to invite Members of Congress and their staff to certain public events at which food is served, and for which the Member's or staff's presence could be considered directly related to their official duties.** Examples of this would include public lectures, groundbreakings, dedications, academic conferences, symposia, etc. Please alert the Office of Federal Relations before such invitations are extended so we can verify that the event does not fall into a prohibited area and so that we can coordinate the many requests that Vanderbilt makes of our Congressional delegation and other Members of Congress.

**4. Vanderbilt cannot provide Members of Congress or their staff with complimentary tickets to sporting events, concerts or other activities for which an admission fee is charged.** All Members and their staff must pay the face value of the ticket. For locations where there is no face value – such as a suite or box – please contact the Office of Federal Relations for guidance. In addition, we are legally required to charge the Member or staff an additional cost for the value of any food served in the suite, unless the food passes the "toothpick exemption." Again, we ask that any requests for tickets from Members of Congress or their staff, or invitations to attend a game or performance, be directed to the Office of Federal Relations for response.

**5. Finally, there are complex rules concerning sponsorship of travel (transportation and lodging) involving Members of Congress and their staff.** Vanderbilt typically does not sponsor congressional travel, but it is an area of great sensitivity with significant advance warning necessary for paperwork and approval. All requests for travel sponsorship involving Members of Congress or their staff should be handled through the Office of Federal Relations to ensure compliance with these ethics rules.

I realize these rules sound onerous and overly proscriptive. They are, however, the law, and we have to make a good faith effort to abide by them. With the addition of criminal penalties for noncompliance, universities are taking these issues much more seriously than in the past. A number of people in General Counsel and Public Affairs have worked on these guidelines, and we welcome your questions, comments and thoughts. Please feel free to distribute this message to your colleagues as needed.

**Questions? Please contact:**

Christina West  
Assistant Vice Chancellor for Federal Relations  
[Christina.West@vanderbilt.edu](mailto:Christina.West@vanderbilt.edu)  
202-216-4370

Crystal Laster  
Administrative Officer, Division of Public Affairs  
[Crystal.Laster@vanderbilt.edu](mailto:Crystal.Laster@vanderbilt.edu)  
615-343-2574

**Vanderbilt University  
Office of Federal Relations  
Lobbying Disclosure Form**

Due to federal lobbying disclosure rules, all Vanderbilt employees who engage in lobbying activity using University resources or on behalf of the University and its federal advocacy priorities must report and disclose these contacts to the University so that it can be included in our quarterly lobbying disclosure reports. There are substantial civil and criminal penalties for failing to file such reports in a timely and accurate manner.

“Lobbying activity” refers to any direct contact with Members of Congress or their staff in which an individual is asking for federal funding, requesting specific legislative action or attempting to influence the position of an elected official on an issue pending before Congress. This would include meetings, telephone calls, letters, faxes or emails.

Lobbying contacts made by University employees in their capacity as private citizens and not using Vanderbilt resources do not need to be reported.

If you have engaged in lobbying activities this quarter, please complete the following form:

**1. Reporting period: (circle one)**

1<sup>st</sup> Quarter    2<sup>nd</sup> Quarter    3<sup>rd</sup> Quarter    4<sup>th</sup> Quarter    (calendar year quarters)

**2. Name/Title:**

**3. Date(s) of lobbying activity(ies):**

**4. Name(s) of who was contacted (Member and/or staff):**

**5. Subject(s) discussed:**

**6. The length of time spent lobbying:**

**7. Costs associated with each lobbying contact:**

- a. Direct costs (Pro-rata share of direct costs when travel involves other, non-lobbying activities):
- b. Portion of salary/benefits for actual time spent in direct communication with Member and/or staff (office visits, telephone calls, email); this does not include travel time to or from a meeting:

This form should be completed and returned to Crystal Laster ([Crystal.Laster@vanderbilt.edu](mailto:Crystal.Laster@vanderbilt.edu)) in the Division of Public Affairs within 10 days after the end of each quarter (ie: April 10, July 10, October 10 and January 10).

If you have any questions about the reporting requirements, please feel free to contact us. Vanderbilt conducts its advocacy activities in a very transparent and professional manner; in light of the ethics rules, it is essential that we carefully and fully report all such activities.

**Questions? Please contact:**

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