



**Policy on Contacts with
Federal, State and Local
Government Officials and
Agencies**

Responsible Executive:
Executive Vice President
Responsible Office:
Office of Public Affairs and
Communications
Approved by: University Policy
Committee
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1. INTRODUCTION

As a nonprofit organization under Section 501(c)(3) of the Internal Revenue Code, the University of Notre Dame is subject to federal laws and regulations concerning interaction between the University and Governmental Officials at federal, state and local levels. In some cases, such laws and regulations impose detailed reporting requirements, as well as limitations on the extent and nature of such interactions.

In addition, the University is governed by many other federal, state and local laws and regulations. Such laws and regulations apply for any number of reasons, including the University's receipt of federal funds for sponsored research, the University's receipt of federal student financial aid, the University's status as an employer, and the University's provision of numerous types of services. Accordingly, Notre Dame employs personnel to help the University's administration formulate and communicate the University's positions on such matters to elected and appointed officials at all levels of government. The University also occasionally retains external lobbyists to help protect the University's diverse interests at the federal, state and local levels. As does Notre Dame's status as a nonprofit organization, these activities also trigger detailed legal requirements, which include certain mandated registrations with the federal and state governments and activity and financial reporting on interactions between the University and Governmental Officials.

Violations of these various laws and regulations can cause immediate and lasting damage to Notre Dame and its ability to carry out its mission, and also subject individual violators to severe penalties.

The purpose of this University policy is to facilitate the University's compliance with these various legal requirements by designating University offices that need to be informed in advance about planned contacts by faculty, staff, and other Notre Dame representatives on behalf of the University with federal, state and local Government Officials and agencies.

2. POLICY STATEMENT

2.1 Contacts with Government Officials

Faculty and staff must notify the following before contacting or responding to, or engaging a third party to contact or respond to, a Government Official, agency or office in any manner that could constitute a Governmental Interaction: (a) the Associate Vice President for Federal and Washington Relations if the Government Official, agency or office is at the federal level; or (b)

the Associate Vice President for State and Local Public Affairs if the Government Official, agency or office is at the state or local level. Each Associate Vice President will be referred to in this policy as an AVP.

The relevant AVP will determine whether the proposed activity would constitute a Governmental Interaction. In the event the proposed activity would constitute a Governmental Interaction, the AVP may require the University employee to provide additional information regarding the proposed Governmental Interaction, including the purpose, date, and duration of the interaction, as well as the associated costs. The AVP may also require the University employee to provide further information after the Governmental Interaction occurs. In addition, the AVP may limit the nature of the interaction, including prohibiting anything of value from being offered or provided to the Government Official, agency or office. If the AVP determines that the proposed Governmental Interaction would not be in the University's best interests, the AVP shall inform the University employee that he or she may not engage (or authorize a third party to engage) in the Governmental Interaction as a representative of the University and shall instruct the University employee on how to inform the Government Official, agency or office with whom the employee intends to interact that the employee is acting in his or her individual capacity.

2.2 Meals, Accommodations, and Gifts to Government Officials

The University is committed to complying with all federal, state, and local rules related to providing anything of value to Government Officials, agencies and offices, including meals, lodging, transportation, event tickets and memorabilia. Nothing of value may be provided to a Government Official, agency or office on behalf of the University without the prior approval of the relevant AVP.

2.3 Personal and Professional Contacts

This policy is not intended to hinder a University faculty or staff member's expression of personal views made in that person's individual capacity on his/her time. In such circumstances, the faculty or staff member should explicitly articulate that opinions expressed by the faculty or staff member are the opinions of that individual and not an official position of the University. A University faculty or staff member who wishes to engage in an interaction of a personal nature with a Government Official, agency or office and not as a representative of the University's interests should be careful to avoid making a suggestion (such as through identification of University title or position) that the interaction is on behalf of, or endorsed by, the University. University resources such as letterhead, address, computers, facilities, telephones or email may not be used for such personal interactions. This policy also is not intended to hinder a University faculty or staff member's activities on behalf of a professional society or association, as long as such activities are carried out in the faculty or staff member's capacity as a member of the society or association and not on behalf of the University. Furthermore, University students act in their individual capacities when interacting with Government Officials and are not authorized to engage in Governmental Interactions.

2.4 Disclosures of Governmental Interactions in Connection with Federal Contracts, Grants, Loans, and Cooperative Agreements

When conducted in connection with a federal contract, grant, loan, or cooperative agreement, certain Governmental Interactions by third parties must be specially disclosed to the federal agency funding the contract, grant, loan or cooperative agreement. The AVP for Federal and Washington Relations may require a University employee involved in the administration of a federal contract, grant, loan or cooperative agreement for the University to file such a disclosure with the relevant federal agency when necessary.

3. SCOPE

This policy applies to all employees of the University of Notre Dame.

4. DEFINITIONS

Governmental Interaction

Any interaction with a federal, state or local Government Official, agency or office on behalf of the University, including oral, written and electronic communications and responses to requests, except that the following interactions shall not constitute a Governmental Interaction for the purposes of this policy: (a) any interaction that is responsive to an audit, investigation, legal or other administrative proceeding involving a government entity; (b) any interaction that involves a routine filing or other action necessary to comply with applicable legal requirements; (c) any interaction related to the routine administration of government grants and contracts, such as grant applications and reporting and submissions required under the terms of a government grant or contract; or (d) regular routine communications related to community relations.

Government Official

Any individual elected to public office at the federal, state, or local level; any individual employed by the legislative branch of the federal, state or local government; and any individual who is a political appointee in the executive branch at the federal, state or local level, which at the federal level includes Schedule C Employees. The relevant AVP can provide guidance on whether a Government Official is a political appointee.
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5. RESPONSIBILITIES

The Associate Vice President for Federal and Washington Relations and the Associate Vice President for State and Local Public Affairs are jointly responsible for monitoring and accurately reporting all lobbying contacts and expenses on behalf of the University of Notre Dame.

6. RELATED DOCUMENTS

Policy or Document	Web Address
Guidelines for Hosting Political Candidates or Elected Officials	http://uc.nd.edu/public-information/notre-dame-guidelines-for-hosting-political-candidates-or-elected-officials/
Policy on Use of Notre Dame Name and Brand	http://policy.nd.edu/policy_files/UseofName.pdf

7. CONTACTS

Subject	Office or Position	Office Email or URL	Telephone Number
Policy Clarification	Office of General Counsel	gencoun@nd.edu	574-631-6411
Federal Governmental Interactions	Associate Vice President for Federal and Washington Relations	John.F.Sturm.7@nd.edu	202-747-3213
State or local Governmental Interactions	Associate Vice President for State and Local Public Affairs	Timothy.D.Sexton.30@nd.edu	574-631-1099
Web Address for this Policy		http://policy.nd.edu/policy_files/GovContactsPolicy.pdf	