



Legislative Activity

Guidelines to Interacting with Congress

USDA

Agricultural Research Service

Legislative Affairs
202-720-3173

Guidance regarding anti-lobbying

As an ARS employee, you are not allowed to contact a Member of Congress to solicit support for your work, your laboratory and location, and/or any pending legislation. Congressional Members or Staff may contact you for information on your program and/or to solicit your expertise. You may respond to these requests directly, immediately filing an ARS-213 form (available on-line at <http://www.ars.usda.gov/newla/congressconv.html>) to let your Area Director and headquarters staff know of the activity. Any requests outside these boundaries (including questions regarding budget) should be referred to the Legislative Affairs Office.

There are two statutes that prohibit the use of appropriated funds for lobbying activities applying to ARS:

- ⇒ 18 U.S.C. 1913 is a criminal statute applicable to all executive branch agencies. It prohibits the use of appropriated funds for activities that directly or indirectly are "intended or designed to influence in any manner a Member of Congress, to favor or oppose ... any legislation or appropriation by Congress...."
- ⇒ A section of the Treasury and General Government Appropriations Act (section 627 in the 1999 Act) prohibits the use of appropriated funds "other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself." This provision applies to all agencies within the executive branch. This is a civil, not a criminal, statute and any remedies for violations would be civil in nature.

A helpful and expanded discussion of how these laws and associated regulations apply to you can be found at <http://www.usda-ethics.net/rules/rule9.htm>. When in doubt, contact the Legislative Affairs Office for further guidance - it is better to be safe than sorry!

Build a Relationship

You should feel free, however, to build a relationship with your Congressional delegation. They are interested in your lab and the research program. You can keep them informed of your program by including them in mailings or other outreach efforts you make. If you would like to invite a Member of Congress or one of their staffers to an event at your location or to make a visit, there are procedures you must follow. Congressional correspondence, including invitations, must be authorized by and, in many cases, originate from the ARS Office of the Administrator or perhaps from the Department, depending on the situation. When you first start thinking about an event, call the Legislative Affairs office or e-mail david.kelly@ars.usda.gov and describe the event and time-frame you are planning. We will inform the Department officials for you, and then you can contact your Congressional office to check on the Members' availability before you choose a final date. You must contact ARS Legislative Affairs before you contact the Member of Congress' office. Good times to consider holding an event at which you want Congressional attendance include Mondays and Fridays when Congress is in session (when the Member is likely to be home for the weekend), or Congressional holidays and scheduled recesses. Our office can help identify a good time.



ARS Legislative Affairs Website:

- ARS-related Legislation
- Compilation of Statutes for REE
- Congressional Calendars
- Congressional Delegations for ARS Locations
- Congressional Conversations Form ARS-213
- And other Legislative Resources

www.ars.usda.gov/business/docs.htm?docid=1332