

Mid-Atlantic Christian University Finance Policy #14

SUBJECT: Lobbying Certification

DATE: August 2009

REVISED: 02/21/04; 02/27/2015

REVIEWED: April 2020

NEXT SCHEDULED REVIEW: Even numbered years in February

APPROVED BY BOARD OF TRUSTEES: October 18, 2013

Policy for: Financial Aid Office

Procedure for: Finance Office and Financial Aid

Authorized by: Vice President of Finance

Issued by: Board of Trustees

I. Purpose

The purpose of this policy is to implement the provisions of the Higher Education Opportunity Act (“HEOA”) and the Bryd Amendment, and to define the responsibilities of Mid-Atlantic Christian University (“University”) employees who represent the needs of the college to the federal and state government.

The Higher Education Opportunity Act of 2008 prohibits the use of federal funds received under the Higher Education Act of 1965 from being used by any institution of higher education to pay any person for influencing or attempting to influence an officer or employee of any agency, or member of Congress in connection with the awarding of any federal funds, the making, entering into, or extension, continuation, renewal, amendment or modification of any federal grant or loan.

II. Policy

The University does not use any funds under the Higher Education Act to attempt to influence a member of Congress in connection with any federal grant, contract, loan, or cooperative agreement.

The University does not use federal student aid funding to hire a registered lobbyist or to pay for securing an earmark.

III. Procedure

When the University submits a proposal to a Federal agency or accepts a federally funded grant, contract or cooperative agreement over \$100,000 or loans exceeding \$150,000, the University must certify the following:

No Federal funds were or will be expended to pay any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a specific award.

If the University has used or intends to use non-federal funds for lobbying activities by an individual not regularly employed by the University, the University must disclose certain information to the federal agency regarding these lobbying activities. This disclosure is required in accordance with 31 U.S.C Section 1352 and is made using the Standard Form LLL, [Disclosure of Lobbying Activities](#).

Disclosure of lobbying activities via the Standard Form LLL must be filed with the proposal or prior to any award and at the end of each calendar quarter in which any lobbying event occurs that requires disclosure or affects the accuracy of the information contained in any previously filed disclosures.

Sanctions for Noncompliance

Under the Byrd Amendment, no awards will be made unless appropriate certifications have been filed. Institutions that make lobbying expenditures prohibited by the regulations shall be subject to a civil penalty ranging from \$10,000 to \$100,000 for each violation. Debarment or suspension (i.e. an inability to receive federal funding) may also be a penalty for non-compliance.

IV. Published: Policy Website

V. Reason for Revision

VI. Appendices

Relevant Legislation and Documents

[2 C.F.R. Part 220, Cost Principles for Educational Institutions \(OMB CIRCULAR A-21\)](#)

[31 U.S.C. Section 1352, Bryd Amendment](#)

[Standard Form LLL](#)