

# **Association of Government Relations Professionals**

## **CODE OF LOBBYING ETHICS**

“An important document which recognizes the critical need for ethical behavior in public affairs.”

-- Pat Roberts, Former Chairman, Senate Select Committee on Ethics

The AGRP Code of Ethics is utilized as a model by various organizations and serves to strengthen our image and enhance our role as a vital and respected link in the democratic process.

Lobbying is an integral part of our nation’s democratic process and is a constitutionally guaranteed right. Government officials are continuously making public policy decisions that affect the vital interests of individuals, corporations, labor organizations, religious groups, charitable institutions and other entities. Public officials need to receive factual information from affected interests and to know such parties’ views in order to make informed policy judgments.

In exercising their rights to try to influence public policy, interests often choose to employ professional representatives to monitor developments and advocate their positions, or to use lobbyists through their membership in trade associations and other membership organizations.

Tens of thousands of men and women now are professional lobbyists and represent virtually every type of interest.

To help preserve and advance public trust and confidence in our democratic institutions and the public policy advocacy process, professional lobbyists have a strong obligation to act always in the highest ethical and moral manner in their dealings with all parties. Lobbyists also have a duty to advance public understanding of the lobbying profession.

The Association of Government Relations Professionals (AGRP), accordingly, has adopted the following “Code of Lobbying Ethics” to provide basic guidelines and standards for lobbyists’ conduct. In general, this Code is intended to apply to independent lobbyists who are retained to represent third party clients’ interests and to lobbyists employed on the staff of corporations, labor organizations, associations and other entities where their employer is in effect their “client.” Lobbyists are strongly urged to comply with this Code and to seek always to practice the highest ethical conduct in their lobbying endeavors.

Individual members of the Association of Government Relations Professionals affirm their commitment to abide by this Code. Any AGRP member found guilty by a court of a crime of moral turpitude or of violating a law directly related to any professional lobbying or political campaign activity shall forfeit AGRP membership.

## ARTICLE I: HONESTY & INTEGRITY

A lobbyist should conduct lobbying activities with honesty and integrity.

- 1.1. A lobbyist should be truthful in communicating with public officials and with other interested persons and should seek to provide factually correct, current and accurate information.
- 1.2. If a lobbyist determines that the lobbyist has provided a public official or other interested person with factually inaccurate information of a significant, relevant, and material nature, the lobbyist should promptly provide the factually accurate information to the interested person.
- 1.3. If a material change in factual information that the lobbyist provided previously to a public official causes the information to become inaccurate and the lobbyist knows the public official may still be relying upon the information, the lobbyist should provide accurate and updated information to the public official.

## ARTICLE II:

### COMPLIANCE WITH APPLICABLE LAWS, REGULATIONS & RULES

A lobbyist should comply fully with all laws, regulations and rules applicable to the lobbyist.

- 2.1. A lobbyist should be familiar with laws, regulations and rules applicable to the lobbying profession and should not engage in any violation of such laws, regulations and rules.
- 2.2. A lobbyist should comply with all campaign finance laws, regulations and rules. Additionally, a lobbyist should remain informed on updates in campaign finance laws that affect their rights and responsibilities, as a lobbyist and a citizen, under the First Amendment right to participate in the political process.
- 2.3. A lobbyist should not cause a public official to violate any law, regulation or rule applicable to such public official.

## ARTICLE III: PROFESSIONALISM

A lobbyist should conduct lobbying activities in a fair and professional manner.

- 3.1. A lobbyist should have a basic understanding of the legislative and governmental process and such specialized knowledge as is necessary to represent clients or an employer in a competent, professional manner.
- 3.2. A lobbyist should maintain the lobbyist's understanding of governmental processes and specialized knowledge through appropriate methods such as continuing study, seminars and similar sessions in order to represent clients or an employer in a competent, professional manner.
- 3.3. A lobbyist should treat others — both allies and adversaries — with respect and civility.

- 3.4. A lobbyist should participate in continuing education and training programs, including those addressing compliance with laws, rules, and ethical standards applicable to the profession, on an annual basis.

#### ARTICLE IV: CONFLICTS OF INTEREST

A lobbyist should not continue or undertake representations that may create conflicts of interest without the informed consent of the client or potential client involved.

- 4.1. A lobbyist should avoid advocating a position on an issue if the lobbyist is also representing another client on the same issue with a conflicting position.
- 4.2. If a lobbyist's work for one client on an issue may have a significant adverse impact on another client's interests, the lobbyist should inform and obtain consent from the other client whose interests may be affected of this fact even if the lobbyist is not representing the other client on the same issue.
- 4.3. A lobbyist should disclose all known conflicts to the client or prospective client and discuss and resolve the conflict issues promptly.
- 4.4. A lobbyist should inform the client if any other person is receiving a direct or indirect referral or consulting fee from the lobbyist due to or in connection with the client's work and the amount of such fee or payment.

#### ARTICLE V: DUE DILIGENCE & BEST EFFORTS

A lobbyist should vigorously and diligently advance and advocate the client's or employer's interests.

- 5.1. A lobbyist should devote time, attention, and resources to the client's or employer's interests that are commensurate with client expectations, agreements, and compensation.
- 5.2. A lobbyist should exercise loyalty to the client's or employer's interests.
- 5.3. A lobbyist should keep the client or employer informed regarding the work that the lobbyist is undertaking and, to the extent possible, should give the client the opportunity to choose between various options and strategies.

#### ARTICLE VI: COMPENSATION AND ENGAGEMENT TERMS

- 6.1. A lobbyist who is retained by a client should have a written agreement with the client regarding the terms and conditions for the lobbyist's services, including the amount of and basis for compensation. The agreement should include the subject of expenses and the lobbyist should charge only those expenditures made on behalf of the client and in furtherance of the objective pursued on the client's behalf.
- 6.2. The fees charged by a lobbyist should be reasonable, taking into account the facts and circumstances of the engagement.

- 6.3. A lobbyist shall disclose to other clients and, if requested, to government officials the existence of any agreement for the receipt of contingent fees or bonuses for obtaining or preventing the enactment of legislation.
- 6.4. Upon termination of representation, a lobbyist should take steps to the extent reasonably practicable to protect an employer's or client's interests, such as giving reasonable notice to the employer or client, allowing time for employment of another lobbyist, and surrendering papers and property to which the employer or client is entitled.

## ARTICLE VII: CONFIDENTIALITY

A lobbyist should maintain appropriate confidentiality of client or employer information.

- 7.1. A lobbyist should not disclose confidential information without the client's or employer's informed consent.
- 7.2. A lobbyist should not use confidential client information against the interests of a client or employer or for any purpose not contemplated by the engagement or terms of employment.

## ARTICLE VIII: PUBLIC EDUCATION

- 8.1. A lobbyist should seek to ensure better public understanding and appreciation of the nature, legitimacy and necessity of lobbying in our democratic governmental process. This includes the First Amendment right to "petition the government for redress of grievances."
- 8.2. A lobbyist is encouraged to devote a not insubstantial amount of time each year to providing lobbying or related services to persons or organizations that are pursuing objectives that advance the public good, but who do not have the resources to compensate lobbyists to represent them in that endeavor.

## ARTICLE IX: DUTY TO GOVERNMENTAL INSTITUTIONS

In addition to fulfilling duties and responsibilities to the client or employer, a lobbyist should exhibit proper respect for the governmental institutions before which the lobbyist represents and advocates clients' interests.

- 9.1. A lobbyist should not act in any manner that will undermine public confidence and trust in the democratic governmental process.
- 9.2. A lobbyist should not act in a manner that shows disrespect for government institutions.

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<http://grprofessionals.org>