

MEH



City of Chicago
Eugene Sawyer, Acting Mayor

May 16, 1988

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Suite 1320
205 West Randolph Street
Chicago, Illinois 60606
(312) 744-9660

[REDACTED]

Re: Co. A [REDACTED] Governmental Relations
Case No. 88033.Q

Dear [REDACTED]

The Board of Ethics is in receipt of your letter of February 15, 1988, requesting clarification of the status of two employees of Co. A [REDACTED]. Specifically, you indicated that the varied nature of their lobbying activities on behalf of Co. A [REDACTED] was proving an obstacle to their classification for purposes of the Lobbyist Registration and Disclosure Forms.

In your letter, you stated that since Mr. B [REDACTED] and Mr. C [REDACTED] jobs cover a broad range of governmental relations, involving federal, state and local governmental entities, it is difficult to determine the amounts of compensation for their lobbying activities before the City of Chicago (required by Section E of the Lobbyist Disclosure Report). The Board of Ethics appreciates this difficulty. In instances where an apportionment of lobbying-related compensation or expenditures among various activities is necessary, but where precise figures are not possible, we require simply a "good faith" estimate of the relevant amounts.

Therefore, in Section E of both Mr. B [REDACTED] and Mr. C [REDACTED] Lobbyist Disclosure Reports (attached), a "good faith" estimate of their compensation related to lobbying the City of Chicago must be provided (to the nearest \$5,000). Similarly, Mr. B [REDACTED] must make a "good faith" estimate of the total expenditures made in relation to his lobbying activities before the City of Chicago for Section C of his Lobbyist Report. Finally, both Mr. B [REDACTED] and Mr. C [REDACTED]



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should attach to their Lobbyist Registration Forms (Form 23) any provisions of their employment agreements relevant to their lobbying activities, per Section C of that form.

Pursuant to your request for further direction as to the application of the Ethics Ordinance (Chapter 26.2 of the Municipal Code) to Co.A - [REDACTED] following is a summary of the Ordinance provisions relevant to lobbying: For purposes of the Ethics Ordinance, a "lobbyist" is any person (i) who for compensation or on behalf of any person other than himself undertakes to influence any legislative or administrative action or (ii) any part of whose duties as an employee of another includes undertaking to influence any legislative or administrative action (Section 26.2-1(n). "Legislative action" is defined in Section 26.2-1(n) of the Ethics Ordinance as any "official action or non-action on any...matter pending or proposed" before the City Council or any of its subdivisions. "Administrative action" is defined in Section 26.2-1(a) as any "official non-ministerial action or non-action by any executive department." (Note: Boards and commissions are not "executive departments" and are thus outside the purview of lobbyist disclosure.) Persons appearing before City agencies for purposes other than undertaking to influence legislative or administrative action are not "lobbyists."

The Ethics Ordinance requires all lobbyists whose lobbying-related compensation or expenditures aggregate \$5,000 or more in the preceding or current calendar year to register and file twice-yearly reports with the Board of Ethics (Section 26.2-21). As discussed above, a "good faith" estimate will have to be made to determine whether the portion of an individual's compensation and expenditures related to lobbying the City of Chicago exceeds the \$5,000 threshold.

We hope that this summary will prove helpful to you in complying with the Lobbyist Registration and Reporting provisions of the Ethics Ordinance. Should you have any further questions, please contact the Board of Ethics at 744-9660.

Sincerely,


S. Brandzel
Chairman

Attachments: Lobbyist Registration and Disclosure Forms of [REDACTED] and [REDACTED]

MA/ma: [REDACTED]