

abbvie

# Methods for Tracking Lobbying Activities

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December 6, 2017



## Lessons Learned

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- Hire a lawyer to help build a process
- If you can't do that, use a sample to set framework
- Put deadlines on the calendar
- Excel is your friend!
- Develop a tracking sheet with questions
- Time spent at fundraisers does not count!!!
- Give finance/payroll department plenty of time to get you the numbers
- **BENCHMARK WITH INDUSTRY!**

## Office Culture: Emphasizing Importance of Compliance

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- Schedule lobbying compliance training for all relevant new employees
- Annual refresher course conducted by outside counsel
- Registered Lobbyists; Policy, Advocacy, Alliance Development; Gov Affairs Admin; Executives
- Follow-Up with Adding Reporting Deadlines on their calendars
- Create Standard Operating Procedures



# Step 1- Lobbying Tracking Sheet

NAME \_\_\_\_\_  
 MONTH \_\_\_\_\_  
 (Monthly)

## WORKSHEET

### INDIVIDUAL STAFF MEMBER'S LOBBYING ACCOUNT

This worksheet is designed to enable [ ] to account for lobbying activities required to be reported to Congress pursuant to the Lobbying Disclosure Act ("LDA") and to capture expense which are non-deductible under IRS regulations. Please fill in the aggregate number of hours for each of the following activities. Time should be rounded to the nearest ½ hour. For example, if you spent 2 hours and 20 minutes on a category of activity, enter "2.5 hours."

Yay!

• Developing correspondence and statements for Congress legislatures on pending legislation or potential legislative initiatives, including research and preparation.	_____ hrs.
• Drafting and analyzing federal legislation and legislative proposals, or attending hearings on the same, that [ ] currently lobbies on or will address, including research and preparation.	_____ hrs.
• Developing, coordinating, and conducting meetings whose purpose is at least in part to discuss legislative proposals, legislation, or lobbying strategy, including research and preparation.	_____ hrs.
• <b>Legislative Proposals:</b> Any communication (orally or written) to any federal government employee about legislation or legislative proposals that [ ] lobbies on or will address, including research and preparation.	_____ hrs.
• <b>Federal Rules and Policies:</b> Any communication to a covered legislative branch official or covered executive branch official (all Members and staff of Congress, White House staff, staff serving in Executive levels I-V, and all schedule C/political appointees) about <i>federal</i> rules and policies, regulations, Executive Orders, or other programs or policies of the U.S. government, including research and preparation.	_____ hrs.
<p><b>*Note:</b> LDA contains significant exceptions to "lobbying contacts." Therefore, do <u>not</u> include time spent on: 1) providing information <i>in writing</i> to any <i>covered agency official</i> in response to a request from that official (time spent responding in writing to Congress should be captured below under IRS section) and 2) any communication made in response to a public request for comments in the Federal Register [i.e. notice of proposed rulemakings, draft guidance documents, or any other government publications] and 3) preparing and providing testimony to Congress (this too should be captured below under IRS Section).</p>	
• Attending coalition and trade association strategy sessions regarding legislation, and non-excluded regulatory activity, including research and preparation.	_____ hrs.
• Lobbying actively as part of a coalition or trade association (lobbying of a covered legislative or executive branch official), including research and preparation.	_____ hrs.
• Travel time related to <u>any</u> of the above activity (air travel & local transportation for lobbying activities, i.e., taxis to Capitol Hill, HHS, etc).	_____ hrs.

## Get Your Emails Out Early

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- Send the emails early, because you will need to follow-up on average up to 3 times per person
- Try to start the process as close to the start of the month that it is due (at the latest!)

**From:** Guthrie, Sally  
**Sent:** Tuesday, October 3, 2017 3:43 PM  
**To:** [REDACTED]  
**Subject:** RE: INPUT NEEDED BY MONDAY: Q3 LDA Hours

Hey Steff,

As we prepare for the LD-2 lobbying reports due Oct 20, which cover activities from July 1 –Sept 30, could you provide us with Mike's lobbying hours and expenses for July, August, and September. You can use the attached lobbying tracking sheet or just email them (like below).

Please include any expenses related to lobbying (**fundraisers do not count**).

We will need this information by Monday, Oct 9.

Thank you,

Sally

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## Step 2- Get Busy in Excel Recording Hours and Expenses

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Employee	April	May	June	Hours		Travel Expenses
John Doe	100.0	105.0	102.0	307.00		\$407.45
Jane Doe	90.0	82.0	71.0	243.00		\$100.00
John Doe	38.0	50.0	40.0	128.00		\$253.86
Jane Doe	25.0	0.0	0.0	25.00		\$0.00
<b>Registered Lobbyist Total</b>				703.00		\$761.30
<b>Non-Lobbyists Totals</b>				213.50		\$14,996.56
<b>Totals for Q2</b>				<b>916.50</b>		<b>\$15,757.86</b>

## Step 2- Get Busy in Excel

Lobbying Reporting for Q2 2017					
Name		Hours	Travel Expenses	Notes	More Notes
<b>Registered Lobbyists</b>					
John Doe		307.00	\$407.45	50% of DC cab costs (no trips in Q2)	
Jane Doe		243.00	\$100.00	50% of DC cab costs (no trips in Q2)	
John Doe		128.00	\$253.86	50% of DC cab costs (no trips in Q2)	
Jane Doe		25.00	\$0.00		
<b>SUBTOTAL</b>		<b>703.00</b>	<b>\$761.30</b>		
<b>Non-Lobbyists</b>					
<b>ELT</b>					
Jane Doe		1.00	\$0.00	Federal Strategies and PhRMA Meeting	*PE coordinates
<b>Other Sr. Leaders</b>					
Jane Doe		25.00	\$1,499.00	CLSA Board Meeting	*asked DB
John Doe		5.00	\$0.00	PhRMA Board Meeting and Calls	*PE coordinates
Jane Doe		0.00	\$0.00	BIO Board Meeting in NYC	*asked JF
John Doe		7.00	\$0.00		*asked JS
<b>Add Senior Leader</b>					
<b>TAS/Policy</b>					
Jane Doe		10.00	\$0.00		*SG emailed
John Doe		38.00	\$2,500.00		*SG emailed
<b>Other GA</b>					
Jane Doe		13.50	\$2,666.63		*SG emailed G and A
John Doe		11.50	\$0.00		
Jane Doe		12.50	\$2,000.00		*SG emailed
John Doe		46.00	\$0.00		*SG emailed
Jane Doe		6.00	\$0.00		*SG emailed
<b>Tax</b>					
John Doe		38.00	\$6,330.93		*asked DB
<b>SUBTOTAL</b>		<b>213.50</b>	<b>\$14,996.56</b>		
<b>Grand Total for Q2</b>		<b>916.50</b>	<b>\$15,757.86</b>		

## Send to Finance/Payroll

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- Total lobbying hours from the lobbyists and non-lobbyists as well as their expenses

### **Then, time to focus on obtaining trade association dues**

- Keep a detailed spreadsheet of trade association names, dues, and the contact at the association
- Contact them with plenty of time to obtain the percentage of membership dues allocable to federal lobbying activities!
- Send this all to Finance/Payroll because it takes a while for them to calculate the salary totals



## Step 3- Benchmark with Industry

2016 Lobbying Disclosure Act Filings (Federal)	
Q1 2016	
Q2 2016	
Q3 2016	
Q4 2016	
<b>2016 Total:</b>	<b>\$</b>

2017 Lobbying Disclosure Act Filings (Federal)	
Q1 2017	
Q2 2017	
Q3 2017	
Q4 2017	
<b>2017 Total:</b>	<b>\$</b>

2016 Industry Lobbying Totals (Federal)	
1.	
2.	
<b>3. AbbVie</b>	
4.	
5.	
6.	
7.	
8.	
9.	
10.	
<b>2016 Total:</b>	<b>\$</b>

2017 Industry Lobbying Totals (Federal)	
1.	
2.	
3.	
4.	
5.	
<b>6. AbbVie</b>	
7.	
8.	
9.	
10.	
<b>2017 Total:</b>	<b>\$</b>

## Step 4- Focus on the Issues

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- Email Consultants for their reports to review (use a deadline, same script every time)
- Ask Trade Associations for their list of issues to review
- Setup time with lobbyists/head of office to review the lobbying issues from the DRAFT report
- After, that – you're ready.....



## Step 5- File the Report

LOBBYING DISCLOSURE ACT  
ONLINE REPORTING

HomeFile LD-1 & LD-2 ReportsHelp

The Lobbying Disclosure Electronic Filing System allows registered lobbying firms to file LD-1 and LD-2 reports. **To access the forms, please sign in using your Senate ID and password.**

Have a question about the system? Please visit the [help](#) section to review the instructions and learn more about the forms.

If you have not yet requested a Senate ID and have never filed an LD form before, please visit <http://soprweb.senate.gov> for information.

Please Sign In

Senate ID:  
Please enter your Senate ID.

Find Senate ID

Password:  
A password is required.

LD-2 Lobby Disclosure Report

United States Congress

Lobbying Disclosure Act  
Online Reporting

LD-2 Lobby Disclosure Report

2017 Third Quarter Report

Registrant: AbbVie, Inc.  
Client: AbbVie, Inc. [REDACTED]



United States Congress  
Lobby Disclosure Electronic Filing

Filing Status: Submitted

## Step 6- Loop in Internal Stakeholders

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- Send Confirmation to appropriate stakeholders (VPs, Public Affairs)
- Celebrate!
- Then, repeat.



## Pros Vs. Cons of Tracking Internally or Hiring a Contractor

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### **Cons:**

- It will suck up your time!
- We wear many hats (not main job responsibility)
- Internal contact for when a POLITICO story breaks on lobbying numbers

### **Pros:**

- The skills are always in demand – companies value compliance
- You have the control
- Once you automate the process as much as possible, you have a streamlined process for the future

## Questions?

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