



County of Fairfax, Virginia

MEMORANDUM

DATE: December 22, 2021

TO: Senior Management Team

FROM: Bryan J. Hill
County Executive

SUBJECT: Annual Memorandum – State and Federal Lobbying by County Agencies, Boards, Authorities, and Commissions – 2022 General Assembly, 117th Congress

IMMEDIATE ATTENTION – Agency Directors should immediately distribute this memorandum to appropriate staff, as well as any boards, authorities, or commissions for which they have staff/coordination responsibilities.

County Lobbying Policy

This memo serves as the annual reminder concerning Fairfax County's policy on lobbying at the state or federal level. As you know, established County policy prohibits independent lobbying of the Virginia General Assembly, the Governor's Office, or any other state agency or official by County agencies, boards, authorities, or commissions on issues that are not included in the adopted legislative program and/or policies of the Board of Supervisors. This County policy also extends to lobbying legislative issues at the federal level, in particular with members of Congress or their staff, or executive branch officials.

In addition to adopting an annual state legislative program and the federal legislative strategy and principles, the Board approves positions on ongoing legislative issues under consideration by the General Assembly, the Congress, or the state or federal executive branches throughout the year, as well as positions for testimony on state and federal administrative actions or regulations. (The current 2022 state legislative program and federal strategy and principles are available online on the Board's webpage at:

<https://www.fairfaxcounty.gov/boardofsupervisors/>.) This year, the Board also considered a number of bills introduced by the 117th Congress; based on this review, County government relations staff coordinated our lobbying efforts with the County's Congressional offices. Staff efforts are also supplemented on Capitol Hill by a contract lobbying team for transportation issues, as well as certain general issues of interest to the County.

Upcoming General Assembly – 2022

As you know, general direction of the County's legislative effort year-round is a function of my office. Claudia Arko, the County's Legislative Director and registered lobbyist, will have day-to-day control of the County's state and federal legislative efforts. I have also registered the other members of the County's legislative team who are authorized to lobby on behalf of Fairfax County during the 2022 General Assembly.

State law is quite specific as to what constitutes "lobbying," which is defined as follows: (i) influencing or attempting to influence executive or legislative action through oral or written communication with an executive or legislative official; or (ii) soliciting of others to influence an executive or legislative official.¹ In addition, any local government employee who lobbies is defined as a "lobbyist," and all such lobbyists are required to be registered with the Secretary of the Commonwealth. Va. Code §2.2-419 (see **Attachment**).

In order to comply with the County's lobbying policy, as established by the Board of Supervisors and Virginia law, it is essential that County efforts on legislative or executive actions throughout the year be coordinated with the Legislative Director. In particular, if a member of County staff intends to participate in the Richmond legislative process and attend General Assembly meetings or public hearings pertaining to issues of interest or impact to the County on legislative or executive actions, he or she should contact Claudia or other members of the Richmond team during the General Assembly. Any information which is important to formulating a County position on a particular bill should also be communicated to Claudia. This will ensure that our County efforts are consistent.

Additionally, during the session, Arielle McAloon will be working with a staff team appointed by me to represent major County program areas, and these team members will analyze the impact of legislation affecting the County. As in past years, rapid review of bills is essential, and by using computer support, the review of legislation has been expedited and simplified. All technical questions during the session concerning pending legislation should be routed to Arielle. The information provided by County staff to the Richmond team will be utilized in helping me to make recommendations to the Board for possible County positions during weekly meetings of the Legislative Committee.

No County official or County agency should conduct any lobbying activities in violation of County policy or Virginia law. However, please note that the County lobbying policy is not intended to discourage County agencies, boards, commissions, and authorities from maintaining professional relationships with appropriate state agencies. If you have any questions or need clarification about the County's lobbying efforts related to your area of responsibility, you should check with Claudia. She will coordinate with me on how best to

¹ Virginia's lobbying disclosure and regulations do not apply to all interactions with State agencies. The definition of "lobbying" specifically uses the term "executive action," and that term is defined as "the proposal, drafting, development, consideration, amendment, adoption, approval, promulgation, issuance, modification, rejection, or postponement by an executive agency or official of **legislation or executive orders** issued by the Governor. 'Executive action' includes procurement transactions." Va. Code § 2.2-419.

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handle the issue or effort so that our lobbying activities are consistent county-wide. Additionally, this policy does not deny any individual his or her right as a private citizen to lobby the state on matters of individual concern.

Thank you for your assistance.

2022 General Assembly Contact Information

Richmond Office Information

(office will be staffed January 10 –March 11, 2022)

Address: 1207 E. Main Street, 2nd Floor
Richmond, Virginia 23219

Phone: (804) 788-4536

Fairfax Office Information

Claudia Arko: (703) 324-2647

James Heo: (703) 324-2640

Arielle McAloon: (703) 324-2649

The 2022 session begins Wednesday, January 12, 2022, and is scheduled to end Saturday, March 12, 2022.

Attachment: Virginia Code §2.2-419

cc: Members, Board of Supervisors
Richmond Team
Legislative Review Team