



Title: Prohibited Political Activity and Lobbying	
Review dates: September 9 <sup>th</sup> , 2025	Approved by: Jen Cathy, President and CEO
Revised dates:	Policy Owner: Mary LaDuca, Chief Operating Officer
Approved date: September 9 <sup>th</sup> , 2025	Original Effective Date: September 8, 2025

#### PURPOSE:

Delphi Rise is a tax-exempt 501(c)(3) organization and must ensure it complies with applicable Federal and State laws, regulations, standards and any other requirements from funding sources. The intent of this policy and procedure is to provide guidance to Delphi Rise's affected individuals on prohibited political and lobbying activities to ensure compliance with applicable requirements and not jeopardize the organization's tax-exempt status.

#### DEFINITIONS:

Affected Individuals: All persons who are affected by Delphi Rise's risk areas including our employees, chief executive, other senior administrators, managers, volunteers, interns, contractors, agents, subcontractors, independent contractors, governing body and corporate officers.

Legislation: Action by Congress, state legislature, local council, or similar governing body, with respect to acts, bills, law, policy, resolutions, or similar, or by the public in referendum, ballot initiative, constitutional amendment, or similar procedure.

Lobbying: Communication with members or employees of a legislative body to propose, in support of, or in opposition to legislation. Influencing legislation via direct contact or encouraging the public to contact members of a legislative body to support, propose or oppose legislation are all considered lobbying whether before or after the introduction of any bill or other legislation.

Non-Partisan: Not biased toward a particular political party or candidate.

Prohibited Political Activity: For the purposes of this policy, this includes but is not limited to:

- Making statements, in any form, whether explicitly or implicitly, in support or in opposition to a particular candidate or a political party on behalf of Delphi Rise or using its resources.
- Posting a political party's or candidate's signage, banners, or similar materials anywhere on the organization's property, such as outdoors, on windows, in breakrooms, on computers, and in offices.
- Wearing any apparel while providing services on the organization's behalf that show support of or opposition to a particular party or candidate.
- Using company resources (e.g., office space, phones, internet, printers, time, funds) for a political candidate, party or political action committee, such as buying tickets to a fundraising event sponsored by one; or, donation of Delphi Rise's items, services or equipment.
- Influencing or attempting to influence others to support or oppose a particular party or candidate on behalf of Delphi Rise or using Delphi Rise's resources.
- Making or soliciting contributions for, on behalf of, or against any candidate for public office, political party, or political action committee using Delphi Rise's resources or while representing Delphi Rise.



- Representing Delphi Rise while endorsing or opposing a particular candidate or political party; rating a candidate is also prohibited, no matter how objective the rating is.
- Providing the organization's funds to a 501(c)(4) organization (E.g., Social Welfare Organizations and Local Associations of Employees) which engages in political activity without controls to ensure our funds are used solely for 501(c)(3) exempt activities, not for political campaign activity.

Risk areas: Areas of operation affected by the Compliance Program, including (1) billings; (2) payments; (3) ordered services; (4) medical necessity; (5) quality of care; (6) governance; (7) mandatory reporting; (8) credentialing; (9) contractor, subcontractor, agent or independent contract oversight; (10) other risk areas reasonably be identified by Delphi Rise through its organizational experience including provider eligibility, record keeping and document retention, conflicts of interest, privacy and confidentiality.

#### POLICY:

Delphi Rise is designated as a 501(c)(3) nonprofit organization and exempt from applicable Federal and State taxes. As a 501(c)(3), the net earnings of the organization cannot personally benefit a private shareholder or individual. All affected individuals are prohibited from engaging in any political activity or lobbying using Delphi Rise's resources. Similarly, affected individuals may not engage in prohibited political activities or lobbying as a representative on behalf of Delphi Rise. Further, solicitation of benefits by a government official, and/or the offering or providing gifts/benefits to a government official or representative is strictly prohibited.

In accordance with 18 U.S.C. § 1913, no part of funds appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation.

Engaging in prohibited political activities or lobbying is subject to excise taxes, enforcement action by the New York State Attorney General, contract termination, and revocation of tax-exempt status making all of income for the non-compliant timeframe subject to tax. It also may be subject to civil penalties and could impact the organization's ability to receive future grants/awards. Separately, affected individuals who engage in prohibited lobbying are individually subject to sanctions. Non-compliance with this policy can result in disciplinary action up to and including termination of employment or affiliation.

#### PROCEDURE:

1. Affected individuals must not participate or intervene (directly or indirectly) in any lobbying or prohibited political activity on behalf of, in support of, or in opposition to any political party, political action committee, or candidate for public office using Delphi Rise's resources or while representing Delphi Rise.
2. Affected individuals may engage in the following activities, as they are not considered prohibited activities:



- Activities that are done strictly in an individual capacity, where:
    - (i) It is evident that the individual is acting solely in their personal capacity, not acting on behalf of the Delphi Rise, and that no endorsement by the Delphi Rise is implied; and,
    - (ii) The individual does not use any of Delphi Rise's resources to support the activity (E.g., the activity cannot be conducted during the person's hours of employment).
  - Communications to legislators specifically regarding Delphi Rise's existence or tax-exempt status.
  - Consideration of public policy issues in an educational way.
3. Non-partisan provision of advice to a governmental body in response to a request where Delphi Rise's organizational experience can assist in better understanding the matter may also not be considered a prohibited activity; however, it must be reviewed by the Compliance Officer for approval before engaging in this activity. Prior to approval, the Compliance Officer will evaluate whether it is authorized by the governing authority, ensuring that the activity does not violate any law, regulations or other requirement, such as contractual provisions or restrictions from funding source(s).
  4. All affected individuals should contact the Compliance Officer with any questions about the scope of this policy and for any guidance around what constitutes a prohibited activity. Any suspected violations of policy must be reported to the Compliance Officer.

#### MONITORING AND EVALUATION:

This policy and procedure will be evaluated for effectiveness during the annual review by the Policy Owner. Factors considered will include testing the knowledge of affected individuals on what is considered a prohibited activity and reviewing the volume of complaints/issues that implicated this policy.

#### REVIEW AND REVISION:

This policy is to be reviewed and updated, as needed, by the Policy Owner at least annually.

#### REGULATORY REFERENCES:

18 U.S. Code § 1913

26 U.S.C. §501(c)(3)

New York State Tax Law § 1116

Public Law 101-121 Section 319