



RUTGERS POLICY

Section: 50.4.1

Section Title: External Affairs

Policy Name: Lobbying and Advocacy Policy

Formerly Book: N/A

Approval Authority: Board of Governors

Responsible Executive: Senior Vice President for External Affairs

Responsible Office: Office of External Affairs

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Errors or changes? Contact: externalaffairs@oldqueens.rutgers.edu

1. **Policy Statement**

This policy sets the guidelines and processes for members of the Rutgers community to engage in lobbying activity officially on behalf of Rutgers with government officials under the guidance and authorization of the Rutgers Office of External Affairs. As the State University of New Jersey, it is imperative that communications on behalf of Rutgers from members of the Rutgers community to government entities or employees be delivered in an organized, clear, and consistent manner.

This policy does not limit the personal rights of those in the Rutgers community who wish to contact, or advocate to, government officials about their personal beliefs and interests. Furthermore, this policy does not apply to lobbying communications from members of the Rutgers Community made on behalf of professional groups or organizations.

2. **Reason for Policy**

- To provide clarity to the Rutgers community on official lobbying policies and procedures.
- To comply with laws that govern official lobbying at all levels of government.
- To maximize the efficacy in Rutgers advocacy efforts by delivering uniform, consistent, and clear communication with elected officials.

3. **Who Should Read This Policy**

All members of the Rutgers community who seek to lobby local, state, and/or federal elected officials, government staff and employees on behalf of Rutgers.

4. **Related Documents**

- 10.1.13, Federal Directed Funding ("Earmarking")
- 50.3.4, Electoral Political Activities and the Use of University Resources

5. **Contacts**
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6. **The Policy**

50.4.1 LOBBYING AND ADVOCACY POLICY

I. INTRODUCTION

The Senior Vice President for External Affairs or designee is responsible for the coordination of all official Rutgers communications and interactions with government entities. The Vice President for State Government Affairs and Vice President for Federal Relations, acting as designees of the Senior Vice President, shall advise, or be consulted, on all such activities to ensure coordination and consistency of intent, purpose and accuracy, and shall approve materials, content of testimonies, and accuracy of positions to be presented in representation of Rutgers University.

II. ACCOUNTABILITY

Under the direction of the Senior Vice President for External Affairs, the Chancellors, Deans, and Vice Presidents shall ensure compliance with and implementation of this policy.

III. APPLICABILITY

This policy applies to all full-time, part-time, permanent and temporary employees, faculty and staff.

IV. DEFINITIONS

- A. **Lobbying Activity:** Lobbying communications and any efforts in support of such communications, including preparation or planning activities, research, and other background work that is intended, at the time of its preparation, to contact a government official on behalf of Rutgers.
- B. **Government Official:** For the purposes of this policy, a government official is any local, state, or federal official listed below.
1. **Covered Federal Official:** Covered federal officials include Members of the U.S. House of Representatives and their staffs, as well as members of the U.S. Senate and their staffs, including staff of joint committees, leadership groups, or committees of either House of Congress; and any employee of a working group or caucus organized to provide legislative services or other assistance to Members of Congress. Covered federal officials also include the Office of the President; Vice President; employees of the Executive Office of the President; Level I – V of the Executive Schedule (generally Assistant Secretaries, Commissioners, and above); Members of the Uniformed Services at pay grade above 0-7 (generally top military officers, such as Brigadier General and above); and any officer or employee in a position of a confidential, policy-advocating character.
 2. **State Official:** State executive branch officials are the Governor, Governor's Cabinet members, senior staff members, and all employees of the Governor's administration. State legislative branch officials are members of the Legislature, partisan and non-partisan legislative staff members, and any employee of a state legislator.
 3. **Local Official:** Local officials are representatives from all local forms of government, including but not limited to, mayors and their staff, City Council

members, City Council staff members, County office holders and their staff members within the administration, any employee of a local government official, or committees of any branch of local government.

- C. **Lobbying Communication:** Any in-person or indirect unsolicited communication made on behalf of Rutgers, including oral, written, or electronic communication, to influence government officials including, but not limited to: an appropriations request, action on legislation, rules, regulations, contracts, nominations, or any other governmental program or policy.

A lobbying communication **is not**:

- Communications required pursuant to an existing contract, permit, license, grant or loan.
- A speech, article, publication or other material that does not address an official position of the University, which is distributed and made available to the public through a medium of mass communication.
- Educational meetings and presentations to officials.
- Public testimony or written comments that do not address an official position of the university, in response to a public proceeding.
- Personal lobbying communications using personal resources or that of a professional association.
- Communications required by subpoena or civil investigative demand, or otherwise compelled by statute, regulation or other action of a public agency.

- D. **Personal Lobbying Communication:** Any lobbying communication made on personal time using personal resources setting forth personal opinions to government officials.

- E. **Professional Lobbying Communication:** Any lobbying communication made to government officials on behalf of professional groups or organizations.

- F. **Official Rutgers Lobbying Communication:** A lobbying communication, authorized by the Vice President for State Government Affairs or Vice President for Federal Relations, made on behalf of the University.

- G. **Rutgers Leadership:** For the purposes of this policy, Rutgers leadership consists of the Rutgers President, all Vice Presidents, Chancellors, and Deans.

- H. **Rutgers Community:** Full-time, part-time, permanent and temporary employees, faculty, and staff.

V. REFERENCE

Federal Lobbying Disclosure Act, Public Law 110-81, 105-166, 104-65

VI. ADVOCATING ON BEHALF OF RUTGERS UNIVERSITY

- A. All members of Rutgers Leadership and of the Rutgers Community must consult with the Vice President for State Government Affairs or Vice President for Federal Relations before engaging in lobbying activities on behalf of Rutgers. The Vice President for State Government Affairs or Vice President for Federal Relations may authorize any proposed engagement following such consultation.

Lobbying Activities that require consultation with the Vice President for State Government Affairs or Vice President for Federal Relations include, but are not limited to:

1. Submission of oral or written statement(s)/testimony, appearance before government officials, or one-on-one meetings with government officials to educate,

inform, or represent the official position of Rutgers University or any Rutgers component units on any issue.

2. Rutgers site tours or visits by government officials.
3. Advocacy or lobbying activities on behalf of Rutgers intended to create or influence legislation, regulations or public policy.
4. Requests on behalf of Rutgers to any government official for public appropriations, grants, or other public financial support.

B. Any verbal or written representation of Rutgers or that of its component units must be consistent with and adequately reflect the University's mission, vision, values, strategic direction, and policies.

C. Lobbying Authorization Process

1. Authorization process for Rutgers Leadership

Rutgers Leadership may engage in lobbying activities in consultation with the Vice President for State Government Affairs or Vice President for Federal Relations

2. Authorization process for the Rutgers Community

Members of the Rutgers Community may be authorized to engage in official lobbying activities on behalf of Rutgers in accord with this procedure:

- a. The member of the Rutgers Community shall submit a brief, written, request that details the proposed lobbying activity to his/her supervising Dean, Vice President, or Chancellor.
- b. The Dean, Vice President, or Chancellor shall determine whether to approve or deny the request.
- c. If the Dean, Vice President, or Chancellor approves the request, he/she shall forward the proposal to the Vice President for State Government Affairs or Vice President for Federal Relations for advice and consultation

D. Federal Lobbying Disclosure

The Federal Lobbying Disclosure Act mandates that the University file quarterly and semi-annual reports related to university lobbying activities and related expenditures. The University's Office of Federal Relations, under the supervision of the Senior Vice President for External Affairs, manages the University's compliance with the Act. University employees who have engaged in federal lobbying activities with covered federal officials must report their activities to the Office of Federal Relations and will be required to document their lobbying activity through a quarterly questionnaire from the Office of Federal Relations.

E. Unauthorized Lobbying Activity Reporting

If any member of Rutgers Leadership or the Rutgers Community has engaged in unauthorized lobbying activities, or becomes aware of unauthorized lobbying activities that are taking place, he/she must immediately report the unauthorized lobbying activity to the Vice President for State Government Affairs or Vice President for Federal Relations

F. Personal Lobbying Communications

Members of Rutgers Leadership or the Rutgers Community who engage in personal lobbying communications shall make it clear that the views expressed are personal in nature.

1. Rutgers letterhead shall not be used for personal contacts;
2. Personal lobbying communications shall not be sent from Rutgers e-mail accounts; and
3. Official Rutgers Titles shall not be used when making personal contacts.

G. Lobbying Activities on Behalf of Professional Groups or Organizations

1. Members of Rutgers Leadership or the Rutgers Community who engage in lobbying activities on behalf of a professional organization shall make it clear that the views expressed are being made on behalf of the professional organization and not on behalf of Rutgers.
2. Rutgers letterhead shall not be used for any professional organization lobbying activities.

VII. SANCTION

Failure to comply with this policy may result in sanctions up to, and including, termination of employment.