

# Institutional Policy on Legislative Engagement, Advocacy, & Lobbying [CENTER]

Last updated: [DATE]

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## Introduction

<Provide overview of organization, type of work and/or research conducted, and organization mission statement if applicable>

## Purpose

This document delineates the standards and procedures for legislative engagement that members of [CENTER] are expected to abide by when representing [CENTER], its governing institution [UNIVERSITY/INSTITUTION IF APPLICABLE], or when using restricted federal funds and resources. The *Institutional Policy on Legislative Engagement, Advocacy, & Lobbying* has been developed by [CENTER] to ensure that all organization members are aware of and understand federal, state, and institutional definitions and regulations regarding lobbying and advocacy. This document seeks to facilitate compliance with these policies and outline acceptable policy-related activities.

The policies described herein do not limit the individual rights of members to engage in lobbying or advocacy in their personal lives when they are not representing [CENTER/UNIVERSITY], using organizational or institutional resources, or using federal research funding.

All views, opinions, or recommendations expressed by [CENTER] are solely representative of [CENTER] and are not associated with or representative of the [CENTER]'s parent institution [UNIVERSITY/INSTITUTION].

<For users of the RPC model>

The Research-to-Policy Collaboration is a nonpartisan research translation model that facilitates connections between researchers and policymakers in the United States. Policy associates implementing the RPC provide consultation using methodologies that are informed by research evidence. The RPC approach is agenda-neutral and apolitical, prioritizing scientific evidence that is both data driven and objective. Consultation on implementing this model is overseen by the Evidence-to-Impact Collaborative (EIC) at Penn State University.

In partnership with the EIC, [CENTER] may provide specific research expertise and relevant scientific information to congresspersons, government officials, or other government employees while representing [CENTER]. Activities conducted by [CENTER], through the RPC network, must remain nonpartisan and not be related to any form of lobbying or lobbying preparation.

## Definitions

- 1. Advocacy:** Engaging or communicating with congresspersons, government officials, or other government employees to prompt action on an issue. Advocacy consists of a wide variety of activities, including, but not limited to, nonpartisan education (i.e., the

provision of comprehensive and nonpartisan research, data, and information on issues or topics pertaining to legislation).

2. **Lobbying:** Engaging or communicating with congresspersons, government officials, or other government employees to influence the outcome of specific legislation.
  - a. **Direct Lobbying:** Engaging with any legislative member to support or oppose specific legislation.
  - b. **Indirect Lobbying (Grassroots Lobbying):** Urging the public to contact legislative staff or otherwise influencing public opinion to support or oppose specific legislation.

### 3. Lobbying Activities:

- a. Attempting to **influence specific** legislation or **advocating** for the **adoption or rejection** of legislation
- b. Writing materials or preparing argument(s) that **support a specific policy position or specific recommendation**
- c. Preparing and planning for **lobbying communications**
- d. Holding strategy meetings to coordinate lobbying
- e. Participating in coalition meetings about **specific legislation**

*<IF SUPPORTED BY FEDERAL FUNDS, INCLUDE DEFINITION BELOW>*

4. **Restricted Federal Funding:** Any funding provided by a government agency (e.g., National Institutes of Health) is **strictly prohibited** from being used for any lobbying activities. Federal funding includes monetary awards and resources including but not limited to paid time, grant funded travel, institutional email addresses.

### Public Policy Positions

*<if your organization plans to engage in lobbying, include this paragraph>*

[CENTER] may take and implement organizational positions on legislation that align with [CENTER]'s mission. These positions may be partisan in nature and may advocate for the adoption or rejection of specific legislation. Policy positions taken by [CENTER] are not intended to represent the specific position of each individual member of [CENTER]. When [CENTER] communicates publicly regarding a position, it will make clear it is taking the position on behalf of itself, or in coordination with or support of a coalition. These positions may not be associated with the RPC, EIC, or the [UNIVERSITY/INSTITUTION], and no government resources may be used to support time spent on these activities.

*<if your organization DOES NOT plan to engage in lobbying, include this paragraph>*

[CENTER] will not attempt to influence the adoption or rejection of specific legislation. [CENTER] also will not provide positions on specific legislation. [CENTER] may directly provide research expertise and relevant scientific information to congresspersons, government officials, or other government employees upon request.

### Roles and Activities

1. **General Advocacy Activities** – in alignment with policies outlined in this document, [CENTER] staff may engage in, but are not limited to, the general advocacy activities listed below:

- Sharing best practices and success stories, including **model** legislation
- Making available **nonpartisan** analysis, study or research
- Examining or discussing **broad**, social, economic and similar problems
- Updating an organization’s members on the status of legislation, **without** a call to action
- Providing technical assistance or advice to legislative body in **response to a written request**
- Communicating with a legislative body regarding matters which might affect the existence of a tax-exempt organization
- Building coalitions
- Providing **comments** or **research** on administrative/agency rules or regulations

## 2. **Lobbying Activities (Non-Profit)**

*<If nonprofit, include this section; this section is not applicable to federal funds>*

[CENTER] may engage in lobbying as defined by the Internal Revenue Code to further its mission. All lobbying activities conducted on behalf of [CENTER] must be reviewed and authorized by the [RELEVANT PARTY/ROLE] or their designee. For these guidelines, lobbying activities consist of “attempts to influence legislation, by propaganda or otherwise” and such activities can be conducted directly or indirectly.

1. **Lobbying Exceptions** – [CENTER] may engage in lobbying activities or communication, and not count these activities as lobbying, when criteria are met for at least **one** of the **four** exceptions listed below:

a. **Technical assistance** – [CENTER] may respond to a request made by a legislative body or committee to make recommendations regarding specific legislation. Researchers and nonprofits are allowed to respond to this request and provide input if **both** of the following criteria are met:

- the request must be made in writing by the entire legislative body or committee **and** the expertise is provided to the entire legislative body or committee (i.e., not just one side, or a select few members).

b. **Nonpartisan Analysis, Study, or Research** – [CENTER] may express an opinion or view related to specific legislation **only** when the following **two** criteria are met:

- The discussion provided must be fair and comprehensive (e.g., a neutral and objective report comprising relevant facts that allow and individual to form their own opinion or conclusion of the evidence regardless of the opinion or view expressed by [CENTER])
- The document or report is broadly disseminated to the public (e.g., conference presentations, media outlets, articles or reports made accessible online)-

**If the above two conditions are met**, researchers or nonprofits may express an opinion or view related to specific legislation and include an indirect call to action (e.g., listing the legislators involved). Researchers **cannot** include a direct call to action (e.g., telling readers to contact the legislators).

- c. **Examinations of Broad Social, Economic, or Similar Problems** – [CENTER] may discuss broad social, economic, or similar problems, without expressing a view on specific legislation. Under this exception, opinions and suggestions can be provided if they do not pertain to specific legislation or include a call to action.
- d. **Self-Defense** – [CENTER] may engage in direct lobbying activities only when specific legislation directly threatens the [CENTER]'s powers as an organization, duties, tax-exempt status, and/or deductibility of contributions. Calls to action are not allowed under this exemption.

*<describe how frequently your organization will review this internal policy, who will review it, and what that process will look like>*

### **Responsibilities**

[CENTER] is responsible for understanding and adhering to [INSTITUTION/UNIVERSITY]'s policies governing acceptable legislative engagement activities. [CENTER] understands that the policies set forth by [CENTER]'s may differ from federal code, [CENTER]'s institutional policies.

*<If your organization is part of a broader institution (e.g., university system) include a summary of their policies and who should be contacted, and any record keeping & tracking that should be completed. You may also use this document to communicate with your Office of Government Relations regarding the role the center or organization intends as it relates to lobbying and advocacy.>*

*An example of what a university's policy may look like can be accessed here:*

<https://policy.psu.edu/policies/ad50> >

Uncertainty or other questions related to institutional definitions and policies will be directed to [RESPONSIBLE PARTY]. Consultation will be sought as needed to ensure [CENTER] correctly implements and adheres to institutional policies. [CENTER] will provide any required disclosures of activity, finances, and time in adherence with policies set forth by [INSTITUTION/UNIVERSITY].