

Information for U.S.-Based Organizations on Advocacy and Lobbying

The work of the Rockefeller Brothers Fund (RBF) often includes funding organizations or projects that focus on policy and involve advocacy (active support of an idea or cause). The Fund encourages grantees to engage in advocacy and lobbying to the extent permitted by law. As a private foundation, however, the RBF may not itself engage in lobbying, except on matters that fall within a fairly narrow definition of “self defense.” Private foundations such as the RBF may support public charities that lobby, but they must follow specific rules.

Grants from the RBF may not be “earmarked” for lobbying. A grant is considered earmarked for lobbying if there is an oral understanding or written agreement that any portion of the grant be used for lobbying. A general support grant from the Fund to a public charity, which by definition is not earmarked for a particular purpose, may be used for any purpose, including lobbying, within the limits that apply to public charities.

The RBF may also fund specific projects that include lobbying. However, in this situation the Fund must review the grantee’s project budget and may only provide a grant in an amount up to the non-lobbying portion of the budget.

In order to reduce the need to revisit lobbying issues with grantees later in the grant review process, it will help if you can address the following questions in either the proposal or cover letter.

- 1) Does your organization make the IRS 501(h) election?
- 2) Does your organization have an affiliated 501(c)(4)?
- 3) For project grants, please indicate whether the project that the RBF is asked to support will include any lobbying activities as defined by U.S. Treasury regulations, including, but not limited to, the drafting of model legislation or advocacy concerning a specific legislative proposal. If so, please provide a project budget that identifies the expenses in the budget related to lobbying activities or estimate the percentage of the project budget that relates to lobbying expenses. If the project does not involve lobbying, please confirm this. It is not adequate to state that RBF funds will not be used for lobbying.

If you have any questions about these matters, especially about the line between advocacy and lobbying, please don’t hesitate to ask us.