
LINK

It's nobody's business

Public disclosure policy and lobbying restrictions

Posted 1/13/12 at 6:15 p.m.

USPS has rules — designed to protect both the Postal Service and employees — that prohibit the communication of confidential, proprietary, and non-public information, as well as information that would violate anti-lobbying laws. These rules are important, in times such as these, when legislative action has dominated discussions concerning the Postal Service. USPS wants its employees to understand the parameters of anti-lobbying laws and public disclosure.



Employees should not discuss non-public aspects of their work, or any other postal work with anyone other than those directly involved. Sales or cost data, and unreleased financial statistics are examples of such information.

The "Anti-Lobbying Act," 18 US Code 1913, prohibits the use of postal resources to influence others to speak with Congress about postal issues.

The Government Relations office manages communication to Congress on the Postal Service's position on issues and legislation, and postal employees may respond to Congressional inquiries through authorized channels. This information may be discussed with USPS stakeholders — including members of the public. However, employees are prohibited from urging these stakeholders to intercede with Congress.

Anti-lobbying law violations are punishable by civil penalties and are investigated by the Government Accountability Office, which refers cases to the Justice Department for possible enforcement.

Click [here](#) for specific examples of what is and is not permissible by the anti-lobbying laws.

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Anti-Lobbying Act Permitted Activities:

- Communicate directly with Congress.
- Explain proposed legislation and communicate USPS positions to the public in speeches, letters, phone calls, meetings, and conferences (as long as they are not organized or designed for the purpose of advocating support for or opposition to legislative proposals).
- Coordinate speeches and activities with other Federal officials.
- Provide information on proposed legislation in response to requests or to individuals or organizations that regularly receive information from the USPS. This information may not encourage the public to contact Members of Congress to support/oppose legislation.
- Prepare letters to the editor, "op-ed" articles, press releases, or other materials addressing proposed legislation and the USPS position so long as the materials identify the official's Federal government title and position. USPS may also give a member of the public or a group a copy of remarks made by a Governor, the PMG, or other USPS official, press releases or other relevant material prepared for USPS use.
- Hire a lobbyist or other staff member to provide advice on how best to secure favorable legislation or block unfavorable legislation.

Anti-Lobbying Act Impermissible Activities:

- Set up "grass roots" lobbying campaigns of telegrams, letters, and other private forms of communication asking recipients to contact members of Congress, in support of or opposition to legislation.
- Undertake "mass-mailings" or "mass faxes" on proposed legislation to individuals or groups who do not normally receive information on educational programs or legislation from the USPS and who have not asked for such information.
- Coordinate or initiate meetings between members of the public and members of Congress or Congressional staff to discuss proposed legislation.
- Provide members of the public with target lists of Members of Congress for the purpose of seeking to influence their position on pending legislation.
- Ask members of the public to contact Congress in support of the USPS position on legislation.
- Provide administrative support for the lobbying activities of private individuals.
- Request or recommend that a recipient of information from the USPS further distribute materials on proposed legislation or provide copies of such material for redistribution.
- Prepare editorials or other communications that will be disseminated without an accurate disclosure of the government's role in their origin.
- "Ghost write" letters to the editor, speeches, or other materials dealing with proposed legislation for anyone in a non-Federal position.
- If asked to review a letter or other communication to Congress from a member of the public, revise or rewrite the letter to change the emphasis, include additional viewpoints, etc.
- If part of an organization or commission that is not part of the Postal Service, use time while you are being paid by the Postal Service, or USPS funds or administrative support, to work with members of that organization to prepare and send a communication to Congress supporting the Postal Service's views on legislation.
- Provide lists of, or correspondence from, persons who favor or oppose certain legislation to groups who lobby Congress, except where the material is requested and properly made available under the Freedom of Information Act.
- Hire a lobbyist or other contractor to advocate on the Hill on the Postal Service's behalf.



Clarification

Posted 1/20/12 at 7:54 p.m.

Last week, *Link* published an *article* regarding the federal anti-lobbying statute as it relates to USPS employees. It's important to note that the law only applies to the "use of postal resources." The law prohibits employees — acting in their official capacity — from encouraging stakeholders to intercede with Congress.

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