

FIRST LEGISLATIVE DISTRICT

SENATOR MICHAEL TESTA

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January 6, 2023

The Honorable Phil Murphy
Office of the Governor
P.O. Box 001
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Dear Governor Murphy,

It is my understanding that your administration has struggled for the past six months with how to give \$300 million of New Jersey's share of American Rescue Plan Act block grants to Rutgers University pursuant to a special line item snuck into the State budget without any discussion and just four days before the budget became law. That \$300 million grant was ensconced into law to the exclusion of all other higher education institutions without any open, competitive, and merit-based process. Reasonable people understand this to be an unfair and foolish allocation of taxpayer dollars. I am requesting that your administration end its efforts to back into ways to give this money to Rutgers and support my legislation to reallocate the funding to a transparent, fair, and merit-based program that is open to all two- and four-year public and private universities and colleges, as well as vo-tech schools and recognized career training institutions.

News reports have indicated this funding was intended to be used for sports facilities. If this is true, you must be aware that federal rules frown on such a use of taxpayer dollars. Simply put, the intended purpose of the federal funds New Jersey was provided is to address COVID impacts and promote economic recovery and pandemic preparedness.

To date, there remains no record of who the prime movers of the \$300 million special allocation are—or what the money is intended to buy. The "Budget Resolution" in support of that special line item is largely meaningless and contains no such disclosures despite Joint Senate and Assembly Rules to the contrary. Additionally, your Administration has refused to provide a single document explaining the uses of this funding despite multiple requests submitted pursuant to the Open Public Records Act and common law right of access.

It is clear that a game of budget three card monte is now being played—where other projects at Rutgers are being identified for reimbursement with these federal funds, so money can be freed up for the athletic facilities as was the reported intent. While that could possibly circumvent federal regulations, it does nothing to make the use of these funds fair or reasonable.

I implore you to join with me and propose reallocating these funds to a competitive, merit-based process that is open to the broader education community. To that end, I have introduced Senate

Bill No. 3388. All our institutions—Rutgers included—have projects directly related to recovering from COVID, preparing for the next pandemic, and economic development. Addressing needs in this way would not only be lawful under federal regulations, it would make far better sense.

Sincerely,

A handwritten signature in cursive script that reads "Michael J. Testa Jr.".

Senator Michael Testa

- c. New Jersey Presidents Council
Kevin Walsh, Acting State Comptroller