Yes. You Can.

Dos, Don’ts, Tips, and Tricks for Powerful (and c3 Compliant) Policy Advocacy

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WITH

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and

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Yes, You Can.
Dos, Don’ts, Tips, and Tricks for Powerful (and c3 Compliant) Policy Advocacy

Lori McClung, CEO and Co-Founder
Unless otherwise noted, today the term will be used to mean:

→ 501(c)(3) “charitable organizations”

(because *different* rules apply to other nonprofits, like
501(c)(3) “private foundations,”
501(c)(4) “civic groups,”
501(c)(5) “labor unions,”
501(c)(6) “chambers of commerce,” etc.)
ADVOCACY
is the umbrella term, and involves identifying, embracing and promoting a cause.

LOBBYING
is a specifically focused form of advocacy, with the purpose to influence legislation. Only some methods of advocacy are considered lobbying.
What is Grassroots Lobbying?

• When an organization urges the general public to take action on specific legislation.
• Key elements of grassroots lobbying:
  – Refer to specific legislation;
  – Reflect or state a point of view on the legislation’s merits; and
  – Encourage the general public to contact legislators.
The Limits of Lobbying

- All 501(c)(3) public charities are legally permitted to lobby.
- There are federal restrictions on how much and what kind of funds you can spend on lobbying.
- States typically have their own restrictions for state level work.
- Some municipalities have lobbying rules too.
Lobbying $ Limits: 501 (h)

- 20% of the first $500,000 of annual organizational expenditures
- $100,000 plus 15% of the next $500,000
- $175,000 plus 10% of expenditures between $1 million and $1.5 million.
- $225,000 plus 5% of expenditures over $1.5 million
Charitable nonprofits may spend 25% of their total allowable lobbying expenditures on grassroots lobbying.
• **No.** Except in certain situations, federal grants cannot be used to lobby on legislative matters at the federal or state levels.

• Federal contract funds cannot be used to lobby at the federal, state or local levels.

• Federal funds also cannot be used for electioneering purposes.
Lobbying isn’t a privilege; It’s your right and it’s your responsibility!
So... Can We?

• Write and encourage people to write letters?
  Yes! (Both members and non-members of your organization)!
• Meet with/speak to public officials about legislation?
  Yes!
• Testify at a public hearing?
  Yes! (and if requested in writing it’s not lobbying)!
• Provide research, analysis and commentary?
  YES! (and it doesn’t count as lobbying)!
Q: What's NOT Lobbying?
A: The Stuff that Helps Get the Job Done

- Invited Testimony at Legislative Hearings
- Advocacy in Self-Defense
- Advocacy with State Agencies
- Advocacy from Board / Volunteers
- Social Media (not specific to bills)
- Community Organizing
- Old School Earned Media
- Public Opinion Polling

Successful Advocacy Requires Lobbying and Full Set of Non-Lobby Tools
## Selecting Your Tool

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<tr>
<th>METHOD</th>
<th>PROS</th>
<th>CONS</th>
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<td>Face-to-face meetings</td>
<td>Ability to respond to any questions and receive feedback immediately; helpful for relationship building; ensures information finds its way into the policymaker’s hands; effective in conveying nuance and anecdotes.</td>
<td>Can be difficult to schedule; policymaker may be distracted by other events that day; can be a high-pressure situation; requires intensive preparation and follow-up for maximized impact.</td>
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<td>Phone call</td>
<td>Easier to schedule than a face-to-face meeting; receive feedback directly during the conversation; participants from multiple locations may attend without travelling.</td>
<td>Policymaker may not be fully focused on the call; technical challenges can create barriers.</td>
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<td>Site visit</td>
<td>High impact demonstration of your program/issue; opportunity to utilize multiple messengers; usually a longer time spent with the policymakers.</td>
<td>Difficult to schedule; requires intensive preparation for multiple people/groups; it may be difficult to keep all messengers on point the entire time.</td>
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<td>Social media</td>
<td>Offers direct engagement with policymakers; available at any time; ability to use multiple messengers.</td>
<td>Can be difficult to always stay on message; chance of detractors jumping into the conversation.</td>
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<td>Letter</td>
<td>Ability to revise until message is exactly what you want; can be used to reach many policymakers at once; a good method to utilize unlikely messengers as signatories.</td>
<td>There is no guarantee a letter will reach the policymaker directly; low impact as office receives so much mail; difficult to gather feedback about policymaker thoughts on the issue.</td>
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<td>Email</td>
<td>Can be used at any time to reach large groups of people; easy to share template with allies; can be used to respond quickly to developing situations.</td>
<td>There is no guarantee it will reach the policymaker directly; low impact as offices receive so much email; difficult to gather feedback about policymaker thoughts on the issue.</td>
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<td>District forum</td>
<td>Offers in-depth session on early childhood issues; can be used to reach multiple policymakers at once; opportunity for earned media.</td>
<td>Difficult to control the message from all of the messengers; a lot of planning and follow-up.</td>
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<td></td>
<td>(hold a group meeting to provide the policymaker with a broad spectrum of views and give them a chance to ask questions)</td>
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Other Advocacy Tools

INFORMATIONAL LUNCH
Meet with an expert, or someone you respect, to learn.

GRASSTOPS
Organizational leaders, key influencers in the community

GRASSROOTS
Everybody impacted (which for education, is everyone.)

MEDIA MESSAGING
Earned and paid media
Website Resources

https://bolderadvocacy.org/
https://www.councilofnonprofits.org/
United Philanthropy Forum's PublicWorks Project
Independent Sector’s Policy & Advocacy landing page
NonprofitVOTE
Stand For Your Mission
Lobbying 101

At 501(c)(3) public charities are legally permitted to lobby, which is a type of advocacy focused on trying to influence specific legislation. Lobbying is perfectly legal, it is your right and your responsibility. You must learn, however, of your organization’s financial limitations (see Page 5). This document outlines federal requirements. Check with your Secretary of States office to find out about state requirements related to lobbying.

Learn more about the difference between lobbying and advocacy here: advocacyandcommunication.org

**TYPES AND EXAMPLES OF LOBBYING**

Direct Lobbying is when an organization attempts to influence specific legislators by seeing in person or in person armed by other government employees who participate in the formulation of legislation, such as a cabinet officer, through staff or members. Examples include:
- Meeting with a state legislator or with staff to aim to discuss specific legislation or policies.
- Working on regulatory bills, such as reform, bond measures, and bill initiatives (because, in addition to the relief of the voting, tests in public services are relevant).

Organizational Lobbying involves communicating with the general public that uses a newsletter or a report to encourage specific legislation or policies (such as making pork a national policy). For an action to be considered lobbying, it must contain all the above elements (general public, significant specific legislation, lobbying). It’s not lobbying if one or more of the required elements is missing. Examples include:
- Sending an email to your contact list urging them to tell their elected officials to support a specific legislative proposal.
- The cost of the time to create, organize, and attend a publicly held event is related to a specific legislative proposal.

www.advocacyandcommunication.org

For more information about ACS, please visit us at advocacyandcommunication.org. Follow us on LinkedIn.
Creating a Public Policy Plan
Five Steps to Effective Policymaker Engagement
Make Your Case in Just One Hour a Week

How to Make Your Case in Just One Hour a Week

1. Tell a story.
   - A visual, personal story is key. People have a short attention span. Make your story human, relatable, and emotional. It must be a story that your audience can identify with.

2. Ask your audience questions:
   - You may be surprised about the skills or learning curve required to reach a goal. Is there anything you think you need to do in order to reach a goal?

3. Make it personal:
   - You may be surprised about the skills you need to learn to reach a goal. What can you do to make your goal more personal and relatable?

4. Take small steps:
   - Everyone has to start somewhere. Even if you only have a little time, get started! Take small steps and build momentum.

5. Share your progress:
   - A quick update on your progress can give you a sense of accomplishment and a sense of direction.

6. Make your goal specific:
   - A specific goal is much easier to achieve than a vague or general one.

For more information, contact Scudder Center at scudder@advocacyandcommunication.org.

www.advocacyandcommunication.org
For information about ACS, please contact info@advocacyandcommunication.org.
Read *Influence on All Cylinders* and propel your nonprofit, foundation, government agency or for-profit business toward greater impact.

*Buy it on Amazon.com*
Foundations Must Fund Advocacy (and Become Advocates Themselves)

Effective Policy Funders:

1. Focus
2. Scan and Listen
3. Maximize their Political Position
4. Support Research and Data
5. Convene Unheard and Unexpected Voices
6. Have a Clear Message and Use the Media
7. Plan for the Long Haul of Implementation
Pre order at:
exponentphilanthropy.org/fieldguide

Designed to help small-staffed foundations and donors fund and engage in policy directly.

→ A set of seven practical, field-tested steps for funding and engaging in advocacy.

→ Have a greater impact through real and substantive policy change and reform.
Evaluating Advocacy: What are we accountable for and to whom?
CONVERSATION:

Do you go for the low-hanging fruit or the big kahuna? Or both?
CONVERSATION:

How does equity impact the strategy? Will the advocacy strategy we are using have to look different in 2021?
STATE VOICES

Beth Oppenheimer, Executive Director
Idaho Association for the Education of Young Children

Kimberly Perry, Executive Director
DC Action for Children
Using and Communicating Data to Advance Racial Equity in Early Childhood Policy

January 20, 2021 | 3:00 ET | REGISTER HERE

Carlise King
Executive Director of the Early Childhood Data Collaborative

Esther Gross
Senior Research Analyst