


Lobbying & Advocacy

What Non-Profits Can Do

**Johnny's Ambassadors
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Can non-profits lobby?

- YES!
- 501(c)3 status does not prohibit lobbying
- but must comply with certain rules and regulations
- including limits on the amount of money they can spend 

What is lobbying?

"a person, acting for a special interest group, who tries to influence the introduction of or voting on legislation or the decisions of government administrators."



Webster's Dictionary

Special Interest?



Special Interests We Represent

- People seeking public health
- People needing mental health services due to substance abuse disorder
- Communities seeking protection from predatory industry
- Safe communities to raise a family
- Other ideas? (post in chat)

What is advocacy?

- Public support for or recommendation of a particular cause or policy (Oxford)
- the act or process of supporting a cause or proposal (Webster)



What is advocacy?

- Includes all forms of persuasive communication.

FACT: Most public policy advocacy activities that nonprofit public health advocates engage in do not constitute lobbying.



Lobbying vs Advocacy

- Can only lobby a legislative body – or its members
- Can only lobby a legislative process.
- Once a policy has become a law it is NOT lobbying to try and influence the regulatory or administrative process.



What is that?

- Legislative body
- Its members
- Legislative process



Lobbying? Or Advocacy?

- The President
 - The Governor
 - The Mayor
 - School Boards
 - Zoning Boards
- NOT lobbying because they are not a legislative body!



IRS defines two types of lobbying

1. Direct lobbying
2. Grassroots lobbying



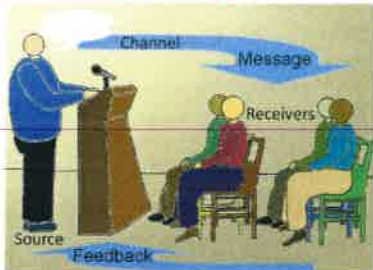
Direct Lobbying is...

Communication with employees of a legislative body only if that communication is to influence legislation.

- Must refer to a specific piece of legislation AND
- Must state a specific view on that legislation



Methods of Communication



Grassroots Lobbying is...

Any attempt to influence any legislation through an attempt to affect the opinions of the general public.

- Communication refers to a specific piece of legislation
- Takes a view on that legislation
- Must have a "call to action"

What is a "call to action"

- Calls on recipient to contact a legislator (leg staff or gov't employee)
- Includes legislator's contact information
- A petition or tear-off postcard
- Identifies legislator support / opposition on the legislation



What is NOT lobbying?

- Nonpartisan analysis, study or research
- Discussions of broad social problem
- Response to requests – must be on behalf of a legislative committee or subcommittee not simply a member
- Communications with your own members

What about...

- Providing a legislator with educational materials about a specific piece of legislation, without calling for specific action
- Talking to the media about specific legislative proposal



Still...NOT lobbying

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- Talking to the media about specific legislative proposal



And what about...

- Lobbying regulatory agencies at all levels (BATF, FDA, state health dept.)
- Conducting public education campaigns to affect the opinions of the general public



Still...NOT lobbying

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If you DO choose to lobby



Allowable Lobbying Expenditures

- 1976 Tax Reform Act Section 501(h)
- Based solely on the amount of money spent on lobbying activities.
- Up to 20% of first \$500,000 of tax-exempt expenditures
- Plus 15% of the next \$500,000
- Plus 10% of the next
- Plus 5% of the remaining up to \$1M

Federal funds

- Cannot use federal funds to lobby

BUT...

- All funds count as income for the purpose of calculating allowable lobbying expenditures



What about volunteers?

Time spent lobbying by volunteers does not count as an expenditure!



Intent of Congress

- In providing detailed clarification
- To encourage **greater** participation by non-profits in the legislative process.



If you don't like the laws

Advocate for a change!



Thank you!

Questions? Comments?

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