

Lobby? You? Yes, Your Nonprofit Organization Can! It Should!

CAN YOUR NONPROFIT ORGANIZATION LOBBY?

Of course it can. It should, and it's easy. Anyone who can make a phone call or write a letter can lobby. If you believe in some cause or other, or really believe that in some measure, great or small, this would be a better world if your cause were advanced, then by all means you should lobby.

Why? Two reasons. First, because virtually every aspect of our lives, every institution, every activity is affected by government. And in America, as in other democracies, government responds to the wishes of the people. This is true whether the government is that of the Village of Skokie, the State of California, or the United States of America.

At times, this may not be apparent and, at times, it seems to take forever – but sooner or later the actions of our government reflect what the people want – but ONLY if you and enough others take the time to let your legislators know what you want.

DON'T GET LEFT OUT

The second reason you should lobby, meaning not just you as an individual but the organization you joined because it stands for something you strongly believe in, is that if you don't someone else will. Every conceivable cause – save the whales, preserve neighborhood schools, conquer Alzheimer's, promote the arts, prohibit abortion, permit abortion, access health care, fight racial injustice – has its advocates. Competition for a place in the legislative sun is ceaseless.

Lobbying today is a must. Any organization that does not lobby, or an organization that does not lobby well, is almost certain to get left out.

WHAT DO WE MEAN: LOBBYING?

Before going further, it might help to explain exactly what we mean by the term lobbying. We mean nothing more nor less than trying to persuade the members of a legislature – whether city council, county commission, state legislature, or United States House of Representatives or Senate – to enact legislation favorable to your cause. It's that simple. The legislation may set up a new program, change an existing one, guarantee certain rights, appropriate funds, etc.

LOBBYING IS HONORABLE

Regrettably, there are still some persons for whom the word "lobbying" carries an ugly connotation. To them it conjures up visions of shady deals, favors bought and sold, money passed under the table. Indeed, there was a period in our history when such a picture would have been all too accurate. Today, however, despite a few well-publicized exceptions, the great majority of legislators and lobbyists alike are honest, dedicated public servants.

Another misconception is that you've got to do something for your legislator if you hope to get him or her to do something for you; you've got to wine them and dine them, make a big campaign contribution, and so forth. This is not true. Naturally any legislator tends to be more readily available to big contributors and to politically powerful friends. But it does not follow that these are the only people who count. Far from it.

You COUNT

You are a constituent! You and the rest of the people who go to the polls are really the ones who carry the weight. Your legislator needs you every bit as much as you need him or her. **You** count and don't you forget it.

Still, there are two things you can give your legislator without spending more than the price of postage. One is information. Your organization is the authority in its field. You can give your legislator information he or she doesn't possibly have the time to get any other way. Second is recognition. Whenever your legislator does something on your behalf, helps your organization, advances your cause, show him or her your appreciation – and let the world know it.

TAX-EXEMPT GROUPS CAN LOBBY

There are those who feel it is somehow improper for nonprofit, tax-exempt organizations to lobby. It's all right for business, they reason, because corporations pay taxes, but it's questionable, if not downright wrong, for the tax-exempt sector.

The federal tax code says tax-exempt organizations are only in danger of losing their tax-exempt status – and along with it the ability to assure supporters their contributions are tax deductible – if they engage in “substantial” lobbying. Unfortunately, “substantial” has never been defined and as a result many tax-exempt organizations either soft-pedal lobbying or refrain from it altogether.

SANCTIONED BY CONGRESS AND THE IRS

All of that was changed in 1976 when Congress removed all doubt as to the legality of lobbying by nonprofit tax-exempt organizations that come under section 501(c)(3) of the Internal Revenue Code, by writing into the income tax laws authorization for each such organization to elect to spend a certain percentage of its income on lobbying.

Not only did Congress recognize the validity of lobbying by such groups but it came right out and used the very words “lobby” and “lobbying.”

Equally important, the Internal Revenue Service issued very liberal regulations related to the 1976 lobby law in August of 1990 and reaffirmed the legality of charity lobbying in a letter to Charity Lobbying in the Public Interest in 2001.

LOBBYING IS NOT FOR EXPERTS ONLY

Sometimes people won't lobby because they're afraid they don't know how. They are staunch supporters for their cause, they recognize the importance of lobbying, and they know it pays off. Yet they hold back on the mistaken notion that lobbying is only for experts.

Like anything else, the more you know about how to lobby, the better you will be. But, again, if you can make a phone call or write a letter, you can lobby.

All you need to be a lobbyist – not just “a” lobbyist but an effective lobbyist – are three things:

1. A few basic facts
2. Belief in your cause
3. Common sense

The most important single thing a lobbyist needs to know is his or her subject. What is the substance of the legislation you are proposing (or opposing)? Why is it so important? What will happen if it passes? What will happen if it does not pass? How much will it cost?

Normally, the place to get these facts is the headquarters of the organization you have joined because you believe in its objectives. Normally, whoever asks you to get involved in lobbying, perhaps the chairperson of your legislative committee or the executive director of your association, will provide these facts along with the call for action. No responsible organization is going to ask its volunteers to lobby without arming them with the facts.

KNOW YOUR LEGISLATOR

It certainly helps to know the legislator or legislators you contact. What are their interests? What are their backgrounds? What is their record of support? What positions do they hold in the legislature? Who is the chair of the committee that will consider your proposal? Who is the chief spokesperson for the opposition?

*This authorization does not extend to churches, their integrated auxiliaries, or convention or associations of churches, which, at their own request, remain under the pre-1976 provision. Private foundations are tax-exempt under Section 501(C)(3) but (with important exceptions) are not permitted to lobby.

Finally, the good lobbyist knows how the system works: what steps a proposed municipal ordinance or state law or federal appropriation bill goes through from introduction to enactment; which committees will consider the legislation.

All of this information should be provided by your staff and volunteer leadership. And before you know it, you may well be the one who's providing the information to the beginning lobbyist.

CONVICTION COUNTS

Facts alone are not enough. Without conviction, dedication to the cause, loyalty to the organization and determination to see the job through no matter how long it takes (and it can indeed take long!), a lobbyist won't be very effective. Far better to say "no" than to agree to lobby for something when your heart isn't in it.

The true believer is the volunteer who is greeted not only by name but by "Oh yes, let's see now. You're with the wildlife people." When they greet you like that, your battle is half won.

CONCENTRATION COUNTS

This is not to be equated with so-called "single-issue politics" wherein a group places its own narrow interests above any and all other concerns. It is indeed regrettable when a lobbyist, whether volunteer or professional, takes the position that anyone who does not support his cause must be thrown out of office no matter how excellent his or her overall record may be. Moreover, such a statement by a charity employee is partisan political activity, which is prohibited.

What it does say is that the effective lobbyist should concentrate total effort on the one particular cause and not scatter shots, speaking for one group one day and another the next.

COMMON SENSE

The minimum principles you need to know are these: **be brief; be clear; be accurate; be persuasive; be timely; be persistent; be grateful.**

These common sense principles apply whether you're lobbying by telephone, by letter, or face-to-face. The only one that's a bit difficult for the beginner is timing. There are good times, better times and, until you've become an expert in your own right, your organization's staff or volunteer leadership should call the shots on timing.

Never promise reward for good behavior or threaten retribution for failure to support you.

Leave politics at home. Be persuasive rather than argumentative or demanding. Don't knock the opposition; they probably believe in their position as sincerely as you believe in yours.

When you write, keep your letter to a single page – literally. If you need more space, enclose an attachment elaborating on that one-page summary. Be absolutely sure you spell your legislator's name correctly and get the address right. If you don't, he or she will wonder how credible the rest of your letter is. And, of course, always personalize your letter. Get the facts from your organization but use your own words on your own stationery.

FACE-TO-FACE

The first time you meet face-to-face with your United States Senator – or, for that matter, your city council member – you probably will have butterflies in your stomach. It would be unusual if you didn't.

If you'd feel better having someone else along, fine. Just so the one who accompanies you can also speak to the matter at hand and is not obviously just along for the ride. It's acceptable to bring a small delegation for the meeting but remember that the fewer present, the more likely you are to get a free and open exchange of information with the legislator.

ALWAYS BE BRIEF

Again, as in writing, be brief. Make an appointment, be on time, state your case, and leave. Plan to cover your topic in five minutes if possible, ten at the most. Don't linger unless your legislator chooses to prolong the meeting.

If you get hit with any questions you can't answer, admit it and provide the answers later. Don't bluff – it always shows. When you depart, hand your host a written summary – again, a one-pager – of your position and state exactly what it is you want him or her to do about it.

AIDES ARE INFLUENTIAL

Do not be offended if you don't get to see the boss. Even if you had a firm appointment, you may be referred instead to an assistant. The demands on a legislator's time are unbelievable and quite often he or she cannot avoid last minute changes in schedule.

Never underestimate the importance of an aide. Treat him or her just as you would your legislator, not only as a matter of courtesy but because the aide is in a position to advance your cause or sink it without a trace.

THANK YOU!

When you get back home, or after you've talked with your legislator by phone, or after he or she has voted your way or done something else to help you, send a thank-you letter. The vast majority of all mail a legislator gets is either asking for personal favors, complaining about something the government has or has not done, or blasting the legislator for something he or she has or has not done. A thank-you letter really scores. Besides, it's the polite thing to do.

ALWAYS REPORT BACK

Report back to your organization. Whom did you see or talk with? What did you discuss? What was his or her position? Your report and those of other volunteers are indispensable to your leadership in planning strategy.

YOU LOBBY?

Of course you will. It's fun; it's stimulating; you'll learn a lot; you'll be a real participant in this business called democracy. And not only will you help bring about that change you feel is so important but you'll get more satisfaction out of lobbying than you ever imagined.

CLPI RESOURCES RELATED TO LOBBYING

For further information, including costs of these publications, contact CLPI

CLPI's Website – www.clpi.org - CLPI's website provides a one-stop source for nonprofit lobbying and related resources. The site houses all of the CLPI "one-pagers" on the lobby law, strategies, and election-related activities. These comprehensive materials are coupled with interactive tutorials for newcomers, a link through which lobbying questions can be asked and answered, lobbying success stories and links to other important resources and websites. CLPI's website is the largest on-line source of information for nonprofits seeking engagement in the public policy process

The Nonprofit Lobbying Guide, Second Edition – The essential book for nonprofit leaders who want to understand the federal law on lobbying and voter education for 501(c)(3) nonprofits, building a legislative program, effective lobbying communications, and establishing a public policy committee, etc. Included are stories from nonprofit leaders who have spent their careers lobbying in the public interest.

Information Packet – The packets include easy-to-understand "one-pagers" covering how to lobby, motivating groups to lobby, and the law related to charity lobbying.

Teaching Nonprofit Advocacy: A Resource Guide – *A valuable resource for professors and teachers of any academic program preparing nonprofit leaders. This handy guide includes a sample syllabus for a semester-long, graduate-level course on advocacy, lobbying, and government relations, a module for inclusion in larger courses and an annotated bibliography of literature about nonprofit advocacy and lobbying.*

Charity Lobbying: You Can Do It! – A humorous and serious 8-minute video for board members and staff of nonprofits who have never lobbied but are considering it. The accompanying discussion guide provides stories about nonprofit lobbying as well as questions to stimulate further discussion in a board meeting and provides a listing of resources.

In Plain English: The Definitive Word on Federal Law Related to Lobbying by Charities – A 90-minute video seminar featuring four nationally-known experts discussing the federal law governing lobbying, voter education, creating affiliated organizations to expand lobbying capacity, including 501(c)(4)s and political action committees, and the federal lobbying rules under OMB Circular A-122 for organizations that receive federal funding. The accompanying resource guide includes information and articles related to the four presentations as well as additional publications and resources that will help you gain expertise on nonprofit lobbying

For More Information Contact:

Charity Lobbying in the Public Interest
2040 S Street, NW
Washington, DC 20009
202/387-5048
Fax: 202/387-5149
Website: www.clpi.org
Email: info@clpi.org

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