Presenters

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Advocacy vs. Lobbying

Advocacy

- “[T]he act of arguing in favor of something [or supporting something], such as a cause, idea, or policy [and] the practice of supporting someone to make their voice heard.” (American Heritage Dictionary, 4th ed.)

- Advocacy is the process of people participating in decision-making that affects their lives and the lives of others at the local, state and national level. Advocacy can also mean helping policymakers find specific administrative or legislative solutions to persistent and seemingly intractable problems. (http://www.hapnetwork.org/assets/pdfs/Things-To-Consider-SHIPs-Advocacy-Final.pdf)
Advocacy vs. Lobbying

Lobbying

• “[L]obbying is any attempt to influence specific legislation by stating a position on specific legislation to legislators or other government employees who participate in the formulation of legislation; or urging your members or the general public to contact their legislators with a position on specific legislation.”

(www.independentsector.org/charity_lobbying)
Nonprofit Advocacy Rules

What You Can Do

- Organizations that are classified as 501(c)(3) under the Internal Revenue Code may engage in both lobbying and advocacy.

- 501(c (3) organizations may participate in a limited amount of “legislative lobbying under either the “substantial part” test OR by electing to operate such activities under the expenditure test of Section 501(h) of the tax code.

(www.independentsector.org/charity_lobbying)
Nonprofit Advocacy Rules

What You Should Monitor

• The IRS evaluates the “substantial part” test on the basis of the facts and circumstances, such as the time (by both paid and volunteer workers) and the expenditures devoted to lobbying by the organization.” Still largely undefined, but limiting.

• Under the expenditure test, organizations may spend 20 percent of the first $500,000 of its exempt purpose expenditures and 15 percent of the next $500,000, and so on, up to one million dollars a year on direct lobbying. The organizations may spend 5 percent of the first $500,000 of its exempt purpose expenditures and 3.75 percent of the next $500,000, and so on, up to $250,000 a year on grassroots lobbying.

(www.independentsector.org/charity_lobbying)

More information:
http://www.irs.gov/charities/article/0,,id=214269,00.html
Nonprofit Advocacy Rules

Other Considerations

• Separate rules for 501(c)(3) foundations

• Contractual obligations

• Election activity rules

• State or local laws and regulations
  (http://www.afj.org/assets/resources/resource1/State-Offices-Regulating-Lobbying.pdf)
Nonprofit Advocacy Rules

Older Americans Act Advocacy

• Mandates at federal, state, local levels
• Individual, systems, and policy advocacy
• Specific initiatives: legal assistance, Long-Term Care Ombudsman Program
Stand Up.

You have to stand up, leave your desk, leave your center, and actually go to where the people are who determine your funding. You can’t advocate effectively from behind your desk except for writing letters or e-mailing, but even that is not the best way to advocate. Can you imagine how many letters and e-mails our elected officials get? Standing up is the first step, but once you’re up it is on to step 2.
Stand Up, Show Up, Don’t Leave....

Show Up.

- That means you go to your city council, county commission, state capitol and Washington, D.C. and any other funding source you have.
- You must to go to them; they won’t come to you (except possibly in election years.)
- First make an appointment to be sure you get in the door.

- Arrive on time, hand them your business card, know what you want them to know when you leave (give them a fact sheet), be brief, stay on script NEVER whine, always have as your goal a commitment from them which you can count on, and then, just when you are ready to leave, you move to step 3 which curiously enough is:
Stand Up, Show Up, Don’t Leave....

Don’t Leave.

- You can leave the office, but you cannot leave the consciousness of the person or agency which determines your funding. You must make a lasting (positive) impression. You must follow up your visit with a thank-you letter (not an e-mail). The letter gets you and your message back in front of the person. You must become a familiar face to every entity which controls your funding.

- You must offer to provide data and feedback to your legislature as they debate senior issues. Offer to appear at budget hearings. Soon you will be a familiar face, and soon they will be calling you for information. Politicians know that in many states, seniors represent the largest and fastest growing segment of our population, and that seniors vote. Never leave the mind of the people who fund you.
Share Your Best Practices

- What relationships do you have with elected officials?
- Do you enlist coalitions or local ‘grasstops’ to expand your reach?
- What advocacy successes do you want to share?
- What obstacles have you faced?
Closing

Any Questions, Comments?
Learn More

Nonprofit Expertise & NCOA Resources

• Read more on Nonprofit Advocacy
  ♦ www.independentsector.org/charity_lobbying
  ♦ www.npaction.org
  ♦ www.afj.org/for-nonprofits-foundations
  ♦ www.ombwatch.org/protecting_nonprofit_rights
  ♦ http://clpi.org/the-law

• Sign up for NCOA News and Communities
  ♦ www.ncoa.org/public-policy
  ♦ www.ncoacrossroads.org/SeniorCenters

• Use NCOA Toolkits
  ♦ www.ncoa.org/toolkits
Contact Information

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