Camp Prosperity

Today’s Topic: Making the Case for Nonprofits in Advocacy

July 23, 2019 12:30 – 2:00 pm EST
Welcome

Tupa Hoveka
Program Associate, Field Engagement
Prosperity Now
Housekeeping

• This webinar is being recorded and will be mailed to registrants and available online within one week

• All webinar attendees are muted to ensure sound quality

• Ask a question or share your thoughts anytime by typing into the text box of your GoToWebinar Control Panel

• If you experience any technical issues, email gotomeeting@prosperitynow.org
Getting the Most Out of Today’s Call

- **Join from a quiet space**
- **Grab a coffee or snack and settle in**
- **Engage! Send us your questions and comments as you listen**
- **Tweet with us on Twitter**—use #CampProsperity
- **Reflect on ways to apply what you learn today** to your own work
Prosperity Now’s mission is to ensure everyone in our country has a clear path to financial stability, wealth and prosperity.
Welcome to Camp Prosperity!

Vanna Cure
Lead Camp Counselor
Senior Advocacy Manager
Prosperity Now
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<th>Date</th>
<th>Topic</th>
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<tr>
<td>July 23</td>
<td><em>The Case for Nonprofits in Advocacy</em></td>
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<td>July 30</td>
<td>Race, Data, and the Story of Your Community</td>
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<tr>
<td>August 6</td>
<td>Building your Coalition for 2020 and Beyond</td>
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Camp Prosperity at Glance

✓ 3-week training program for new and experienced advocates
✓ Weekly newsletters and webinars; daily tips
✓ One lucky camper will win a complimentary registration to next year’s Prosperity Summit!

✓ To enter: Attend Camp Prosperity + Meet with a Legislator in August
Camp Prosperity at Glance

Registration by State

Did you attend all or part of our 2018 Camp Prosperity webinar series?

- Yes, I attended all three sessions last year: 1%
- Yes, I attended part of last year’s Camp Prosperity series: 8%
- Not sure: 7%

- No, I did not attend Camp Prosperity last year: 84%
What is your role in your organization as it relates to advocacy?

- Organizing: I help drum up community support for our policy priorities (13%)
- Policy: I research policy and meet with legislators (10%)
- Decision maker: I approve our policy agenda, strategic plan and advocacy actions the organization takes (20%)
- Other: (21%)
- My organization does not currently engage in advocacy (15%)
- Communications: I help/lead on amplifying the organization's stance (21%)

Which method of advocacy do you utilize most often?

- Calling a legislator's... (7%)
- Using social media to... (2%)
- Writing or emailing a... (13%)
- I have never engaged... (14%)
- Sign on to a petition... (14%)
- Face-to-face meeting... (21%)
- Other (29%)
Today’s Speakers

Abby Levine  
Director, Bolder Advocacy  
Alliance for Justice

Gavin Taylor  
Manager, Financial Empowerment Center  
United Way of Essex/W. Hudson

Jessica Fraser  
Director, Indiana Institute for Working Families
Today’s Agenda

✓ What is Advocacy?
✓ The Case for Nonprofits in Advocacy
✓ Practitioners’ Panel – From Issue to Action: Effective Advocacy Strategies for Nonprofits
✓ Group Discussion and Q&A
✓ Next Steps & Close

❖ Stay tuned for random pop quizzes!
Poll Question

How would you describe your comfortability with engaging in advocacy?

1. Very comfortable- I regularly engage in high-level advocacy such as meeting face-to-face with a legislator/staff
2. Somewhat comfortable- I’ve contacted a legislator/staff before through email, phone call or petition
3. Somewhat uncomfortable- I need additional help navigating the advocacy process
4. Very uncomfortable- Help me get started!
5. If your answer is “Other,” please share more in the chat box!
What is Advocacy?

advocacy (noun) : the act or process of supporting a cause or proposal
What Can Your Organization Do?

501(c)(3) Public charity
- Examples:
  - Prosperity NOW
  - Alliance Justice

501(c)(3) Private foundation
- Tax Treatment:
  - Tax-exempt contributions
  - Tax-deductible contributions
- Lobbying Activities:
  - Limited
- Electoral Activities:
  - Cannot support or oppose a candidate for office

501(c)(4) Social welfare
- Tax Treatment:
  - Tax-exempt
- Lobbying Activities:
  - Prohibitively taxed
- Secondary activity
Why Advocate?

- Raise awareness
- Protect (or increase) funding
- Educate policymakers / public / media
- Empower constituents
- Foster discussion about issues
- Why not?!

"Unless someone like you cares a whole awful lot, Nothing is going to get better. It’s not.”
- Dr. Seuss, The Lorax
Advocate...
Who Me?

YES YOU!

DON'T WORRY
I'VE GOT THIS!
ADVOCACY is…

✓ A tool to accomplish your mission
✓ Multi-faceted—what’s right for your organization?
✓ Legal
✓ Everyone’s responsibility (even YOU!)
Avenues of Advocacy

- Organizing
- Educating Legislators
- Get to Know Legislators
- Public Education
- Nonpartisan Voter Ed.
- Influencing Corporations
- Lobbying Exceptions
- Regulatory Efforts
- Educational Conferences
- LOBBYING
- Litigation
- Research
- Training

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Public Charities may \textbf{LOBBY}

Must stay within limits set by the IRS:

- Insubstantial part test
- 501(h) expenditure test
INSUBSTANTIAL PART TEST

1. Default test
2. What is “insubstantial”?
3. Lobbying not defined
4. Activities-based
5. Penalty

501(H) EXPENDITURE TEST

1. Dollar-based limits
2. One-time election – IRS Form 5768
3. Expenditures only
4. Definition of lobbying
5. Penalty less severe

How Much LOBBYING for PUBLIC CHARITIES?
1. Calculate organization’s annual expenditures.

2. Overall lobbying limit:

<table>
<thead>
<tr>
<th>ANNUAL EXPENDITURES</th>
<th>OVERALL LOBBYING LIMIT</th>
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<tbody>
<tr>
<td>$500,000 or less</td>
<td>20%</td>
</tr>
<tr>
<td>$500,000 to $1 million</td>
<td>$100,000 + 15% of excess over $500,000</td>
</tr>
<tr>
<td>$1 million to $1.5 million</td>
<td>$175,000 + 10% of excess over $1 million</td>
</tr>
<tr>
<td>$1.5 million to $17 million</td>
<td>$225,000 + 5% of excess over $1.5 million</td>
</tr>
<tr>
<td>Over $17 million</td>
<td>$1,000,000</td>
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</tbody>
</table>

3. Grassroots lobbying limit is 25% of overall limit.
DIRECT communication
legislator
expresses a view about specific legislation

GRASSROOTS communication
general public
expresses a view about specific legislation
call to action

LOBBYING for organizations using 501(h) & private foundations
Legislation:

Item voted upon by a legislative body
Call to Action

DIRECT Communication
Legislator
Expresses a view about specific legislation

GRASSROOTS Communication
General public
Expresses a view about specific legislation

Call to action

TELLING TO CONTACT legislator(s) or

PROVIDING CONTACT INFO, like phone number, e-mail address, mailing address, and/or other contact info of legislator(s) or

PROVIDING MECHANISM to enable communication with legislator(s) or

IDENTIFYING legislator(s)
Does your **ACTIVITY** have all the elements of **LOBBETING**?

If **NO**, it’s **NOT** **LOBBETING**!
NO PAID SICK DAYS FOR RESTAURANT EMPLOYEES.

AN “ENHANCED” DINING EXPERIENCE FOR RESTAURANT CUSTOMERS.

Nearly half of all workers in Maine lack paid sick days. Support your fellow Maine workers and their right to recover from illness without endangering public health or losing a day’s pay.

Contact your legislator and share your support of LD 1454, the Paid Sick Days Bill.

www.MaineSneezes.org

SHE’LL BE YOUR SERVER TONIGHT... AND SHE’S PRETTY SURE IT’S CONTAGIOUS.

Nearly half of all workers in Maine lack paid sick days and are forced to work through their illnesses in order to pay the bills.

Support LD 1454, the Paid Sick Days Bill.

www.MaineSneezes.org
Advocating for or against a ballot measure is **lobbying**, not political.
### Political Campaign and Lobbying Activities

For Organizations Exempt From Income Tax Under section 501(c) and section 527

#### Part I-A
Complete if the organization is exempt under section 501(c) or is a section 527 organization.
1. Provide a description of the organization’s direct and indirect political campaign activities in Part IV.
2. Political expenditures
3. Volunteer hours

#### Part I-B
Complete if the organization is exempt under section 501(c)(3).
1. Enter the amount of any excise tax incurred by the organization under section 4955
2. Enter the amount of any excise tax incurred by organization managers under section 4955
3. Did the organization incur a section 4955 tax, did it file Form 4720 for this year?

#### Part I-C
Complete if the organization is exempt under section 501(c), except section 501(c)(3).
1. Enter the amount directly expended by the filing organization for section 527 exempt function activities
2. Enter the amount of the filing organization’s funds contributed to other organizations for section 527 exempt function activities
3. Total exempt function expenditures. Add lines 1 and 2.
4. Did the filing organization file Form 1120-POL for this year?
5. Enter the names, addresses and employer identification number (EIN) of all section 527 political organizations to which the filing organization made payments. For each organization listed, enter the amount paid from the filing organization’s funds. Also enter the amount of political contributions received that were promptly and directly delivered to a separate political organization, such as a separate campaign fund or a political action committee (PAC). If additional space is needed, provide information in Part IV.

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**Direct Costs**
- **Staff Time**
- **Overhead**

**501(h)**

**REASONABLE allocation**
HOW CAN FOUNDATIONS SUPPORT ADVOCACY?

- **Make Lobbying Grants**: Public or community foundations can fund lobbying directly.
- **General Support Grants**: Funding grantees that advocate through general support.
- **Specific Project Grants**: Funding non-lobbying portions of advocacy projects.
- **Fund Electoral Activities**: Advocacy includes nonpartisan electoral activities.

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LOBBYING LIMITS vs. DISCLOSURE

- Limit lobbying at all levels of government
- Disclose state/local lobbying
- Disclose federal lobbying

New York State Joint Commission on Public Ethics
Pennsylvania Department of State
New Jersey Election Law Enforcement Commission
U.S. House of Representatives

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You MAY advocate!

✓ All 501(c)(3)s have a right to advocate
✓ 501(c)(3) public charities have a right to lobby (influence legislation)
✓ 501(c)(3) public charities must comply with generous lobbying limits. Most will benefit from using the “501(h) expenditure test”
✓ Many activities that influence policy will not even meet the definition of “lobbying”
Advocacy Capacity Tool
for Organizational Assessment

Advocacy Capacity Tool (ACT!)

The most effective advocacy work happens when groups and coalitions know where they stand and can leverage their organizational strengths to work for social change. With the free Advocacy Capacity Tool (ACT!), nonprofits can benchmark their advocacy skills, identify specific gaps and opportunities in their advocacy strategies, and efficiently focus resources to get the best results. The tool can also be used in evaluations.

NEW: ACT!Quick has arrived!

ACT Data & Analysis: The First 280 Advocacy Capacity Tool Users — These findings offer a snapshot of what nonprofit staff and directors say they need to become better advocates, as well as what their current advocacy strengths and gaps are.

bolderadvocacy.org/act
Election Year Activities
Cannot support or oppose CANDIDATES running for PUBLIC OFFICE

- Including candidates who are not affiliated with a political party
- Including candidates outside the US
YES, a public charity can criticize elected officials’ positions.

BUT, when doing so, do not say: We will remember in 2020.

Trump’s Withdrawal from the Paris Climate Agreement Is a Grave Mistake

June 01, 2017 | NRDC

The president’s reckless move threatens more than just the environment—it hurts the economy and puts national security at risk.
Remember...

Rules that apply to print and verbal communications also apply to online communications.
Rules apply to 501(c)(3) staff and volunteers acting on behalf of 501(c)(3), *not* to those acting in INDIVIDUAL CAPACITY
When carrying out partisan activities in your personal time:

✓ Don’t use your organization’s resources (staff time, e-mail, copier, etc.)

✓ Do your best to help the community distinguish between you as an organizational representative and you as an individual, including on social media
Who's For Kids? And Who's Just Kidding?

85% of American voters agree that our political leaders are not doing enough to help solve the problems facing children today.

A child can't see through campaign promises, but you can.

If government is not about children, then what is it worth?

Make your vote count for kids.
**Issue Advocacy**
advocating for organization’s issues during election year

**Candidate Education**
helping candidates understand the importance of your issues

**Voter Education**
educating voters in a nonpartisan way about candidates

**Voter Outreach**
registering voters, getting out the vote

**ELECTION YEAR ACTIVITIES**
<table>
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<tr>
<th><strong>Candidate Pledges</strong></th>
<th><strong>Criticize Candidates Around Election</strong></th>
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<tbody>
<tr>
<td>ask candidates to sign pledges to support your issue</td>
<td>increase criticism of candidate in proximity of election</td>
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<tr>
<th><strong>Contribute to Candidates</strong></th>
<th><strong>Expressly Advocate</strong></th>
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<tbody>
<tr>
<td>donate money, goods, or services to candidates</td>
<td>distribute communications that urge a vote for/against candidate</td>
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<tr>
<th><strong>Partisan Voter Registration &amp; GOTV</strong></th>
<th><strong>Endorse Candidates</strong></th>
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<tbody>
<tr>
<td>registration and GOTV targeting based upon party affiliation</td>
<td>explicitly or implicitly favor or oppose a candidate</td>
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**NOT 501(c)(3) Permissible**
RESPONDING TO CANDIDATES

Continue to Focus on Your Public Policy Issues, Not the Candidate

Don’t Comment to Influence the Elections

Avoiding Mentioning the Name of the Candidate

Don’t Criticize Personal Characteristics

FACT: #Refugees are screened by @DHSgov, @StateDept, @FBI and the Nat’l Counterterrorism Center before they ever set foot in the US. #debate

9:50 PM - 9 Oct 2016
29 Retweets 11 Likes
If/When Commenting on Candidates...

Representatives of a 501(c)(3) should:

- Focus on what was said (the issue), not who said it (the candidate).
- Decide who will speak publicly on behalf of the 501(c)(3) organization, so that non-designated staff will not inadvertently say something inappropriate.
- Script responses before talking to reporters.
- Avoid talking about a candidate’s qualifications or whether someone is a good or bad candidate.
- Avoid discussing a candidate’s record; commenting on a candidate’s record is very close to commenting on a candidate’s qualifications or whether he or she should be elected.
- Avoid talking about voters and making references to the election. For example, instead of saying “Voters will not accept…” say, “Americans won’t accept……”
- Avoid identifying the candidate by name. It is better to say: “During the recent Republican debate, statements were made about X. We disagree…”
- Be very cautious if a reporter asks about which candidate is better on the 501(c)(3)’s issues, or whether the 501(c)(3) agrees with a statement a candidate made.
- Issue a disclaimer (“As you know, we’re a 501(c)(3) and can’t endorse candidates”) in a one-on-one conversation or in a press release.
CANDIDATE
EDUCATION

Offer to all

Use only what is already gathered

Only create new information if organization has reason to do so
let’s be bold.
For free coaching about laws impacting nonprofit advocacy:
advocacy@afj.org
866.675.6229

For free tools, fact sheets, and publications
www.bolderadvocacy.org
alevine@afj.org
@AFJBeBold @Alevineafj
Facebook BolderAdvocacy
Audience Q & A

What questions do you have?

Share them in the Questions box!
POP QUIZ!
Practitioners’ Panel – From Issue to Action: Effective Advocacy Strategies for Nonprofits

Abby Levine
Director, Bolder Advocacy
Alliance for Justice

Gavin Taylor
Manager, Financial Empowerment Center
United Way of Essex/W. Hudson

Jessica Fraser
Director, Indiana Institute for Working Families

@ProsperityNow prosperitynow.org
Q1: With so many issues affecting the financial stability of working families, how do you determine which issues/policies to work on?
First Things First...

For client-serving organizations:

✓ RESEARCH: Determine what programs are most helpful to clients you service

✓ CONSULT: Find like-minded organizations (Newark Asset Building Coalition)

✓ CONNECT with larger organizations that are already advocating for these issues (e.g. Prosperity NOW, Institute for Social Justice, etc.)

For coalitions:

✓ INPUT: Solicit ideas from membership

✓ RESEARCH: Refer to knowledge gained from legislators during previous advocacy days
Q2: How do you get members/clients involved in advocacy? How do you report back to them on the status of legislation?
Take Action!

We need YOU to help us change systems to better serve Hoosier families. Below are six ways you can engage.

1. Sign up for Action Alerts
   During the state legislative session and at key points in the development of federal legislation, we send action alerts with quick, easy asks. Sign up here to receive these alerts.

2. Share Your Story
   Through stories, we can identify new areas where change is needed and support existing policy priorities. Sharing a personal story can interrupt damaging rhetoric and break down existing stereotypes or false beliefs about how the world works. When permission is granted, we share stories submitted to us on social media, in meetings with lawmakers, and at public events.
   - Share your story about having or not having paid leave
   - Share your payday loan story
   - Share your experience requesting accommodations at work while pregnant or nursing
   - Share a story about a safety net program (TANF, SNAP, Section 8, CCDF, etc.)
   - Share another story

3. Sign on in Support of Our Policy Priorities
   Sign-on letters demonstrate broad-based support for policy change. We are currently collecting signatures on:
   - A sign on letter in support of legislation to cap payday loans at 36% APR
   - A sign on letter in support of legislation to provide reasonable workplace accommodations for pregnant women
   - A sign on letter in support of legislation to raise eligibility and benefits levels for Temporary Assistance for Needy Families (TANF)

4. Tell your Lawmaker about a Priority You’d Like Them To Support
   Find your state lawmakers here.
   
   Learn how easy it is to make a call to your state lawmaker with this 3-minute video!

   If there isn’t a specific bill on the issue you care about or the legislature is not currently in session, you can still make a call! Let your lawmakers know what issue you’d like them to support or work on and why.
Share Your Story!

We are seeking stories from working families about the challenges they face. These stories help us be better advocates for Hoosiers.

Are you an individual who has struggled financially? As you've worked to achieve financial security, what has stood in your way? Let us know by telling us your story!

Do you work with clients who are struggling to achieve self-sufficiency? Let us know what they are facing. Are there ways policymakers could help?

The name and photo associated with your Google account will be recorded when you upload files and submit this form. Not jessica.d.fraser@gmail.com? Switch account

* Required

Name *

Your answer

Email *

Your answer

My Story: *

Your answer

I hereby grant to Indiana Institute for Working Families, its representatives, and employees the right to use this photograph/video and/or verbal/written statements in connection with the organization's educational and advocacy efforts. I authorize Indiana Institute for Working Families, its assigns and transferees to copyright, use, and publish the same in print and/or electronically. I agree that Indiana Institute for Working Families may use such content for any lawful purpose, including such purposes as publicity, illustration, advocacy, and web content.

- Yes, I grant permission.
- No, I do not grant permission.
- Please contact me, I have a question.

A photo/video of me/my family/my workplace or community (optional):

ADD FILE

City:

Your answer

I want to do more!

- Please add me to the Indiana Institute for Working Families’ email list so I can keep up to date on progress on this and other issues.
- I am willing to speak to my lawmakers about this issue.
- I am willing to speak to a reporter about this issue.
- I would be willing to testify before the legislature on this issue.

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Q3: How do you advocate in a political landscape with legislators who are either very favorable or very unfavorable towards your policy priorities?
Success in Any Landscape

Favorable landscape:

✓ Don’t take favor for granted. You still need to advocate.

✓ Advocacy provides leverage to legislators that support you.

✓ The more stories you share, the more ammunition they have.
Q4: What are some ways we can advocate with limited resources/time?
Our Members and Partners get a MENU of options and resources they can use that are time sensitive to the current. Example a Payday Lending Advocacy Menu:

**Baby Steps** (5-10 minutes)

- **Tweet** sometime this week about payday lending, or “like” and retweet our/others’ messages. Add your **state** lawmaker’s twitter handle to draw his or her attention (find your state lawmaker [here](#), then search twitter to see if he/she has an account). Use the hashtag #stopthedebttrap to tie in to the larger national movement.

  **Sample tweets:**
  391% APR on #payday loans is unaffordable and leads to repeat borrowing. Time to #stopthedebttrap, @[lawmaker]

- **Sign on** to this letter asking banks *not* to get involved in high-cost payday loans. (They will get background info on things like this)
**Medium Steps** (1-2 hours)

- **Submit a letter to the editor** of your local paper about payday lending in Indiana. See the bottom of this letter for guidance and talking points. Erin is happy to work with you on a draft – just email or call! *(We Give them resources or templates for this.)*

- **Schedule a** call or meeting with your state lawmaker to talk about the challenges facing low-income, low-wealth Hoosiers. Invite others from the district to attend.

- **Add** your story to our story bank or invite a client to share a story about payday lending or other financial products that have made economic security a challenge. We can accept either email transcripts

**Giant Leaps** (long-term commitments)

- **Send** a staff member to the Midwest Asset Building Conference in Indianapolis this October 5-6 in Indianapolis. This will bring practitioners, policy advocates, and researchers together to share promising practices and strategies for building broader prosperity. Early bird rate ends Sept 1.

- **Consider** becoming a lender or participating employer in the Community Loan Center model, a low-cost alternative to payday lending.
Q5: What was one of your biggest advocacy challenges early on and how did you overcome?
Gavin Taylor  
Manager, Financial Empowerment Center 
United Way of Essex/W. Hudson

**Challenge:**  
• Getting clients/other organizations involved

**Strategy:**  
• Advocacy Subcommittee through our coalition
Q6: As an established advocacy organization, how do you compel others in the community to take more of a leadership role in advocacy?
Audience Q & A

What questions do you have?

Share them in the Questions box!
Next Steps and Wrap Up

Vanna Cure
Senior Advocacy Manager
Prosperity Now
Next Steps

▪ Please **complete the survey**!

▪ Attend our **next webinar** in the Camp Prosperity series on July 30th!

▪ **Schedule a meeting** with a legislator in August!

▪ Look for **Camp Prosperity Daily Tips**!

▪ Explore the Camp Prosperity website for resources, events, and more: [https://prosperitynow.org/join-us-camp-prosperity](https://prosperitynow.org/join-us-camp-prosperity)
Plug into the Prosperity Now Community

Sign up for listservs and working groups, volunteer to facilitate peer discussions, serve in a leadership role and more!

- Financial Coaching Network
- Racial Wealth Equity Network
- Affordable Homeownership Network
- Financial Coaching Network
- Adult Matched Savings Network
- Taxpayer Opportunity Network
- Campaign for Every Kids Future — Children’s Savings Accounts
- Medical Financial Partnerships (Health/Wealth)
- Innovations in Manufactured Housing (I’M HOME) Network
Take action with Prosperity Now Campaigns!

Sign up to stay informed about the latest developments and opportunities to take action by joining one of our four federal policy campaigns.

<table>
<thead>
<tr>
<th>HOMEOWNERSHIP</th>
<th>CONSUMER PROTECTIONS</th>
<th>SAFETY NET</th>
<th>TURN IT RIGHT-SIDE UP</th>
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</thead>
<tbody>
<tr>
<td>Homeownership is key to building wealth. Together, we will advocate for products and policies that provide more affordable homes to more people.</td>
<td>Consumer protections create fairer, more transparent financial markets. Together, we will ensure consumers keep the safeguards they deserve.</td>
<td>Safety net programs help protect vulnerable individuals and families from falling deep into poverty. Together, we will protect programs like SNAP, IDAs and more to help those in need when they need it most.</td>
<td>The vast majority of tax incentives go to those at the top, not to those who need it most. Together, we will turn our upside-down tax code right-side up.</td>
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Visit any of the Campaigns above at https://prosperitynow.org/take-action to learn more and join.

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Thank You!

Please complete our survey and we’ll see you July 30 for our next webinar!