

Advocacy for Nonprofits: Education, Lobbying and Campaign Intervention

Understanding Advocacy for Nonprofits as easy as 1-2-3-4!

What can the each type of organization do?

501(c)(3)s
issue **education** and "**insubstantial**" **lobbying**; no political campaign intervention

501(c)(4)s
unlimited "social welfare" **lobbying** and "**insubstantial**" **campaign intervention** (subject to limits on total amounts spent on "electioneering")

527/PACs/Super PACs*
unlimited campaign intervention (sort of)

1. Learn

What does **education**, **lobbying**, and **campaign intervention** mean?

Education involves instructing the public on subjects useful to the individual and beneficial to the community with factually supported information designed to develop the audience's understanding.

Lobbying can be **direct** or **grass roots**. **Direct lobbying** involves communication with legislators and their staffs and publication of documents advocating specific legislative action. **Grassroots lobbying** involves appealing to the general public to contact legislators regarding legislative matters.

Campaign Intervention involves taking a public-facing action that favors or opposes one or more candidates for public office or political parties.

3. Do it with the ...

4. Make sure to ...

2. Find your Activity

Instruct the public generally about an election or an issue	Spend some resources to hire a lobbyist	Spend some resources to urge people to contact legislators on an issue	File a lawsuit to challenge a law	Add a (c)(4) page on our website (if clearly delineated)	501(c)(3) Public Charity	<ol style="list-style-type: none"> 1. Include fundraising disclaimers, as appropriate. 2. Send donation receipts to donors. 3. Keep website content and newsletter communications distinct from (c)(4) activities - clearly mark donation options as (c)(3) or (c)(4). 4. Hold separate board meetings for the (c)(3) and (c)(4) - its ok to have a joint public policy committee.
Encourage common sense safety policies	Engage in an issue-advocacy campaign that's <u>nonpartisan</u>	Spend some resources to talk with a legislator	Educate candidates within the purview of the organization	Distribute materials close to elections that don't advocate for election		
Urge the governor to issue an executive order	Help register people to vote when they become eligible	Provide some comments on legislation or regulations	Conduct education and training about participating in political process	Publish <u>legislative</u> scorecards		
Sponsor debate among all viable candidates (equal time, range of issues)	Distribute voter guides to the public setting out views on broad range of issues	Conduct <u>nonpartisan</u> get-out-the-vote activities	Conduct <u>nonpartisan</u> voter protection activities	Criticize sitting elected officials (esp if org has a history of doing so)		
Conduct targeted voter registration based on how people will vote	Spend a lot of time and resources to talk with legislators	Spend a lot of time and resources to urge people to contact legislators on an issue	Criticize or praise a candidate's policy platform	Not disclose a donor (unless the donor gave expressly for political advocacy)	501(c)(4) Social Welfare Org	<ol style="list-style-type: none"> 1. Provide appropriate disclaimers. 2. File lobbying reports with Ethics Board. 3. Keep expenses separate from the (c)(3) expenses. 4. Keep website content distinct from the (c)(3) and clearly mark donation options as (c)(3) or (c)(4). 4. Consider adopting an allocation MOU with the (c)(3) to clearly delineate (c)(4) and (c)(3) expenses.
Produce candidate scorecards and compare candidate views	Engage in unlimited lobbying in furtherance of tax exempt purpose	Spend a lot of resources to hire a lobbyist	Ask candidates to sign a pledge on an issue	Increase the volume or amount of criticism of sitting officials who are also candidates		
Raise money for the "person-to-person" work of engaging voters	Engage in an issue-advocacy campaign that's <u>partisan</u>	Actively work in an election; recruit candidates	Post partisan political messages on social media	Target voters in swing states		
Fund independent expenditures to support/oppose a candidate	Contribute to ballot issue committees	Limited lobbying to influence Senate confirmation of judicial appointments	Pay fundraising-admin costs of political org (separate segregated fund)	Compare org's issue position with that of a candidate		
Contribute to Super Pac in "unlimited" but "insubstantial" amounts	Spend funds to buy a campaign ad (depends on election law)	Endorse a candidate	Highlight differences between candidates on high profile issues	Connect org's criticism of public official to voting in election		
	Raise unlimited funds from individuals, corporations, or labor unions (Super PAC)	Engage in unlimited political spending independent of a campaign	Not be secretive about who we are supporting - even we can't collaborate	527s / PACs Super PACs*	<ol style="list-style-type: none"> 1. Provide campaign finance (C.F.) disclaimers. 2. Provide 24-Hour or 48-Hour reports to the C.F. board. 3. Provide regular C.F. reports to the C.F board or IRS. 4. Consider adopting an allocation MOU with the (c)(4). 	
	Intervene in an election by taking a public stance for or against a candidate	Limited contributions directly to a candidate or party (if a PAC)				

* Note that the rules that for 527s, PACs, and Super PACs are complex. This chart is a general guide that doesn't address all the differences between them.