

CEDAM Advocacy Toolkit

In response to the confusion that surrounds the relationship between nonprofit organizations, advocacy work, and lobbying, CEDAM has created this Advocacy Toolkit as a resource for our members. Section 1 will outline the basic tenets of advocacy: its audience, who should act as an advocate and use this guide, types of advocacy and the differences between advocacy, lobbying and political action. Section 2 will discuss ways to develop your own advocacy action plan. Section 3 will give information about how to find and contact your legislators via letter, phone and email. Section 4 will give tips for meeting with your legislator, from dos and don'ts to the kinds of research that should be completed prior to the meeting. Finally, Section 5 provides instructions for communicating with the media, including letters to the editor and op-eds. While this guide provides the rules for advocating as a nonprofit, it is not a comprehensive guide. Nonprofits should consult legal professionals before they start lobbying and with any questions they have.

1. The Basics

1.1 What is advocacy?

Advocacy is the process of actively supporting a cause or idea.

Advocacy is an important tool for nonprofit organizations. This process may be multifaceted, taking the form of letters, emails, phone calls, direct meetings and other avenues. Advocacy can involve a variety of activities including education and information sharing. Examples include educating a policymaker or the public on an issue, urging people to register to vote, etc. **Advocacy does not directly support or oppose legislation or endorse a candidate.** It does educate people on how policies impact the work that organizations do.

The following activities are considered advocacy, **not** lobbying:

- Providing technical assistance or advice to a legislative body or committee in response to a written request;
- Making available nonpartisan analysis, study or research;
- Providing examinations and discussions of broad, social, economic and similar problems;
- Communicating with a legislative body regarding matters which might affect the existence of the organization, its powers and duties, its tax-exempt status or the deduction of contributions to the organization (the "self-defense" exception); and
- Updating the members of your own organization on the status of legislation, without a call to action

Effective advocacy has two main audiences: the public and policymakers.

The Public

Change is hard to implement alone, but garnering support from one's community increases the likelihood of change. Therefore, an advocate works to persuade their peers to support their view on an issue. The primary stakeholders to target in this area are beneficiaries, allies and resistant groups.

Beneficiaries are those that would directly benefit from advocacy. For example, if one were advocating for bike lanes in their community, beneficiaries would be cyclists, environmentalists, small businesses and health-conscious individuals. These groups would be most receptive to one's arguments and most likely join in supporting one's cause.

Allies are networks of partnerships that form naturally after engaging with beneficiaries about your cause or idea. Coordination with these partners can help to refine policy goals and decide on the most effective strategy for change.

Resistant Groups are likely to form in opposition to the proposed change. In the previous example of bike lanes, resistance would most likely stem from motorists. An advocate is responsible for engaging the opposition, debating the issue, proving misconceptions to be false and convincing lawmakers to favor their stance on the cause or idea.

Policymakers

It is important to engage with the public in order to create a public desire for the proposed change. Because policymakers are influenced by the public and have the power to implement change based on public opinion, a visible public desire for change is vital to persuading lawmakers to consider and implement one's advocacy goals.

Contacting and meeting with one's legislators is part of the advocacy process and is discussed in greater detail later in this toolkit. Because the purpose of advocacy is to affect public opinion and policy decisions, the target audience can involve a wide variety of individuals at the local, state and federal levels. For the purpose of this toolkit, the advocacy process will primarily focus on engagement with state and federally elected legislators.

1.2 Who should advocate?

You! It is important to make your voice heard.

As nonprofits, many government decisions affect the quality of your work as well as your ability to exist. You are entitled to voice your opinions with the expectation that your representatives and/or senators will hear them. By making your voice heard, you can have an effect on legislative policy that affects your community and how you conduct your work.

If lawmakers do not hear from you, they may not be aware of the issues and problems affecting their communities. **You are the expert in your community on the issues**

that affect community economic development, and lawmakers need your expertise to make informed decisions.

Lastly, advocacy by nonprofit organizations is legal. Congress has recognized that these efforts represent a legitimate and important right for nonprofits to exercise. While there are some restrictions on lobbying, this should not dissuade you from advocacy and lobbying within the appropriate boundaries.

1.3 Who should use this guide?

This guide is for nonprofit organizations that wish to engage in advocacy work.

Anyone can be an effective advocate, no matter how large or small your organization is. Whether you are new to advocacy or an experienced advocate, this toolkit will prepare you for the road ahead.

This toolkit is formatted for nonprofit organizations. The Internal Revenue Service (IRS) governs all nonprofits. The Internal Revenue Code of the IRS governs tax-exempt organizations. Tax-exempt status is primarily granted to 501(c)(3) public charity organizations defined by the IRS as having charitable, religious, educational, scientific or literary purposes. 501(c)(3) organizations receive the best tax treatment under federal law, but in return have certain limitations on their activities. While other nonprofit categories exist, this toolkit will be focused on advocacy 501(c)(3) nonprofits.

Despite focusing on nonprofit advocacy, this toolkit can be used by anyone who is motivated to enact positive change in his or her community, state and country.

1.4 What type of advocacy should you be doing?

Make all elected officials aware of the work you are doing and the impact you are having in your community.

- Send elected officials all of your newsletters, e-updates and annual reports.
- Meet with your elected officials so they are familiar with your work and area of expertise, even if there is no current legislation you would like to discuss. By laying the groundwork, you will be prepared to initiate conversation on legislation when the time comes.
- Contact and establish a rapport with policymakers and their staff. Invite policy makers and their staff to any events you may have in the district, or invite them directly to your facility so they can see your work.

As a nonprofit, your work is primarily with your community. As an advocate, work is shared between the public and policymakers. Both are important audiences for enacting change and affecting legislation.

1.5 Advocacy v. Lobbying v. Political Action

As mentioned earlier, advocacy is the process of actively supporting a cause or idea. There are no restrictions on the amount of advocacy work you can do; however, once advocacy becomes lobbying, there are certain restrictions, which, if ignored, could result in the loss of your organization's tax-exempt status.

Lobbying

Lobbying is defined as communication to lawmakers or the encouragement of citizens to contact lawmakers for the purpose of influencing specific legislation.

Many believe (including those in nonprofit work), that federal law prohibits 501(c)(3) organizations from lobbying. Others understand that federal law permits lobbying, but believe it to be an inappropriate activity to engage in or a waste of time, energy and funds. However, as governmental budgets are increasingly put under a microscope by lawmakers and the amount of public funds decreases, nonprofits are rightfully concluding that policy work is not incompatible with their mission. With the absence of nonprofit input, lawmakers can craft, pass and implement budgets and policies that can overlook disenfranchised populations and not truly reflect the needs and concerns of the people or communities they were elected to serve.

Resources

In order to determine how much you are legally permitted to lobby, please see the following link: apps.americanbar.org/buslaw/blt/2009-03-04/mehta.shtml.

Additionally, Alliance for Justice publishes a detailed, plain-language guide to the 501(c)(3) lobbying rules called "Being a Player: A Guide to the IRS Lobbying Regulations for Advocacy Charities." Their new website can be found at the following link: bolderadvocacy.org.

Political Action

Nonprofit organizations are not permitted to engage in partisan political activities.

Under the Internal Revenue Code, all 501(c)(3) organizations are prohibited from participating, either directly or indirectly, in any political campaign on behalf of or in opposition to a candidate for public office. Monetary contribution to a political campaign or public statements, verbal or written, made on behalf of an organization in favor of or in opposition to any candidate for public office violates the Internal Revenue Code and may result in denial or withdrawal of tax-exempt status in addition to the imposition of certain excise taxes.

Certain political activities are allowed as long as they are conducted in a nonpartisan manner. For example, voter education or urging the public to register to vote can be conducted in a nonpartisan manner and is permitted by the Internal Revenue Code. A candidate forum can be conducted as long as all candidates are invited, given a chance to speak, and presented with the same questions. A great resource regarding allowed

election year activities is the Michigan Nonprofit Association:
(mnaonline.org/electionyear.aspx)

2. A Step Further

2.1 Developing Your Own Advocacy Action Plan

Policy Prioritization

When developing your advocacy action plan, you should begin by prioritizing your policy goals. Begin broadly by deciding what your organization's long-term goals are; this can be an abstract or concrete goal. For example, CEDAM's broad mission is to support our members' work to build vibrant communities in Michigan. At this point, we do not define what we mean by vibrant communities or how we can accomplish this goal. Instead, at this stage, we are identifying the motivating force behind our advocacy. Without an overall goal, your advocacy can be disorganized and you could end up advocating for issues that go beyond the scope of your organization's mission.

Work through conceptual goals to more specific policies that will direct you toward your overall policy goal. CEDAM organizes its larger goal of building vibrant communities into three separate policy directions that we believe are essential to accomplishing if we are to see our vision of vibrant communities become a reality: building vibrant neighborhoods, promoting economic opportunity and ensuring housing security. Depending on the resources your organization has to dedicate, it may be more beneficial to single out one policy objective and focus your energy on a few issues that are most important.

Once you establish your policy objectives, identify specific policy goals you hope to accomplish that will lead to the achievement of your policy objective. Specific policies can include advocacy legislation, funding, building public allies, etc. These specific goals are how you will gauge your progress toward your policy objectives and larger policy goals. For example, CEDAM works to ensure housing security by advocating for Michigan's 90-Day Pre-Foreclosure Negotiation Law.

To recap:

Policy Prioritization

Overall Goal (Larger Policy Goals)

- Policy Objective (Policy advancement that will help achieve your overall goal)
- Specific Policy to Advocate (Concrete action to reach a policy objective)

CEDAM's Policy Prioritization (Example)

Vibrant Communities

- Housing Security
 - Extend Michigan's 90-Day Pre-Foreclosure Negotiation Law

Policy Execution

Once you have prioritized your policy goals, you will need to develop a strategy for the most effective way to attain success. This will be difficult if you have not prioritized your policy goals. Once your policy goals have been set, the remaining sections of this toolkit will direct you toward different strategies and resources that you can use to be an effective advocate.

3. Connecting with Your Legislator

3.1 Finding Your Legislator and Decision Makers

To find the appropriate decision maker, it is important to ask yourself the following question: Which level of government would best be able to address the issue I am concerned about?

For legislation, your representation is in the state and federal government. The state legislature deals solely with legislation concerning your state, while the federal legislature (U.S. Congress) passes legislation that affects everyone in the United States. It is important to know which legislator (state or federal) would be most helpful to contact for your specific advocacy needs and goals.

State Legislators

At the state level, a state house representative and a state senator represent you. These two legislators are elected from your district and represent you in the Michigan House of Representatives and Michigan Senate, respectively. Together, the Senate and House of Representatives form the legislature of Michigan and are responsible for legislation passed in the state.

To find your State House member and the district you reside in, please visit the following link: house.mi.gov/mhrpublic/.

To find your State Senate member and the Senate district you reside in, please visit the following link: senate.michigan.gov/fysenator/fysenator.htm.

Federal Legislators

The United States Congress is divided into an upper and lower chamber, the Senate and House of Representatives, respectively. The Senate is composed of 100 members, with each state contributing two senators, while the House is composed of 435 voting members, with each state contributing representatives proportional to their population. Senators serve for six-year terms and representatives in the House serve two-year terms. At the Federal level, there are two U.S. senators and 13 U.S. house members representing Michigan's 13 congressional districts represent Michigan.

To find your U.S. House of Representatives member and district number, please visit the following link and enter your zip code: house.gov/representatives/find/.

To find your U.S. Senators and their contact information, please visit the following link: senate.gov/general/contact_information/senators_cfm.cfm?State=MI.

3.2 Contacting Your Legislature

When contacting congressional offices, it is important to be clear about your purpose.

In preparation, take a few minutes to plan exactly what you want to say. When contacting your representative's office, clearly and concisely state your reason for contact. Make sure the staff member understands why you are contacting their office is important.

Via Letter

Begin your letter by stating who you are and the reason behind your correspondence. Give background information about yourself including: where you are employed, how long you have lived in the district and any history you have with the topic you are raising. In detail, clearly state the reason for your letter and what you hope it will accomplish. Keep the letter to less than a page in length. The letter's purpose should be to establish a foundation from which to work for the future. Beneath your signature, make sure to include your email address, fax number and telephone number. To continue the conversation, simply ask your legislator to respond or leave it open with "I look forward to reading your response," or "I look forward to continued conversation on this issue." We recommend you follow-up a letter with a phone call or email.

Via Phone

If you do not have the contact information for your Michigan state representative or state senator, you can find this information at the following links:

house.mi.gov/mhrpublic/frmRepList.aspx
senate.michigan.gov/members/memberlist.htm

To find contact information for federal senators and congressional representatives, please see the following links:

senate.gov/general/contact_information/senators_cfm.cfm
house.gov/representatives/find/

Before calling, it is important to understand that your representative or senator is engaged in a large variety of policy issues. To manage the workload, your representative or senator has staff assigned to handle specific policies. These staff members are meant to be knowledgeable about the issue and, more importantly, know the pertinent legislation concerning it. Staff members relay the necessary information to their bosses and their counsel is vital when your representative or senator makes decisions. Therefore, you should expect to speak with a staff member when calling your senator or representative's office.

The appropriate staff member will be your point of contact moving forward. When speaking with him/her, state who you are and the background you have with the issue. Communicate that you hope to be a resource for your senator or representative and ask for an in-person meeting to discuss the issue in detail. Before hanging up, make sure you have received the staff member's contact information, either their work email or phone number.

Via Email

Contact via email is similar to writing a letter. After finding the necessary contact information, it is important to choose a subject line that clearly reflects the content of your email. Simply state the policy issue that the email pertains to as the subject line. Note that your representative or senator receives a large number of emails daily. It is important to remain proactive and follow-up with an email or phone call if you do not receive a response. Keep your email short, at most three paragraphs, and ask to be referred to the appropriate staff member or schedule an in-person meeting. As always, make sure and effectively communicate whom you are, what you do and why it matters.

4. Meeting with Your Legislator

4.1. Conducting Research

Before meeting with your legislator, you should conduct research on the topic and the legislator.

You should understand enough about your issues so that you can clearly and concisely explain it to somebody who has limited knowledge of it. You should also remember to explore related areas that your topic touches upon. For example, foreclosure assistance can be perceived as a single-affected issue, in that it only affects individuals or their families. However, foreclosures reverberate throughout all sectors of a community. It affects economic development, home prices and safety within a community. Knowing how your topic relates to other important components of community building is crucial when trying to explain the seriousness of your issue.

There are many resources at your disposal. Chances are high that other nonprofits and organizations have argued your topic somewhere in the country. Reports, statistics, data and publications are available through online sources. Being familiar with these resources and introducing them to your legislator is a great strategy to ensure you clearly and concisely relate your argument.

It is also important to know your legislator. Knowing their district, party affiliation and previous legislation sponsored and voted for will be helpful. Tailor your message to your audience. For example, if you are speaking to a Republican, adopt "conservative" language and "liberal" language when speaking with a Democrat. Know their talking points and make sure your argument is formulated so that it fits within their ideological frame. While this approach can be complicated, it is extremely effective by ensuring

your legislator will be engaged throughout the meeting. In addition, be prepared to politely engage the opposition; know their talking point and how to dismantle it.

Though it may be difficult at first, it is important that you practice your argument. Repetition will make your argument sound more natural during the actual meeting. Practice a mock meeting with your peers until you feel comfortable presenting your argument.

4.2. Whom You Will Talk To

The first step is to send a meeting request to the legislator's office scheduler.

When scheduling a meeting make sure to include the basic information about the issue you are hoping to discuss as well as an approximate number of people who will be attending. If you do not hear back from the scheduler after a weeks' time, make sure to follow up. Do NOT hesitate to follow up with a scheduler about your meeting.

Remember, this person is most likely responsible for all the legislator's events and meetings. A polite phone call or email will help ensure your meeting is not lost among the many requests. Offices may offer to have you meet with a staff person in lieu of the legislator. If your intent is to meet with the legislator, then it would be helpful to employ other advocacy groups to send letters or emails in support of your meeting. Do not be discouraged if you are unable to secure a meeting. A meeting with a staff member can be equally effective as they provide trusted input on policy decisions to their boss. Make the most of the meeting you are given and maintain a positive and passionate attitude.

4.3 Dos and Don'ts

It is important to remember that you do not have to be an expert on the subject you are advocating to your elected official about.

The experience and information you can provide on the issues in your member's district is very valuable to him or her. You are the expert when it comes to what is going on in your district or state. Here are some helpful dos and don'ts when meeting with a legislator.

- *Do* be on time.
 - Legislators often schedule appointments back-to-back all day. Their schedules are tightly organized and if you are late, you will either lose your appointment or have it cut short. Be prepared that due to their tight schedule, you may start a few minutes late or have your meeting cut short. Please be flexible.
- *Do* dress professionally.
 - Dress neatly and conservatively.
- *Do* know your legislator.
 - Knowing their district, party affiliation, previous legislation sponsored and voted for and previous organizations involved with will be helpful. This will help you

tailor your message to your audience as well as be able to connect with them in their areas of expertise.

- Knowing their views on the subject you are meeting about helps you prepare your talking points and strategy.
- Framing your argument that is antithetical to the ideology of the legislator could be obtrusive to your goal. Thus, if you are speaking to a Republican, adopt “conservative” language and “liberal” language when speaking with a Democrat.
- Know their talking points and make sure your argument is formatted so that it fits within their ideological frame. While this approach can be complicated, it is extremely effective by ensuring your legislator will be engaged throughout the meeting.
- *Do* know your purpose
 - Have a few succinct talking points and try not to stray off subject.
- *Do* take materials to leave with the staff person.
 - This will help them with any research on the topic they need to do in the future.
- *Do* be professional.
- *Do* tell stories to illustrate your point.
 - A good story can change the perspective that a legislator adopts when viewing a problem or topic in ways that data or statistics sometimes cannot. If you know a compelling story that arose from your work in the field, that effectively represents either the problem or the solution, please share it when given the opportunity.
- *Do not* be disrespectful, even if your views differ from the legislator.
 - If their views are contrary to yours, indicate that you hope to find common ground for you to work together on issues critical to the Member’s constituents.
 - If their views are favorable to yours, acknowledge their support in the past and thank them.
- *Do not* be intimidated by the legislator.
 - It is his/her responsibility as an elected official to listen to and address concerns of his/her constituents.
 - As a constituent, you have the right to lobby your member.
- Do not forget to send a thank you note.
 - After your meeting, it is important that you follow up with a sincere thank you for their time and consideration.
 - Communicate your appreciation and your wish for continued partnership on the issue.
 - Make sure they understand that you hope to be a resource for them and that you are willing to aid them in further understanding the issues you are knowledgeable.
 - Regardless of the outcome, representing your organization in a positive light is essential. Be positive and appreciative.

5. Communicating with the Media

5.1. How to: Letter to the Editor

With advocacy, it is important that you choose the most appropriate vehicle for your message. At certain times, it may be appropriate for your organization to take a professional and public stance on an issue. The best communicative device for this type of advocacy is through a well-read news organization. Writing a letter to the editor not only gives your message greater access to a larger audience but also lends legitimacy to your message by it being considered newsworthy. Choose a paper based on the audience you need to reach - local, regional or national. It can be a print newspaper or an online publication.

Once you choose the outlet, you need to begin writing your message. Keep it less than 250 words. Frame the issue in a wider context and explain how it affects the reader. State your stance concisely and persuasively. End with a call-to-action to invite the reader to stay involved. Your letter is your chance to inspire action and make changes—give the writing process the attention it deserves. Once you have proofread and are satisfied with the letter and its content, send it to the editor. Find out what is the preferred method of delivery and follow up with the editor after sending it. Do not forget to sign the letter with your name and contact information. Do not be disheartened if your letter is not published. Try again at a later date and in the meantime use the other avenues at your disposal to make sure your message is heard.

5.2. How to: Op-Ed

An op-ed is similar to a letter to the editor except it is meant to be longer and more argumentative. Keep your op-ed piece to less than 750 words. The op-ed purpose is to shift readers to your stance on a particular issue. It is important to begin aggressively by making your concluding point first. The main point of your op-ed should be at the top of the page. What follows is your justification of the main point through evidence and persuasive arguments. To make your argument more compelling make sure to use the active voice. Say what you are arguing and the outcome you want; convince the reader that they should want that outcome as well. Engage the opposition in a respectful tone. Acknowledge their views and, if applicable, state where you agree. Make sure and end strongly by restating your position and issue a call-to-action. Once again, be sure to proofread your work. If satisfied, deliver it to your newspaper of choice. Check with them on the appropriate delivery method and then follow up to be sure they received it. Remember, even if not published, your message is important and employ other strategies to make sure it reaches your audience.

Conclusion

Advocacy is a vital tool for any community economic development organization. You are the expert on what is happening in your community, and your advocacy is an important part of being effective at what you do. We hope that this toolkit can help you and your

organization to be a more effective advocate for your community and its needs. While this is one resource for advocacy work, there are many others that are available to you; taking the time to learn how to make the most of your position as an advocate is of great importance to finding success.