

ADVOCACY DAY TOOLKIT



LOBBYING GUIDELINES

Prepared by MCAP and NCAF

Overview

Contacting a member of Congress for support of a specific piece of legislation or funding stream is lobbying. Giving your member of Congress a tour of your agency or keeping your member of Congress informed on programs and services your agency provides will not be lobbying if there is no discussion of legislation, the state or federal budget, or appropriations.

FAQs

Am I allowed to lobby?

YES!

I've been told I can't lobby . . .

Nonprofit, 501(c)(3) Community Action Agencies (CAAs) and their staff and board members absolutely **CAN** lobby; you just need to pay any lobbying costs with unrestricted, non-federal funds and they need to track their lobbying time, costs and activities for reporting on IRS Form 990 (don't worry, reporting lobbying on the Form 990 does not increase the chances of an IRS audit). Whether a public (i.e., governmental) CAA, its staff and board members may lobby on behalf of the CAA will depend on state and/or local law. Any lobbying costs a public CAA may incur must be paid out of non-federal, unrestricted funds.

Staff and board members of CAAs also have first amendment rights to lobby as individuals on their own time, outside of the office and using their own personal phones and computers. Silence on our programs is not an option, so it's important to have a plan for getting the message through to members of Congress, whether or not your organization has non-federal, unrestricted funds to spend on lobbying.

Lobbying FAQs Continued...

What if your CAA has limited or no nonfederal, unrestricted funds that it can spend on lobbying?

Work with your board, volunteers and community members to get the word out! Here are some steps to follow:

Step 1: Appoint a board member or community supporter to lead lobbying efforts on his or her personal time with his or her personal resources.

Step 2: Make sure that person receives e-mails from MCAP so as to see any “call to action.”

Step 3: Make sure the point person knows they can directly contact MCAP with any questions or necessary assistance.

Remember, MCAP is your vehicle for State, Local, and Federal advocacy and NCAF is your national lobbyist. If we know you are unable to directly lobby a member, we will help find a pathway to connect that member to the necessary information. Further, if any legislative issues or questions are raised, loop MCAP in. We are able to discuss legislative matters with Congress and might have a prior relationship with the member. If you have questions about the legal rules on lobbying, contact CAPLAW.

Important Non-Lobbying Activities

Creating and maintaining a relationship with a member of Congress, which is crucial to Community Action’s survival, does not need to involve lobbying activity. As a community organization, you should hope to have a collaborative relationship with your members of Congress based on your common goal to improve your community.

"Keeping your members informed about your programs and services is considered essential information for your members of Congress and their staff."

MCAP is here as a resource; we know a lot of members. We can—and will—help build professional and personal relationships. It is vital that you keep MCAP apprised of important developments or happenings within your agency, especially if your agency and its staff are limited in their ability to lobby. When MCAP has certain action items regarding specific legislation, we need to possess intimate knowledge of your agency while approaching members of Congress "You will create a personal relationship, get to know your member better and begin the process of establishing or solidifying trust—all without the act of “lobbying.”.

Whether that information includes the creation of new programs and partnerships, or simply improvements, let us know! Clearly, NCAF can lobby - and we will be sure to pass this information along to members of Congress on your behalf.

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A Special Note on Constituent Services

One of the more important non-lobbying congressional interactions you can have is with the constituent services team on your legislator's staff. Essentially, congressional offices dedicate a significant portion of their time to help constituents who request assistance. The severity of these requests varies, from passport expedition requests to IRS complications to VA or Social Security appeals to labor disputes. Often, individuals who call a congressional office require immediate assistance to alleviate difficult issues such as unemployment and utility shut-off by a provider. In many congressional districts, Community Action Agencies are the first referrals in these situations and provide a great relief for the member's office.

One of the most beneficial items you can give your member's office is a resource sheet. The sheet should provide contact information for agency staff that can be a resource for the member's office and information on the programs the agency provides. Checking in with your member's office annually and giving them an updated resource sheet is a great way to establish and maintain a relationship without lobbying. Some folks have asked how to approach members of Congress who have been unsupportive in the past – this is a great way to open the door to a good relationship. One CAA kept at building a collaborative relationship with a very resistant member of Congress for a few years, and now that member has contacted the CAA to participate in a veteran's service fair he is hosting because the agency is the provider of Supportive Services for Veteran Families. Often, before a member becomes supportive of Community Action, he or she must understand the value of Community Action. Unfortunately, our invaluable impact is not immediately obvious to everyone, and it may take time to demonstrate.