

Frequently Asked Questions About Nonprofit Lobbying

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Some answers indicate page numbers referenced in *The Nonprofit Lobbying Guide* by Bob Smucker, where additional information on that question may be found. The full text of the guide may be downloaded from Charity Lobbying in the Public Interest at <http://www.clpi.org/toc.html>.

The answers provide a general explanation of the law governing nonprofit lobbying but are not to be considered as legal advice tailored to your particular circumstances. If professional assurance that our information, and your interpretation of it, is sought that is appropriate to your specific situation, it is recommended that you consult an attorney.

[1. General Questions About Nonprofit Lobbying](#)

Spending Limits

Q: Our organization has a budget of \$450,000. We have been informed by our attorney that we may spend up to 5% of our budget on lobbying. Is that correct?

A: If your organization has chosen to come under the 1976 lobby law, you may spend 20% of your first \$500,000 in annual expenditures on lobbying. The percentage amount that an organization may spend decreases as the amount of its annual expenditures increases. Under the 1976 law, charities may spend up to \$1 million on lobbying, depending on the amount of their annual expenditures.

If you have not chosen to come under the 1976 law you are under the "no substantial part" test, which means that you can only devote an "insubstantial" amount of your resources to lobbying. Unfortunately, "insubstantial?" has never been clearly defined under the law, with the result that nonprofits that do lobby but have not chosen to come under the 1976 law cannot be certain how much lobbying they may conduct without jeopardizing their tax exempt status. To be certain regarding how much an organization may spend on lobbying most groups should choose to come under the 1976 lobby law. (p. 53, 55, 62, 63)

Q: May our organization spend as much on grassroots lobbying as on direct lobbying?

A: If your organization has chosen to come under the 1976 lobby law, expenditures for grassroots lobbying, that is attempting to influence legislation through an attempt to affect the opinions of the general public or any segment thereof, and urging them to lobby, are limited to one quarter of the overall ceiling permitted for lobbying. So, if an organization's total lobbying limit is \$100,000, it may spend the full \$100,000 on direct lobbying or it may spend up to \$25,000 on grassroots lobbying and the rest on direct lobbying.

As indicated in the answer to the previous question, if an organization has not chosen to come under the 1976 lobby law, it is under the "no substantial part?" test, which has never been clearly defined under the law. The result is that an organization under the no substantial part test cannot be certain how much lobbying it may conduct without jeopardizing its tax-exempt status. (p. 54, 55)

Volunteer Time

Q: A couple people and I are considering forming a nonprofit organization that seeks to promote substantial residential and commercial development in our community. I would anticipate that a lot of time would be devoted to "lobbying" city council members and staff regarding

certain zoning/planning approvals. My questions is this: do we have to assign a monetary figure to the volunteer time that my colleagues and I devote to this lobbying for purposes of satisfying the IRS expenditure test or is the IRS only concerned with actual monetary expenditures?

A: If your organization has chosen to come under the 1976 lobby law, your organization needs only to report actual money expenditures. Since your lobbying will be by volunteers, there will be no money expenditure and therefore nothing will have to be reported to the IRS on the volunteers' time spent lobbying. Under the 1976 law, the only time you have to report anything to the IRS is when there is an expenditure of money. Time spent by volunteers does not have to be reported. However, if you have not chosen to come under the 1976 lobby law, your organization is subject to the "substantial part?" test and the time spent lobbying by volunteers will have to be reported. (p. 51)

Q: I am developing a new organization. We will be involved in minimal lobbying. Should I wait to submit IRS Form 5768 until we have been granted 501(c)(3) status?

A: You don't have to wait until you get your 501(c)(3) status. You can file the Form 5768 immediately, which permits you to come under the provisions of the 1976 lobby law as of the start of your organization's tax year when you filed the form. (p. 62-64)

Lobbying on Budgets

Q: We have sent a letter to the governor and other legislators advocating for revenue increases in the budget. We do not advocate for a particular legislative solution other than to oppose certain budget cuts and we have proposed budget increases. Is that lobbying?

A: Under the 1976 lobby law you are lobbying when you refer to specific legislation and reflect a point of view on its merits. "Specific legislation?" includes a specific measure that has not yet been introduced but does not include general concepts for solving problems that have not been reduced to legislative proposals. You are opposing cuts in the budget and proposing budget increases. The opposition to cuts that you mentioned does constitute lobbying because it refers to specific measures. Your reference to a revenue increase probably would not be lobbying if there are no revenue increases currently proposed. If revenue increases had been proposed, then your request to increase revenues would constitute lobbying. (p. 56)

Q: Is our organization lobbying when it calls on a legislature to increase funding for a general area (health, education, etc.) if there is no budget proposal on such funding before the legislature?

A: If there is no budget proposal before the legislature, calling for adequate funding in a general area would not constitute lobbying. (p. 56)

Lobbying Expenditure Limits

Q: We are a 501(c)(3) organization and would like to know what is the law on the maximum that may be spent on lobbying? Are there different rules for nonprofits within each state or is this a federal rule?

A: State laws generally do not limit how much lobbying a nonprofit can do, but they often require disclosure of expenditures. These rules are different from state to state.

At the federal level, if your organization has chosen to come under the 1976 lobby law, your permissible lobbying is judged only by the amount of money you spend on that activity. For example, you may spend up to 20% of your organization's first \$500,000 in annual expenditures on lobbying. The maximum an organization can spend is \$1 million.

If you have not chosen to come under the 1976 lobby law, you are under the "no substantial part?" test and the rules are less clear as to what constitutes lobbying. For example, under the no substantial part test the amount of time the organization's staff and volunteers spend on lobbying would be one consideration in determining the limits of permissible lobbying activities. Also, there is no guidance as to maximum funds you can spend. (p. 52, 53, 62, 63)

Q: If a coalition does not have its own 501(c)(3) status, but is part of a larger organization with this status, how is the calculation made of the percentage of funds that can be spent on lobbying? Is the larger organization's entire budget included in the calculation?

A: Under the 1976 lobby law the larger organization's exempt purpose expenditures would form the basis for the calculation of the amount that could be spent on lobbying. Exempt purpose expenditures include all expenditures except certain fundraising costs, unrelated business income tax, and capital expenditures. (p. 60, 61)

Lobbying Federal Agencies

Q: What are the general rules on lobbying the general public and Congress, urging them to contact a federal agency (in this case the Department of Education) to change a draft request for proposal (RFP) that is currently open for a public comment? Is it considered similar to lobbying on regulations?

A: For charities that have chosen to come under the 1976 lobby law, by filing IRS Form 5768, it clearly is not a lobbying activity because there is no legislation involved. That is, it doesn't count against the amount you may spend on lobbying. For those that have not chosen to come under the 1976 lobby law, and therefore remain under the "no substantial part" test, it might count as a lobbying expenditure but that's unclear because the "no substantial part" test is so subjective. (p. 52, 53, 62, 63)

Members

Q: Does member mean only someone who formally joins an organization as a member, or can it be defined more broadly? Our organization is a nonprofit social service agency. We do not have members, but we have large numbers of clients, staff, and volunteers. We have also Board members and advisory council members. When we send a call to action on specific legislation to these groups, is it grassroots lobbying or direct lobbying?

A: The IRS says for tax purposes, a member of a 501(c)(3) organization is one who contributes more than a nominal amount of time or money to the charity. It is grassroots lobbying when there is a call to action and the communication is going to the public at large. It's direct lobbying when you state your position on a legislative proposal to your members and ask them to be in touch with legislators. The IRS definition of a member does not change your by-laws, but operates only for the purpose of calculating lobbying expenditures.

Minimum Threshold for Reporting

Q: Is there any practical minimum threshold for reporting of lobbying activity on the IRS 990 Form? For example, an organization sent one letter/lobbying communication during the year and they say no more than five hours of a staff effort went into the letter.

A: There is no minimum threshold " even though the dollar amount is small, it should be reported. Lobbying Registration

Q: Our organization will be doing a bit of lobbying at the federal level this summer and possibly for the remainder of the year. Is there any kind of initial or residual registration that our organization must file to comply with the law?

A: There is no initial registration that is required under Federal law. Under the Lobbying Disclosure Act of 1995, if you have any employee that devotes at least 20% of his/her time to lobbying activities at the federal level and the organization spends \$22,500 or more over six months on such activity then you may have to register and file reports under the Lobbying Disclosure Act. (p. 75)

Best Corporate Structure for Lobbying

Q: What is the corporate structure best suited for a nonprofit organization that desires to lobby?

A: It depends on the amount of lobbying you intend to conduct. You should seriously consider applying for 501(c)(3) status and chose to come under the 1976 Lobby Law. Under that law, the amount you can spend on lobbying is ample and the definitions are clear as to what constitutes lobbying. In addition, gifts to your organization will be tax deductible. (p. 55)

If, after review the foregoing, you decide you need more latitude to lobby then you should consider setting up a 501(c)(4) organization. There are no restrictions on the amount of lobbying you can conduct as a (c)(4), but gifts to your organization would not be tax deductible. (p. 68, 69, 70)

Hatch Act

Q: Are there any limitations on the activities of employees of federally funded organizations based on the Hatch Act?

A: The Hatch Act does not apply to 501(c)(3) organizations.

Endorsement of Legislation

Q: We are a 501(c)(3) organization and would like to put our name on a new bill as a sponsor. Is this permissible?

A: Under IRS rules, a 501(c)(3) is allowed to endorse and fully support legislation. At the federal level, sponsoring legislation is a prerogative of Members of Congress, not other individuals and organizations.

Lobbying Contracts/Job Descriptions

Q: I have a member interested in models for lobbying contracts. Are there any examples?

A: Following are some of the ways which we have heard that organizations structure contracts: 1) based on performance as defined by the success of the legislative effort; 2) based on time (hourly, like one might pay an attorney on an hourly basis); and 3) on retainer (that is, a certain dollar amount per month).

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2. Election-Related Activity

Endorsing Candidates

Q. May our organization endorse a city council candidate?

A: A 501(c)(3) organization may not support or oppose a candidate for elected public office, whether it is for local, state or national office. (p. 66)

Q. My agency is involved in a coalition that has helped to organize a mayoral forum in our city. The question was raised at the forum as to whether the coalition of nonprofits, a 501(c)(3), can endorse a non-candidate.

A: Endorsing a person who has not stated they are a candidate could make the person a candidate. Therefore that activity would be viewed as engaging in partisan political campaigning, which is prohibited.

Awards/Recognition

Q: We are a social service agency. We wish to give a legislator who is a great friend of the organization an award. The problem is that she will be in the middle of a campaign when we present the award. May we still present the award without appearing to endorse her candidacy?

A: There is no hard and fast rule to follow but here are some cautions to keep in mind. You need to steer clear of anything that looks like an implied endorsement of the candidate. To give an award during an election campaign could give the appearance of implied endorsement. There are several ways of perhaps making an award. One way would be to give the award at a time that does not fall during a campaign. Avoiding the appearance of implied endorsements of candidates is very important. If your event is held every year at this time of year the award is less likely to be viewed as an implied endorsement. However, the campaign should not be mentioned. Would it be possible for you to plan to give the award soon after the next election but not announce the impending award until after the election?

Q. We would like to honor several state legislators (including Democrats and Republicans) for their service to our organization. It is 13 months until they will be up for election. Is that permissible?

A: It is permissible. If you were to hold the meeting to honor the legislators during an election campaign it would still be permissible but would have to be done with a good deal of care to avoid any actions that might be seen as partisan. You are on stronger ground if you honor legislators every year, honor both Democrats and Republicans, and avoid the election campaign season. Do not mention the campaign or elections.

Q. May a child advocacy group that recognizes legislative supporters on both sides of the aisle throughout the year, continue that practice in election season, when those they plan to recognize are legislators who are running for office?

A: Yes, if (1) this is part of a lobbying strategy they have utilized over the past year; (2) they have recognized those particular legislative supporters in the past [this second element may be more than is required], and (3) if the impetus for the recognition is timely, i.e., recent support on current legislation (the impetus can't be the election).

State Law

Q: May you direct me on where to find a state's law regarding questionnaires that might be used for candidates for state offices?

A: If your state has an association of nonprofit organizations they probably would be able to answer your question. You might also be able to get that information from your state attorney general's office. Information about whether your state has an association of nonprofits may be found on www.nonprofits.org. Information on state election laws can be found on www.npaction.org.

Foreign Campaigns

Q: May a 501(c)(3) organization campaign in a foreign land on behalf of a candidate?

A: Such action is prohibited. IRS policy has been to treat overseas activity exactly the same way as domestic activity for purposes of the prohibition on charities of engaging in political activity.

School Boards

Q: May a charity get involved on behalf of candidates for school board election?

A: Charities can't take a position pro or con on the election of school board members. Charities can take a position pro or con on issues before school board and that action wouldn't count as a lobbying expenditure because the school board is not a legislature. However, it can't get involved in taking a position for or against candidates for the school board.

Opposing Judicial Decisions

Q: May a charity take a position opposing decisions that a judge has made?

A: If a judge is appointed rather than elected, a charity can criticize his or her decision. But if the judge is elected, a charity has to be careful to stick to the issue and not comment on the campaign or compare the judge with an opponent. It helps if you have a track record of working on the issue. If the judge were up for reelection, an organization would have to be extremely cautious about taking a position in opposition to decisions that the judge has made because such action might be considered partisan political activity.

Event Sponsorship

Q: As long as both candidates for an office are offered an opportunity to "sponsor" a fundraising event for a charity, is that permissible? Event sponsorships are often offered to corporate groups and in return their name is listed on event materials including t-shirts, etc.

A: Having candidates, even if they are currently public officials, act as your organization's sponsors for an event within 60 days of an election could be highly questionable. Unless all candidates are invited and choose to participate it would be too much of a challenge to legitimize participation by just two. It might not be viewed as negatively if there were a track record of sponsorship by the candidates in previous years. However, starting such sponsorship in an election year leaves you open to the charge of engaging in partisan political activity.

Membership Lists

Q: I understand that a nonprofit may sell, trade, or rent its membership list to a candidate for office as long as all candidates are given equal access. Is it permissible for a nonprofit to give its membership list to a candidate?

A: Giving a membership list to a candidate would amount to a contribution to the candidate's campaign, which is prohibited. However, you could sell, trade or rent your list at fair market value if you make the opportunity available to all candidates. (p.68)

Candidate Forums

Q: If you are holding a candidate forum and have invited all candidates but only one shows, is it permissible to go ahead with the forum?

A: It would be best to cancel the meeting with only one candidate present. In conducting the forum with only one candidate present, it would be difficult to avoid the appearance of implied endorsement of the candidate.

Q: In our upcoming city election, could our coalition tell people to write in "vote for homes? on the ballot?

A: It would be acceptable to write in "vote for homes? on the ballot. However, if "homes? is an issue that clearly is supported by one candidate and opposed by another it would not be appropriate for your coalition to advocate the writing in of "vote for homes? on the ballot.

Get Out the Vote

Q: May an environmental group send out voting reminder cards and state that voters should support candidates that support the environment?

A: An organization can say, "Support candidates that support the environment? as long as the environment is not a critically important issue on which the two candidates differ.

The more complicated issue is how they can link the voting reminder to the environment. It is acceptable to mention broad issues in Get Out the Vote (GOTV) campaigns " and the "environment? is a broad issue if it is not a high profile issue in the campaign. It would also not be a problem if the environmental group wanted to mention a more specific issue, such as "cut down on toxic pollutants? or "save the trees in the western part of the state? as long as that specific issue has not become a high profile issue in the campaign.

If the environment is a high profile issue in the campaign and one over which candidates are divided, the group should stay away from mentioning it in their GOTV campaign.

In summary, if the environment is not a high profile issue and if they define the issue broadly the group should be able to send out voting reminder cards linked broadly to the environment. For example, they could state, "Remember to vote and when you vote, remember the environment.?"

The foregoing response would apply to other issues such as, for example, gay rights.

Lobbying on Appointments

Q: A 501(c)(3) organization wrote a long article published in a local paper criticizing other 501(c)(3) groups for opposing a person nominated for a judgeship. Is it legal for a 501(c)(3) to take a position on a person nominated for a judgeship?

A: It is legal for a 501(c)(3) organization to support or oppose a person who has been nominated for a judgeship.

Q: Is it legal for a 501(c)(3) organization to support a person who is running for election to a judgeship?

A: It is not legal for a 501(c)(3) organization to support or oppose anyone running for elected public office.

Q: The governor is going to appoint a person to Congress to fill out the term of a member of Congress who is deceased. May a charity lobby the governor regarding his/her choice to fill the vacancy?

A: A charity may lobby in support of or opposition to the appointment of a particular individual to fill a vacancy in a legislature. A charity may also work to influence appointment to a non-elected executive or judicial position.

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3. Media and Lobbying

Q: Our association of agencies supports a statewide newspaper, operated by a 501(c)(3) organization, which sometimes prints calls to action on specific legislation. May we consider paid subscribers to be our members? Should we consider unpaid subscribers to be the public?

A: Paid subscribers are members for the purpose of measuring lobbying expenditures if they are contributing more than a nominal amount of time or money to the organization that publishes the paper. You must consider the unpaid subscribers as the general public, unless you know that they fit the criteria for membership in the organization that publishes the paper.

Q: If a newspaper publishes an article that states our organization's view on legislation but does not include a call to action by our group, is it lobbying?

A: No, it is not lobbying.

Q: We are a medium sized community newspaper, which has 501(c)(3) status, focused on issues of poverty and homelessness. The local chapter of a political party wants to place a paid advertisement in our paper, promoting themselves. It is not election season. My question is may we print such an ad without jeopardizing our status?

A: A 501(c)(3) organization may not engage in partisan political activity. It may, however, provide goods or services to a political party or candidate if it does so for fair market value and makes such goods or services equally available to all political parties and candidates. You may therefore accept the advertisement if you generally accept advertisements and are willing to accept advertisements from any political party or candidate.

Q: Is an ad that an organization has placed in a newspaper that takes a position on legislation, but does not call for action, a grassroots or a direct lobbying communication?

A: Such an ad is neither a grassroots communication nor a direct lobbying communication. It is not a grassroots communication because it does not call for the public to take action. It is not a direct lobbying communication because while it does state its position on legislation, it is not a communication sent to legislators.

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4. Foundations and Lobbying

Q: Is it permissible for a private foundation staff member to lobby as a private citizen on an issue on his or her own time? That is, on weekends, vacation, lunch break, etc. The individual would be giving his or her own point of view on legislation.

A: It is permissible for a staff to engage in such lobbying on his or her own time. However, it would not be permissible for the president of the board of a foundation to engage in such lobbying because he or she would be seen as a representative of the foundation, regardless of when the lobbying occurred.

If either staff or board members of a foundation are invited in writing from the chair of a legislative committee (not just a member of a legislative committee) to give technical advice which would include stating a position on legislation, such action would be acceptable. The same would apply to an invitation from a government agency for technical advice from a foundation about legislation.

Q: May private foundations make grants to charities that lobby?

A: Yes, so long as the grants are not earmarked for lobbying and are either (1) general purpose grants, or (2) specific project grants that meet the requirements of the federal excise tax regulations. (p.60)

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5. Initiatives and Referenda

Q: May a charity make direct contributions to a ballot initiative campaign?

A: Yes.

Q: May a charity make contributions to a 501(c)(6) organization (business leagues, chambers of commerce) if the (c)(6) makes contributions to the initiative campaign?

A: Yes. The contribution would count as a direct lobbying expense.

Q: May an individual make a contribution to a charity earmarked for an initiative?

A: Yes, but the contribution would not be tax deductible.

Q: What is the limit charities can contribute to a 501(c)(6) for an initiative?

A: You can make contributions as long as your total lobbying expenditures, including the contributions, do not exceed your lobbying limits as a 501(c)(3).

Q: May a charity collect contributions for the initiative campaign?

A: Yes, but the contribution would not be tax deductible.

Q: May a charity distribute information about the initiative to the public?

A: Yes. You should be aware that in some states distributing such information would require your organization to register and file reports with the state or locality involved.

Q: Citizens in our city will vote on a city charter amendment that may, depending on its interpretation if passed, limit the ability of municipal government to give monies to local nonprofits. We would like to take a public stand on this. May we legally do so without jeopardizing our state or federal funding? Is it permissible for us to educate individuals about municipal issues?

A: It is absolutely legal and appropriate under federal law for your organization and any other 501(c)(3)s in your community to take a public stand on this amendment and to lobby for its defeat within the 501(c)(3) lobbying limits. It is permissible for you to educate individuals about municipal issues and lobby officials using non-government dollars. Check with your state attorney general regarding state law on taking a position on the city charter amendment. (p. 65, 66)

Q: Citizens of our town will be voting on a charter amendment which would prohibit our town from providing funds to local nonprofits unless put to a vote by the people and passed by a super majority of 60%. Is it legal for charities in our town to lobby the citizens of our town who will be voting on the charter amendment?

A: The charter amendment is a referendum and it is perfectly legal for charities in your town to lobby the citizens to vote in support of your position. Such lobbying is considered "direct" lobbying under the 1976 lobby law and the citizens of your town, in effect, become the legislature. (p. 65, 66)

Q: I work at a community mental health center, which is a 501(c)(3) organization. Our funding board has a tax levy on the ballot for the fall. May my agency make a contribution to the campaign to lobby on this issue as long as we using nonfederal money? What are the guidelines for such contributions?

A: Yes it is permissible under federal law for your agency to make a contribution to the campaign with privately raised dollars. It is perfectly permissible under federal tax law to lobby on initiatives and referenda. (p. 65, 66)

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6. Lobbying and Political Activity Related to Foreign Governments

Q: Is my charity prohibited from lobbying foreign governments?

A: You are not prohibited from lobbying foreign governments but must keep track of those lobbying activities and report them to the IRS. That is, your lobbying of foreign governments would count against the total amount of lobbying you are permitted to conduct under IRS regulations.

Q: If a charity incorporated in this country has an Australian (for example) affiliate that lobbies (according to United States definitions of lobbying) and the affiliate shows up on the IRS 990 Form would its lobbying expenditures count against expenditure limits in this country?

A: Yes, the affiliate's lobbying expenditures would count against the expenditure limits of the charity incorporated in this country.

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7. Reporting Lobbying to the IRS

Q: How should I keep records of our lobbying expenditures for reporting to the IRS?

A: The IRS will accept any reasonable method for reporting. For example, you may use a sampling instead of complete time records, to estimate how much time your staff spends on lobbying activity. If the sample periods are generally representative of how you use most of your time, you may want to pick out a two-week period each quarter and keep track of your activities, in 30-minute segments to determine how much of your activities constitute lobbying. In estimating your lobbying expenditures each quarter, you would simply make adjustments on the basis of your in-depth two-week assessments. Overhead costs related to your lobbying expenditures must also be reported. (p. 74, 75)

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8. Lobbying with Federal Funds

Q: I am a staff person for a charity and my position is totally federally funded. Am I permitted to lobby on behalf of funding for my charity?

A: If you lobby when you were off duty from your position at the charity, you would be acting as a private citizen and would be allowed to lobby all you want. However, if any of the lobbying was carried out while you were working for the charity, that lobbying would be prohibited because you can't use federal funds to lobby at federal or state levels unless Congress expressly authorizes it. (Also executive directors may be considered always on duty unless clarified by the organization's personnel policies.)

Q: I have been contacted by an organization for the purpose of lobbying Congress for federal grants and funding. May my fees be a percentage of the amount of grants or funding I obtain for the organization through my efforts? For example, can my fees be 20% of whatever I obtain in grants?

A: It would not be legal to be paid in federal grant funds. The organization could use private funds to cover your fees calculated as a percentage of the federal grants received. Depending on the circumstance, you also would be required to disclose your activity and the amount paid. Your efforts to obtain federal grants would be prohibited and reportable regardless of whether or not your efforts were successful.

Q: Is it permissible for a federal employee to lobby as a representative of the agency they serve?

A: Federal law prohibits a federal employee from lobbying as a representative of the agency they serve. (However, "legislative liaisons" activities, such as attending hearings, are permitted.) Federal employees that are Senate confirmed would be permitted to lobby. A federal employee can lobby as a private citizen. An employee of a state or local government facility would have to look to state or local law to know whether they can lobby as a representative of that facility.

Q: When organizations receive federal funds that they must match locally, can the local matching funds, which come from private sources, be used for lobbying?

A: The local matching funds are under the same restrictions as the federal funds and may not be used for lobbying. (p. 70)

Q: May an organization that receives only federal money sign on to a letter or other similar lobbying effort if no money is expended on this effort?

A: The organization would no doubt have spent time to develop a position on the issue so this action would be prohibited, unless that time was not compensated and no other organizational expenditures were made.

Q: What limitations exist on the activities of volunteers? For example, can a volunteer from an organization that is entirely funded by federal money lobby on behalf of the organization if no money is spent?

A: Federal funds may not be used for lobbying at the federal or state level. No doubt the staff time (therefore, federal funds) was spent to develop a position on the issue so even though the volunteer lobbyist is not spending any federal funds, such an expenditure already occurred to develop the position and that would not be legal. The question is whether developing the position falls within the scope of the grant purpose.

Q: May a coalition that receives federal funds use them for local lobbying?

A: There is no prohibition on using federal grant funds at the local level for lobbying. But this does not make it allowable for grant reimbursement. It must be consistent with the purposes of the grant and approved before it can be an allowable expense. Contract funds cannot be used for lobbying at any level of government. (p. 71)

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9. Suggested Textbooks for Teaching Lobbying

Q: I am currently developing a course at my university on Nonprofit Public Policy and Advocacy. This is Ph.D. level course and will include strategies for nonprofit executives and associates who utilize advocacy organizing, litigation, mobilization, polling, lobbying, and working with the media. I would be grateful for any suggestions you have regarding textbooks to use in the course.

A: Textbooks and resource guides that you might want to consider include:

- *Teaching Nonprofit Advocacy*, by David Arons
- *The Nonprofit Lobbying Guide*, by Bob Smucker
- *The Lobbying and Advocacy Handbook for Nonprofit Organizations*, by Marcia Avner
- *Real Clout*, by Judith C. Meredith and Catherine M. Dunham
- *A Voice for Nonprofits*, by Jeffrey M. Berry with David F. Arons
- *Nonprofits Handbook on Lobbying*, by J. T. Grupenhoff and J. J. Murphy
- *Giant Killers*, by Mike Pertschuk
- *So You Want to Make a Difference*, by Nancy Amidei