

Lobbying v. Advocacy

An exercise in storytelling.

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Jason Endres, Wisconsin SILC

We are:

Jason Endres

- Wisconsin SILC Council
Member (former chair)
- Wisconsin Partners in
Policymaking
- Advocate
- Wheelchair power soccer player
- Service dog trainer

Jenny Stonemeier

- Executive Director, Dallas/Fort
Worth
- Wisconsin Partners in
Policymaking

We are NOT:

- attorneys
- CPAs
- IRS auditors

We WILL cover:

- Individual Advocacy
- Systems Advocacy
- Lobbying—definitions/boundaries
- How to document advocacy activities
- Different levels of advocacy
- Success stories!!!
- Strategy recommendations
- Resources

We WON'T cover:

- How to engage in lobbying
- How to document lobbying activities
- How to document expenditures related to lobbying activities
- Advocacy within State Assembly
- CIL policies on Advocacy & Lobbying (but that's a great topic for another day!)

Learning Objective:

ALL POLITICS ARE LOCAL,
IT'S ALL POLITICS!!

Defining our terms—Advocacy*

45 CFR 1329.4

Advocacy

- Advocacy means pleading an individual's cause or speaking or writing in support of an individual. To the extent permitted by State law or the rules of the agency before which an individual is appearing, a non-lawyer may engage in advocacy on behalf of another individual. Advocacy may—
 1. Involve representing an individual—
 1. Before private entities or organizations, government agencies (whether State, local, or Federal), or in a court of law (whether State or Federal); or
 2. In negotiations or mediation, in formal or informal administrative proceedings before government agencies (whether State, local, or Federal), or in legal proceedings in a court of law; and
 2. Be on behalf of—
 1. A single individual, in which case it is individual advocacy;
 2. A group or class of individuals, in which case it is systems advocacy; or
 3. Oneself, in which case it is self-advocacy.

Defining our terms—Lobbying*

45 CFR 93.105 (h)

Lobbying

- Influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any of the following covered Federal actions: the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

1. ***Influencing or attempting to influence*** means making, with the intent to influence, any communication to or appearance before an officer or employee or any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any covered Federal action. Involve representing an individual—

IRS Definitions of Lobbying – [Link](#)

IRS defines lobbying as any activity attempting to influence legislation.

Legislation includes action by Congress, any state legislature, any local council, or similar governing body, with respect to acts, bills, resolutions, or similar items (such as legislative confirmation of appointive office), or by the public in referendum, ballot initiative, constitutional amendment, or similar procedure. It does not include actions by executive, judicial, or administrative bodies.

An organization will be regarded as attempting to influence legislation if it contacts, or urges the public to contact, members or employees of a legislative body for the purpose of proposing, supporting, or opposing legislation, or if the organization advocates the adoption or rejection of legislation.

Organizations may, however, involve themselves in issues of public policy without the activity being considered as lobbying. For example, organizations may conduct educational meetings, prepare and distribute educational materials, or otherwise consider public policy issues in an educational manner without jeopardizing their tax-exempt status.

IRS Trainings



How to Stay Exempt
[small to mid-sized organizations](#)

[Measuring Lobbying: Substantial Part Test](#)

[Measuring Lobbying: Expenditure Test](#)

Examples of Advocacy

Individual:

- Supporting a consumer in an eviction attempt
- Attending an IEP/ADR meeting with a youth
- Coaching a consumer through an SSA appeal

Systems:

- GOTV efforts
- Providing information about CIL services to policymakers
- Providing aggregate data about CIL consumers to policymakers
- Providing information about legislative activities to consumers/stakeholders

Self-Advocacy:

- Providing information about your own experience
- Making public comment on proposed rules/regulations
- Speaking before a policy-making body

Is it advocacy?

- Information sharing
- Providing context
- Presenting Data
- Storytelling



Is it advocacy?

- Attempting to influence a vote or position
- Intent to influence
- Regardless of whose vote it is



**When in
doubt.....CLOCK
OUT!!**

Success Stories



Wisconsinites Concerned About Seclusion and Restraint

Gathering with the Gov after the bill signing. Look at all the families and youth who will now benefit from the law!!

Timeline photos · Mar 19, 2012 · 🌐

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Washington DC



Wisconsin

Spread the Word to End the Word
Advocates with Former Governor Scott
Walker





Additional Resources

For Organizations

- [ILRU](#)
- [Code of Federal Regulations](#)
- [Uniform Guidance](#)
- [Internal Revenue Service](#)
- [American Bar Association](#)

For Building Skills

- [Partners in Policymaking](#)
- [Montana UCED](#)
- [From ADA.gov](#)
- [Voter Registration Toolkit](#)

Contact Information

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