



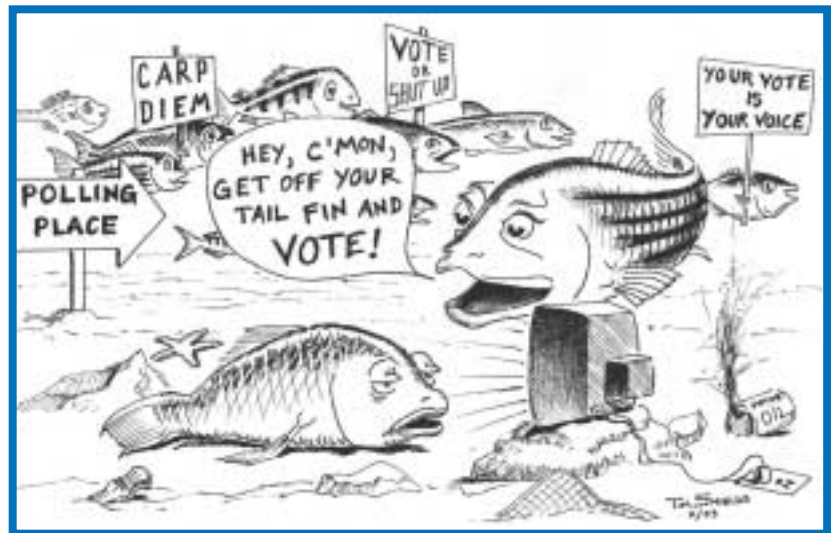
River Voices

The Political Morphology of Rivers

by Tim Palmer

The finest greatest, and most fundamental of natural forces govern a river: gravity, climate, geology and the intricate rules of hydrology and ecology. All these combined forces give a river its character, its condition, its shape or morphology. In less magisterial ways, politics shapes a river as well. None today is exempt from the forces of change unleashed by the decisions that people make—collectively—through politics.

Like it or not, river conservation is political. Because rivers are public features, the decisions about how to care for them are public decisions.



Democracy is not a spectator sport.

We have small “p” politics—the practice of making decisions politically. This is what river conservationists do all the time—researching, explaining, showing, convincing, cajoling, arm twisting, threatening, sweet talking, negotiating and otherwise lobbying to see that the correct decisions are made.

Then we have capital “P” politics—getting the best people elected.

Even though people in this great endeavor called river conservation focus on small “p” politics and almost never wade even ankle-deep into large “P” work, we get almost nowhere without good elected officials. On the other hand, we can get almost everywhere with them.

Let me give you an example close to my own heart. Several years back I was pouring body and soul and all of my time into saving the South Yuba River, in the Sierra Nevada foothills of California, where some hideously wasteful dams were proposed. One day I had the honor of presenting our case to the county supervisors. I prepared well with some lively flip-charts and a lot of economic grounding. But no matter how hard I tried, one supervisor slept. I tried to wake him with some fairly extreme voice inflection, but failed. I grew up around opossums, and I think I can tell when even a human is simply playing dead. Another supervisor faced my every good-natured comment with a wicked, wrinkled sneer, her face like a whitened knuckle as if she were sitting on something very uncomfortable, and it was my fault. The third supervisor never showed up. It was not a good day for me or for the Yuba River. We were in the political toilet bowl with no way of climbing out, and the flush could have come at any time.

Five years later the California legislature passed a bill making the South Yuba a state wild and scenic river after the county supervisors had enthusiastically endorsed our position for no new dams. Of course, they were



River Network

Connecting People, Saving Rivers

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From the President



Linda Kilever

An important election year is just ahead. I'm writing this late in 2003, but *whenever* you read this that statement will still be true. Each year we must defend the progress we have made in the past and strive to improve laws, programs and budgets for watershed protection.

Much of the attention of the environmental community is perennially focused on *federal* politics. I would never suggest giving that level of government any less attention—particularly not now. But our community as a whole needs to give much *more* attention each and every year to state and local politics. That's because most of the critical decisions made each day affecting rivers and their watersheds—including many of those regarding implementation of federal laws—are made by state and local officials.

The watershed protection community is uniquely well positioned to make a tremendous difference politically today. We are a *true* grassroots network. We are millions strong—far stronger than just a decade ago. We are doubling in size every few years. We have built several national organizations, scores of state and regional organizations and literally thousands of local groups. Our communications networks are now vast, complex and virtually instantaneous. We represent the public's interest in clean water, safe recreation and wildlife protection—Mom and Apple Pie issues if there ever were any.

But let's face it: We are not getting the kinds of political results we need to succeed. Why aren't we beating down politicians' doors? For that matter, why aren't they beating down *ours*?

One of the reasons is that many groups believe their nonprofit status allows no politically oriented activity whatsoever. This issue of *River Voices* will help answer questions about what the real limits are. While still living well within them, we can become much more influential.

Of course, we can all be as active *individually* as we want. Those of us in leadership positions within our groups must be careful to be very clear when we are speaking for ourselves and not for our organizations. But the rest of us can and should speak loudly, clearly and regularly on issues. We can also lobby, contribute to campaigns and volunteer for good politicians. And of course we should all vote.

There's a lot of truth in the old saying that "All politics is local." The watershed protection community is now one of the largest networks of local, state and national public interest organizations that has ever existed. We have an enormous amount of untapped political potential. Let's start tapping it right now. Together, we can make a much greater difference—beginning in 2004.



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different county supervisors, swept into office by river conservationists campaigning for a fresh slate of officials. Some came from the ranks of our own members. A few years later we lost the local election in a smear campaign of utterly disgusting proportions, and now the river is in jeopardy again.

So it goes, and has always gone. Politics counts. And you always have to do it again. So it helps—but isn't essential—if you think that politics is fun.

I think that river conservationists prefer to do the small “p” politics because we feel like we're really working for our river when we do that—it's all about science, and appreciation and communication, with the river at its core. It would be nice to think that this kind of lobbying could convince elected officials to do the right thing. Sometimes—even against great odds—it does.

Political influence governing rivers goes way back, and has taken remarkably unexpected forms. State laws in the early 1800s forbade dams that would block the migration of fish in the streams of Maine. When the Atlantic salmon went extinct in the Aroostook River, 433 laws about fisheries were on the books. But seventy dams were built anyway, blocking the river's flow. Unfortunately—and with disturbing parallels to some of our most important statutes today—the laws were simply not enforced.

Politics means strange bedfellows. Even a reluctant Richard Nixon signed the National Environmental Policy Act (he vetoed the Clean Water Act, which was passed by a two-thirds override of Congress).

Politics means making deals. In 1968 Wayne Aspinall of Colorado—the arch-enemy of

conservation—allowed the National Wild and Scenic Rivers Act to pass, something that had not seemed possible. Turns out it was part of a deal that greased the tracks for authorization of new dams and diversions from the upper Colorado River basin.

But most fundamentally, politics means getting good people elected. If we want to save rivers and promote stewardship, we're dependent on having politicians in office with at least some integrity, intelligence and concern for the future.

In earlier times, political support and the courageous work of good elected officials brought us the Clean Water Act, the Wild and Scenic Rivers Act, the Endangered Species Act and all the other good environmental legislation we have. Good political intervention into otherwise bad politics stopped the building of dams in the Grand Canyon and on the Delaware, the Tuolumne, the Sangamon, the Salmon and dozens of other streams. Even the most minor or local of decisions to save a river—a floodplain ordinance, a taxpayer's bond for better sewage treatment, a budget appropriation for a state department of fish and game—all these depend on having good people in public office.

Nothing so far in this article is surprising. What is surprising is that so few river conservation groups engage their members in campaigns to elect public officials. Even the groups with a strong political and activist orientation seldom immerse themselves in elections.

No wonder we have a hard time interesting politicians in our cause. We don't DO politics.



There's one exception that deserves mention: among some voters, third-party candidates have gained a following in recent years. Many third-party supporters have little patience for the compromises involved in big-league politics. They want to vote with a sense of idealism for what is right. They want to make a statement that they somehow otherwise find difficult to make. But, in our existing political system, support to a third party candidate can take votes away from one major party candidate to secure the election of the other major party candidate who otherwise could not have been victorious. Unfortunately, third-party support often gives power to the minority, which goes against most people's basic notions of democracy. So much for idealism.

River conservation is, after all, a pragmatic pursuit—we want clean water and the nuts and bolts of a healthy ecosystem. Reflecting this, river politics also have to be pragmatic. And they have to follow the smoothest path through the rapid rather than flailing against undercut rocks. Falling into this latter category, people who think they need to force politicians to support our cause through a demonstration of green power would do well, in an election year, to instead gain the support of the best politicians by helping them in their election campaigns. It's always easier to ask for a favor once you've given one.

Like it or not, conservation is politics, and if we want our rivers to be protected or restored, we need to be players in the game. The only alternative is to be spectators to the loss of everything we love.

So, if any of this makes sense to you, set aside some time now to decide who you want to support. ***Vote, and encourage everyone you know to vote for the best choice***—and the best choice may well be the candidate most likely to win when thrown up against some pretty awesome forces of greed. And don't stop there.

Sign up to help a good candidate at the national, state or local level.

The jobs can be difficult and even distasteful to some: calling people on the telephone the day before the election, putting up yard signs, walking neighborhoods and dropping off door-hangers. But the campaign professionals say that these jobs are important. For conservation groups, a 501(c)(3), tax-exempt status will limit your abilities to work on elections. But that doesn't limit your ability to work as an individual, or to simply encourage your members to be politically active, or to form another, non-tax-exempt group. And don't stop there.

Write letters to your newspaper editor explaining why your river is important and why your candidate is the best one.

You might think that only crackpots send letters to the editor, but even if they do, don't let them control the media simply by going unopposed. That is the pathetic state of talk radio. You might even be able to get a guest opinion published opposite the editorial page, especially if you send it to a small newspaper.

Virtually every county has a party organization for Democrats and Republicans. Go to their meetings and support the best candidates. By being there, you help to set the stage for what the party will do. Once you're known in the local party, the people who get elected will listen to you. They'll owe you one.

WHAT IS ELECTIONEERING?

A 501(c)(3) organization cannot endorse, contribute to, work for, or otherwise support a candidate for public office, nor can it oppose one. This in no way prohibits officers, individual members or employees from participating in a political campaign, provided that they say or do everything as private citizens and not as spokespersons for the organization or while using the organization's resources.

However, candidate forums, candidate questionnaires and voter registration are among permissible activities for a 501(c)(3).



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If you have enough money to eat out once a week, give money to the candidate and party of your choice. The politicians who support river conservation need money badly because their opponents who support river destruction are being paid by developers, bankers, realtors, oil companies, coal mining corporations and on and on, all of them happy to unload buckets of cash for the influence it buys in deals that return far more money than they cost. Even small contributions help; even small checks show your candidate that you—and the river conservation movement—are part of the process.

Finally, when there's not a good candidate running, try to draft one yourself or run yourself. Bill Center, a river outfitter on the American River in California, did this and almost single-handedly

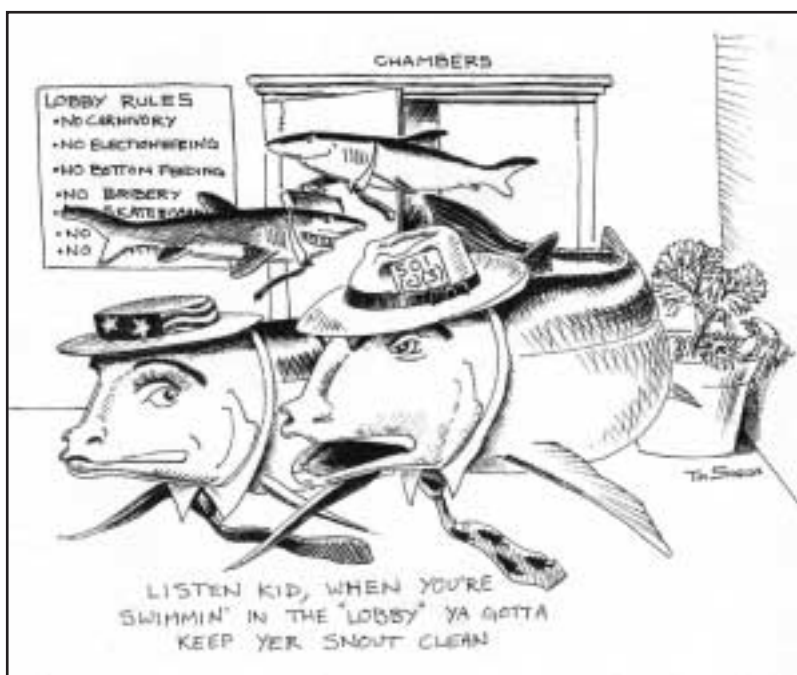
saved his river from being dammed while he was in office. Izzy Martin, an organic farmer near the South Yuba, got elected and then got her river designated in the California Wild and Scenic Rivers System. Izzy Martin's candidacy is why the Yuba River is protected.

If you want the Clean Water Act protected; if you want scientific management of our national forests, parks and other public lands; and if you want effective local land use regulations, you need to be personally active politically. You need to do your part to make sure that the best people get elected to national, state and local offices.

I believe that the political crisis in American government has never been more severe. These are not normal times. The normal approaches to river conservation are not enough. If there is one year of your life when you give time and money for political reform, right now is the time. If we want to live in a democracy, then we have to be involved in politics. That's part of the deal that goes back to the founding of America. A hopeful person can only believe that an overwhelming expression of popular support for what is good will win in the end.

The best gift anyone can give to their river is to support a politician who cares.

Tim Palmer has been active in river conservation for 33 years. He is the author of Lifelines: The Case for River Conservation, Endangered Rivers and the Conservation Movement and other books.



Lobbying 101

Excerpted from: The Nonprofit Guide – 2nd Edition. The Guide, in its entirety, can be downloaded at CLPP’s webpage: <http://www.clpi.org/toc.html>

By Bob Smucker
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The following is an overview and should not replace legal counsel.

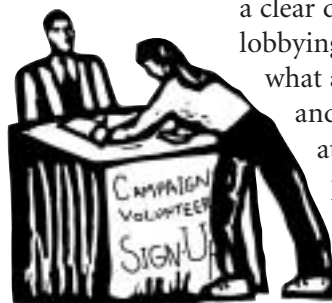
In 1976, Congress passed landmark legislation (Section 1307 of Public Law 94-455) that clarified and greatly expanded the extent to which organizations under Section 501(c)(3) of the Internal Revenue Code could lobby without jeopardizing their tax-exempt status. In understanding the 1976 lobby law, it helps to know that lobbying, for a nonprofit electing to come under the law, is only the expenditure of money by the organization for the purpose of attempting to influence legislation. Where there is no expenditure by the organization for lobbying, there is no lobbying by the organization.

It is also helpful in understanding the 1976 law to recognize that the law defines two kinds of lobbying: direct lobbying and grassroots lobbying. To oversimplify, the term **direct lobbying** means communications that your organization has about legislation (1) with legislators or government officials who participate in the formulation of legislation and (2) with its own members. Direct lobbying would include visiting a congressperson about a bill and being in touch with your organization’s members and urging them to contact legislators. The term **grassroots lobbying** refers to any attempt to influence legislation through an attempt to affect the opinion of the general public. The ceiling for a nonprofit’s spending on grassroots lobbying is one-fourth of the total allowable lobbying expenditures. Only when an organization is trying to reach beyond its members to get action from the general public does grassroots lobbying occur.

Nonprofit Lobbying: An Overview

What Groups Are Affected?

Nonprofits that have elected to come under the 1976 lobby law need to familiarize themselves with the regulations. Nonprofits that have any degree of involvement in public policy issues also have an interest in the regulations, even if they have not elected to be covered by them. This interest arises partly because nonprofits need to decide whether to make that election and partly because, although the regulations nominally apply to nonprofits only if they have so elected, the standards set forth in the regulations may affect the application of the old “substantiality” standard, to which nonelecting nonprofits will remain subject.



How Does the Tax Law Regulate Public Charities’ Lobbying?

The general rule of Section 501(c)(3), to which all organizations exempt under that provision are subject unless they elect to come under the 1976 lobby law, is that “no substantial part” of their activities may be that of attempting to influence legislation. Although the provision has been in the IRS code since 1934 and has occasionally been applied by the courts, there has never been a clear definition of the point at which lobbying becomes substantial or, indeed, of what activities related to public policy and to controversial subjects constitute attempts to influence legislation. In particular, the IRS position is that spending, as a share of budget, is far from the sole measure of whether a nonelecting group’s

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Electing to Come Under the Provisions of the 1976 Lobby Law

The process for electing to come under the 1976 lobby law (PL 94-455) is very simple. Those eligible to so elect are nonprofits exempt from taxation by Section 501(c)(3) of the Internal Revenue Code.

If a nonprofit does not elect to take advantage of the generous lobbying provisions under the 1976 lobby law, it remains subject to the vague "insubstantial" rule that has been in the tax code since 1934. Under that provision, if a nonprofit engages in more than insubstantial lobbying, it loses its Section 501(c)(3) status and its right to receive tax-deductible charitable contributions. Unfortunately, insubstantial has never been defined under the law, with the result that nonprofits that do lobby but have not elected to come under the 1976 law cannot be certain how much lobbying they may conduct without jeopardizing their tax-exempt status. Many nonprofits have followed the questionable guideline that the expenditure of 5 percent of their total annual expenditures on lobbying is not substantial and is therefore within the law. They have assumed that 5 percent of their expenditures is permissible because of a 1955 Sixth Circuit Court of Appeals ruling to the effect that attempts to influence legislation that constitute 5 percent of total activities are not substantial.

There is good reason to doubt that the "5 percent test" should be relied on. It was called into question by a 1972 ruling, which rejected a percentage test in determining what constituted substantial lobbying. In that case, the Tenth Circuit Court of Appeals supported a "facts and circumstances" test instead of a percentage test. In a 1974 ruling, the Claims Court stated that a percentage test was deemed inappropriate for determining whether lobbying activities are substantial. It was found that an exempt organization enjoying considerable prestige and influence could be considered as having a substantial impact on the legislative process, solely on the basis of making a single official position statement—an activity that would be considered negligible if measured according to a percentage standard of time expended. It is clearly in the interest of every nonprofit that lobbies more than a nominal amount to consider electing to come under the provisions of the 1976 law.

The 1976 law makes the process for electing very easy. A nonprofit's governing body—that is, its executive committee, board of directors, other representatives or total membership, according to the constitution or bylaws of the particular nonprofit—may elect to have the organization come under the law. An authorized officer or trustee signs the one-page Internal Revenue Service Form 5768 and checks the box marked "Election." Regardless of the actual date of election, the nonprofit is considered to have come under the provisions of the law as of the start of the tax year during which it files the election. The nonprofit automatically continues under the provisions of the 1976 law unless it chooses to revoke that election.

One final important note: Some nonprofits have been reluctant to come under the 1976 lobby law, for fear that taking this action will serve as a "red flag" to the IRS and prompt an audit of lobbying activities. Fortunately, this is not the case; the IRS has made clear that it does not plan to single out nonprofit organizations that elect to come under the provisions of the 1976 law.



Lobbying 101, cont.

lobbying is substantial; such factors as absolute amount spent, impact, public prominence and unpaid volunteer work also enter into the determination.

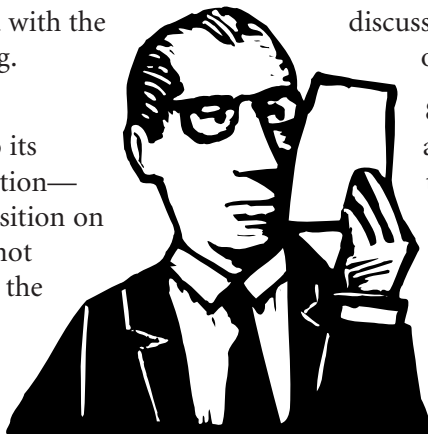
To clarify and liberalize the rules for lobbying by nonprofits, Section 501(h) and 4911 were added to the code in 1976, as a result of the enactment of the 1976 lobby law. In outline, the provisions permit most nonprofits to elect to have their legislative efforts governed by the specific rules of Sections 501(h) and 4911, instead of the vague “substantiality” standard. To that end, the 1976 legislation both sets financial limits for lobbying activities and defines the activities that count against those limits.

What Are the Main Elements of the 1976 Law?

EXCLUSIONS FROM LOBBYING

Critical to the 1976 law are the provisions declaring that many expenditures that have some relationship to public policy and legislative issues are not treated as lobbying and so are permitted without limit. For example:

1. Contact with executive branch employees or legislators in support of or opposition to proposed regulations is not considered lobbying.
2. Lobbying by volunteers is considered a lobbying expenditure only to the extent that the nonprofit incurs expenses associated with the volunteers’ lobbying.
3. A nonprofit’s communications to its members on legislation—even if it takes a position on the legislation—is not lobbying so long as the nonprofit doesn’t directly encourage its members or others to lobby.



4. A nonprofit’s response to written requests from a legislative body (not just a single legislator) for technical advice on pending legislation is not considered lobbying.
5. So-called self-defense activity—that is, lobbying legislators (but not the general public) on matters that may affect the organization’s own existence, powers, tax exempt status and similar matters would not be lobbying. Lobbying for programs in the organization’s field, (e.g., health, environment, etc.) however, is not self-defense lobbying. For example, an organization that is fighting to remove dams could not consider working for increased appropriations for dam removals to be self-defense lobbying.
6. Making available the results of “nonpartisan analysis, study or research” on a legislative issue that presents a sufficiently full and fair exposition of the pertinent facts to enable the audience to form an independent opinion, would not be considered lobbying.
7. A nonprofit’s discussion of broad social, economic and similar policy issues whose resolution would require legislation—even if specific legislation on the matter is pending—is not considered lobbying so long as the discussion does not address the merits of specific legislation.
8. It’s not grassroots lobbying if a nonprofit urges the public, through the media or other means, to vote for or against a ballot initiative or referendum. It’s direct lobbying, not grassroots, because the public in this situation becomes the legislature.

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PERMITTED LEVELS OF SPENDING FOR LOBBYING

The second key element of the 1976 law is that it unequivocally declares that activities that do constitute active lobbying are permitted, provided only that they fall within the spending ceilings established by the law. The spending ceilings are based on percentages of the nonprofit's budget for the year, beginning at 20 percent of the first \$500,000 and ending at 5 percent of expenditures over \$1.5 million. There is an overall maximum ceiling of \$1 million a year. The total and grassroots ceilings at various exempt-purpose expenditure levels are shown in the table below.

Lobbying CEILINGS under the 1976 Lobby Law

Exempt-Purpose Expenditures	Total Lobbying Expenditures	Amount of Total Allowable for Grassroots Lobbying
Up to \$500,000	20% of exempt-purpose expenditures	One-quarter
\$500,000 - \$1 million	\$100,000 + 15% of excess over \$500,000	\$25,000 + 3.75% of excess over \$500,000
\$1 million - \$1.5 million	\$175,000 + 10% of excess over \$1 million	\$43,750 + 2.5% of excess over \$1 million
\$1.5 million - \$17 million	\$225,000 + 5% of excess over \$1.5 million	\$56,250 + 1.25% of excess over \$1.5 million
Over \$17 million	\$1 million	\$250,000

Since the amount that may be spent on grassroots lobbying is limited to one-quarter of the overall lobbying limit, if an organization's total lobbying limit is \$100,000, then 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. Even if it chooses to spend nothing on direct lobbying, it will still be limited to \$25,000 on grassroots lobbying.

FLEXIBLE SANCTIONS

A third important element of the 1976 legislation was the establishment of a new and more flexible system of sanctions, to replace the "death sentence" of loss of exemption as the principal sanction for violation of the "substantiality" standard.

The initial sanction for nonprofits under the 1976 law that spend more than either the overall or the grassroots limit is a 25 percent excise tax on the lobbying spending in any year in excess of the ceiling. (If both ceilings are exceeded, the tax is on the greater of the two excess amounts.) Loss of exemption is an available sanction only if spending normally exceeds 150 percent of either the overall or the grassroots limit, generally determined by aggregating both spending and limits over a four-year period.

What Spending Counts Against the Limits?

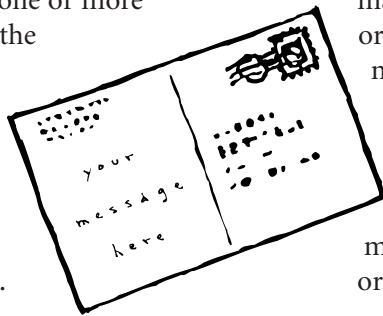
There is considerable uncertainty about what activity counts against the "substantiality" standard, but the standard, under the 1976 lobby law, is strictly financial. The only factor that must be taken into account is the cost of communications for direct or grassroots lobbying, including the cost of preparing the communication (such as staff time, facilities and allocable overhead).

ELEMENTS REQUIRED FOR A LOBBYING COMMUNICATION

To be a direct lobbying communication, and therefore to count against the direct lobbying limits, a communication must 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 yet been reduced to legislative proposals.

To be a grassroots lobbying communication, subject to the lower ceiling, in most cases, a communication must, apart from referring to specific legislation and reflecting a view on it, encourage recipients to contact legislators. Under the regulations, such a call to action exists only when the material directly tells

its audience to contact legislators; provides a legislator’s address, phone number or similar information; provides a petition, postcard or other prepared message to be sent to the legislator; or identifies one or more legislators as opposing the organization’s views, being undecided, being recipients’ representative(s) or being a member of the committee that will consider the legislation.



Under these rules, a nonprofit (except in the narrow case of “highly publicized legislation,” to be discussed) can make any public statement it likes about a legislative issue, without having the costs counted against its grassroots lobbying limit—as long as it avoids calls to action.

SPECIAL RULE FOR PAID MASS-MEDIA MESSAGES CLOSE TO VOTES ON “FAMOUS” BILLS

There is one exception to the rule stating that a public communication about legislation must include a call to action in order to be considered grassroots lobbying. The regulations eliminate the “call to action” requirement in a narrowly defined set of cases involving mass-media advertising just before a vote on certain legislation that has elicited a high degree of public awareness. These regulations apply—and communications can be considered grassroots lobbying, even without a call to the public to communicate with legislators about the legislation—only when all the following conditions are met:

1. The legislation in question has received so much publicity that its pendency or its general terms, purpose or effect are known to a significant element of the general public, not just to the particular interest groups directly affected.

2. The nonprofit has bought paid advertising in the mass media (meaning television, radio, billboards or general-circulation newspapers and magazines). Direct mail and the organization’s own media outlets are not considered paid media, except for radio and television broadcasting by the organization itself and organization-published periodicals that have a circulation of 100,000, more than half of which is outside the organization’s membership.
3. The advertising appears within two weeks before a vote will be taken in a full house or full committee (not just a subcommittee).
4. The advertisement either
 - a. refers directly to the legislation but does not include a call to action, as defined under the general standards, or
 - b. states a view on the general subject of the legislation and urges the public to communicate with legislators about that subject.

Even when all these conditions are present, the organization can avoid counting the ad as a lobbying cost if it can show that it has customarily run such ads without regard to the timing of legislation or that the particular ad’s timing was unrelated to the upcoming legislative action (as may be the case when television ads are bought under conditions that allow the station to determine when they run).

SPECIAL RULE FOR REFERENDA, INITIATIVES AND SIMILAR PROCEDURES

In general, legislative messages aimed at the public as a whole are grassroots lobbying if they meet the “call to action” standard. The

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final regulations, however, recognize that in the case of referenda, initiatives and similar procedures, the public is itself the legislature. Accordingly, communications to the public that refer to such measures and that take a stand on them are treated as direct lobbying of a legislature—subject only to the higher ceiling. The effect of these rules is that communications (newspaper ads, for example) that refer to a ballot measure and reflect a view on it are direct lobbying, whether or not they explicitly tell people how to vote.

This rule gives nonprofits important flexibility to be active in referendum efforts, which would have been impractical if they had been forced to count against the lower grassroots lobbying limits.

When Does Later Use of Materials in Lobbying Cause Their Costs to Be Counted as Lobbying?

The costs of a lobbying communication include the costs of the staff and facilities needed to prepare it, not just the costs of paper and ink or videotape. An issue of concern to groups, especially those doing research on public policy issues, has been the possibility that research costs might be treated as costs of preparing to lobby, if the published results of the research were later referred to and used in lobbying. The final regulations on this so called “subsequent use” issue state that costs of materials that are not themselves used for lobbying need to be counted as lobbying-support costs (on the basis of their later use in lobbying) only in cases in which all of the following conditions exist:

1. The materials both refer to and reflect a view on specific legislation.
2. The lobbying use occurs within six months of payment for the materials.
3. The organization fails to make a substantial nonlobbying distribution of the materials before the lobbying use.

4. The organization’s primary purpose in creating the materials was to use them in lobbying rather than for some nonlobbying goal.

The cumulative effect of these safeguards is that a research organization can readily avoid any risk of unexpected lobbying expenses.

When Will a Nonprofit’s Transfers to a Lobbying Organization Be Counted as Lobbying Expenditures?

If a nonprofit pays another organization or an individual to do lobbying for it, the payment counts against its direct or grassroots lobbying ceiling according to the character of the work done. The regulations also seek to prevent evasion of the limits by nonprofits that provide funds to other organizations not subject to the Section 501(c)(3) lobbying limits—such as presumably a related organization exempt under Section 501(c)(4)—to increase the resources available for the recipient’s lobbying efforts.

How Are Expenditures That Have Both Lobbying and Nonlobbying Purposes Treated?

Sometimes a nonprofit wants to distribute a communication that has both lobbying and nonlobbying messages, such as a mass mailing that calls for readers to contact legislators about pending legislation and also asks them for contributions to the organization. The details are beyond the scope of this overview, but in general, the regulations permit allocation between the lobbying and nonlobbying aspects of such mixed-purpose communications. To reflect the special solicitude that is extended to communications with members, treatment of such communications is more generous.



(Without Jeopardizing Your Nonprofit Status)

10 Things You Can Do to Influence Politics

By Suzi Wilkins-Berl
and Wendy Wilson
River Network

1) Run a petition drive on your issue.

Demonstrate public support and provide your elected officials with names (and contact information) of people who support you. Volunteers can be used to collect names of individuals sympathetic to your issues. As long as legislation is not pending, you don't mention potential legislation or ask the public to take political action, it is not considered lobbying. If possible, sort your lists by municipality or legislative district. Let your public officials know that your base of support is larger than your dues-paying members and that the community agrees with your concerns.

2) Provide constituent contact.

Hold a house party for your members to meet their legislators. The best time to hold constituent meetings is in the month before the legislative session starts. This event gives your public official a way to talk directly with your members about what is important to them. Encourage one-on-one constituent contact and be sure to ask representatives to call one of your members in their district if anything comes up in which you would be interested. Your goal is to become a trusted source of information and voter feedback.

3) Monitor relevant public activity (and provide information).

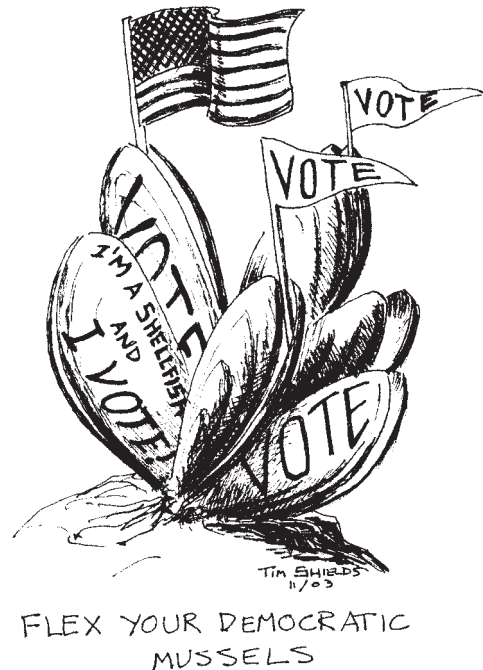
Attending a city council hearing or visiting the statehouse does not necessarily mean you are lobbying. Any elected official—local, state or federal—has to be familiar with an extraordinary number of complex issues. It may be within your charitable mission to educate them and help them grasp your issue. Monitoring public activities means being available to decision-makers, providing the basic facts to them, and reporting back to your members about legislative action.

4) Lobby in small doses.

Nonprofit groups can lobby. The Internal Revenue Service has set limits on how much lobbying a 501(c)(3) organization can undertake and on the amount of money that can be spent on direct and grassroots lobbying. Any group can do a small amount of direct lobbying. If you elect to come under the 1976 Lobby Law, as much as 20% of your annual expenditures can be spent on lobbying. (See page 10) Those that do not elect remain subject to the ambiguous “insubstantial” test guidelines.

5) Mobilize your members

Encourage your members to write their representatives and elected officials about their concerns. The IRS strictly limits how much your organization can spend mobilizing non-members to support legislation and appropriations. (See page 10) For your own peace of mind, you should keep records of how much money you spend each year producing materials specifically discussing legislative actions (number of newsletter pages, etc.) and how many of those printed materials went to “non-members”.



cont. on page 14

10 Things You Can Do To Influence Politics, cont.

cont. from page 13

6) Talk to the media and send letters to the editor.

The local media can heighten the perceived importance of your issue any time of the year. Take a reporter out to the river so that he or she can see first hand the importance of your issue. You can initiate a “letter to the editor” campaign, write an “op-ed” article, meet with the editorial board or get an in-depth story about your issue. It would not be considered lobbying to promote the results of nonpartisan analysis, study or research on a legislative issue that presents a sufficiently full and fair exposition of the pertinent facts to enable the readers to form an independent opinion. Such research and analysis need not be “neutral” or “objective” to fall within this nonpartisan exclusion.

7) Join a coalition of nonprofit groups.

Far from diluting your organization’s effort, coalitions can increase your credibility and clout by helping your group reach diverse audiences. Look for groups to work with that have a different reason to come out in favor of your issue or a different constituency than your own. Working collaboratively to develop a coordinated campaign can stretch your limited resources. (See *River Voices*, Summer 1999)

8) Don’t hang up! Educate your candidates.

Nonprofit groups are prohibited from electioneering. (See page 5) But, just because someone is running for public office doesn’t mean you can’t speak to them. People and policy-makers can learn from your expertise. When candidates call for information, provide it. You can even sponsor or co-sponsor a forum for candidates, to which all candidates are invited. Make it “safe” for them to come—tell them the types of questions that will be asked, who will moderate the session, etc. Make sure that the event will be well attended. If your media or the League of Conservation Voters is planning a candidate questionnaire, make sure that your issue is posed as one of the questions.



9) Enhance your contact list and encourage voting.

Your state’s League of Conservation Voters and some other public service organizations can “enhance” your in-house membership list to provide you with information about who in your membership is registered to vote and how often they vote. It is your job to help turn out educated voters to the polls.

10) Have an unpaid leave policy for employees.

As an individual, you can personally assist a candidate even if you work for a nonprofit—but not as a representative of your organization. Such assistance MUST NOT be done on “company time”—instead, take vacation days, volunteer in the evenings or take an unpaid leave of absence. Candidates and political action committees often need short-term assistance before an election. You can encourage your employees to be active citizens with an unpaid leave policy.



Voices from the Field

Our group initiated, directed and successfully completed a legislative bill in New Hampshire that granted many rivers status under the state's Comprehensive Shoreland Protective Act. We wrote the bill, gathered the groups to support the bill and include their rivers, attend the hearings and coordinate testimony and push the bill through including battling minority reports and a floor fight in the senate.

Upper Merrimack River Local Advisory Committee (NH)

One thing that we do is educate our members about legislation. We have a section called "Water Currents" in our newsletter, the Big Thompson Watershed News, that is a brief update on legislative and regulatory actions with direct implications for water quality.

Big Thompson Watershed Forum (CO)

Wolf River Conservancy held an Open Space forum and invited mayor candidates to participate. The turnout was good and we made some influential contacts with candidates that went on to represent us at city and state levels of government.

Wolf River Conservancy (TN)

We sponsored a public forum on the Clean Water Act with MaryPIRG and Clean Water Action in downtown Baltimore. We educated about the changes since the Bush regime came in and advocated for people to take action—specifically to contact their federal representatives and demand the reinstatement of the fundamental safeguards promised in the Act.

Patapsco Riverkeeper, Inc. (MD)

In 1999, the South Yuba River Citizens League spent nine months lobbying for legislation to include the South Yuba into the state's Wild and Scenic Rivers system. We hired a lobbyist and our members lobbied legislators and testified at committee hearings. Our opponents did get the State to audit our lobbying activities, but everything we did was totally legal—and successful!

South Yuba River Citizens League (CA)

Friends of the Greensprings (FOG), a 501(c)(3), was formed about 20 years ago when Pacific Power & Light (PP&L) wished to build a 500 kilovolt amperes (KVA) transmission line from Wyoming to southern Oregon. At that time electrical transmission lines were exempt from meeting Oregon's environmental regulations if there were within a distance—perhaps ten miles—of the state line. The exemption affected Bonneville Power Administration's lines in the Columbia River corridor; PP&L was using this exemption along the California boundary. FOG pursued legislation and all electrical transmission lines within Oregon now must meet environmental regulations.

Friends of the Greensprings (OR)

During the 2002 drought, the Roaring Fork River just upstream from Aspen, Colorado lost its flow due to the legal diversion of the entire river by an irrigation company. Several parties tried crafting a temporary water transfer that would legally allow the ditch company to leave five cubic-feet/second in the river. The State Engineer did not accept the proposal, stating that it did not provide water for any clearly identified emergency need or threatened agricultural crops. On the heels of the decision, the Roaring Fork Conservancy contacted political officials, urging changes in water law that would allow temporary loans of water to support aquatic life in rivers and streams. In the state's next legislative session, Representative Gregg Rippey successfully introduced legislation providing a legal avenue through which to achieve such temporary water transfers during times of drought.

Roaring Fork Conservancy, CO

Friends of the Mississippi River along with the Trust for Public Land (and hundreds of local volunteers) led the Vote Yes on #1 campaign to pass a \$20 million bond referendum to protect open space and water quality in Minnesota's Dakota County last November. The measure is the first such county-wide initiative in the state and promises to leverage tens of millions more in state, federal and private dollars for conservation.

Friends of the Mississippi (MN)

The Georgia Water Coalition, 75 conservation (and other) groups representing more than 160,000 Georgians, defeated a bill in the Georgia legislature this year that would have allowed our water to become a private commodity, available for sale to the highest bidder, in or out of the state. This amazing defeat was achieved despite the aggressive lobbying by powerful interests in agribusiness, industry, real estate, pulp and paper and mining.

Upper Chattahoochee Riverkeeper, GA



Case Study

You Can Do It as a Lobbyist

By Judy Rodd
Director
Friends of Blackwater
www.saveblackwater.org

When I, Judy Rodd, the “country mouse” (as my clever daughter Priscilla called me) first came to Washington to lobby in 1998, I was full of anxiety. Everyone was way too stylish; the traffic was terrifying; there was no parking; the buildings overwhelmed me; my feet hurt from wearing heels; the Congressional aides seemed full of disdain. I just wanted to be crawl back home up my West Virginia hollow.

However, I was on a mission; I was a grown woman; and I couldn’t give up. Today, five years later, I consider going to Washington, D.C. to lobby one of the most rewarding parts of my job. One Congressional staffer suggested they put my name on one of their chairs because I was there so often.

Memories and Lessons Learned

In a meeting early in my lobbying “career,” I criticized a Senator to his face, suggesting that he had never done anything for the environment in his own state. For the next two years, I was “dissed” at his office. It was a big mistake. In fact, this Senator votes great on many national issues that are important to me—and I should have praised him for that. I was frustrated, because he didn’t seem to be taking one of my “local” issues seriously. But it didn’t do my issue any good for me to get mad.

Once, when I visited a Senator, I took a group of high school students with me. Each had memorized one fact about the issue and each gave the Senator a stuffed animal. They spoke from their hearts about baby polar bears and beautiful places. The Senator proceeded to grill them about their issue—and then on sports, etc. We got 45 minutes of “face time” with a very important legislator (this is a very long time). The Senator was charmed by the kids and they by him—and he voted the right way on the issue we came to see him about!

One day I called a Congressman’s office on a holiday and someone answered and just said “hello” —instead of the usual “This is Congressman’s so and so’s office.” I thought I had the wrong number, so I apologized and hung up. Then I realized the voice I had heard was the Congressman himself. I called back right away and told him he was working too hard, answering his office phone on a holiday. We had a great conversation and got to know each other better.

I have had some of my most rewarding moments working against drilling in the Arctic National Wildlife Refuge. This effort involved building a diverse constituent base in our state—with labor unions, religious groups, hunting clubs, civic organizations and small business owners. These people took out ads, wrote letters to the editor, called, faxed, emailed and sent letters to their representatives in Congress. We also demonstrated—dressed as polar bears—and got on the evening news. Our state coalition also visited our Senators in Congress. We were told that the Senators heard from more people in West Virginia on this issue than any issue in the past 18 years. And both Senators voted the right way!

Saving our state’s most famous scenic vista, the Blackwater Canyon—and the magnificent, wild Blackwater River—is the issue closest to my heart. I have worked on this campaign for 7 years. We have had petition drives, letter writing, email and media campaigns—and lots of lobbying our elected officials. In 2000, Senator Robert C. Byrd responded by supporting a National Park Study that was included in the Interior Appropriations bill for that year. A year later, our newly elected Governor of West Virginia and recent former Congressman also hearkened to the voice of the people and said that Blackwater Canyon should be

protected in his “State of the State” Address. The next year Governor Wise followed through by purchasing 500 acres along the Blackwater River with Land and Water Conservation Fund money. These were both exciting milestones in the Campaign to Save Blackwater Canyon, and it would never have happened without lots of lobbying.

Speaking from Experience

Get to know the legislative staff. Find out where they are from, what their interests are. This goes for everyone: aides, summer interns, secretaries, committee staffers. Some staffers may have a very personal interest in your issue, for example owning property along a river you are trying to protect. They can be your eyes and ears and give you good information. They can tell you who from your opposition has visited the office, how many comments are coming in on your issues, etc. I heard from staffers that a Congressperson thought an issue was not important, because it was not covered in the state paper. That was quickly corrected.

Consider the counter-arguments on your issue and the pressure your representative is under from your opposition. Understand how the legislator can be most effective in helping you. Ask them to get information from agencies, or hold public hearings. Learn whether your Congressperson is primarily a legislator (writing bills), or an appropriator (controlling the money that funds legislation). Learn all the committees they are on and their status on the committees.

Learn all you can on your issues. Take younger people with you—they are future voters (and leaders) and officeholders know that. Take props, leave a packet of information and follow up on missing information. Keep the aide assigned to your issue informed. Have a sense of humor. Be sympathetic!



Judy Rodd and the Blackwater Campaign delivering petitions to Senator Byrd's office – Franz Wuerfmansdobler, aide to the senator receiving them.

Don't forget it's not just you—you are standing in for a constituency. Be sure to tell the aide or Congressperson the size of your group, tell how many newsletters you send out, articles you generate, people on your email action alert lists and other measures of your influence on voters. If you visit as part of a coalition, make sure everyone with you does the same. Always give praise for past good votes and give examples of how the national legislation you favor will help locally.

Keep plugging, and even if you are a rank beginner, you will soon be a country mouse who can prosper in the big city!



What to Expect

Getting the Most from Legislative Visits

By Liz Birnbaum
Director of
Government Affairs
American Rivers

www.AmericanRivers.org



Visiting your congressman or senator's office can be a daunting prospect, especially if you've never been to Washington, D.C. before. The image of the Capitol has been burned in your brain since childhood and the other buildings are just designed to look imposing. After a couple of visits to Capitol Hill offices, this feeling will pass. You'll quickly find that Members of Congress are happy to talk to visitors from their own states or districts, and most congressional staffers are just harried, overworked folks like the rest of us. And you'll get a similar reaction if you visit state legislators and their staffs—they have smaller staffs, but since they report to fewer voters, each person's visit counts even more.

The best result from a legislative meeting is to leave the staff thinking they just received information they can use to make their job and their boss's job easier. They'll appreciate your help and be inclined to act on your issues because they have the necessary information. Of course, sometimes this isn't possible—when a legislator is not inclined to take a strong position on river conservation, you may be challenging their preconceptions. But the goal is still to give them information they need to know: conveying the strong public interest in key river issues; offering data, anecdotes and other information supporting river conservation; and suggesting specific actions they can take to move these issues forward.

To prepare for a legislative visit, you'll first want to call to make an appointment and know whom you'll be meeting with. In Congress, most House members are willing to meet personally with people coming from their districts—it can be more difficult to get time with senators, who have more demands on their time. If you're going to an office outside your state or district, you're likely to meet only with staff.

While the rare personal meetings are important, meetings with staffers—either from a legislator's personal office or from a relevant committee the legislator may lead—are where most of the heavy lifting gets done in Congress, as well as state legislatures.

Whether you're meeting with a legislator or staffer, the basic steps are the same: (1) give them basic information without talking down to them; (2) prepare fact sheets of no more than two pages; (3) make sure they get a chance to tell you their concerns; (4) make a specific request or two with a definite follow-up period; and (5) thank them for their time.

The first step requires figuring out how much a legislator or staffer knows about the issue you've come to talk about. Generally, you can quickly summarize what you want to discuss and ask whether they have any familiarity with the subject. The answer will often be “no” —these folks have many different issues to keep track of, and you will find that staffers, especially personal office staffers, tend to be young and inexperienced. So you need to find the trick of starting with the basics (“*Our river arises from X, Y and Z headwaters, and grows over hundreds of miles to pass through major cities and reach the ocean*”) and carrying that through to the specific policy issue at hand (“*So we need to make sure the Clean Water Act continues to protect the smallest nonnavigable streams to ensure the continued health of the entire river.*”) This connection will be easier to make orally when you have already written it down on a brief fact sheet.

The fact sheet is a key tool of legislative visits. It should summarize the key points you want to make and offer a summary of the facts supporting your position. Writing it helps to organize your thoughts, and when you leave it behind it will provide a quick reference for further action by the

legislator. For both of these purposes, the fact sheet should be very short—one page is ideal, but you can extend it to two pages if necessary. Rather than writing in dense paragraphs, the points you want to make should be contained in bullets of one or two sentences each. It's great to add packets of back-up information, reference materials and data, but remember that legislators and staff don't often have the time to read about the details. They will rely on the fact sheet for nearly all action on the issue.

Once you've got your facts in order, it is easy to get carried away during a meeting, explaining your points and failing to give the person you're meeting with time to talk. But what you hear from staff is often as important as what you tell them. They may have questions about an issue that you hadn't anticipated. (*"What's a navigable stream?"*) And their concerns on an issue may be completely different from what you'd expected. (*"Aren't there other laws that will protect rivers if the Clean Water Act protection is eliminated?"*) If they don't give you feedback right away, be prepared to ask questions that will elicit their understanding of what you've told them—or possibly, even to find out if they've ever seen the river you're talking about. When they do ask questions, don't be afraid to tell them if you don't know the answer—but promise to find out, and follow through later.

After you've talked about an issue, you reach the essential point of a legislative visit, which is called the "ask." Your purpose should be both to inform legislators' offices and also to ask them to take action. Not only does this direct your discussion, but it also gets the legislator involved, requiring some thought and a decision about your issue. Members of Congress, for example, have a wide range of actions they can take—from writing a letter to voting in

A STATE REPRESENTATIVE'S TIPS ON LOBBYING

As a legislator, I am lobbied all the time, both at home and in the statehouse. It is a part of the job I like. Lobbyists can be very helpful and reliable. Here's what works best for me:

- 1) Keep it simple.** Don't give me too much paper, but give me something to remember you. One page will work. Be specific about what you want.
- 2) Connect your issue to my constituents.** I listen first to those who elected me to represent them. If possible, have your message delivered by my constituent.
- 3) Do your homework.** Use legislative websites and profiles of legislators to find out who we are and what we're interested in.
- 4) Give me accurate and honest information.** Trust is everything.
- 5) Wear a nametag,** so I know who you are.
- 6) Follow up in friendly ways.** Build a respectful relationship with those you lobby.

Bill Botzow is a State Representative in Vermont. He also serves on River Network's Board of Trustees

Committee or on the floor of the House or Senate. You need to know in advance what you're going to ask them to do and keep it in mind throughout the meeting. After you've made your request, inquire what the decision process will be for the legislator's response, and let the staff know you will be following up in a fixed period of time.

The last step in a legislative meeting is obvious, but absolutely necessary. Thank the legislator or staffer for their time and attention. They are busy, they took time to talk to you, and they will be more inclined to help you if they think their time is appreciated.

If you follow these steps, you can leave your legislative visit knowing you've done your best for river conservation, and feeling good about your time in the nation's—or your state's—capitol.



Case Study

Creating the Colorado Watershed Protection Fund

By Richard Fox
President
Colorado Watershed
Assembly
www.coloradowater.org

Senate Bill 087 was developed by the Colorado Watershed Assembly (CWA), the statewide umbrella group that represents more than 40 watershed groups in Colorado. It was introduced into the legislative process on 1/14/02 and passed on 5/19/02, eight hours before the end of the legislative session. The bill created the *Colorado Watershed Protection Fund*, which was added to the 2003 Colorado Tax Refund Checkoff program. In its first year, the Fund generated more than \$98,000 in new money, which was used in a new competitive grant program to restore streams, strengthen watershed groups and provide matching moneys for federal and foundation grants.

The Colorado Watershed Assembly worked with both the Colorado Water Conservation Board and the Colorado Water Quality Commission to create the new grant program to assure that all the money available would be passed on to actual grassroots, collaborative based watershed protection groups.

The bill took four months of intense effort, but will help to empower watershed groups throughout the state into the foreseeable future. The ultimate future growth and success of the Colorado Watershed Protection Fund will depend on how well CWA and the individual watershed groups publicize the Fund and manage their role in the grant making process.

Colorado's victory shows the power of looking beyond the customary sources of funding. Most, if not all states, have a voluntary tax refund checkoff program. I hope each of you will explore this option in your own state. The following is a synopsis of the process we went through to get this bill passed. It faced many obstacles and went through several difficult transformations. Some of the changes, including an unfriendly amendment, were forced on us and almost caused us to pull the bill from consideration.



Steps to Legislative Success

- Have a really good and clear idea before you start.
- Get the right legislative sponsors.
Think out the Democratic/Republican strategy you want...then find house and senate sponsors accordingly.
- Work with a legislative bill writer to develop the "initial" language.
- Election years might be an advantage in getting your legislation passed.
- Anticipate that it could take years to get your bill passed and will definitely take a lot of effort to accomplish. These efforts will also often preempt other activities and force you to cancel other meetings etc. Make sure you have the resources to stay with it.
- Hire a friendly environmental lobbyist to help you. Our cost was \$1,000 and the help was essential!

THE PROCESS

1st

- **PRE-IDENTIFY YOUR ALLIES, starting with watershed and river protection groups**

2nd

- **FIRST HOUSE OR SENATE COMMITTEE**

- a. Make a list and map of committee members, contact info and where districts are.
- b. Create sample support letter.
- c. Send emails to key groups and allies with contact list, map and copy of sample letter.
- d. Make calls to key groups that will benefit—let them know you will repeatedly need their support over next several months. Make sure they provide it over and over.
- e. Look for the groups and legislators who oppose you and come up with written arguments in response to their concerns and get them to committee members prior to committee meeting—especially fiscal issues.
- f. Provide each committee member with a concise page packet of information.
- g. Provide your sponsoring senator/representative with talking points.
- h. Line up and organize committee testimony.

3rd

- **SECOND HOUSE OR SENATE COMMITTEE ASSIGNMENT** *(usually a financial committee)*

Repeat **a-g** above adjusting to changes. *(usually little chance for testimony here though be prepared to speak if asked)*

This is a key Amendment moment and the most dangerous time: ➤

- Prepare any needed friendly amendments prior to committee meeting.
- Seek out and determine if any not-friendly amendments are being developed.
- Keep in contact with your own group and have a clear understanding on which individual person will have final say on wording and amendment deals. Things can happen fast here!

4th

- **“SECOND READING” – FULL HOUSE OR SENATE**

Repeat **b-g** above while adjusting to changing circumstances and needs.

5th

- **“THIRD READING” – FULL HOUSE OR SENATE**

Keep the pressure up...it should pass, if it made it through 2nd reading.

6th

- **MOVING TO THE OTHER HOUSE**

Actively work to make sure it gets assigned to a good committee in the 2nd/other legislature body.

7th

- **IN THE 2ND HOUSE—REPEAT ALL THE STEPS LISTED ABOVE**

If there were any amendments, there will need to be a concurrence from the original legislative body *(if changes were minor/administrative)* or a joint house/senate compromise *(if the amendments were substantive)*. This is a very dangerous time, especially if it is near the very end of the session.

8th

- **THE GOVERNOR STILL NEEDS TO SIGN IT**

Great time for a picture opportunity!

9th

- **POST VICTORY ACTIVITIES:** ➤

- Get out a press release!
- Send out emails to groups and allies—Praise your supporters...let groups know they were instrumental in the victory and will be needed to make the bill work.



RESOURCES & REFERENCES

Organizations

The Alliance for Justice is a national association of environmental, civil rights, mental health, women's, children's and consumer advocacy organizations. The Nonprofit Advocacy Project works to strengthen the voice of the nonprofit sector in important public policy debates by giving tax-exempt organizations a better understanding of the laws that govern their participation in the policy process. The Nonprofit Advocacy Project serves this need through workshops, research and publications, public policy, lawyers and accountants and technical assistance & resources. www.afj.org

STATE LOBBYING REGISTRATION OFFICES:
www.allianceforjustice.org/nonprofit/technical_resources/nap_tools/State_Offices_Regulating_Lobbying.doc

AVAILABLE PUBLICATIONS INCLUDE:

- ***Being a Player: A Guide to the IRS Lobbying Regulations for Advocacy Charities.*** A comprehensive, easy-to-understand, guide to the IRS lobbying for 501(c)(3) organizations. (\$15)
- ***The Rules of the Game: An Election Year Legal Guide for Nonprofit Organizations.*** A user-friendly guide that describes tax and election laws that govern what nonprofits can do in an election year. (\$20)
- ***Seize the Initiative: A straightforward guide that shows how nonprofits can legally pursue their agendas through the pilot campaigns.*** (\$20)

Charity Lobbying in the Public Interest.

CLPI was founded in 1998 out of a concern that the essential public policy role of charities is significantly undermined by several persistent barriers including: 1) The myth that lobbying by charities is not legal; 2) The myth that lobbying is for experts only; 3) The myth that lobbying is not important as a means of achieving an organization's mission. The webpage has a variety of resources, plus an online lobby law tutorial: www.clpi.org/lobby_law.html. 2040 S Street, NW, Washington, D.C. 20009; Phone: 202/387-8060; Fax: 202/387-5149; Email: Info@clpi.org; www.clpi.org/

The League of Conservation Voters is the political voice of the national environmental movement and the only organization devoted full-time to shaping a pro-environment Congress and White House. Their online services allow you to find out how your member of Congress scores on the environment, communicate with your elected officials, write a letter to your local newspaper and more. www.lcv.org/

The Minnesota Council of Nonprofits has a variety of information and answers to frequently asked questions related to nonprofit lobbying and law including: What is Lobbying? Lobbying Limits and Reporting Lobbying Expenditures. www.mncn.org/lobbylaw.htm

OMB Watch was formed in 1983 to lift the veil of secrecy shrouding the White House Office of Management and Budget (OMB). OMB Watch has five primary areas of focus: budget and government performance issues; regulatory and government accountability; information for democracy and community; nonprofit advocacy and other cross-cutting nonprofit issues; and nonprofit policy and technology. Phone: 202/234-8494; Email: ombwatch@ombwatch.org; www.ombwatch.org

PUBLICATIONS INCLUDE:

- ***So You Want to Make a Difference: Advocacy is Key.*** An advocacy manual that seeks to help citizens feel more confident about getting involved in policy advocacy; to equip local leaders with some tools so they can teach others about policy advocacy; and to stimulate involvement in democratic decision-making and provide information about key resources. (\$10)
- ***Democracy at Work: Nonprofit Use of Internet Technology for Public Policy Purposes.*** This report is a snapshot of how nonprofits utilize newer information technology tools to engage in public policy activities. It is intended to serve as an introduction to the usage of technology tools by a range of nonprofit organizations across various issue areas. (50 pages). Online at: www.ombwatch.org/article/articleview/124/1/63/

Online Resources

- ***Advocacy and Lobbying without Fear: What Is Allowed within a 501(c)(3) Charitable Organization*** by Thomas Raffa. A brief overview about what one can and cannot do when your public charity gets involved as an advocate in the public policy arena. www.nonprofitquarterly.org/section/158.html
- ***Lobbying the Candidates: Issues for 501(c)(3) Organizations.*** This Alert looks specifically at concerns related to candidate-lobbying activities. www.mdnonprofit.org/lobbying_candidates.htm

- ***The Nonprofit Lobby Guide*** (2nd ed) by Bob Smucker. The essential book for nonprofit leaders who want to understand the federal law on lobbying and voter education for 501(c)(3) nonprofits, building a legislative program, effective lobbying communications, establishing a public policy committee. It includes stories from nonprofit leaders that have spent their careers lobbying in the public interest. \$16.00 or free online at: www.clpi.org/toc.html
- ***Playing By the Rules: Handbook on Voter Participation and Education Work for 501(c)(3) Organizations.*** By Caplin and Drysdale. *Playing By the Rules* highlights some key issues that face organizations contemplating such work. It explains the general rules that apply in this area and indicates how the general rules operate in concrete situations. www.independentsector.org/programs/gr/playing_by_the_rules.pdf

More Information on Lobby Law

- *U.S. Internal Revenue Code of 1986*, as amended, especially Sections 501(a), 501(c)(3), 501(h) and 4911.
- *Public Law no. 94-455*, The Tax Reform Act of 1976, approved October 4, 1976 (specifically, Section 1307, Lobbying by Public Charities).
- *House Report no. 94-1210*, Influencing Legislation by Public Charities, June 2, 1976, to accompany H.R. 13500. (H.R. 13500 became Section 1307 of PL 94-455.)
- *Senate Report no. 94-938*, Part 2, supplemental report on additional amendment to H.R. 10612, July 20, 1976. (H.R. 10612 became PL 94-455.)
- *House Report no. 94-1515*, conference report on H.R. 10612, September 13, 1976.
- *Final Regulations on Lobbying by Public Charities and Private Foundations.* Federal Register, Aug. 31, 1990, p. 35579.



LET RIVER NETWORK HELP YOU KEEP YOUR HEAD ABOVE WATER.

Join the River Network Partnership and connect to the information and resources you need to stay afloat!

- **Access our River Source Information Center with the 1-800 hotline:** Let us help you research a particular issue and put you in touch with the necessary contacts and resources through one-on-one consultations.
- **Log onto our Partner-only website:** Browse the updated postings of funding sources, upcoming events and trainings, and download river clipart.
- **Receive the myriad of Partner benefits,** including subscriptions to *River Voices* and *River Fundraising Alert*, a copy of the *Directory of Funding Sources for River and Watershed Conservation Organizations*, and a copy of either *Starting Up: A Handbook for New River and Watershed Organizations* or *How to Save a River...*and more!



www.rivernetwork.org

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Name _____ Phone () _____

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You will receive your initial set of Partner materials, including your choice of: (check one)

How to Save a River

Starting Up: A Handbook for New River and Watershed Organizations

River Talk!

The Clean Water Act: An Owner's Manual

Testing the Waters

Please make your check payable to River Network and return this form to:

River Network, 520 SW 6th Ave., Suite 1130, Ptld., OR 97204-1511 Phone: 503/241-3506

River Network works to support you and your needs. We provide training and technical assistance to our Partner groups.

River Network does not promote legislation or represent your organization in legal matters.



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Connecting People, Saving Rivers

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Register Online Now for River Network's **National River Rally 2004**

Wintergreen Resort

Wintergreen, Virginia

May 21 - May 25, 2004

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Important River Rally Dates to Remember:

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Scholarship Application Deadline - March 12, 2004

Registration Deadline - April 5, 2004

River Rally Registration Hotline: 1-208/ 853-1893

Don't Forget -

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Visit www.AmericanRivers.org or

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