



Chapter Advocacy Toolkit

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This toolkit is designed to provide an overview of the legislative process, tips on how to communicate effectively with policymakers, lobbying disclosure rules, and tools to assist chapters in playing an advocacy role. This toolkit includes sections on:

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ATD CHAPTERS AND PUBLIC POLICY

At the national level in the United States, ATD advocates for public policies that support a knowledgeable, highly skilled, and employable workforce. We encourage our members to take an active role on Workforce Investment Boards (WIBs) to ensure that businesses are well represented and identify public and private organizations with whom to partner.

Regardless of the economic climate, it is critical that organizations of all sizes recruit, develop, and retain their human capital to achieve and sustain a competitive advantage. To do this, employers must have access to incentives such as training appropriations, grant opportunities, and tax credits that help them invest in developing their workforce and in the future of their organizations.

Public policy impacts ATD chapters, learning and development professionals, and their organizations. ATD chapters should consider an advocacy role because decisions made at the federal, state, and local level can impact the profession and members' organizations.

The work of advocacy involves educating policymakers on what learning and development professionals do, and how their work helps organizations grow and succeed. Developing relationships with and educating policymakers allows them to make informed decisions about training and development issues.

Advocacy Guidelines for Chapter Leaders

From time to time, chapter leaders have inquired whether they may engage in political activities on behalf of their organizations. Many are under the impression that they are absolutely prohibited from such activities. While generally prohibited from engaging in *political* activities (also referred to as lobbying), organizations like ATD and its local chapters are permitted to engage in advocacy activity without jeopardizing its tax-exempt status.

Organizations designated as tax exempt under IRS Code 501(c)(3) receive favorable tax status because they act in the public interest in a non-partisan fashion. **As a result, 501(c)(3) organizations—including ATD and its local chapters—are prohibited from participating or intervening in any political campaign on behalf of, or in opposition to, any candidate for any elective office.**

However, chapter leaders may continue to interact with public officials, but need to be aware of the restrictions (described below) when a campaign is underway. This means you can meet with public officials to discuss policies and invite them to speak at meetings as long as you follow the rules. Use your best judgment on whether a campaign is underway. If there's any doubt, consult ATD or legal counsel.

501(c)(3) organizations (and individuals acting on behalf of 501(c)(3) organizations) may not:

- Directly or indirectly endorse candidates.
- Make public statements in support of or against a candidate for elected office.
- Make financial contributions to political campaigns.
- Distribute statements of other organizations that support or oppose candidates.
- Allow candidates to use the organization's assets or facilities, unless the same opportunity is afforded other candidates.

Violation of these restrictions is VERY serious and could result in revocation of tax-exempt status.

Frequently Asked Questions (FAQs):

Q: Can a chapter leader/director/officer engage in political activity as an individual?

A: Chapter leaders are free to participate in the political process **on their own behalf**, although they may not make partisan comments in official ATD or chapter publications or at official ATD/chapter events. A chapter leader who chooses to make partisan comments in another forum should indicate that he/she is speaking in his/her individual capacity and not as a representative of ATD or the local chapter.

Q: May our chapter invite candidates to speak at official events during political campaigns?

A: Chapter leaders may invite candidates to speak at official events, even during political campaigns, but leaders **must** provide an equal opportunity for other candidates seeking the same office, and must refrain from indicating support for or opposition to any candidate during the appearance or in communications regarding the event.

Q: May chapter leaders meet with candidates during a campaign?

A: It is permissible to inform candidates of an organization's positions on the issues, as long as the rules from above are observed.

If you have any questions regarding whether or not to engage in a particular public policy activity, contact your [chapter relations manager \(CRM\)](#) or consult legal counsel.

HOW SHOULD OUR CHAPTER GET STARTED?

Policy Committees

Not all chapters—and certainly not all chapter members—will want to participate in the public policy process. For chapters that do want to become involved in advocacy, one first step is to create a public policy committee. Examples of the kinds of activities the public policy committee may work on include:

- Tracking and analyzing proposed laws and regulations (probably at the local and/or state level).
- Liaising with the public workforce system at the local level (Workforce Investment Boards and One-Stop Career Centers).
- Developing and implementing an advocacy campaign connected to legislation, or on behalf of issues that are important to the chapter and its members.
- Evaluating results and lessons learned at the conclusion of the advocacy campaign.
- Policy committees do not have to be large, but they should be representative of the make-up of the chapter and comprised of individuals who are willing to commit their time and energy.

Advocacy Campaigns

Whether related to a specific piece of legislation or simply designed to build awareness about the learning and development field, all planning for advocacy campaigns should start by answering the following questions:

- What is our desired outcome?
- What are ATD and the chapter's message on this issue? Please ensure that your chapter has coordinated with ATD to ensure that the messages are in alignment and that national has provided input and guidance for the campaign.

- Who will communicate our message to policymakers—which chapter members are authorized to speak for the chapter?
- How will we communicate our message—will we request a meeting, make phone calls, or send letters/emails, or will we do a combination of all three?
- When will we communicate our message, and when will we stop?
- How will we know if we've been successful?

Answering these questions before beginning an advocacy campaign will go a long way towards ensuring a successful outcome.

Developing Your Message

When evaluating an issue, a chapter public policy committee needs to consider the following:

- Does this issue impact chapter members *in their capacity as talent development professionals*? There may be policy issues that impact every member of a community or state, but it is generally not appropriate for professional organizations to develop positions on issues that are not germane to the profession or the chapter itself.

Chapter members may always engage in political activities on their own, but must do so as individuals rather than as representatives of ATD or their local chapter.

- Does it impact enough members to warrant a chapter position on the issue? If the issue is of interest to only a small subset of members, it is probably not appropriate to develop a chapter position, although those members may wish to engage in advocacy on their own.
- Are chapter members in agreement on the issue? While support for a policy position need not be unanimous, it is important to consider competing viewpoints within the chapter, and whether developing a position would alienate individual members.

If the answer to the questions above is yes, the policy committee should develop a position on the issue.

A position clearly articulates either support for the issue under consideration or substantive alternatives to the proposed policy. The position should be well-reasoned, with supporting arguments and evidence, where appropriate.

Once the position is developed, it is wise to submit it for approval and to get ATD's input.

Different chapters will adopt different approaches to the approval process based on their bylaws. Some chapters' bylaws may require a vote of the whole chapter, while others might require approval only from chapter officers.

Building the Advocacy Plan

Once the chapter has taken a position on an issue, the next step is for the policy committee to develop and implement an advocacy plan. Questions to be considered are:

- What is the goal of the advocacy plan? This can range from simply educating policymakers on an issue to actively working to pass or defeat pending legislation. Setting a goal allows the chapter to define the steps required and determine what constitutes success.
- What is the timeframe? If the goal is supporting or opposing active legislation, the timeframe may be quite short—the campaign will last until a vote is taken or a decision is made. If the goal is simply building awareness or educating policymakers, the advocacy plan might be open-ended and communication can occur at any time.
- Who are the decision makers? Who has a vote on whether or not the law is passed or the policy is implemented? A successful advocacy plan will be narrowly targeted to influencing those who will ultimately have a say in the matter.
- What is the best way to communicate with the decision maker? If the policymaker is located on the other side of the country, a phone call or email may be the best way to communicate your position.
- If he or she is local, a personal visit may be your best bet.
- Who will communicate the chapter's position? This can be a tricky question. Sometimes it is best for the chapter to designate one board member to communicate with an appropriate representative (i.e. a chapter president, or the head of the policy committee). Alternatively, several voices on a particular issue indicates that the position is shared by many, which can have weight in the decision making process. As a general rule, education and awareness lends itself to a single voice, while pending legislative action is often amenable to the broader approach.

Once the plan is agreed upon, the policy committee should take the lead in implementation, regularly evaluate progress, and make adjustments as necessary. It is also useful to discuss lessons learned. For assistance with an advocacy plan, contact your [chapter relations manager \(CRM\)](#).

HOW A BILL BECOMES LAW

Note: For purposes of sections III, IV, and V of this guide, the examples and processes discussed will focus on the federal government. In general, the processes are similar to those on the state or local level, but chapters should familiarize themselves with the relevant processes when developing advocacy plans.

When communicating with Congress, it is important to know how the legislative process works. Bills can be introduced in either the Senate or House of Representatives. Upon being introduced, the bill is given a number (S. 123 or H.R. 123), and then is usually referred to one or more committees.

Committees must examine the legislation and vote on it before sending to either the full House or full Senate. This is a critical time to weigh in with legislators. Because committees often receive many more bills than they have time to evaluate, the decision of whether to move a bill can often be driven by citizen comments.

If your Senator or Representative serves on the relevant committee, you may decide to contact them and encourage them to consider the bill in committee. If they do not serve on that particular committee, you may still wish to contact your representative and ask them to communicate your views to the committee.

Once a bill has been “reported” or passed by the committee(s), it must then be voted on by the full House or Senate. This is also a good time to contact your Congressional members to let them know how you would like them to vote on the legislation.

In order for bills to become laws, they must pass both the House and Senate in identical form. If both bodies pass legislation that is similar, but not identical, they may go to a conference committee, where representatives from both the House and Senate meet to resolve their differences and draft a final bill.

Once the bill has been passed by both houses, the bill is sent to the President for his signature. Once signed, the bill becomes law.

COMMUNICATING WITH POLICYMAKERS

Email

Because mail addressed to Congress, the executive branch, and federal agencies must be scanned before it reaches its destination, emailed letters are now the most popular choice of communication with a Congressional office. When emailing a Congressional office, be sure to:

- Provide a bill number/name if possible in the subject line.
- Keep your letter brief and to the point.
- Identify the issue you are writing about and refer to specific bills by number.
- State clearly your reason for writing, and explain what you want your legislator to do.
- Draw on your own personal experience, describing what effect the legislation will have on you, your community, or your industry.
- Use constructive arguments, supported by facts, and the potential impact based on the numbers of people it would affect. If you oppose an issue, offer alternatives. If you have additional information, offer to send it. Offering expert, supportive material will help your legislator communicate more effectively with other members of Congress on your view.
- Be sure to email a letter of thanks or support when the legislator follows your recommendation.

Here are the proper formats for sending correspondence to your representative or senator:

The Honorable [full name] U.S. House of Representatives Washington, D.C. 20515
Dear Representative [last name]:

The Honorable [full name] U.S. Senate Washington, D.C. 20510
Dear Senator [last name]:

Each legislator has a website and provides an address to which you can send email. For members of Congress, go to www.house.gov and, at the prompt, click on your representative. For your senators, go to www.senate.gov.

If you have a contact with a legislator's office—whether someone in the Washington office or in the district—it is helpful to send the correspondence to that person as well. Having a personal contact will help ensure your message is received and given appropriate weight, especially if you have a technical issue to raise with the Member of Congress.

Phone Calls

When time is short and you need fast action, a phone call is probably the best way to make your views known to your legislator. Before you call, write down the key points you want to make. Don't be disappointed if you can't talk directly to your legislator. Congressional staff members are important players in the legislative process. As the gateways to members of Congress, they're responsible for briefing members on issues and for relaying constituents' views. When you call identify yourself, state the bill number, title, or issue you're calling about, and briefly explain your support or opposition. If you're unable to reach your legislator or a staff person directly, send a fax or email outlining your position.

Personal Visits

Many elected officials welcome personal visits with their constituents, although it's not always possible. If you want to meet with your legislator, find out when he or she is available in the district (home) office or Washington office. Because of the unpredictable congressional voting schedule, it may be preferable to arrange a meeting in your legislator's district (home) office. It's best to make an appointment as far in advance as possible by phone or letter. State your reason for wanting to meet with the legislator and how long you want to meet; it's easier for staff to arrange a meeting if they know what you intend to discuss.

In preparing for your meeting, familiarize yourself with the issue that you are supporting or opposing. Develop clear, succinct points. It's helpful if you have a briefing paper to leave behind. It should include a summary of the issue at hand. Demonstrate the connection between what you are requesting and the interests of the legislator's constituency as a whole. Describe how you or your group can help the legislator in this matter. Follow up on your meeting with a letter reiterating your position and thanking the legislator or staff person for his or her time.

Communicating with the Executive Branch

Communications with federal agency officials follow the same general principles described in *Communicating with Members of Congress*: know your facts, be brief, refer to specific legislation (if applicable), and state how federal legislation or other federal action will affect you and/or your organization or community.

If writing a letter to a member of the President's Cabinet (Secretary of Education, Secretary of Labor, Secretary of Commerce, etc.), the proper form of address is:

The Honorable [full name] Secretary of _____

U.S. Department of _____

Dear Secretary [last name]:

Communicating with Your Governor and State Legislators

The structure of your state government and the specifics of the process by which legislation moves through your state legislature will differ somewhat from the federal structure and process. You can still follow the same general principles outlined in *Communicating with Members of Congress*: know your facts, be brief, refer to specific state-level legislation (if applicable), and describe how the legislation or other state action will affect you and/or your organization or community. The proper form of address for writing to your Governor is:

The Honorable [full name] Governor State [or Commonwealth] of _____

Dear Governor [last name]:

To obtain addresses and phone numbers for additional state and local elected officials, contact your local Board of Elections or the clerk's office for your city, town, or county.

LOBBYING DISCLOSURE, ETHICS, & TAX ISSUES

Engaging in advocacy may require a chapter to register one or more employees as a lobbyist, depending on whether the chapter is engaged in federal, state, or local lobbying. In addition, as an organization exempt from taxation pursuant to section 501(c)(3) of the IRS Code, your chapter's lobbying activities must not be a "substantial part" of its total activities. Finally, you must be mindful of gift rules that limit your ability to give gifts (such as lunch, or even a cup of coffee) to elected officials and their staff. This section provides a very brief introduction to these issues. Consult ATD or legal counsel if your chapter engages in lobbying so that you avoid the potential pitfalls associated with this activity.

Federal Lobbying & Tax Issues

When communicating with federal officials—Members of Congress, their staff (including staff in the home office), and executive branch agencies—you are subject to the federal Lobbying Disclosure Act (LDA). The LDA requires registration when an individual:

1. Makes more than one lobbying contact **AND**
2. Spends more than 20 percent of his or her time on lobbying activity

It is likely that no one in your chapter will meet this threshold, but if your lobbying activity (the time spent in lobbying contacts with federal officials and the time spent planning, researching, and coordinating that activity) **is close to the minimum 20% noted above** you should carefully track that person's time and determine when the chapter needs to register. ATD can assist with this determination, and more information is available at <https://lobbyingdisclosure.house.gov/>.

As ATD and most chapters are exempt from taxation under Section 501(c)(3), there are specific limits on how much lobbying can be done, along with definitions of what is and is not lobbying.

Chances are your chapter is not doing enough lobbying to be considered a "substantial part." If your chapter has made the 501(h) election (this is an alternate method for measuring and reporting lobbying expenses to the IRS), then you only need to look at actual expenses for lobbying and compare those expenses to the IRS's limits. If you have not made the 501(h) election, then you must consider **expenses, staff time, and volunteer activity** in determining what is substantial. The IRS has not clarified what it means to have a "substantial" amount of your activities be lobbying, and it will look to all facts and circumstances to make this determination.

More specific information on the monetary limits for the IRS' 501h election may be found at <https://www.irs.gov/charities-and-nonprofits>. If you have questions, please contact your [chapter relations manager \(CRM\)](#).

State Lobbying

If your chapter is lobbying state or local officials, be mindful of the state and local lobbying registration thresholds. These vary by state, and often have a very low threshold for registration and reporting. ATD can provide guidance to help you determine whether you need to register.

Gift and Ethics Issues

When interacting with federal, state, and local governments, it is important to remember that there are rules governing the acceptance of gifts by officials. Giving gifts that exceed the limit may result in fines and negative publicity, so you should be careful to check the applicable gift rules in advance.

TRACKING LEGISLATION ONLINE

There are several online tools that can be useful in tracking legislation:

https://www.congress.gov/	congress.gov is the government's online legislative service, providing information about bills introduced in both the current and past Congresses. Users can search legislation by keyword or sponsor, search public laws, and obtain other information about the legislative process.
www.house.gov	The official website of the House of Representatives. Users will find links to websites for individual members and committees, schedules of floor activity and committee hearings, and information about the legislative process.
www.senate.gov	The official website of the Senate. Users will find links to websites for individual members and committees, schedules of floor activity and committee hearings, and information about the legislative process.
www.ncsl.org	The website for the National Conference of State Legislatures, a bipartisan organization that provides information on state legislative activities and provides training and other assistance to state legislators and their staff.
State legislative sites	State legislatures maintain their own websites, which provide information on the legislative calendar, contact information for representatives, and current legislation. For chapters seeking to involve themselves on a state level, these sites are an excellent starting point for identifying issues and decision makers.
https://www.td.org/about/our-public-policy-work	Website for the ATD Public Policy department. Provides information about federal legislation, policy, and programs that impact the talent development profession.