



Advocacy, Engagement & Lobbying Administrative Guidelines and Public Policy Framework

Introduction

The United States is grappling with concurrent catastrophes: the Covid-19 pandemic, the climate crisis, systemic racism, and growing economic inequity. As our nation debates investments to mitigate climate change, activate and grow the economy and “build back better,” our federal policies must directly, and through state and local governments, center racial equity and help those persons and communities disproportionately harmed by the pandemic, systemic racism, disinvestment, adverse environmental impacts, and climate disasters. To meet the urgency and potential of this moment, the federal government should implement policies and invest resources in ways that target the hardest-hit workers, business owners, cities and regions- help them recover and reach their fullest potential.

The Funders Network (TFN) believes the nation’s philanthropic sector should be fully engaged in meeting the defining challenges of these times by supplying guidance and support to federal policymakers to achieve long-term transformational impact. The convening of the 117th Congress and the inauguration of a new presidential administration provides TFN with an opportunity to engage in public policy advocacy such as research and analysis, briefing federal elected officials and other policymakers, direct and grassroots lobbying, and partnering with Philanthropy Serving Organizations (PSOs) and others to influence public policy.

Whether we are focusing on environmental sustainability, transportation and mobility, public health, disaster recovery or housing and economic development, TFN recognizes and acknowledges that we cannot move towards a more just and equitable nation without addressing how federal policies have and continue to perpetuate and worsen systemic racism in its many forms. A policy framework will help TFN put equity first and work at the intersection of issues, as outlined in our 2020-2025 strategic and racial equity frameworks, by addressing the climate crisis, systemic racism, economic inequality, and social injustices.

It also can inform TFN board, staff, consultants, membership, and partners on the organization’s approach to taking positions on federal policy issues and enable TFN to be a more effective and impactful advocate on behalf of our membership and the philanthropic sector. A public policy framework will help TFN find and pursue partnership opportunities with advocacy organizations. It will serve to deepen TFN relationships with the United States Congress, White House, federal agencies, and other nonprofit organizations, while increasing TFN’s visibility among government officials and strategic partners.

Public Policy Positions

TFN may take and implement appropriate organizational positions on public policy issues and legislative matters that align with TFN's mission and advance racial justice. TFN's positions are not intended to represent the specific position an individual member. When TFN communicates publicly about a policy or legislative position, it will make clear that it is speaking on behalf of TFN and not individual members.

Any public policy position taken by TFN should strive to advance racial justice and be consistent with TFN's mission to leverage philanthropy's unique potential to help create communities and regions that are sustainable, prosperous, healthy, and just for all people.

Every two years, TFN staff will handle developing and implementing a public policy framework (Framework) in consultation with the board of directors that outlines issues pertinent to TFN's mission, commitment to racial equity, and program priorities. The Framework will be designed in such a way as to enable TFN to react in real time to the ever-changing federal political landscape.

The Framework also will allow TFN to approach public policy advocacy more strategically going forward by:

- Making explicit that TFN, as a 501(c)3 public charity, may engage in lobbying as defined by the Internal Revenue Code.
- Enabling TFN to partner – internally with members and funder working groups and externally with other PSO and advocacy organizations – on federal public policy issues that center racial equity and help create communities and regions that are sustainable, prosperous, healthy and just for all people.
- Providing the flexibility to develop and/or take part in federal policy advocacy campaigns and the ability to respond quickly to calls to action.

Roles and Responsibilities

In consultation with the chief executive officer or their designee, TFN staff, program contractors, funder working groups, collaboratives and partnerships may undertake the following activities, in alignment with TFN organizational capacities, to advance the Framework including, but not limited to the following:

- Educate funders and other stakeholders.
- Activate and catalyze TFN members and the philanthropic sector.
- Make formal policy statements.
- Influence policymakers and other public officials, including direct and grassroots lobbying activities.
- Coordinate with TFN partners and participate in sign-on statements.
- Seek or accept funding to advocate for or otherwise engage with others.
- Partner on or develop research on the issue.

When public policy issues arise that are unclear, appear to conflict with earlier positions, or fall outside the scope of the Framework, the chief executive officer or their designee will decide how the matter should be addressed in consultation with the executive committee of the board of directors (Executive Committee).

TFN staff will keep the Executive Committee informed of TFN's public policy actions and periodically update and advise the board of directors of significant public policy issues and positions taken, if any.

In addition to consulting with the chief executive officer or their designee, TFN staff, program contractors, funder working groups, collaboratives and partnerships are expected to seek guidance from TFN's director of communications on any outward facing communication related to policy positions.

Lobbying

From time to time, TFN may engage in lobbying as defined by the IRS Code in furtherance of its mission and Public Policy Framework. All lobbying activities conducted on behalf of TFN must be reviewed and authorized by the chief executive officer or their designee. For these guidelines, lobbying activities consist of "attempts to influence legislation by propaganda or otherwise" and such activities can be conducted directly or indirectly.

Direct Lobbying communication is any attempt to influence legislation through communication with any member of a legislative body (i.e., a congressperson or Senator) or any government official or employee who may take part in the formulation of legislation. For the communication to be considered direct lobbying communication, it must refer to specific legislation and reflect a view on such legislation.

Grassroots (Indirect) Lobbying activities are those "grassroots lobbying communications" designed to influence legislation by affecting the opinions of the general public. Like direct lobbying communication, it must refer to specific legislation and reflect a view on such legislation. Furthermore, to be considered lobbying, it must also "encourage the recipients" of the communication to take action with respect to such legislation.

Encouraging a recipient to take action with respect to legislation means that the communication:

1. Directs the recipient to contact a legislator or employee of a legislative body.
2. Provides the address, telephone number or similar information of a legislator or an employee of a legislative body.
3. Provides the recipient with a tear-off postcard or similar material to communicate with a legislator or an employee of a legislative body or any other government official or employee who may participate in the formulation of legislation.
4. Specifically identifies one or more legislators who will vote on legislation in support of or opposing the organization's view.

The attached graphic – [IRS Lobbying Flowchart](#) – can be used to help determine if the proposed actions or communications are considered lobbying under federal tax law for electing 501(c)3 organizations.

Record Keeping and Tracking

TFN elects to make the 501(h) election and measure and report its lobbying activities. IRS regulations under the 501(h) define what constitute lobbying more clearly, and it is measured solely based on the expenditures supporting lobbying activities, with a maximum cap of \$1,000,000. To track lobbying activities, TFN will develop and implement a Lobbying Report Form designed to capture sufficient information to follow the 501(h) requirements, including but limited to the following type of information:

- Staff/Consultant name
- Date of activity
- Issue area(s)
- Description of activity (e.g., research and analysis, drafting letters, posting on social media, posting on listservs, phone calls/meeting with legislators, blogging, organizing/taking part in webinars)
- Amount of time (round up to ½ hour) devoted to direct lobbying or grassroots/indirect lobbying.

The chief executive officer will update the board of directors on lobbying activities and expenditures annually.

2021-2022 Public Policy Framework

Through our public policy advocacy efforts, TFN is committed to helping funders understand and address interconnected issues related to the environment, economy and equity that engender community-driven solutions and amplify the ability and experiences of those communities who are least heard. Depending upon the circumstances, TFN staff may take the lead or lend its support to others by responding and signing on to calls to action aligned with our mission.

In alignment with its organizational abilities, TFN’s public policy advocacy, engagement and lobbying activities will focus on federal policies, including federal resources administered by state and local governments, which:

- Address historic and current racial disparities,
- Support systemic change, and
- Advance TFN’s mission to leverage philanthropy’s unique assets to help create communities and regions that are sustainable, prosperous, healthy, and just for all people.

While TFN recognizes that state and local policies and resource allocation also contribute to a just economic recovery, a sustainable environment and healthy community, as a national

philanthropy serving organization our advocacy efforts for now will focus exclusively on engaging and influencing federal decision-makers.

TFN public policy stances will be center racial equity and be guided by the following interconnected goals and objectives:

- Alleviate the health, economic and social impacts of the Covid 19 pandemic.
- Mitigate the impacts of climate change and promote clean energy and environmental sustainability.
- Expand economic opportunity; promotes inclusive economic growth and community development or addresses the racial wealth gap.
- Connect unemployed, under-employed and low-wage workers to quality jobs and careers that provide living wages.
- Increase housing affordability and preserves housing stability.
- Strengthen the health and well-being of families and children.
- Invest in the built environment, infrastructure, and mobility: e.g., housing; transportation; water systems.
- Promote land conservation and water access, affordability, management, and investments that address the climate crisis and economic opportunity.
- Improve disaster preparedness and distribution of emergency relief resources.
- Advances fair tax policies.
- Secure voters rights and protect democratic institutions.