



## Election Related Activity for 501(c)(3)s and 501(c)(4)s

Isaiah Castilla, Counsel

March 25, 2014

---

---

---

---

---

---

---

1. Comparing nonprofit organizations
2. What does non-partisan mean?
3. How can we safely advocate for our issues?
4. Can we help register voters or help get out the vote?
5. Can we educate voters about the issues?
6. What more can we do?

## AGENDA

---

---

---

---

---

---

---

## Comparing NONPROFITS

---

---

---

---

---

---

---

	501(c)(3)	501(c)(4)	Political Organizations
<b>Examples</b>	Alliance for Justice LCV Education Fund	AFJ Action Campaign LCV	Connected/SSF LCV PAC Independent Emily's List
<b>Tax Treatment</b>	Tax-Exempt Contributions tax-deductible Private Foundation grants	Tax-Exempt	Tax-Exempt
<b>Lobbying Activities</b>	Limited	Unlimited	Rare and usually taxable
<b>Electoral Activities</b>	Cannot support or oppose a candidate for office	Secondary activity Follow federal and state election law	Usually, sole activity

---

---

---


---

---

---

---

---



**No support or opposition for CANDIDATES running for PUBLIC OFFICE**

---

---

---



---

---

---

---

---

**Possible PENALTIES**

---

---

---

---

---

---

---

---

## Who is a CANDIDATE for PUBLIC OFFICE?

---

---

---

---

---

---

---



---

---

---

---

---

---

---

### CHARACTERISTICS

Office created by statute

On-going position

Fixed term

Requires oath of office

Includes School Boards



For any public office



---

---

---

---

---

---

---

**Issue Advocacy**  
 Advocating for organization's issues during election year

**Voter Registration**  
 Registering historically under-represented groups

**Voter Education**  
 Educating voters in a nonpartisan way about candidates

**Doing More!**  
 Ensuring partisan activities are not attributed to the organization

**NONPARTISAN**  
 Electoral Activities

---

---

---

---

---

---

---

---

**What is NON-PARTISAN?**

---

---

---


---

---


---

---


---



**Who's For Kids?**  
 85% of American voters agree that our political leaders are not doing enough to help solve the problems facing children today.



**And Who's Just Kidding?**  
 A child can't see through campaign promises, but you can.  
  
 If government is not about children, then what is it worth?



**Make your vote count for kids.**

**FACTS and CIRCUMSTANCES**

---

---

---

---

---

---

---

---

**Issue Advocacy**  
 Advocating for organization's issues during election year

**Voter Registration**  
 Registering historically under-represented groups

**Voter Education**  
 Educating voters in a nonpartisan way about candidates

**Doing More!**  
 Ensuring partisan activities are not attributed to the organization

**NONPARTISAN**  
 Electoral Activities

---

---

---

---

---

---

---

---

**ISSUE ADVOCACY**  
 Lobbying/  
 Advocacy Campaigns  
 Criticizing Incumbents  
 Legislative Scorecards  
 Candidate Education



**LOBBYING**  
 or advocacy campaigns

---

---

---

---

---

---

---

---

**ISSUE ADVOCACY**  
 Lobbying/  
 Advocacy Campaigns  
 Criticizing Incumbents  
 Legislative Scorecards  
 Candidate Education



**CRITICIZING**  
 Incumbents

---

---

---

---

---

---

---

---

**CRITICIZING  
INCUMBENTS**

Focus on  
Legislative  
Issues

Continue  
Ongoing  
Criticism

Don't Criticize  
Personal  
Characteristics




---

---

---

---

---

---

---

---

**ISSUE  
ADVOCACY**

Lobbying/  
Advocacy  
Campaigns

Criticizing  
Incumbents

Legislative  
Scorecards

Candidate  
Education

**LEGISLATIVE  
Scorecards**

---

---

---

---

---

---

---

---

**Sent to PUBLIC**

Published  
REGULARLY

Includes  
ALL LEGISLATORS

BROAD Range  
of Issues

AVOIDS  
Commentary

**Sent to MEMBERS**

Published  
REGULARLY

Includes  
ALL LEGISLATORS

NARROW Range  
of issues approved

Commentary  
ALLOWED

---

---

---

---

---


---


---

---

# WHERE THE DEMOCRATIC CANDIDATES STAND

An analysis of the candidates' questionnaires on issues of concern to the GLBT community





KEY	+ SUPPORT	- OPPOSE		Other	Other
<b>Federal Recognition of State-Level Same-Sex Unions *</b> Supports recognition by the federal government of a state's legal recognition of same-sex couples for purposes of federal benefits and tax treatment	+	-			
<b>ENDA</b> Supports passage of a federal bill prohibiting job discrimination based on sexual orientation and gender identity	+	-			
<b>Hate Crimes</b> Supports passage of a federal bill that gives authority to the federal government to investigate and prosecute violent crimes motivated by bias against the victim because of their sexual orientation, gender, gender identity or disability	+	-			
<b>Same-Sex Marriage</b> Supports allowing civil marriage rights for same-sex couples	-	+			
<b>Civil Unions</b> Supports civil unions for same-sex couples	+	-			

---

---

---

---

---

---

---

---


# ISSUE ADVOCACY

## Lobbying/ Advocacy Campaigns

## Criticizing Incumbents

## Legislative Scorecards

## Candidate Education



June 3, 2008

-AddressBlock-

-GreetingLine-

As a candidate for -For\_Office- I want you to know that the Oregon Center for Public Policy has a wealth of information that is available to all candidates for public office and encourage you to visit our website and contact our office if you need information about budget, tax or economic issues important to low- and moderate-income Oregonians.

While OCPP is a non-partisan public policy research institute that does not get involved promoting or opposing candidates for elective office, our information on our website and from our staff is available to anyone, including candidates.

If you contact us for information we will try our best to provide you with the timely, credible and accessible information that's been our hallmark for over a decade.

# CANDIDATE Education

---

---

---

---

---

---

---

---

# CANDIDATE EDUCATION

## Offer to all

## Use only what is already gathered

## Only create new information if organization has reason to do so



---

---

---

---

---

---

---

---

**Issue Advocacy**  
 Advocating for organization's issues during election year

**Voter Registration**  
 Registering historically under-represented groups

**Voter Education**  
 Educating voters in a nonpartisan way about candidates

**Doing More!**  
 Ensuring partisan activities are not attributed to the organization

**NONPARTISAN**  
 Electoral Activities

---

---

---

---

---

---

---

---

**VOTER REGISTRATION**  
 No Reference to Party/Candidate  
 No Suggestion of who to Vote for  
 Make Service Available to EVERYONE  
 Targeting for NONPARTISAN reason

---

---

---

---

---

---

---

---

**VOTER REGISTRATION**  
 No Reference to Party/Candidate  
 No Suggestion of who to Vote for  
 Make Service Available to EVERYONE  
 Targeting for NONPARTISAN reason

---

---

---

---

---

---

---

---

**VOTER  
REGISTRATION**

No Reference  
to  
Party/ Candidate

No Suggestion  
of who to Vote  
for

Make Service  
Available to  
EVERYONE

Targeting for  
NONPARTISAN  
reason




---

---

---


---

---

---


---

---



**UNITED STATES HISPANIC  
LEADERSHIP INSTITUTE**

THE PREMIER LATINO LEADERSHIP  
ORGANIZATION IN THE NATION



Your vote is your voice.

---

---

---

---

---

---

---

---




**VOTE.**



**IT'S EASY!**

ONE AMERICA  
With thanks to All

---

---

---

---

---

---

---

---

**Issue Advocacy**  
Advocating for organization's issues during election year

**Voter Registration**  
Registering historically under-represented groups

**Voter Education**  
Educating voters in a nonpartisan way about candidates

**Doing More!**  
Ensuring partisan activities are not attributed to the organization

**NONPARTISAN**  
Electoral Activities

---

---

---

---

---

---

---

---

**VOTER EDUCATION**  
Candidate Questionnaires  
  
Candidate Debates & Forums  
  
Candidate Appearances  
  
Appearances Unrelated to Candidacy

**QUESTIONNAIRES**

---

---

---

---

---

---

---

---

**QUESTIONS**  
Unbiased questions  
  
Open-Ended Questions  
  
Distribute to all candidates  
  
Broad range of issues  
  
No Pledges  
  
**FORMATTING**  
  
No editing  
  
Present responses equally  
  
Disclaimers

**CANDIDATE QUESTIONNAIRE**  
Name:  
Party Affiliation:  
Address:  
Home Phone:  
Campaign Phone Office:  
Office Sought/Opponents in:  
If you are a State candidate, please indicate your State Registration Number:  
  
The Sanctuary is a multi-issue organization working in the service of human rights, human reasoning and progressive discussion. Therefore it is critical for us to understand your position on the following issues. Please give specific answers to the questions and answer them as thoroughly as possible. Please type your answers. Use additional sheets as necessary.  
  
1. Could you please articulate what you think are the most pressing issues for the U.S. immigrant community, at home AND abroad, and how you would hope to address those issues as President?  
  
2. Do you support comprehensive immigration reform?  
Yes No  
Please explain.  
  
How long have you held this position?  
  
3. What policy conditions would comprehensive immigration reform have to meet in order for you to support it? Please be specific.  
  
4. Do you support the establishment of an expanded guest worker program?

---

---

---

---

---

---

---

---

## QUESTIONS

Unbiased  
questions

Open-Ended  
Questions

Distribute to all  
candidates

Broad range of  
issues

No Pledges

FORMATTING

No editing

Present  
responses  
equally

Disclaimers

## U.S. Senator

Source: *Journal of the American Dietetic Association*, 94(1), 1994, p. 10. Used here with the permission of the publisher, the American Dietetic Association. © 1994 American Dietetic Association. Reproduced by permission of the American Dietetic Association. All rights reserved. For more information, contact the American Dietetic Association, 1675 Duke Street, Alexandria, VA 22304-2846. For a complete list of permissions, visit the American Dietetic Association's website at [www.dietetic.org](http://www.dietetic.org).

Please answer the following questions and return your reply to the publisher of *Journal of the American Dietetic Association* (JADA) at the address below.

**Describe the functions you will expect to perform as a candidate for your position (250 word limit).**

In light of the current health care environment, what do you see as the most important issues facing the dietetic profession in the U.S.?

**How would you behave the most as a candidate for your position? (250 word limit)**

### John Corwyn, REPUBLICAN

As an experienced legislator, I will continue to work on issues that are important to the dietetic profession. I will continue to work on issues that are important to the dietetic profession. I will continue to work on issues that are important to the dietetic profession.

As a candidate for the U.S. Senate, I will continue to work on issues that are important to the dietetic profession. I will continue to work on issues that are important to the dietetic profession. I will continue to work on issues that are important to the dietetic profession.

As a candidate for the U.S. Senate, I will continue to work on issues that are important to the dietetic profession. I will continue to work on issues that are important to the dietetic profession. I will continue to work on issues that are important to the dietetic profession.

As a candidate for the U.S. Senate, I will continue to work on issues that are important to the dietetic profession. I will continue to work on issues that are important to the dietetic profession. I will continue to work on issues that are important to the dietetic profession.

As a candidate for the U.S. Senate, I will continue to work on issues that are important to the dietetic profession. I will continue to work on issues that are important to the dietetic profession. I will continue to work on issues that are important to the dietetic profession.

### Ron Kirk, DEMOCRAT

As a candidate for the U.S. Senate, I will continue to work on issues that are important to the dietetic profession. I will continue to work on issues that are important to the dietetic profession. I will continue to work on issues that are important to the dietetic profession.

As a candidate for the U.S. Senate, I will continue to work on issues that are important to the dietetic profession. I will continue to work on issues that are important to the dietetic profession. I will continue to work on issues that are important to the dietetic profession.

As a candidate for the U.S. Senate, I will continue to work on issues that are important to the dietetic profession. I will continue to work on issues that are important to the dietetic profession. I will continue to work on issues that are important to the dietetic profession.

As a candidate for the U.S. Senate, I will continue to work on issues that are important to the dietetic profession. I will continue to work on issues that are important to the dietetic profession. I will continue to work on issues that are important to the dietetic profession.

As a candidate for the U.S. Senate, I will continue to work on issues that are important to the dietetic profession. I will continue to work on issues that are important to the dietetic profession. I will continue to work on issues that are important to the dietetic profession.

[illegible]

- QUESTIONS
  - Unbiased questions
  - Open-Ended Questions
  - Distribute to all candidates
  - Broad range of issues
  - No Pledges
- FORMATTING
  - No editing
  - Present responses equally
  - Disclaimers

Neither the League of Women Voters Education Fund nor any of its partners takes any position on or expresses any preference about the issues or candidates displayed on this site. The League of Women Voters does not support or oppose candidates or political parties.

---

---

---

---

---

---

**VOTER  
EDUCATION**

Candidate  
Questionnaires

Candidate  
Debates &  
Forums

Candidate  
Appearances

Appearances  
Unrelated to  
Candidacy

**DEBATES & FORUMS**

---

---

---

---

---

---

QUESTIONS

Unbiased questions

Broad range of issues

FORMAT

Invite all Viable Candidates

Fair Rules

Impartial Moderator

Unbiased Audience

Equal Opportunity

No Contextual Favoritism

U.S. SENATE DEBATE

Tim Bridgewater (R)

Santo Geronzi (D)

Mike Lee (R)

Wednesday, June 16

7:00 PM

Hunter Conference Center

Meet & Greet following debate

Moderated by

Rod Decker of KUTV 2 News

---

---

---

---

---

---

---

---

VOTER EDUCATION

Candidate Questionnaires

Candidate Debates & Forums

Candidate Appearances

Appearances Unrelated to Candidacy

CANDIDATE Appearances

---

---

---

---

---

---

---

---

CANDIDATE APPEARANCES

Equal opportunity required

No contextual favoritism

Invite all viable candidates

---

---

---

---

---

---

---

---

12

VOTER  
EDUCATION

Candidate  
Questionnaires

Candidate  
Debates &  
Forums

Candidate  
Appearances

Appearances  
Unrelated to  
Candidacy

Appearance  
**UNRELATED**  
to Candidacy

---

---

---

---

---

---

---

APPEARANCE  
UNRELATED TO  
CANDIDACY

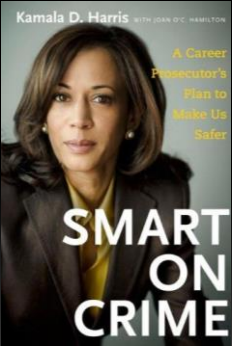
Awards & Policy  
Updates

No Equal  
Opportunity  
Required

Avoid Mentioning  
Candidacy

Don't Time to  
Coincide with  
Election

Disclaimers and  
Letters



---

---

---

---

---

---

---

APPEARANCE  
UNRELATED TO  
CANDIDACY

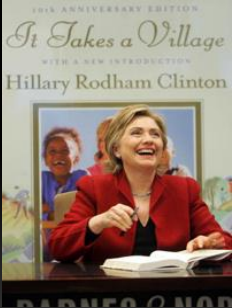
Awards & Policy  
Updates

No Equal  
Opportunity  
Required

Avoid Mentioning  
Candidacy

Don't Time to  
Coincide with  
Election

Disclaimers and  
Letters



---

---

---

---

---

---

---

APPEARANCE  
UNRELATED TO  
CANDIDACY

Awards & Policy  
Updates

No Equal  
Opportunity  
Required

Avoid Mentioning  
Candidacy

Don't Time to  
Coincide with  
Election

Disclaimers and  
Letters

See you next year on Tuesday, March 6, 2012!

NCLR HONORED ADVOCATES FOR AMERICA'S HISPANIC COMMUNITY AT ITS 2012 ANNUAL CAPITAL AWARDS GALA

This year, the NCLR Capital Awards Celebrated its Silver Anniversary

To view highlights from the 2012 NCLR Capital Awards, please click here

NCLR National Council of La Raza hosted its twenty-fifth annual Capital Awards gala recognizing Democratic and Republican elected officials who have shown a consistent commitment to promoting legislation and public policies that benefit Hispanic Americans in their districts and throughout the country.

More than 750 Hispanic leaders, government officials, and community activists were in attendance as NCLR President and CEO Janet Murguía presented the awards to the 2012 recipients. Representative George Miller (D-CA) and Mayor Paul W. Digne (R) of Oakland, Georgia, Natalie Morales, news anchor for NBC's TODAY, served as master of ceremonies.

NCLR also presented the 2012 Public Service Award to Kids in Need of Defense (KIND) for its efforts in helping children who have come to the United States without a parent or legal guardian and who are unable to find or afford an attorney to represent them in immigration proceedings.

The only Hispanic event that recognizes politicians from both sides of the aisle, the NCLR Capital

---

---

---

---

---

---

---

---

CANDIDATE-RELATED

EQUAL Opportunity

No Contextual  
FAVORITISM

ALL Viable Candidates

Candidate may discuss  
election

Timed to coincide with  
election

NOT RELATED TO  
CANDIDACY

NO Equal Opportunity

No FAVORITISM  
because of candidacy

NOT all Candidates  
required

NO reference to election

NOT timed to coincide  
with election

---

---

---

---

---

---

---

---

Issue Advocacy  
Advocating for organizations  
issues during election year

Voter Education  
Educating voters in a  
nonpartisan way about  
candidates

Voter Registration  
Registering historically under-  
represented groups

Doing More!  
Ensuring partisan activities  
are not attributed to the  
organization

NONPARTISAN  
Electoral Activities

---

---

---

---

---

---

---

---

Doing MORE!

Individual  
Activities

Post-Election  
Activities

Business  
Dealings

Social  
Networking



---

---

---

---

---

---

---

---

Individual  
Activities

Personal  
Capacity Only

Not on  
Company Time

Organization  
Cannot Ratify  
Acts

Have a Policy



---

---

---

---

---

---

---

---

Doing MORE!

Individual  
Activities

Post-Election  
Activities

Business  
Dealings

Social  
Networking



**POST-ELECTION**  
Activities

---

---

---

---

---

---

---

---

### BUSINESS DEALINGS

Make available equally to all candidates

Services already made available to public

Charge customary fee

On-going activity of organization

---

---

---

---

---

---

---

---

---

---

### SOCIAL NETWORKING

Same rules apply to social networks

Staff Posting

User Comments

"Friending"/"Liking" Officials




---

---

---

---

---

---

---

---

---

---

### WEST COAST

Alliance For Justice  
1611 Telegraph Avenue  
Suite 1006  
Oakland, CA 94612  
510-444-6070

### EAST COAST

Alliance for Justice  
11 Dupont Circle, NW  
2nd Floor  
Washington, DC 20036  
202-822-6070

isaiah@afj.org  
866.675.6229

www.bolderadvocacy.org  
for fact sheets and publications

---

---

---

---

---

---

---

---

---

---