

ADVOCACY TRAINING FOR FISH HABITAT PARTNERSHIPS

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OCTOBER 2018

OBJECTIVES

- 1. UNDERSTAND THE DIFFERENCE BETWEEN ADVOCACY AND LOBBYING**
- 2. UNDERSTAND HOW TO INFLUENCE YOUR MEMBERS OF CONGRESS**
- 3. GAIN SOME ADDITIONAL EXPERTISE ON ADVOCACY TOOLS**



ADVOCACY



DEFINITION OF ADVOCACY

ADVOCACY IS THE ACTIVE SUPPORT OF AN IDEA OR CAUSE. IT IS AN EFFORT TO CHANGE PUBLIC PERCEPTION.

SOME EXAMPLES OF ADVOCACY

Organizing

Public
Education

Nonpartisan Voter
Education

Organize a Rally

Get to Know
Legislators

**EDUCATING
LEGISLATORS**

LOBBYING

Regulatory
Efforts

Research

Educational
Conferences

Training

LOBBYING

THE IRS & 501(c)(3) LOBBYING

- The IRS defines lobbying as “*any attempt to influence legislation.*”
- Under IRS rules – 2 ways to calculate:
 - “No substantial part” test OR
 - 501(h) expenditure test
- Covers direct and grassroots lobbying of Congress.



TWO KINDS OF LOBBYING UNDER IRS RULES

- **DIRECT LOBBYING** IS COMMUNICATION WITH MEMBERS OF LEGISLATIVE BODIES OR THEIR STAFF.
- **GRASSROOTS LOBBYING** IS AN ATTEMPT TO INFLUENCE SPECIFIC LEGISLATION BY ENCOURAGING THE PUBLIC TO CONTACT LEGISLATORS.

THE IRS & 501(c)(3) LOBBYING

- TRCP is registered as a 501(c)(3) public charity.
- Lobbying by a 501(c)(3) is permitted, provided it is not a “substantial part” of the organization’s total activities.
- “Substantial part” test equates to both amount of time & funding spent lobbying.



LOBBYING DISCLOSURE ACT

- LOBBYING DISCLOSURE ACT OF 1995
- “LOBBYING” DEFINITION USED BY TRCP
- REQUIRES GREATER AMOUNT OF DISCLOSURE THAN THE INTERNAL REVENUE CODE
- COVERS LEGISLATIVE & EXECUTIVE BRANCH OFFICIALS



ADVOCACY OR LOBBYING?

- A NFP SENDS A MESSAGE TO THEIR MEMBER OF CONGRESS REQUESTING \$7.1 M FOR THE NATIONAL FISH HABITAT PARTNERSHIP PROGRAM IN FISCAL YEAR 2020.
- NFP REPRESENTATIVE TESTIFIES AT HOUSE INTERIOR APPROPRIATIONS SUBCOMMITTEE PUBLIC WITNESS DAY AND REQUESTS \$7.1 M FOR THE NFHP IN FISCAL YEAR 2020.
- NFP EDUCATES LEGISLATIVE STAFF ABOUT THE NATIONAL FISH HABITAT ACTION PLAN.

RESTRICTIONS ON FEDERAL EMPLOYEES

ANTI-LOBBYING ACT

- THE PRINCIPAL STATUTORY RESTRICTION THAT LIMITS THE ACTIVITIES OF FEDERAL PERSONNEL IN THEIR RELATIONS WITH CONGRESS
- THE ACT PLACES CERTAIN RESTRICTIONS AND LIMITATIONS ON CAREER FEDERAL OFFICIALS LOBBYING CONGRESS, ESPECIALLY WITH RESPECT TO ENGAGING IN CERTAIN TYPES OF GRASS ROOTS ACTIVITIES AIMED AT INFLUENCING PENDING LEGISLATION.

ADD'L RULES -- NGO'S AND LOBBYING

- 501(c)(3) NON-PROFITS ARE PROHIBITED FROM ENGAGING IN ELECTORAL POLITICS AND ARE NOT PERMITTED TO ENDORSE SPECIFIC CANDIDATES.
- NGO'S ARE PROHIBITED FROM USING DIRECT OR INDIRECT APPROPRIATED FEDERAL FUNDS, RESOURCES, OR OTHER FEDERAL SUPPORT TO CONDUCT LOBBYING ACTIVITIES (*OMB CIRCULAR A-122 & BYRD AMENDMENT TO THE FEDERAL ACQUISITIONS REGULATIONS*).

THE TWO HOUSES OF CONGRESS

US SENATE: 100 MEMBERS (2 PER STATE);
ELECTED AT-LARGE; SERVE FOR 6 YEARS;
1/3 SENATE UP FOR ELECTION EVERY 2
YEARS

US HOUSE OF REPRESENTATIVES:
435 MEMBERS (# DETERMINED BY STATE
POP.); ELECTED BY DISTRICT; SERVE FOR 2
YEARS; ENTIRE HOUSE UP FOR ELECTION
EVERY 2 YEARS



NFHP LEGISLATIVE TEAM

- AMERICAN FISHERIES SOCIETY (AFS)
- AMERICAN SPORTFISHING ASSOCIATION (ASA)
- ASSOCIATION OF FISH AND WILDLIFE AGENCIES (AFWA)
- CONGRESSIONAL SPORTSMEN'S FOUNDATION (CSF)
- THE NATURE CONSERVANCY (TNC)
- TROUT UNLIMITED (TU)
- THEODORE ROOSEVELT CONSERVATION PARTNERSHIP (TRCP)



Advocacy Objectives

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Secure passage of the National Fish Habitat Conservation Act and annual appropriations to support the Act, and increase annual appropriations for aquatic habitat conservation overall through education and advocacy.

Leverage the National Fish Habitat Partnership Coalition into an effective voice for fish and aquatic habitat conservation at the federal and state level.

115TH CONGRESS
1ST SESSION

S. 1436

To conserve fish and aquatic communities in the United States through partnerships that foster fish habitat conservation, improve the quality of life for the people of the United States, enhance fish and wildlife-dependent recreation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 26, 2017

Mr. CRAPO (for himself and Mr. CARDIN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

115TH CONGRESS
2D SESSION

H. R. 6660

To encourage partnerships among public agencies and other interested persons to promote fish conservation.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 7, 2018

Mr. WITTMAN introduced the following bill; which was referred to the Committee on Natural Resources

**NATIONAL FISH
HABITAT
CONSERVATION
THROUGH
PARTNERSHIPS ACT
(NFHCTPA)**

S. 1436

**INTRODUCED BY SEN. BEN CARDIN
(D-MD) & MIKE CRAPO (R-ID)**

H.R. 6660

**INTRODUCED BY REP. ROB
WITTMAN (R-VA, 1ST) & NEW LEAD
DEM COSPONSOR MARC VEASEY
(D-TX, 33RD)**

ADVOCACY TOOLKIT

- NFHCTPA FACT SHEET
- TALKING POINTS
- TOP POLICY PRIORITIES
- MOC REQUEST LETTER

National Fish Habitat Conservation Through Partnerships Act



*Supporting
Partnerships for
Healthier Fish,
Healthier Fish
Habitats*

More Conservation = More Fish & Fishing

WHAT WILL THE ACT DO?

This national legislation (S.1436) and (H.R. 6660) will encourage partnerships among public agencies and other interested parties to promote fish conservation priorities and establish the National Fish Habitat Board to provide oversight to:

- Establish Fish Habitat Partnerships to implement locally-led, on-the-ground conservation practices.
- Make conservation project funding recommendations to the Department of the Interior based on local and strategic fish habitat conservation priorities.
- Continue support of a grant program for fish habitat projects through the USFWS.
- Encourage grassroots driven partnerships to restore, conserve, and enhance fish habitat; improve fisheries and their economic contributions to local communities.

WHY TODAY?

The United States is home to a diverse array of freshwater and marine fish, shellfish, and other aquatic species. More than 3,000 species of fish inhabit America's freshwater and saltwater habitats. The U.S. is also home to more than 300 million people, all depending on the same water that fish depend upon.

Healthy habitats are essential for sustainable fish populations. Unfortunately, in many places across the country, fish and the habitats on which they depend are in decline. In 1997, Congress declared that one of the greatest long-term threats to the viability of commercial and recreational fisheries is the continuing loss of marine, estuarine, and other fish habitats.

CONSIDER THIS...

According to the U.S. Fish and Wildlife Service's 2011 National Survey of Fishing, Hunting and Wildlife-Associated Recreation, over 33 million licensed anglers generate more than \$48 billion in retail sales with a \$115 billion boost to the nation's economy and creating jobs for more than 828,000 people. At least 46 million anglers fished at some point over the past five years, consider themselves to be anglers, and rely on healthy fish habitat for their recreational pursuits.

Did you know?

The United States has 181,000 square miles of aquatic habitat, an area larger than the State of California (not counting marine waters beyond state boundaries.)



The National Fish Habitat Partnership (NFHP) is an initiative to conserve fish habitat across the country. www.fishhabitat.org @fishhabitat

THREE REQUESTS

- 1. WRITE TO YOUR MEMBERS OF CONGRESS AND REQUEST THEY COSPONSOR NFHCTPA! (or thank them for cosponsoring already – TX, MD, ID, VA Members)**
1. REQUEST A MEETING WITH YOUR MEMBERS OF CONGRESS EITHER IN THEIR DISTRICT OR STATE OFFICE (we can help target specific MOCs)
2. CONSIDER INVITING YOUR MEMBERS OF CONGRESS TO A SITE VISIT TO SEE THE AWESOME WORK OF YOUR FHP

IDENTIFYING YOUR MEMBERS OF CONGRESS

WWW.HOUSE.GOV

(ENTER ZIP CODE IN THE UPPER RIGHT CORNER OF THE WEBSITE)

WWW.SENATE.GOV

(CHOOSE STATE IN THE UPPER RIGHT CORNER OF THE WEBSITE)

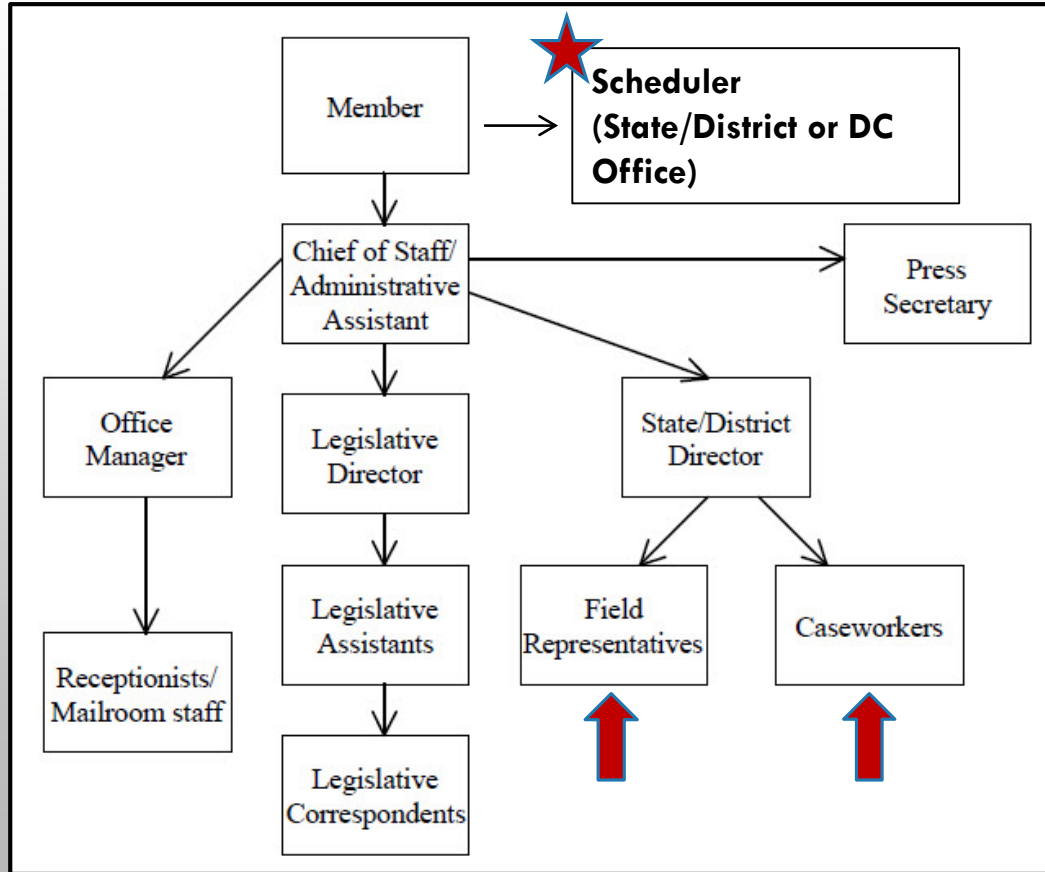
THOMAS.LOV.GOV

(SEARCH CURRENT NFHCTPA LEGISLATION BY KEYWORD OR BILL # (S. 1436/H.R. 6660) AND FIND OUT IF YOUR SENATOR OR REPRESENTATIVE IS A COSPONSOR)

LETTER REQUESTS TO YOUR MEMBERS OF CONGRESS

- EMAIL IS THE MOST EFFICIENT WAY TO SEND LETTERS TO YOUR MEMBERS OF CONGRESS AND STAFF
- *GRASSROOTS ADVOCACY*: CONSIDER ORGANIZING A LETTER-WRITING CAMPAIGN AND INVOLVING YOUR FHP PARTNERS
- *MEDIA*: WRITE A LETTER TO THE EDITOR IN YOUR LOCAL PAPER ABOUT YOUR FHP & REQUESTING YOUR MOCs COSPONSOR NFHCTPA OR THANK THEM FOR COSPONSORING

CONGRESSIONAL OFFICE STRUCTURE



MEETING REQUESTS

- GET TO KNOW THE FIELD REP OR CASEWORKER COVERING ENVIRONMENTAL ISSUES IN THE MEMBER'S OFFICE.
- MEETING REQUEST PROCESS: WILL DEPEND ON THE SPECIFIC MEMBER OF CONGRESS.
- BEST PRACTICE: SUBMIT A REQUEST IN WRITING EITHER ONLINE AND/OR THROUGH THE MAIL.
- UPON SUBMISSION - CALL THE SENATOR'S OR REPRESENTATIVE'S STATE OR DISTRICT OFFICE AND REQUEST TO SPEAK TO THE SCHEDULER (OR AT LEAST FIND OUT THAT PERSON'S NAME AND EMAIL).
- EMAIL A COPY OF THE REQUEST LETTER TO THE SCHEDULER. FOLLOW UP IN 2 WEEKS WITH AN EMAIL. NEXT PLACE A PHONE CALL TO THE SCHEDULER.

SITE VISITS

- POWERFUL TOOL
- SHOWCASES THE POWER OF YOUR PARTNERSHIP
- DIFFICULT FOR MANY NGO PARTNERS TO HOST SITE VISITS -- USE FEDERAL AND STATE PARTNERS
- BE PERSISTENT WITH REQUEST!
- A FUTURE DATE FOR MOC OR STAFF MIGHT WORK BETTER



SARP - Reconnection to the Hillsborough River. Photo by Tom Ries

LEGISLATIVE CALENDARS

UNITED STATES SENATE

115th Congress, 2nd Session

2018

TENTATIVE SCHEDULE

JANUARY							FEBRUARY							MARCH											
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HOUSE CALENDAR

MAJORITY LEADER KEVIN McCARTHY

115TH CONGRESS, SECOND SESSION

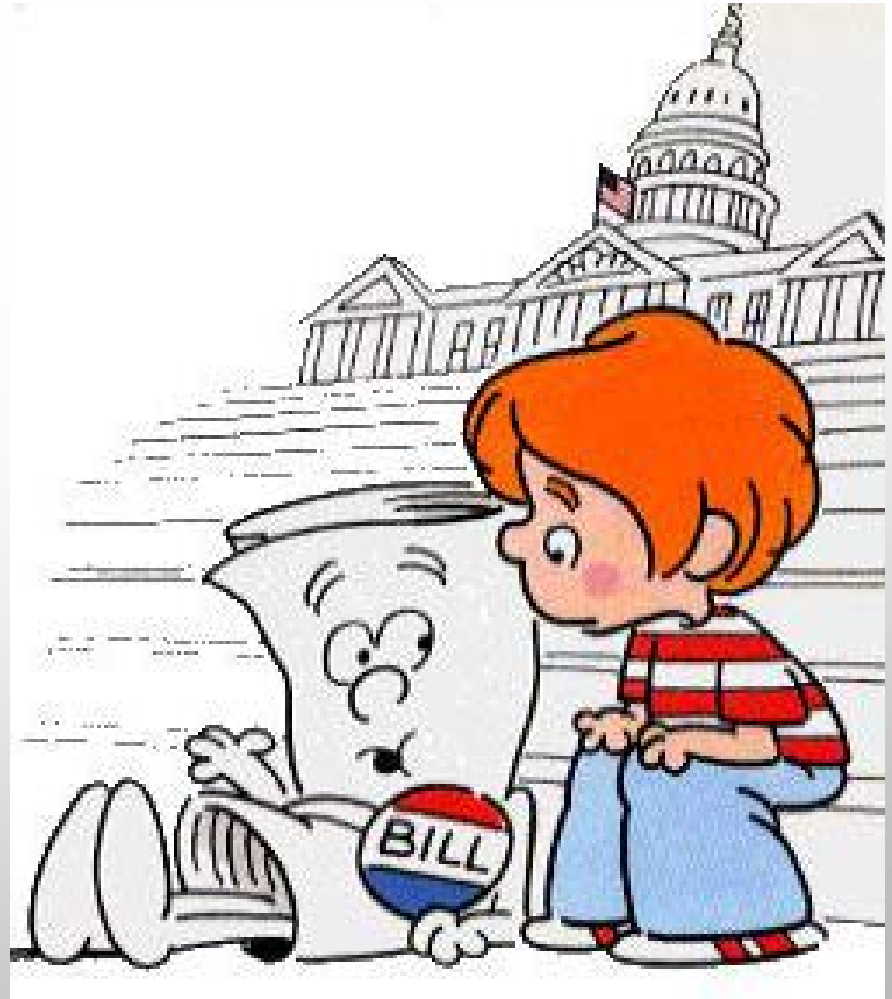
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CONGRESSIONAL RELATIONSHIP- BUILDING

- IT TAKES TIME TO BUILD RELATIONSHIPS WITH SENATORS AND REPRESENTATIVES AND THEIR STAFF
- BE A RESOURCE FOR STATE AND DISTRICT STAFF
- NOT A ONE TIME DEAL -- CONTINUE TO INVITE A MOC AND THEIR STAFF TO ATTEND FUTURE FHP EVENTS OR PLAN A SITE VISIT

REMEMBER!

- IT IS A CRUCIAL TIME TO TALK TO CONGRESS TO MAKE THEM AWARE OF NFHCTPA AND ITS IMPORTANCE
- DO NOT WORK ALONE – GET YOUR FHP COMMUNITY INVOLVED
- WORK WITH ALL PARTNERS & BRANCHES OF GOVERNMENT
- KEEP UP THE PRESSURE! (THE SQUEAKY WHEEL GETS THE GREASE)





TRCP

THE THEODORE ROOSEVELT CONSERVATION PARTNERSHIP

Questions?

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