

Resource Notes #1: PERMISSIBLE ELECTION ACTIVITIES CHECKLIST

From the Alliance for Justice www.afj.org (202) 822-6070

501(c)(3) public charity organizations are strictly forbidden from engaging in any political activity in support of or in opposition to any candidate for public office. The IRS will consider all of the facts and circumstances surrounding an activity to determine whether the activity violates this prohibition. However, 501(c)(3) public charity organizations can engage in nonpartisan voter education activity and in a limited amount of lobbying.

501(c)(3)s MAY:

- Engage in limited lobbying, including work on ballot measures
- Conduct nonpartisan public education and training sessions about participation in the political process
- Educate all of the candidates on public interest issues
- Publish legislative scorecards (with certain restrictions)
- Prepare candidate questionnaires and create voter guides (with certain restrictions)
- Canvass the public on issues
- Sponsor candidate debates (with certain restrictions)
- Rent at fair market value mailing lists and facilities to other organizations, legislators, and candidates (with certain restrictions)
- Conduct nonpartisan get-out-the-vote and voter registration drives
- Establish a controlled 501(c)(4) organization
- Work with all political parties to get its positions included on the party's platform (with certain restrictions)

501(c)(3)s MAY NOT:

- Endorse candidates for public office
- Make any campaign contributions
- Make expenditures on behalf of candidates
- Restrict rental of their mailing lists and facilities to certain candidates
- Ask candidates to sign pledges on any issue (tacit endorsement)
- Increase the volume or amount of incumbent criticism as election time approaches
- Publish or communicate anything that explicitly or implicitly favors or opposes a candidate

Election Activities of Individuals Associated with 501(c)(3) Organizations

The prohibition on partisan political campaign activity does not apply to the activities of officers, directors, or employees acting in their individual capacity. Staff may work on political campaigns outside work hours, or using their available leave time. However, leaders and volunteers may not use the facilities, equipment, personnel, or other resources of the organization to provide support or oppose a candidate or campaign.

Below are examples of instances when the actions of board members, officers, or employees can be seen as actions on behalf of the organization in a political campaign:

- ❑ The director of an organization makes statements biased for or against candidates for public office during an event sponsored by the organization or in any of its publications.
- ❑ An employee of an organization wears a political button at a public event or function when acting on behalf of the organization.
- ❑ An employee gives the organization's mailing list to a candidate.
- ❑ An organization permits a candidate to use the organization's office for a phone bank without charge.
- ❑ A board of directors thanks an Executive Director for her work on behalf of a candidate.

An organization can help to protect itself from violating these laws by:

- ❑ Requiring officers or employees acting as individuals engaged in partisan political activity to state clearly that they are acting in their individual capacity, not on behalf of the organization, and that any reference to their work for the organization is made only for identification purposes.
- ❑ Notify employees of their limitation on use of their staff time and office facilities. Time sheets should reflect that an employee took leave to participate in partisan activity.
- ❑ Disavowing any partisan actions of officials or employees that appear to be authorized by the organization, taking steps to ensure such actions are not repeated. Such a disavowal should be in writing and done in a timely manner.

Note: *This provides general guidelines only and is intended to serve as an overview. Because the application of law is fact-sensitive and context is critical, it should not be relied upon as legal advice. Organizations should consult with their attorney to receive guidance on special rules governing their conduct.*

Resource Notes #2: GLOBAL AIDS POLICY BACKGROUNDER

The President's Emergency Plan for AIDS Relief (PEPFAR)

In the January 2003 State of the Union Address, President George W. Bush announced his intention to create a new U.S. initiative to address the global AIDS epidemic. Several months later, in response to the President's Initiative, the U.S. Congress passed the *United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003* (Global AIDS Act, 2003).

Also known widely as the President's Emergency Plan for AIDS Relief (PEPFAR), this initiative was intended to prevent 7 million new infections, treat 2 million people living with AIDS related illnesses, and provide care and support for 10 million persons affected by AIDS. The Global AIDS Act authorized the President to spend up to \$15 billion over 5 years (2004–2008), including \$10 billion in new money to expand global HIV/AIDS, tuberculosis, and malaria programs.

Prevention Policy in PEPFAR

In the Global AIDS Act, Congress endorsed the “ABC” approach to HIV prevention (Abstain, Be faithful, use Condoms). They also mandated within this law that 20% of funds be dedicated to prevention of HIV, and that 33% of those prevention funds be used for abstinence-until-marriage programs (AB), beginning in fiscal year 2006 (referred to by advocates as “the abstinence-until-marriage earmark”). In addition, they included a provision that requires any organization receiving PEPFAR money to sign a statement specifically condemning prostitution (referred to by advocates as “the prostitution pledge”)

For more information about the problems with PEPFAR, visit www.pepfarwatch.org. For a document that outlines of how the abstinence-until-marriage earmark is applied, visit www.pepfarwatch.org/pubs/QandAresource2.pdf. For a document outlining the problems with the abstinence-until-marriage earmark according to the Government Accountability Office and the Institute of Medicine, visit www.pepfarwatch.org/pubs/GAOIOMfindings.pdf.

PEPFAR Reauthorization

PEPFAR was authorized for five years, which means that the U.S. can spend money on its programs until Sept. 30 of 2008 (the end of fiscal year 2008). Congress has already begun discussing plans for reauthorizing PEPFAR (fall of 2007) and is expected to undertake serious discussions and debates on the subject in early 2008. Reauthorization provides an important opportunity to affect PEPFAR HIV prevention policy. A group of U.S.-based advocacy organizations have put together a set of recommendations for PEPFAR Reauthorization, which can be viewed at www.globalhealth.org/news/article/9188.

Global HIV Prevention Legislation

Both the House and the Senate have introduced bills to remove the abstinence-until-marriage earmark. It is important that we continue to build Congressional support for these bills as a way to make sure that the earmark is removed during PEPFAR reauthorization. To learn more, visit www.pepfarwatch.org/pathway (for the House bill) and www.pepfarwatch.org/hivpreventionact (for the Senate bill).

Resource Notes #3: THE V-I-P APPROACH TO MEDIA AND MESSAGING

*These materials are adapted from [Conceptual Levels: Bringing It Home to Values](#) by Jason Patent and George Lakoff www.rockridgeinstitute.org/projects/strategic/conceptlevels. They explain the **structure** behind our framing and messaging of the PJM – and can be applied to all your media efforts.*

THE VALUES GAP

For decades, the radical right has systematically set out a system of core values, set up organizations that promote those values, supported political candidates who stood for those values, and enacted legislation that reflects those values.

When we hear conservatives talk about politics, they talk about beliefs, values and morality. Every policy they support connects back to values. This resonates with the American public (see Gallup poll "The Cultural Landscape: What's Morally Acceptable", June 22, 2004).

“[A] moral core is more important than...any particular issue.”

Americans believe that leaders should have a moral core that informs what they do....

Conceptual Levels

Progressives must rethink their policy goals in terms of values. There are always underlying moral reasons for supporting certain policies and opposing others. The first task then becomes identifying the values behind any given policy. The system involves three Conceptual Levels that can be remembered by using the mnemonic **V-I-P**:

- ❖ Level One: **Values**
- ❖ Level Two: **Issue Areas**
- ❖ Level Three: **Policies**

Examples:

Level One: Values	Fairness, Opportunity
Level Two: Issue Area	Civil Rights
Level Three: Policy	Affirmative Action

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Putting Values Front and Center: A Three-Step Plan

If you identify yourself as a progressive, chances are you think of politics largely in terms of policies, and you may not be immediately aware of the values that underlie your beliefs about these policies. And if you work for an advocacy organization, odds are your organization has been formed around a specific policy or issue area. Your group's activity and expertise is probably all at Level Three, or perhaps Level Two.

The key is to train yourself, and those with whom you work, to think more in terms of Level One values. If you can change your thinking, you will also change your language, and you will begin to see new ways of organizing and advocating that will open up unforeseen possibilities for progressive change.

Rockridge recommends three steps to effect this change:

1) Identify Your Level One Values

Take five minutes to list out the Level One values that underlie your progressive commitments. If you are an advocate: Why do you show up to work every day? What makes your difficult work worth all the effort and, too often, frustration? Why do you keep on? For non-advocates: Why do the issues that matter to you matter so much?

Try to keep your answers in the form of general values rather than specific outcomes. For instance, say: "I believe the vulnerable should be protected," not: "I want to make sure every child has access to immunizations." If you care about prison reform, is this because you believe in fairness? In opportunity? Second chances? Forgiveness? Redemption? Speak your values, not specific outcomes:

"I want to make sure government funds more HIV prevention programs."

Better: *"I believe government has a role to help support the health of communities."*

"Congress needs to pass the REAL Act."

Better: *"Every person deserves to have access to accurate sex education based on public health and science."*

Sit down with your friends and colleagues, and see what you've come up with.

2) Review and revise your materials

Once you have identified the Level One values underlying your work, look through your literature. **Are the Level One values front and center? Would a reader know right away what values underlie your organization, or would they have to wade through a sea of individual facts and statistics before taking a guess at what your organization stands for?** Values can be demonstrated by thinking carefully about the kinds of images you choose as well as the language you use.

Are your graphics complicated tables and charts tracking the decrease in HIV prevention dollars 1997 through 2003? What if they were images of HIV educators leading a group discussion or condom demonstrations?

Do your call-out quotes cite activists or other public figures calling for a "37% increase in district funding for prevention programs"? Could they instead speak of "opportunities for our kids to learn and stay healthy"?

These are just examples to get you going. You know your issue; you know your audience. Collaborate with co-workers on appropriate revisions and improvements.

3) Be Consistent

Ideas are accepted as "common sense" when words expressing those ideas are repeated often enough that they become the normal way to talk about the issue.

Progressives commonly encourage diversity of expression as a matter of creativity and individuality. But diversity of expression gets in the way of the public accepting your ideas as natural common sense.

The reason is this: *When words are repeated, the corresponding frames are evoked repeatedly.* When they are evoked often enough, they become entrenched in people's brains – like images burned into a screen. They then become common sense. This is a phenomenon that advertisers have exploited for decades, and that has enabled conservatives to control public debate. Conservatives' use of repetition is not a failure of creativity. It is a use of creativity, and a centerpiece of their strategy.