

## The Nonprofit and Lobby Intersection

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### ABSTRACT

Nonprofit organizations (NPO's) are often used as medium by which society can engage in the public policy process. Organizations that are mission driven and service centered like nonprofits may use lobbying and activism as a means by which to influence change among general society, political and government leadership as well as other organizations. The benefits of lobbying have not been fully realized by all nonprofits as currently less than two percent of nonprofit organizations exercise their right to influence legislation. There is no clear endpoint in the advocacy versus lobbying debate as it pertains to NPO's, as the line separating the two is very thin and the definitions, rules and capacity for nonprofits to engage in strong direct legislation change is very complicated. The paper explores lobbying and activism into detail and discusses the challenges faced by NPOs in their advocacy and lobbying roles using specific examples. Recommendations are made for efficient lobbying.

### Keywords

Lobbying; Advocacy;  
Legislation

### INTRODUCTION

It goes without saying that money and power can significantly impact the inertia and momentum of an issue. The same may be said regarding the passion, drive and determination as held by cause-based or social impact systems. "Advocacy is a basic right of every individual and organization in the United States and may be practiced without limit; it is an exercise of free speech protected by the U.S. Constitution" (Worth, 2017:287). Included in this advocacy definition is an "action taken in support of a cause or idea", whereas, "lobbying is action taken to support or oppose specific legislation at the national, state, or local level (Worth, 2017:287). When the two are able to work together towards a united goal, dramatic momentum can be brought about and resultant

change can be swiftly executed. However, in times when the two hold opposing positions, a resource draining battle is likely to ensue. These instances depict the circumstances surrounding the intersection point of nonprofits and lobbying efforts, which is further exacerbated by vague legislative allowances, non-transparent ulterior motives, competing priorities and in some cases, limited resources.

Nonprofit organizations (NPO's) are often used as a tool by which society can engage in the public policy process. Worth (2017:285) has noted that "nonprofit advocacy and lobbying is a fundamental pillar of a democratic society." Organizations that are mission driven and service centered like nonprofits may use lobbying and activism as a means by which to influence change

among general society, political and government leadership as well as other organizations.

In the US, corporate foundations cannot use foundation funds for direct lobbying, nor can companies reap direct benefits from their foundations. But as long as companies themselves are doing the advocacy, corporate lobbying for good does not incur any more legal requirements than does conventional lobbying. (Peterson & Pfitzer, 2009:7)

The benefits of lobbying have not been fully realized by all nonprofits as currently less than two percent of nonprofit organizations exercise their right to influence legislation (Worth, 2017). “Corporations need to forge tighter relationships with nonprofits...At the same time, nonprofit organizations that are looking for strong voices and connections should consider requesting time from companies’ government affairs staffers, rather than checks.” (Peterson & Pfitzer, 2009:9)

Unfortunately, large and well-funded lobbying groups can negatively impact, even eliminate, the success opportunities for nonprofits through the imposition of legal constraints, negative or biased publicity, or indirect limitations on the viability of the nonprofit. Examples of this can be found in organizations with strong lobby or special interest groups, such as those involved with People for the Ethical Treatment of Animals (PETA), which has directly impacted animal focused nonprofits, such as those outlined herein, whose missions are based upon the formation of mutually beneficial and potentially life-saving bonds between animals and humans. In response to these circumstances and an organizations mission driven concerns, each “nonprofits therefore should have a moral

imperative to lobby. Similarly, political advocacy has been emphasized as having a vital role in improving the social conditions of those seeking human services by social work scholars and practitioners (Taliaferro & Ruggiano, 2013:153)

Current political and social conditions would suggest that “Policy decisions will be not only top-down from the federal government, but also bottom-up from localities and spread horizontally from one state to others” (Delaney & Thompson, 2016:573).

Like-minded individuals are able to associate within the nonprofit and use the nonprofit to represent their issues. Second, nonprofit organizations provide a means for civic participation. Nonprofit organizations provide an opportunity for citizens to play an active role in the policy process. (Naylor, 2011:13)

Lobbying, therefore, is a type of political activity that may be defined as an effort designed to affect what the government does which includes activities aimed at influencing government activity beyond legislative efforts (Taliaferro & Ruggiano, 2013). As a result and as an adversely considered premise, lobbying, and as a corollary result, lobbying partnerships can complement each other in providing additional blended power, strength and recognition, therefore affording NPO’s the formidable presence needed to impact change on a regional, national or even a global level.

## **BACKGROUND OF LOBBYING VS. ACTIVISM**

The Internal Revenue Code (IRC) reports the definition of lobbying “as activities aimed at carrying on propaganda, or otherwise attempting, to influence legislation.” In Section 4911 of the IRC, further definitions for NPO’s, detail

lobbying as "any attempt to influence any legislation through communication with any member or employee of a legislative body, or with any government official or employee who may participate in the formulation of the legislation" (Taliaferro & Ruggiano, 2013:153). This

however, is not a recent development, as the concept of lobbying itself can be traced back to 1792 when the first lobbyist was hired to petition for higher Army wages (Dwoskin, 2012). See Table 1 for a brief history of lobbying.

| Period | Event  |
|--------|--|
| 1792:  | William Hull, one of the country's first lobbyists, is hired by the Virginia veterans of the Continental Army to lobby for additional compensation.  |
| 1850s  | Gunmaker Samuel Colt, seeking to extend a patent, has lobbyists pass out pistols as gifts to lawmakers and to one member's 12-year-old son.  |
| 1875   | Sam Ward, "King of the Lobby," testifies to Congress after admitting bribery: "I do not say I am proud—but I am not ashamed—of the occupation."  |
| 1946   | Congress passes the first comprehensive lobbying disclosure law, the Federal Regulation of Lobbying Act, which requires registration by people who spend half of their time lobbying.                              |
| 1976   | After Watergate, the Senate drafts tighter definitions of lobbyists, but intensive lobbying pressure prevents the measure from passing the House.  |
| 1991   | A U.S. Government Accountability Office study reveals weaknesses in lobbying laws, finding that about 10,000 of the 13,500 "key influence peddlers" on Capitol Hill are not registered as lobbyists.               |
| 1995   | The Lobbying Disclosure Act is signed by President Clinton, defining a lobbyist as someone who spends 20 percent of his time lobbying.   |
| 2006   | Jack Abramoff, former power lobbyist, pleads guilty to felony counts of fraud, corruption, and conspiracy.   |
| 2007   | Responding to the Abramoff scandal, Congress passes the Honest Leadership and Open Government Act, tightening gift rules and mandating that all lobbyist registration and disclosure forms be publicly available.  |
| 2007   | Candidate Obama announces he will refuse lobbyists' donations to his campaign.   |
| 2011   | Newt Gingrich gets flak on the campaign trail for earning millions from health-care companies and Freddie Mac as a consultant while not having to register as a lobbyist.  |
| 2011   | Former Senator Chris Dodd (D-Conn.), author of the Wall Street Reform and Consumer Protection Act, becomes Hollywood's chief lobbyist as CEO of the Motion Picture Association of America—but he's not registered. |

**Table 1: United States Lobbying Timeline. Adapted from Dwoskin (2012)**

It has been suggested that consideration for lobbying was given by the writers of the U.S. Constitution as well, wherein allowances were made for special interest groups to have the freedom to encourage government entities to

change laws in favor of their mission, or interest. Over the course of the following 30 years, government officials blamed lobbyists for failure to maintain transparency and cause corruption (Byrd, 2006; Downes, Supa, & Austin, 2017).

Throughout history, lobbyists have struggled to fight the stigmatism associated with a perception of causing unethical decision-making and an associated lack of communication and reporting for lobbying activities. Worth (2017) suggests that advocacy as it relates to nonprofit organizations is the act of supporting a cause, and covers a broad range of activity regarding nonprofits and their ability to take part in political activities relating to a cause or mission. Defined, in the broadest sense, advocacy constitutes activism in support of a cause which is intended to elevate awareness, direct public opinion, guide decision makers toward a possible solution, and change policies or practices (Prentice & Brudney, 2017). Once a NPO's staff member begins talking to government and requests something from them, or ask someone to do so on their behalf, they are engaging in lobbying and moving further away from advocacy or activism (Jackson, 2011). Legality issues usually surround the reporting of lobbying activities, not necessarily the action of lobbying.

Upon definitional review, one can easily recognize the inherent similarities between lobbying and advocacy through their defined missions. Contrasting to the boundaries of advocacy, lobbying has a distinct definition in the U.S.; "any activity associated with attempts to influence legislation, either directly through contact with legislators or their staff, or indirectly through mobilization of the masses or the populace - grassroots lobbying" (Prentice & Brudney, 2017:936). Given the overlap of advocacy and lobbying they have been used interchangeably in some nonprofit literature and it is not possible to keep advocacy and lobbying completely distinct (Prentice & Brudney, 2017). Be it through public leadership and governmental support or the direct support of public citizens, the

goal for each is to influence groups of people to support the cause in which they believe. Although there is significant strength to be found in both segments, legal allowances and the confusion related to same have historically dictated the propensity for advocating, rather than lobbying on behalf of nonprofits. As a result, the inherent strength of lobbying is not often embraced by nonprofits, thus larger scale and broader scope recognition is oft times not gained. Evidence of this is found in research conducted like that of the "Aspen Institute's Strengthening Nonprofit Advocacy Project (SNAP) which found that 50.2% of nonprofits surveyed never or infrequently lobby for or against legislation, and 58.2% never or infrequently testify at legislative or administrative hearings" (Taliaferro & Ruggiano, 2013:154).

However, nonprofits have embraced and continue to strongly encourage advocacy, through every level of their organizations. Advocacy provides the fundamental foundation, call to action and public recognition of need for an organization. In many cases, historical grassroots campaigns have provided the impetus for increased funding, volunteerism and with that, a continuum of increased awareness and visibility for NPO's. As such, U.S. volunteerism and charitable giving has experienced significant growth and participation over recent years. This is further evidenced by the following National Center for Charitable Statistics Data (Urban Institute, 2017):

- Approximately 25.3% of Americans over the age of 16 volunteered through, or for, an organization between September 2010 and September 2014.
- Charitable contributions by individuals, foundations, bequests, and corporations reached \$358.38

billion in 2014, an increase of 7.1% from the revised 2013 estimates and after adjusting for inflation.

- Individuals gave \$258.51 billion in 2014, an increase of 5.7 percent from 2013

Lobbying can be considered a portion of the advocacy umbrella by which nonprofits can direct and effect change. The nonprofit umbrella itself offers a plethora of varied groups to engage people's altruism and influence over policy; "interest groups, political organizations, mobilizing groups, public interest groups, citizen organizations, multi-issue organizations, social movement organizations, and many other organizations" (Naylor, 2011:5). When comparing lobbying and advocacy, true strengths of nonprofit advocacy comes when nonprofits use their advocacy skills to network with leaders locally to build coalitions and create new opportunities for their supporters. This public awareness building can lend itself to a cause for indirect lobbying, thus providing the foundation for government leaders to support and enact change, vote for supporting bills, and promote a better understanding of the missions themselves. The combination of these platforms, if used strategically, can further hasten social support and meaningful change.

### **MICROANALYSIS OF LOBBYING AND NONPROFITS**

There are many examples of charitable organizations, which by essence of their classification are severely limited in their abilities to lobby or engage in the political process, but can be drastically impacted, both positively and negatively, by the lobbying of others and the political climate of the moment. "Charitable nonprofits face restrictions on lobbying efforts as directly related to the tax deductibility of gifts,

which is viewed as a form of public subsidy given to the organization" (Worth, 2017:288). In some cases, there are multiple lobbying groups which may have a profound impact of the legislation affecting NPO's. Such is the case in organizations like Canine Partners for Life (CPL) and Helping Hands Monkey Helpers, both of which triangulate the issues of animal welfare, service laws, and the rights for the disabled.

Canine Partners for Life (CPL) is a nonprofit organization whose mission is to "increase the independence and quality of life of individuals with physical, developmental, and cognitive disabilities or who are in other situations of need. We achieve our mission by providing and sustaining professionally trained service and companion dogs" (Canine Partners for Life, 2018). CPL provides trained dogs to assist individuals with disabilities. As a 501(c)(3) charitable organization, CPL relies on private donations and corporate and foundation giving to fund its programs. The National Council of Nonprofits has recognized that 501(c)(3) nonprofits often enjoy more power and leverage to solve community problems by avoiding partisanship, but there is a shift to understanding their competitors and also utilizing lobbying to the best of their ability, even if that means mirroring other larger organizations (Delaney & Thompson, 2016).

Helping Hands Monkey Helpers is a: Nonprofit organization that helps adults with spinal cord injuries and other mobility impairments live more independent and engaged lives. We do this by providing them, free of charge, with a unique service animal: a highly trained capuchin monkey to help with their daily tasks. The only organization of our kind, we raise and train these special service animals,

carefully match them with appropriate recipients across the nation, and provide active support and care for the duration of each placement. Since 1979, Helping Hands and our monkey helpers have given recipients the priceless gifts of greater independence, companionship, and hope (Who We Are, 2017)

Based upon the controversial and influencing topics for each of these organizations, they are heavily impacted and sometimes reduced in scope and recipient offering due to alternate and competing missions of other NPO's. Not only does this reduce their impact, but can potentially reduce the funding availability which ultimately may lead to a demise of the organization and with that, a ceasing of critical support services. Nonprofits know when they engage in advocacy, they are essentially seeking change and this understanding goes side-by-side with maintaining their funding and understanding the ever-changing shifts in political agendas of supporters and non-supporters; change can affect inside their four walls which needs to be protected for sustainability (Buffardi, Pekkanen, & Smith, 2017).

An example of the negative implications of these contradictory beliefs within a similar demographic space (animal welfare) can be illustrated through instances wherein supporters of People for the Ethical Treatment of Animals (PETA) have harassed recipients of service dogs (Sautter, 2017). In another related example, one of the many unfortunate results of contrary missions in this landscape has resulted in Helping Hands facing reducing recipient placement options, as deep pocket lobbyists such as PETA, cause continued legislative suffocation. PETA supporters believe that animals should be free to

live without human intervention, and that there are many problems with service animals including breeding, training, potentially dangerous working conditions, and life-long care (People for the Ethical Treatment of Animals (PETA), 2018). Given recent primate related issues, PETA and others with limited recognition, veterinary training or full primate understanding have grouped all monkeys into a category of exotic animal. This categorization has caused a limitation to the states and/or state regions allowing either the transportation of or the personal care for animals within this classification. Sadly, this type of uneducated generalization continues to impact the potential recipient population. According to PETA (2018) "Optimally, humans should be relied upon for support of the disabled rather than working dogs and other animals - it is too common for animals to be exploited and abused." PETA's website is filled with information on how to lobby, specifically giving the public advice on interacting with legislators (for example, what to wear, how to communicate, and what information to present).

Recently, there has been a governmental trend to facilitate large cuts to domestic funding which would directly support reductions for programs servicing human and animal needs and that would increase difficulties in lobbying efforts at the national level pushing advocacy to the state levels (Delaney & Thompson, 2016). In the end there will be less pieces of the pie available to smaller nonprofits and the state level lobbying will be bogged down with decreased funding and opportunities for programs like CPL and Helping Hands.

Conversely, there has been many legislation changes that have positively affected the ability of animal/human bond based

organizations to meet their mission. For instance, CPL is accredited by Assistance Dog International (ADI), which is a nonprofit 501(c)(6) organization – and as such has “substantial freedom to lobby” (Martin & Scofield, 2016:38). One of the purposes of ADI is to “advocate for the legal rights of people with disabilities partnered with assistance dogs” (Assistance Dogs International, 2018). CPL has benefited by forming a partnership with an accreditation company who has the ability to lobby.

Everyday advocacy works and it’s effective in advancing a nonprofit’s mission. We see proof every day when we drive safely along roads with painted divided lines, as we drink purer water and breathe cleaner air, and in countless other ways, thanks to nonprofits that advanced their missions through advocacy (National Council of Nonprofits, 2017).

There are additional examples of this effective advocacy and co-supported effort via strong interest groups such as those representing “the ADA (Americans with Disabilities Act), the Fair Housing Act which covers service animal provisions for residential housing situations, and the Air Carrier Access Act which covers service animal provisions for airline travel” (ADA National Network, 2018). These organizations, and others like them, have all been instrumental in continuing to promote, make possible, and/or to encourage positive reinforcement for the animal-human bond and therefore, promoted related nonprofit exposure and success of their missions.

### **CONFLICTING SEGMENT ANALYSIS**

“The nonprofit sector has historically fulfilled an important role in shaping American

policy through its advocacy efforts and has been recognized as an outlet for civic participation for community members, particularly through organizations' lobbying activities” (Taliaferro & Ruggiano, 2013:151). It should be noted, in today’s environment of enhanced political polarization, the level of nonprofit lobbying has barriers and can bring risks. Barriers to lobbying for nonprofits, include time constraints, limited resources, fear, lack of understanding policy and possible negative effects on political participation (Taliaferro & Ruggiano, 2013). While reasons for registering for lobbying include furthering societal goals, lobbying across multiple policy domains and utilization of direct lobbying on several governmental levels, a problem analysis can sway the pendulum back and forth (Prentice & Brudney, 2017). Of critical note and importance, nonprofits that participate in political lobbying are not guaranteed affiliate support. When contacting a political member, “dashing off a quick letter is one thing, but spending hours or days crafting a thoughtful and substantive epistle is a substantially different endeavor” (Worth, 2017:295). Time is an incredibly valuable resource with nonprofits, as employees and volunteers need to spend their time wisely when working towards their organization’s mission. Given competing resources and enormous missions, nonprofits must carefully plan and schedule effective ways to obtain resources and funding. As a result, they must ultimately decide there is an equitable risk/reward balance in focusing efforts on a political climate where legislative support and grants may take significant time to be worth any value and are questionable funding methods at best. Nonprofits are finding that the quickest route to the heart of legislation can be through corporate partnerships with

political clout, which can save time and resources (Peterson & Pfitzer, 2009).

In 2013 the IRS “was accused of having inappropriately identified some organizations that had applied for tax exemption under 501(c)4 and subjected them to additional scrutiny based on their political affiliations” (Worth, 2017:295). Specific laws involving political activity can be vague at best and nonprofits must exercise caution when getting involved with political affiliates. The vagueness is exhibited in guideline such as this, “Lobbying cannot become substantial, which means not exceeding 20% of total budget up to \$1 million” (Hull, 2016:2).

The typical rule of thumb is that if you don’t explicitly call out political candidates by name, direct your advocacy toward a specific candidate for political office, or attempt to influence an election in any way, you are still engaging in 501(c)(3) advocacy in the proper way (Hull, 2016:2).

Although charitable nonprofits are tax-exempt under section 501(c)(3), penalties can still occur in regards to organizational activities. These charitable nonprofits must adhere to legal restrictions in their lobbying activities, however as previously highlighted, the exact definition of these activities can be broadly and pronounceable unclear. For example, social welfare organizations under section 501(c)(4) can engage in lobbying without limit however, “political activity cannot be the organization’s primary purpose” (Worth, 2017:289). From this definition alone, it is evident that rules and regulations involving charitable organizations are open for interpretation. Defining a nonprofit’s primary purpose would be stated in their organizational mission and it would be difficult to prove this wrongdoing. In addition to these unclear

standards, nonprofit lobbying laws are subject to frequent changes. Unfortunately, this volatile climate can also result in penalties for nonprofit organizations that do choose to participate in rapidly shifting political lobbying.

Another negative aspect which compounds the issues involving lobbying and nonprofits relates to donor participation and retention. Donor retention provides a fundamental basis for continued and reliable annual support from investors. With nearly 60% of donors only giving once, a significant amount of organizational funds are utilized to keep existing donors because replacing the one-time donor costs much more of an NPO’s valuable funding (Bloomerang, 2018).

Charities and nonprofits rely on predictable levels of donor retention, as the solicitation and introduction of new donors has an associated cost both in time and money, and typically is ramp based, therefore second or third year retained donors are more likely to increase donation values following an acclimation to the charity. Creating a meaningful “sticking” experience and making charity personal for a donor is only one side of the coin as obstacles to retention can come in a variety of forms and places (Crutchfield & McLeod-Grant, 2012). Donor retention can be negatively impacted by lobbying and advocacy due to the level of division created by these efforts and the publicity surrounding same, as well as, the general political positioning. This is increasingly evident regarding controversial topics wherein, “donors can be polarized by societal segments that fan the fire of confrontation like abortion, immigration, sexual harassment, same sex marriage and animal rights” (Grønbjerg & Prakash, 2017:879).

When nonprofits begin to align with political agendas via lobbying, they risk

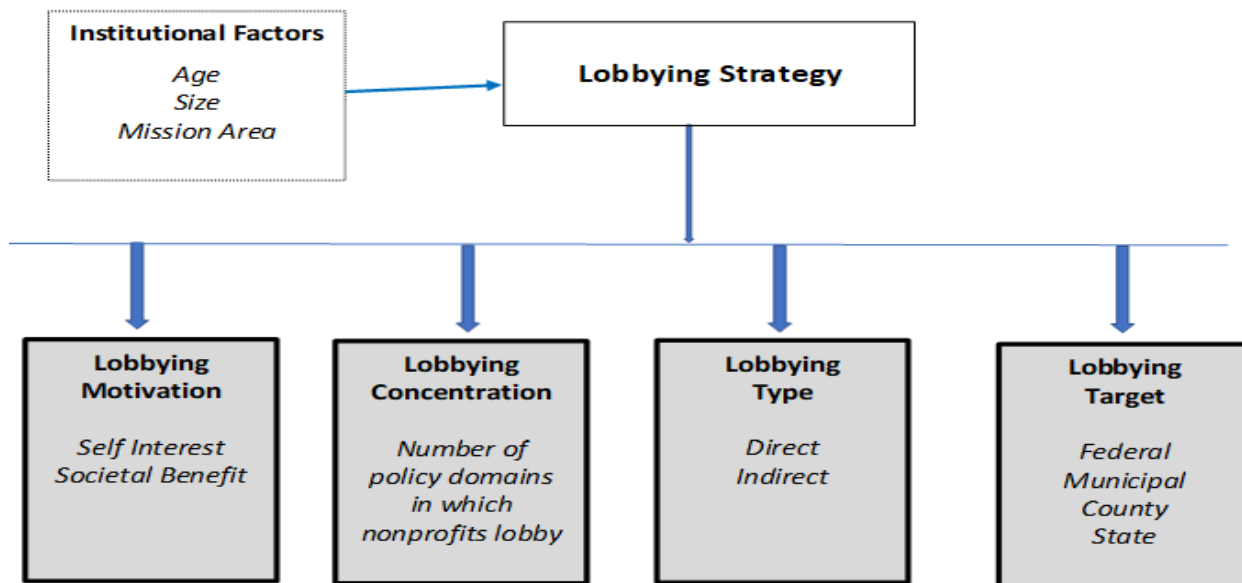


interrupting individual donor life cycles and recurring gifts, as conflicting political outlooks or agendas can negatively impact the donors support of the organization. Combining politics with charity can often decrease the warmth of giving for donors and increase agency cost (Galle, 2013). One way to avoid this fundraising issue is to support policies or political candidates in private, yet at the same time, nonprofits should practice transparency in order to create trust with their donors and increase organizational morale.

Lastly, many stakeholders in the nonprofit industry feel their organizations need to maintain

an image that is beyond reproach, and being associated with lobbying could potentially hinder their reputations (Taliaferro & Ruggiano, 2013). This perception may be altered through effective education and trending research to fully appreciate and understand lobbying and the advantages it potentially affords the organizations. Capable nonprofits not only can, but *should* engage in a robust advocacy strategy once a problem analysis is completed and assessment for lobbying is made for each particular NPO (Peterson & Pfitzer, 2009).

**Figure 1: Components of Lobbying Strategy**



©(Prentice & Brudney, 2017)

**IMPACT ANALYSIS AND FUTURE SUSTAINABILITY**

“Nonprofits have been at the forefront of every important social change in the United States from the beginning of the nation” (Worth, 2017:285). Lobbying is an effective form of advocacy and an indispensable tool that can help

nonprofits fulfill their mission. Lobbying efforts provide nonprofits the opportunity to shape legislation and advance policies that will create lasting impact for their cause. Nonprofit organizations are essential when it comes to forming a country and raising awareness of social issues, affecting attitudes, and lobbying on behalf of specific legislature (Worth, 2017). By

developing an effective strategic plan, nonprofits leverage their existing resources and build organizational capacity for shared goals and objectives. One of the main attributes in aligning lobbying or advocacy with strategic plans is linking actions with lobbying goals to connect with the overall strategic plan; coming full circle to initiate a fluid track to change (Naylor, 2011). Setting the stage with a clear plan for advocacy activities and governance institutionalizes the nonprofits commitment to achieving long standing success. The infrastructure of financial, communication and human resource strategies in collaboration with the powerful asset of personal relationships, guide best practices that strengthen the nonprofits impact.

Allocating financial resources to lobbying efforts ultimately generates higher levels of funding. Statistically, there is a significant relationship between several sources of funding - both direct and indirect - and the level of lobbying expenses reported (Naylor, 2011). Tackling the lobbying domain also brings to surface the many lobbying strategies used in meeting the mission; lobbying motivation, lobbying concentration, lobbying type and lobbying target (Prentice & Brudney, 2017). Figure 1 shows components of lobbying strategy as illustrated by Prentice and Brudney (2017). In order to successfully drive recognition, additional funding and positive legislative support, nonprofits need to expend resources towards lobbying to ultimately achieve the escalation of social causes and directed change.

Well-defined communication and tracking systems provide the framework to facilitate effective and efficient communication with a variety of audiences. Partnered with a staff or board designee as a point person, the nonprofit increases credibility as a proactive public policy

influence, attracting more donors for their cause. The activities of varied donors for nonprofits not only mold active debate, but may also influence the connection for others to participate in civic engagement and flow into nonprofit advocacy (Grønbjerg & Prakash, 2017). By cultivating strategic relationships with local government agencies, policy makers, media channels and stakeholders, the nonprofit advances lobbying efforts and fortifies the engagement necessary for success.

Intentional board development is essential to advancing nonprofit advocacy. As community leaders and stewards of the nonprofits work, board members serve as a powerful resource for expertise, guidance and network potential. A comprehensive stakeholder analysis will identify key internal contributors, external resources for creating a diversified board and will help to ensure a seat in the public policy process. Board members should have clear roles in strategic planning, shaping a policy agenda and engaging in lobbying activities. Charged with creating an organizational culture for change, these participants can enrich strategic planning efforts and take the lead in mobilizing fellow board members, staff and volunteers to be increasingly active participants in the lobbying efforts used to advance the nonprofits mission. Therefore, “Boards need to be active participants in training of nonprofit staff to align with board directives, and also influence increased investment by funders to help increase the ability of nonprofits to undertake advocacy” (Buffardi et al., 2017:1230). The organization's financial viability is influenced by the skill and knowledge of its board, its funding and resource limitations and can be heavily impacted by associated confusion around the legalities of nonprofit lobbying. Shared leadership will help to promote

transparency and the systematic implementation of the strategic plan linked to lobbying and the positive outcomes, therefore assisting in the mitigation of the aforementioned influences.

Lobbying, which according to the Internal Revenue Code, is defined as activities aimed at carrying on propaganda, or otherwise attempting to influence legislation, and has the potential to advance social issues and produce measurable change by fostering proactive and collaborative partnerships through shared social goals and objectives (Taliaferro & Ruggiano, 2013). Relationships with government stakeholders offer valuable connections to policy makers and a strong voice representative for the constituents' decision makers serve, creating a mutually beneficial partnership.

The intersection of nonprofits and lobbying brings attention to the needs of the organization, advancing objectives, increasing visibility to the public, providing opportunities to maximize media resources and ultimately to improve fundraising efforts in support of the cause. These actions not only produce social change, but also provide valuable experiences that promote the personal growth of the board, staff and volunteers in communication, negotiation and interpersonal relationship skills, therefore strengthening the credibility and influence of the organization. Lobbying can effectively compliment the nonprofits core activities and be a worthwhile way to advance their mission by establishing a sustainable model of effective strategic planning, organizational understanding and a shared commitment to social responsibility. Nonprofits should be vocal and engaged advocates on all side of an organization's issue and their "advocacy and lobbying is thus a fundamental pillar of a democratic society" (Worth, 2017:295).

## CONCLUSION

There is no clear endpoint in the advocacy versus lobbying debate as it pertains to NPO's, as the line separating the two is very thin and the definitions, rules and capacity for nonprofits to engage in strong direct legislation change is very complicated. Conversely, NPO advocacy can easily be explained using the following examples; writing a paper on a local environmental problem, organizing a pamphlet on sex education to be distributed to schools, developing a monthly newsletter with important bills on the docket for voting, or writing a congressperson about the ramifications from a pending bill on the wildlife in the district (Center for Nonprofits, 2017). Whereas, NPO lobbying would encompass these types of activities; placing an advertisement opposing road construction through a wetland that names a Senator supporting to the bill, developing a pamphlet encouraging constituents to contact the President to make a tax reform bill a priority or sending out a general mailing encouraging people to email Senators to oppose a new cabinet member on the state legislature (Center for Non-Profits, 2017).

Lobbying in general, can hold negative connotations in the minds of many nonprofit stakeholders. As a result, the shift to more value-laden terms such as education or awareness to describe lobbying behavior can open many doors to the positive endpoint of successful direct advocacy (Taliaferro & Ruggiano, 2013). "It is important for nonprofit educators to reinforce the clear message that lobbying is part of nonprofit management practice and it does not compromise the image of nonprofits to lobby"(Taliaferro & Ruggiano, 2013:165). Although advocacy and lobbying run parallel to each other, significant confusion still prevails as a result of shifting and complex guidelines, laws and acceptable practices

associated with the latter. To further exacerbate this issue are the negative connotations associated with lobbying, the complexities of associative government affiliations and potential resultant funding or donor disapproval, as a result of related core financial & time resource concerns. This plethora of factors continues to perpetuate a strong resistance to increased NPO lobbying today.

Herein lies the opportunity for enhanced NPO recognition, awareness and growth. “Lobbying is quite essential, in part because members of Congress and their staffs are not experts on most issues, and lobbyists are a valuable source of such information” (Chand, 2017:4). Although there remains confusion regarding legal separation and tax related stipulations, the most significant opportunities for effective change results in the successful melding of strengths. An NPO’s mission is to serve, to promote good and positive change, to improve our way of being and to enhance the awareness, strength and impact potential of the cause for which they believe. Through enhanced participation in lobbying efforts, strategic partnerships with associated or co-reliant NPO’s, additional focus and training on legal limitations or opportunities and/or the use of modern technology advancements, NPO’s can expand their reach, increase awareness for their organizations and as result, increase funding in a cyclical nature from which to continue their expansion. As a result, the future of lobbying must include virtual lobbying as a cost-effective way to get the message out quickly and to the masses. The social networking available in virtual lobbying can be grassroots focused to lead strategies to educate and disseminate the tools for engaging discussion between NPO members, staff

and their constituencies (Miller-Stevens & Gable, 2013).

Newer technologies such as community networking or blogging can enable an organization’s message to be far more accessible. The call to lobby can be available to almost anyone with an Internet connection, rather than just the individuals on a list (Miller-Stevens & Gable, 2013:52).

Virtual Lobbying can effectively level the playing ground for an NPO that is resource challenged and trying to keep pace with similar or larger organizations.

Although there may never be a seamless migration to a partnership between advocacy, lobbying and government support of public or socially supported causes, there remains the clear fact that individuals are becoming more vocal, more aware and more impact focused in areas that concern them. Legislative changes will need to support those efforts. In so doing, it is critical for NPO’s to become more aware of the current legal allowances and partner where possible to form stronger, more coalesced voices, without risking tax implication or resource wastefulness. Methods such as the virtual lobbying technologies and increased social networking will be paramount in order to be successful in these continued efforts, and should be a participatory factor in providing smaller NPO’s with the insight, fortitude and resources needed to be convictable in the fight for their respective organizational success.

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## ACKNOWLEDGEMENT

We wish to acknowledge the following individuals who contributed to the original research from which this paper was prepared: Samuel Eames, Kelly Lawrence, Kayana McCalla, Jeffrey Natale, and Mary Sautter. We also would like to thank Professor Robert Yawson of the School of Business, Quinnipiac University for encouraging us in putting this paper together and his valuable critique of the final draft.