



CONSERVATION
LANDS
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FRIENDS
GRASSROOTS
NETWORK

Friends Guide to

Elections

Introduction



Elections will always have significant impacts on the future of our public lands and the policies that govern how they are managed. As nonprofits it is vital that we take every opportunity to ensure those who are making decisions at all levels of government understand why public lands are so important.

While your organization cannot endorse specific candidates or political parties, there are many different ways you can engage in the political and electoral process to ensure the public, the media, and those elected to public office understand the values our public lands hold and why they are worthy of protection.

These recommendations were expertly curated by Skye Schell, founder of Yellow Tree Strategies and a leading advisor on nonprofit election engagement. We hope this guide will help you and your organization understand what you can do, how to do it effectively and legally, and why you should do it. Please also call upon the team at Conservation Lands Foundation if you have questions or need advice on how best to engage in the political and electoral process within the scope of your organization’s work.

There is no more effective voice in the political and electoral process than the grassroots, and at a time when the integrity of our democracy is being challenged more than ever, there is no more important time than now for your organization to speak truth to power.

Thank you for all of the great work you do and will continue to do on behalf of our National Conservation Lands and all who value them.

DAVID FEINMAN
Government Affairs Director
Conservation Lands Foundation

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Why do civic engagement?

How many times have you had all the right policies and filled the room but still couldn't get decisionmakers (state legislators, county commissioners, planning commission, city council) to vote the right way? Having the right policies and doing good grassroots turnout isn't always enough. Achieving your mission may require a deeper dive into civic engagement, educating voters, elected representatives, and candidates in a nonpartisan way.

Local elections are especially important since school boards, city councils, and county commissions make many critical decisions on land use and community development. Local

offices are also stepping stones to higher office, meaning that when good people – like your members – step up for local office, they may be starting a longer journey of leadership and power. Bonus: a functioning civil society is built on grassroots organizations like the Friends groups and is a key component of a healthy democracy.

Your peers in the Friends Grassroots Network are doing powerful civic engagement work. We will start with a case study from Utah to showcase how you can advance your nonprofit's mission while expanding democracy.

CASE STUDY: RURAL UTAH PROJECT

The Rural Utah Project (RUP) and its affiliated Rural Utah Project Education Fund are doing powerful civic engagement work, primarily in southeast Utah. RUP was founded in late 2017. In their words, “We’re building political infrastructure in the furthest reaches of the state to make sure that there are no decisions made about us without us.” After initially planning to focus resources in Grand County / Moab, RUP leadership shifted gears when they identified an opportunity to work with the Navajo Nation Human Rights Commission in San Juan County.

The Navajo Nation won a lawsuit against San Juan County in 2017 that resulted in redistricting and a Navajo majority in a county commission district. The Nation also won another lawsuit in 2018 that led to in-person polling places on the Nation, with certified interpreters to ensure all voters can use their voting rights.

After redistricting, the Navajo Nation and RUP worked together on a major voter registration and get-out-the-vote program, to ensure that the new Indigenous majority could use their votes and voices. RUP hired field staff starting in January 2018, and built up a team of two full-time Field Organizers and six part-time Field Organizers – all Indigenous people. One of the full-time organizers, Tara Benally, stayed on and is now RUP’s Field Director.

The voter registration program amplified a 501(c)(3)-appropriate message about why the election was so important – it was the first opportunity for the Indigenous majority to elect candidates of their choice. RUP never encouraged people to vote for specific candidates, but did encourage people to vote because it mattered. RUP went to voters where they lived or spent time, and continued that approach in the voter turnout effort. Their staff knocked on every door in the Navajo Nation

portion of the county. In addition, they led a volunteer effort to knock on every door two more times during the weekend before election day, along with bringing people to the polls by offering rides. They set up at crossroads, intersections, and community gatherings. And they advertised on KNDN and KTNN – two radios that are the main way information gets around the Navajo Nation.

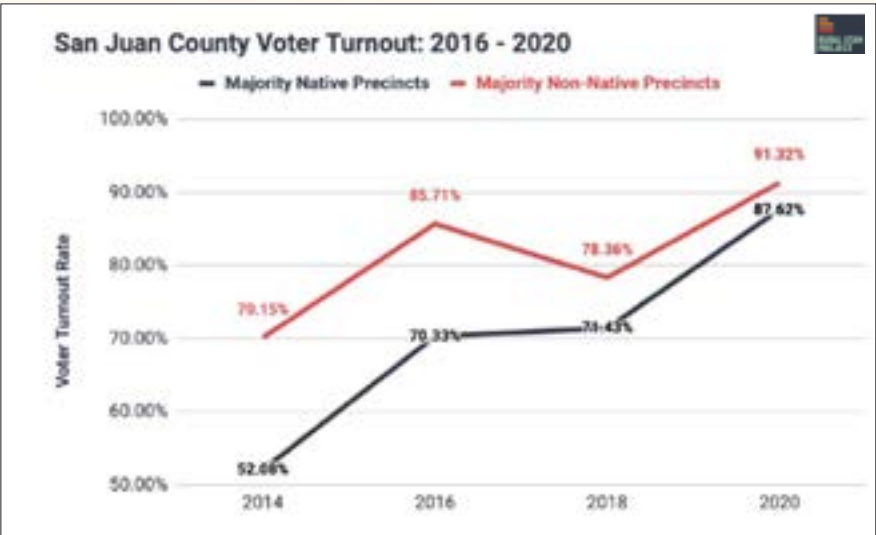
In the end, RUP registered over 1,600 new first-time voters, an increase of 40% from the typical midterm electorate! RUP's 501(c)4 wing also endorsed two Indigenous candidates for county commission: Willie Greyeyes and Kenneth Maryboy.

“There’s no reason that every C3 shouldn’t be registering everyone to vote who comes in their office and all of their activists.”

—TJ Ellerbeck
RUP Executive Director

Both elections were very close - within 100 votes - highlighting the importance of every single vote in a local election. And in both elections, Navajo leaders won, resulting in the first-ever Indigenous majority on the commission! The commission’s first act was withdrawing support from the Donald Trump’s administration's attack on Bears Ears National Monument. Their second act was to set a new policy moving county commission meetings around the county (which is larger than some states) so that more of their constituents can participate in the public process. Elections matter!

RUP is working in the 2022 elections, and as a 501(c)4 is supporting the Indigenous majority for re-election.

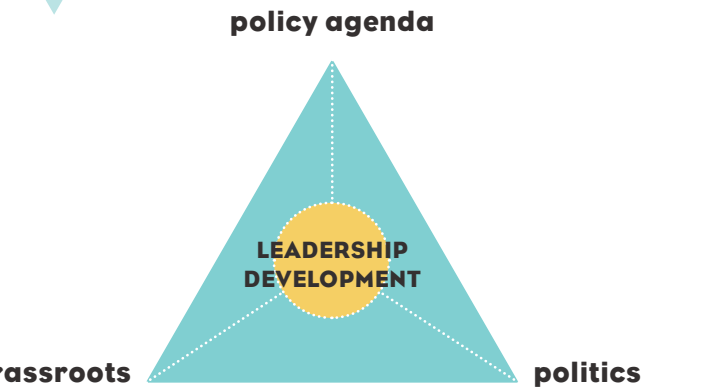


Theory of Change: Building Power

A “theory of change” is organizer-speak for “how are you going to accomplish your goals?” What do you need to do to get what you want?

One helpful framework for organizations is the Wellstone Triangle, which outlines a roadmap of how to build power. It includes creating a clear policy agenda, building your base, engaging in politics, and developing leaders. Most conservation groups do one of two of these elements – typically setting at least some policy goals and conducting some “community engagement” or “outreach.” Few nonprofits do all four elements – and those who do are often the most successful. RUP, for example, is clearly thinking deeply about all four elements and implementing them effectively.

RESOURCE: The Wellstone Triangle is from Wellstone Action, now called Re:Power. They offer great trainings on organizing, politics, and data.



Engage Early and Often: “Compliance” and Effectiveness

If you only engage in politics once every four years and try to ramp up in the month before the election, you won’t be effective. What’s more, the IRS won’t look as kindly on your work. Regular engagement in the civic process will protect you legally. It should be clear that you are engaging with your decisionmakers year-round, not just during elections.

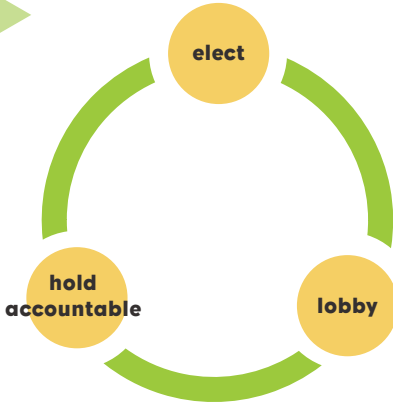
COMPLIANCE NOTE: Consult with your lawyers or call the Bolder Advocacy Technical Assistance hotline (listed on page 11) before launching new civic engagement work.

COMPLIANCE NOTE: Look for legal tips throughout this document!

The Electoral Cycle

Think of engaging with elected representatives and the democratic process as a cycle that is always repeating. Once candidates are elected to office, it’s your job to lobby them and hold them accountable. It’s the voters’ job to remain informed, to consistently show up to the polls, and to vote for candidates on behalf of their values. Again, the earlier you start trying this work, the better off you’ll be.

In this guide, we’ll start with lobbying, typically the most familiar activity for 501(c)(3)s, and then move around the electoral cycle. But remember that this work is an ongoing process that never ends.



Lobbying

Once people are in office, it’s our job to influence them to vote the right way. There is a common myth or misunderstanding that 501(c)(3)s can’t lobby. Luckily, this is not true! **501(c)(3) nonprofits CAN lobby.** The IRS restricts **how much** we can lobby, either to an “insignificant” part of our budget or to approximately 20% if you submit the 501h form.

The IRS has a strict definition of lobbying, and it is narrower than you might think:

An organization will be regarded as attempting to influence legislation if it contacts, or urges the public to contact, members or employees of a legislative body for the purpose of proposing, supporting, or opposing legislation, or if the organization advocates the adoption or rejection of legislation. [irs.gov/charities-nonprofits/lobbying](https://www.irs.gov/charities-nonprofits/lobbying)

Direct lobbying includes your staff, volunteers, and members (e.g. sending an e-blast to your membership urging them to write to a state legislative committee). **Grassroots lobbying** includes the public, not your membership (this can feel counterintuitive). There are many great courses and resource guides on how to do effective lobbying.

COMPLIANCE NOTE: Make sure you track your lobbying expenses, including staff time, and report them in your 990 tax return every year.

RESOURCE: “Being a Player,” Bolder Advocacy

EXAMPLE: RUP organized in Garfield County, Utah, to persuade the county commission to allow public comment at their meetings (which is required under the law but nobody had ever asked them to do it). Read a [letter to the editor](#) by a resident.

Accountability

When elected representatives take action, we have a critical role in holding them accountable to their constituents’ values (that means our values). We should always **thank them** when they do the right thing, and **push back** when they do the wrong thing. You can do this by taking out ads in local media after an important vote, and by publishing summaries of key votes over the course of a year.

COMPLIANCE NOTE: Do this outside of election season; about representatives (not candidates); and about specific votes (not a “voting record” overall). A “scorecard” is a C4 activity, not C3.

EXAMPLE: “Conservation Vote Round-Up 2020-2021,” Jackson Hole Conservation Alliance

RESOURCE: “Praising and Criticizing Incumbents: How 501(c)(3)s Can Hold Elected Officials Accountable for Official Actions,” Bolder Advocacy.



Elections

Now for the fun part! IRS rules scare people away but actually allow a lot. This section is organized by level of difficulty / commitment, starting with “low hanging fruit.” All of this work is covered in more depth in Bolder Advocacy’s excellent resources “[Comparison of 501\(c\)\(3\) and 501\(c\)\(4\) permissible activities](#)” and “[The Rules of the Game: A Guide to Election-Related Activities for 501\(c\)\(3\) Organizations](#).”

1. Voter education: candidate questionnaire

A candidate questionnaire is a great way to get candidates on the record about the issues that you care about and about other issues that matter in your community. Once elected, you can then lobby them and hold them accountable to follow through on campaign promises. A questionnaire does not take much time: you just have to come up with the questions, send them to candidates, remind them of your deadline, then publish the results – typically on your website with email/ social media ads pointing your readers there.

COMPLIANCE NOTE: *You have to send the questionnaire to all candidates, include a range of issues (not just “your” issues), ask open-ended questions (not yes/no), and don’t say what you think are the “right” answers.*

EXAMPLE: [2016 Questionnaire for mayor, town council, county commission, Conservation District, by the Jackson Hole Conservation Alliance](#).

2. Voter education: candidate forum

A candidate forum is similar to a questionnaire, but live (either in person or virtual). The goals are similar too: get candidates talking about your issues (among others), get them on the record, and be ready to lobby once they’re in office.

COMPLIANCE NOTE: *The rules are similar to the questionnaire: invite all candidates, ask about a range of issues, and don’t explicitly or implicitly show a preference for any candidate.*

EXAMPLE: [Teton County primary election candidate forums](#), hosted by the local library, League of Women Voters, and local media partners.

3. Candidate education: candidate workshop

A candidate *workshop* is the lesser-known mirror image of a candidate forum. In the workshop, you (and your partners) are on stage, and the candidates are the audience. The public and media aren’t there. It’s an opportunity for all the candidates to dig in to your issues – no bad questions, nothing on the record. It’s surprisingly useful, and candidates tend to love it. We have hosted candidate workshops on specific topics (“water quality, wildlife management, and National Forest development”) or general (“conservation”), and we invite all candidates for a specific office (town council, etc.). Our candidate workshops typically run for 1.5 hours.

COMPLIANCE NOTE: *Make sure to invite all candidates, but it’s okay if not all of them are in attendance.*

4. Leadership development / candidate pipeline

C3s can be a powerful conduit for candidate development by tapping into their already well-established network of passionate supporters. We can play an important role in helping people run for office by providing resume-building skills, policy training, and networking opportunities. For example, you can help your members or policy champions get elected or appointed to a county planning commission where they will gain important knowledge and experience around your issues and connect with key power brokers throughout the community. This experience will help set them up to be more effective advocates – and to run for office if they so choose.

COMPLIANCE NOTE: Building skills is completely C3-appropriate!

EXAMPLE: [Puget Sound Sage Community Leadership Institute](#); [Urban Habitat Boards & Commissions Leadership Institute](#).

5. Candidate / campaign trainings

Another rung on the “ready to run” ladder is actually training people in how to run for office – how to file, how to fundraise, how to build a strategy. One of the participants in the first training at the Jackson Hole Conservation Alliance ran for office and won a seat in the state legislature on his first try. Candidate / campaign trainings are allowed for C3s in the abstract, before people have announced they’re running for office. Therefore, you should run trainings well before an election cycle gets started, like in the fall before a spring filing deadline.

COMPLIANCE NOTE: *Once a candidate announces they’re running, you can’t help them or coordinate – at all. This prohibition also applies to “drafting” individuals to run for office (see Bolder Advocacy, “[Who is a candidate](#)”). Also, these trainings must be open to anyone who’s interested in learning more – not just your friends.*

EXAMPLE: [RUN WY](#), Equality State Policy Center; [Candidate trainings](#) by Conservation Voters for Idaho.

6. Nonpartisan voter registration

One of the best ways nonprofits can get involved in the democratic process is by registering and turning out voters, especially their members and supporters. Voter registration rules differ by state. Many states have a registration deadline to be able to vote in the election, but make it easy for nonprofits to help register voters. Other states, like Wyoming, allow registration on any day - including election day - but make it impractical for nonprofits to help. If this is the case, organizers can choose to do “commit to vote” pledge cards instead of actual voter registration.

COMPLIANCE NOTE: *You can’t coordinate with political parties or candidates - both are considered a partisan activity. You also can’t target your outreach in a partisan way (for example, targeting just Republicans or just Democrats), but you can target based on underrepresented voters (e.g. youth, people of color, Native voters).*

EXAMPLES: [Rural Utah Project](#) (see case study above), [Rock the Vote](#) (for youth), [Stoke the Vote](#) (Protect Our Winters), [Voto Latino Foundation](#).

7. Nonpartisan get-out-the-vote (GOTV)

GOTV is the next step after voter registration. Typically, only 50-60% of eligible voters actually vote. Are your members reliable voters? If not, get them to the polls! GOTV tactics can range from the simple (emailing your members with information about when, where, and how to vote) to involved (building a volunteer team to knock on doors of key voters). **Voter data** can help you decide who to reach out to – often we target voters who have only voted in 1 or 2 of the last 3 elections. Other common tactics include relational organizing / vote tripling (“get 3 of your friends to commit to vote, and make sure they do!”), social pressure (mail showing their voting history compared to a perfect record or to voters in their district), and vote plans (“what’s your plan to vote? On election day? Absentee? Do you have a way to get to the polls?”)

COMPLIANCE NOTE: Same rules as registration for targeting: nothing partisan. See also Bolder Advocacy, “[Get Out the Vote \(Without Getting off Your Phone\)](#).”

EXAMPLE: [Send it to the Polls](#) (American Alpine Club), “[WY I Vote](#)” 2020 (Jackson Hole Conservation Alliance), Rural Utah Project (case study).



8. Ballot measure support

One of the main challenges with nonpartisan voter registration and GOTV is it’s hard to get your people excited about voting if you don’t have something/someone for them to vote for. Ballot measures solve this problem with a C3-compliant bubble on the ballot. The IRS considers ballot measure campaigns to be *lobbying*, not electioneering, since the voters are technically legislating by vote. Getting a local or state-level measure / initiative on the ballot is a great way to experiment with political activities like opening a PAC (political action committee), building a volunteer team to call voters and canvass door-to-door, and registering and turning out voters for an important cause. This could take a year of work, multiple staff, and \$100,000 or more.

COMPLIANCE NOTE: *Since your time and money counts as lobbying, make sure you track it and report it in your 990 tax filing the following year.*

EXAMPLE: *Safe Wildlife Crossings PAC – a campaign that won 79% voter approval on a ballot measure to spend \$10M building a network of wildlife crossing structures.*

9. Voter data

You can do voter registration, GOTV, and ballot measure campaigns by reaching out to every person in your geography. However, you’ll be wasting a lot of precious time and money. A better approach is to use data to target the specific voters you need to reach (e.g. voters who generally trust conservation groups and only vote half the time – that’s a great GOTV audience). Various companies offer databases with voter data from the secretary of state, supplemented with additional consumer data from commercial vendors and “models” that predict levels of activism or trust in environmental organizations (e.g. the “TrueGreen” score created by the League of Conservation Voters). This data can also help you identify and reach out to new members and activists.

COMPLIANCE NOTE: *Make sure you don’t use partisan information in your nonpartisan campaigns – for example, don’t target outreach based on political party registration. Examples: Helm, Citizen Data, EveryAction / VAN, State Voices Tools for All.*

10. Consider the 501(c)(4)

501(c)(4)s are like the slightly wilder cousins of C3s. Donations to C4s are not tax deductible, but as a result, C4s have more freedom. They can do unlimited lobbying and they can engage in elections. This includes:

Publishing scorecards rating candidates’ voting records on your issues.

EXAMPLE: *League of Conservation Voters Scorecard*

Endorsing or opposing candidates.

EXAMPLE: *ShelterJH 2018 Endorsements*

Running independent expenditures (IEs) to support or oppose candidates, as long as you don’t coordinate with the candidates’ campaigns.

EXAMPLE: *OpenSecrets report on LCV Victory Fund independent expenditures*

There are many ways to set up your C4 work: you can have “affiliated” C3 and C4 organizations; you could be involved in a separate C4 with similar aims; or you could partner with other existing C4s.

COMPLIANCE NOTE: *501(c)4s may not coordinate with candidates’ campaigns. Make sure to keep a firewall between C3 and C4 work.*

RESOURCE: *“The Connection,” Bolder Advocacy*

Finally, even beyond C4s, there’s a whole world of PACs (political action committees) and direct support for candidates.

EXAMPLE: *“First Mile is a donor circle that supports progressive candidates of color in down ballot races across Washington state who are bold, transformational, and accountable to the communities they represent,” Progress Alliance of Washington.*



How to Get Started

Start small! Try something and see how it goes. A candidate questionnaire is a great place to start, or try getting your existing members to vote (and tracking what percent do vote).

Work with partners. Find other organizations in your community and host a joint candidate forum so you don’t have to do all the work yourself.

Call Bolder Advocacy with legal/technical questions: they have a free hotline: 1-866-NP-LOBBY.

Ask CLF for funding support to try out one or two of these tactics in this cycle.

Get hands-on help from someone who has done this work, like Skye at Yellow Tree Strategy (skye@yellowtreestrategy.com). You can get advice along the way, or you could even outsource some of the work so your staff capacity isn’t the limiting factor.

Start small

Work with partners

Call Bolder Advocacy

Ask CLF for funding support

Get hands-on help

Acknowledgements

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