EcoAction Arlington Policy on Advocacy Activities

1. Intent of This Policy:

EcoAction Arlington (hereinafter EcoAction) considers engaging in public discussion and promoting civic engagement among its members to influence government action as an important tool to achieving its mission to protect water, air, and open spaces in Arlington and nearby communities. Local, state, and federal actions play a crucial role in addressing the multitude of threats to our environment and are critical to creating solutions to these threats. This policy is intended to define the scope of advocacy activities that is consistent with its 501(c)(3) status. EcoAction intends to focus its efforts on issues that directly affect Arlington and nearby communities and to work closely with environmental and other nonprofit organizations to increase its effectiveness.

2. Application of This Policy:

This policy applies to EcoAction as an entity, and to members of its Board of Directors or any other person acting on behalf of EcoAction. It does not apply to a board member or EcoAction member or volunteer or any other person acting in an individual capacity.

3. Compliance with Internal Revenue Service Limitations on Lobbying Activity:

As a nonprofit corporation organized under Section 501(c)(3) of the Internal Revenue Code, EcoAction is subject to limitations on lobbying activity under that statute. Certain terms in that statute are not defined within the statute, but the IRS which executes the statute interprets the lobbying limitations for 501(c)(3) organizations as follows.

“In general, no organization may qualify for Section 501(c)(3) status if a substantial part of its activity is attempting to influence legislation (commonly known as lobbying). A 501(c)(3) organization may engage in some lobbying, but too much lobbying activity risks loss of tax-exempt status.

Legislation includes action by Congress, any state legislature, any local council or similar governing body, with respect to acts, bills, resolutions, or similar items...

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. Organizations may however involve themselves in issues of public policy without the activity being considered lobbying. For example, organizations may conduct educational meetings, prepare and distribute educational materials, or otherwise consider public policy issues in an educational manner without jeopardizing their tax-exempt status.”

EcoAction will conduct its advocacy activities to comply with these limitations.

4. General Limitations on Advocacy by EcoAction:

Section 501(c)(3) and its implementing guidance create two categories of limitations on EcoAction lobbying and advocacy activity:

a) **Nature of Activity Related to Advocacy**: Certain activity in the nature of advocacy is not precluded or limited by Section 501(c)(3) because it is not deemed “lobbying.” EcoAction intends to engage in advocacy activity within the scope of Section 5 below that falls outside the definition of “lobbying” under IRS guidance.

b) **Amount of Activity**: Certain other activity is deemed “lobbying” and therefore has to meet the “substantial part” criterion. 501(c)(3) corporations are permitted to lobby on a “limited basis,” which is generally deemed to be “20 percent of the first $500,000 of exempt purpose expenditures up to a cap of $1 million on total lobbying expenditures.” EcoAction expenditure for advocacy activity shall not exceed 20% of its total expenditure in any Fiscal Year.

5. Permissible Non-Lobbying Activities:

Non-lobbying advocacy activities by EcoAction as an entity or by individuals (including board members and other persons) acting on behalf of EcoAction that are permissible under this EcoAction advocacy policy are not limited by the “substantial part” test. Such permissible activity includes but is not necessarily limited to:

a) Efforts to make an administrative agency change policy, rules or regulations or adopt new ones.

b) Development and communication of general policy positions on an issue if the policy initiative is not a specific legislative proposal.

c) Testifying before a legislative committee on a matter where EcoAction has received a written request from the committee to testify.

d) Engagement in non-partisan voter registration initiatives.

e) Encouragement of EcoAction members and the general public to write letters, submit comments, and attend and testify at County Board or state legislature meetings.

f) Public endorsement or opposition of legislation.

g) Participation in discussions with County Board, Virginia legislators, and staff on policy development.

h) Conducting educational meetings, and preparing and distributing educational materials on public policy issues.
i) Conducting training and preparing and distributing material on how to engage in effective advocacy.

j) Serving on county or state citizen advisory groups.

k) Sponsoring or participating in candidate debates on environmentally-related topics.

6. Permissible Lobbying Activities:

EcoAction as an entity or by individuals (including Board members and other persons) acting on behalf of EcoAction may participate in the following advocacy activities that could constitute lobbying activities under IRS rules but only to the extent that in total they do not constitute a substantial part of EcoAction’s total activity:

   a) Requesting executive head of government (governor, board member) or members of legislative bodies to promote or oppose specific legislation.

   b) Supporting advocacy efforts for federal policy and legislation conducted by national organizations or sharing information about national level advocacy efforts underway by these organizations. (EcoAction will not initiate or actively pursue such national-level advocacy activities independently.)

7. EcoAction will not engage in the following advocacy activities:

   a) Fundraising for a candidate for elective office.

   b) Publicly supporting or opposing candidates for elective office.

   c) Advocating for neighborhood-specific issues, unless approved by vote of the board.

8. Setting and Executing Authorized Advocacy Initiatives.

   a) EcoAction shall establish an Advocacy Advisory Committee.

   b) The committee will identify opportunities for, and set priorities and track progress on, advocacy initiatives.

   c) Committee members shall include at least one EcoAction Arlington board of directors member and may include other EcoAction members and volunteers vetted and approved by the board.

   d) The Committee will keep the board informed of its activities.

   e) The Committee will present proposed priorities for the ensuing calendar year for board approval at the November board meeting each year.

   f) The Committee is charged to create a mechanism to coordinate with other organizations engaged in advocacy activities of interest to EcoAction.

<table>
<thead>
<tr>
<th>VERSION</th>
<th>EFFECTIVE DATE</th>
<th>SUMMARY OF CHANGES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0</td>
<td>April 24, 2019</td>
<td>Initial Release</td>
</tr>
</tbody>
</table>