

# Transcript Webinar Training on Part One: Lobbying vs. Advocacy

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>>ALLIE CANNINGTON: Good morning everyone! Thank you so much Megan, for um setting the stage with access. Uh, welcome everyone to uh, the Disability Organizing Network's part one of a two part series on advocacy and lobbying! Today is the national perspective. I'm so excited for, uh what, the...what the next hour and a half has in store for us. Both hearing from our presenters as well as uh, what all of you will have to offer via Q&A. So just in brief, I wanted to share a little bit about the Disability Organizing Network. Uh, again, my name is Allie Cannington and I'm the Statewide Community Organizer. The Disability Organizing Network is a program of The California Foundation for Independent Living Centers. Uh, and the Disability Organizing Network is funded by the State Independent Living Council in California and administered by the Department of Rehabilitation. Uh, it is one of the greatest gifts of our

work in independent living and disability rights, but specifically

independent living to be required to do systems change advocacy. The changing of systems so that there is greater access, freedom, justice, and independence for people with disabilities. Specifically with the Disability Organizing Network, we inform, mobilize, and organize people with disabilities across California to create more just and equitable systems for people with disabilities. We believe that long-term systems change can only be possible by organizing our community. Uh, but all of this falls under the umbrella of systems change advocacy. And too often the lines get blurred on what is advocacy, which is what organizations that have federal funding can do. Uh, specifically we're going to be talking about Independent Living Centers today. And then also, what is the difference between advocacy and lobbying? Uh, lobbying which we are not allowed to do with federal funds. So today again will be part one of a two part series to break down the differences between lobbying and

advocacy from a federal perspective today. And then, part two will focus on California specifically. And so I uh, again, I'm proud to introduce our presenters for the day. So first we have uh, Kimberly, and I may get your last name wrong, but Tissot. Yeah? I got it, okay! Uh, she serves as the Executive Director of Able South Carolina, uh which

serves half of the state. She and um, Able South Carolina is a Center for

Independent Living, or Independent Living Center. Uh, she currently serves as the co-chair of the National Council on Independent Living's ADA and Civil Rights subcommittee. As well as uh, the National Council on Independent Living, or NCIL's, Parenting Task Force. As well as many statewide boards and councils. Uh, so welcome Kimberly, thank you so much. And, we also have Steve Higgins is the Executive Director of Independent Associates Inc., located in East Bridgewater Massachusetts. Uh, he currently serves as the National Council on Independent Living's uh board, as the representative for Region I. As well as to co-chair of the ADA Civil Rights subcommittee. Additionally, Steve has serves several

terms as a member of the Massachusetts State Independent Living Council, the SILC. So, I'm going to let you all take it from here. Uh, but I am really looking forward to continuing to do what I can to moderate today with Megan. And, I'll let ya'll take it away! Thank you!

>>STEVE HIGGINS: Nice. Alright, why don't I grab the first few slides and uh, we'll go through that. Um, we're really excited to be here today. This presentation actually, Kimberly and I um developed this with a bunch of our, with our friends, basically the ADA and Civil Rights Committee at NCIL, and it, we started talking about this last year, long before we all started to get that letter from the Administration for Community Living,

and uh, you know, just getting back to the basics of who we are as a movement. And so, our first slide that we have today really talks about advocacy in that it's required. Uh, the Centers for Independent Living Program provides 354 discretionary grants to CILs, which are consumer

controlled, community based, cross-disability, non-residential, private, not-for-profit agencies that provide IL services. At a minimum, centers funded by the program are required to provide the following four services. Now, this probably doesn't sound like anything new to most of you uh, that are on the call and on the video today. Um, but one of the things that we felt very strongly about is, how does ACL define these things? And when we were developing this uh, entire presentation, prior to the NCIL Conference and even refining it for today. And uh, I know Kimberly has done it elsewhere, I'll be doing it later this week in Massachusetts. It's important to know exactly what the ACL is defining things as. So, Information & Referral, Skills Training, Peer Counseling,

Individual and Systems Advocacy and services that facilitate transition

from nursing homes and other institutions to the community. Provide assistance to those at risk of entering institutions, and facilitate

transitions from youth to post-secondary life. So advocacy is not just a reaction. When we started talking about that, we, you know, we started to see these things coming out and what we were hearing from many advocates in the community is that, you know, advocacy is only done in a reactionary way. Or you know, some folks got letters from ACL and there was this fear, "Can we even do advocacy anymore?". So let's just get into a couple of uh, quick slides here on advocacy and then a little but of what ACL defines. And then I'm going to turn it over to Kimberly, probably like 6 or 8 slides down here to jump into some of the, uh, some of the detailed stuff. So advocacy, it's at the core of our independent living and disability rights movement. In fact, our movement would not exist if our voices were never heard. It's just the core of who we are.

Yet as we...we've grown here, we can see changes in staff, community leadership, and laws. And many a people are being told that we cannot advocate, or let alone even mention, you know, as we put it in parentheses here, the "A" word. And what we want to share with you today

is that's not the case at all. Because advocacy is really the heart and

it's the key to who we are. Individual and systems advocacy is something that is still truly clearly defined by the Administration for Community Living. So, ACL...this is ACL's definition of advocacy, so this isn't Steve and Kimberly's uh, something that we just kind of pulled out of a rabbit hat here or something. Uh, but it very clearly states that in the context of ACL, Independent Living programs are supported through funding

authorized by the Rehabilitation Act of 1973, as amended. Yeah. Title VII, Chapter 1 of the act states: "the current purpose of the program is to promote a peer philosophy of independent living, including a philosophy of consumer control, peer support, self-help, self-determination, equal access, and then we've got in big letters here, and

individual and systems advocacy". Because ACL clearly says this. So in order to maximize the leadership, empowerment, independence, and productivity of individuals with disabilities, and the integration, and the full inclusion of individuals with disabilities into the mainstream of American society. So just you know, this is, you know, as I said, this is ACL's words, this isn't anything that we've made up. So when, when earlier this year when a lot of folks, in fact all of us, received these uh, notifications around advocacy and what we could and couldn't do, it really confused a lot of folks. And so, we felt that it was very very

important to...let's go back to what does ACL really say? And so this is, if you jump on ACL's website, look at any of their materials, this is what ACL is defining advocacy as. So, advocacy as a whole when we look

at it, um, it's...it's really just peer for who we...it it's part of exactly who we are as centers. Advocacy is an act of process of supporting a cause or an issue. So it's an act or a process of supporting

a cause or an issue. As persons with disabilities, we do individual advocacy. We work on systems advocacy. And advocacy is just that, the act or the process of supporting a cause or an issue. Advocacy addresses inequality. You know, if we weren't out there advocating for the inequalities that we all face in society right now, we'd still have barriers that, you know, out there like there, there still wouldn't be access to things like curb cuts and basic things like that. And advocacy lets our voices be heard. You know, others shouldn't be speaking for us.

Individual and systems change advocacy are different though. So advocacy really, it's just, it's the process as a whole. It's taking everything and putting it into context so that we have an understanding of what is it, what's important for us. What are we educating our community about? Um, how are we going to address the inequalities that we face in society today? And how can we still do this in a way to allow our voices to be heard so that others are not speaking...not, not necessarily for us, but about us. And that's one of the biggest challenges that we still face you know is, as the disability community, we need to be able to share who we are. Okay. So, we've got a couple pieces here that are really nice pieces. And it the...the folks that actually contributed to this are Kathy Hoell and Brad Meurrens, um who are out in Nebraska. And uh, some of you over the years have heard their names. Kathy does a lot with uh, with uh voting rights uh, at NCIL. And so they broke it down into it's most simplistic form. In what is it? Um, well...the what is it in advocacy is it's an act of supporting a cause or an issue. Any action that speaks in favor of or argues of a cause or need for change. So, it's really simple when we think about that really, it's...it's just what is it that's important to us? Why is it important to us? So that's the next thing is the why? The why is really, it's truly the only way to make changes in your community and in your life. If we, as persons with disabilities, aren't speaking out, we're...you know a lot of people just say that we're invisible. That people don't see us. So they don't hear us. And so it's powerful that we speak out as a community. And this is something that the, you know, it's important as far as the why goes.

So the who can do it? Anybody. There's no required credentials. You know, you don't have to be listed as some sort of an expert because you're

already the expert about living with a disability. You know, the most important thing is it's important to tell your story. Nobody can tell your story about who you are better than you. You know, our senators and our legislatures, they want to hear personal stories and facts from the people on the ground. They want to have an understanding of what's important to their constituents. And who best to tell them what's important to their constituents than their constituents themselves?

Sharing our own personal stories in a way that only we can. Nobody can share the experiences that we've all had with disability. Nobody can share...nobody else can share the discrimination levels that we've all felt ourselves based on our own disability and, and the things that we've witnessed. So we really truly are the best to tell our stories. They key to understand is that you don't have to have all the answers. Solutions are designed over time, in many discussions with multiple players. Which is why we can, you know, we cannot do advocacy alone. Community organizing is essential to systems change. Working together. Working together as the local independent living center. Working together with other organizations in the community. It's so powerful to be working together in partnership with others if they have an understanding of what true advocacy is and what we really can do. So the where can it be done?

We put as a committee anywhere and everywhere. The legislature, the town or city council meeting, the school, the doctor's office, social media, and anywhere! You see advocacy starts on the local level. A lot of times we think first that advocacy is something that we're only doing when we get to the statehouse. Um, or we're only going to advocate at our town hall or a city hall. But advocacy really starts out in the hallways. It starts in our local schools as we advocate for access to education. It starts in our Doctor's offices as we talk about things like having accessible exam tables. You know, here in Massachusetts it's really interesting because a lot of people say that, you know, I live just south

of Boston. A lot of people say that "we have the best, one of the best healthcare systems in the United States of America". How scary is it that in our entire state, there's only about ten accessible mammography machines? That's really scary when you think about that. So as we talk about access to healthcare, or about the experience that we all have as persons with disabilities when we go to the doctor's office and they've got somebody in the only accessible room with an adjustable table, and we have to wait an hour and a half for our appointment, because things weren't thought out about the accessibility of the next person that might be coming in. So these are places that advocacy when we talk about from an educational standpoint, where it really starts and where it really

makes sense. Social media is a great place for advocacy, but always be careful when utilizing social media. We need to make sure, you'll hear as we get into some of the other slides, and I know Kimberly is way more of a better expert on this. As we get into some of these slides. Really, how we utilize social media and how we do things in a way that we're doing advocacy versus lobbying. So it really comes down to the anywhere. The anywhere and the anyone when we're out in the streets, when we're out talking to people, that's when it should be done. You know, there's no time limits. There's no conditions. Um, anytime change is needed. And it's important to consider timing of what you advocate based on important dates on the calendar. IE, in your state, what's your legislative calendar? And even in your city. Important holidays, it's always important to make sure that we're thinking of all the members of our community so that everyone has the opportunity to participate. And sometimes we forget that there's holidays and there's things like that that others celebrate. And it's really really important that we

make sure that we're inclusive of our entire community when we get out there and when we work together as a team to do the advocacy. But more than anything, it's understanding that there aren't any time limits

or conditions. That advocacy can be done anytime anywhere. And that's really something that's ah... very very powerful. So, how is it done?

It's done through education. It's done through developing information

and communicating that information through many many different forms. It can be through the spoken word. It can be written. It can be in person.

It can be digital. And one of the places that many people forget is in the arts. You know, we have commonalities, and there's one thing that we will find... that when we talk out there, everybody likes some kind of art and everybody likes some kind of music. And those are powerful forms and powerful ways to talk about advocacy and to share what's important to us. Because even with our expertise and our own individual experience, effective systems change advocacy needs to include relationship building. In our own background research on the issues of causes that in. You know, relationship building is one of the most powerful things in advocacy. Um, it's one of the most powerful things that we can all do, and that is building strong relationships in our community. That relationship building is not just relationship in our independent living centers, in our SILCs and our state organizations. But also, throughout the entire community, with other organizations that every single one of us interacts with. Um, LGBT... [mumbles] bleh, LGBTQIA organizations, as we talk about

intersectionality. Others that we talk about. Parents organizations that are working with uh, you know, with our young kids in schools. There's so many places that we can work together and develop relationships. Um, we have a small group in our area and it's parents that they recognize that there were like five families all of a sudden with young children who had

Down Syndrome in a local school. And they didn't know how to get together. So it was an opportunity to start to bring parents together to see that we're not in this...we're not in this alone and we're working together towards a cause. So I'm going to turn it over to Kimberly for the next slide.

>>KIMBERLY TISSOT: Hey everyone! Uh, this is Kimberly and I'm here today.

Uh, and I am really excited. I don't know, this has become my favorite

topic to present about. Because I truly believe that um, we do... we do need to do both advocacy and lobbying. Um, but I want to reassure you that they are very different and that today I'm going to show you how you'll be able to do both. So what is the difference between advocay

and lobbying? First we're going to cover lobbying. So, CILs cannot lobby with subchapter B & C or any federal funding. So, with any type of federal grant, you're always going to set an...and even state grants. You're always going to sign something that you're not going to be using the funding to lobby. Um, and this is not new. This is something that we have been doing for years and years and years. Um, so when the ACL um FAQ came out, um a couple months ago, it should not have been that surprising to people um that we cannot lobby. Um, CILs and nonprofits can lobby with

unrestricted non federal funding. So that's funding that you may get for

fundraising, fee for service income, um that type of activity where you want to build um, your um reserve, your unrestricted funding so that you could uh set aside some of that for lobbying activities. Um, during the next couple of slides, we're going to talk about, um, how to document your lobbying activities and how you...and kind of what again, it means.

But, I'll give you a little bit of a hint too. What, what we do at our organization, and we do lobby, and we do systems advocacy, um, but we treat lobbying as a completely separate program. So we...it has a separate funding source, which is unrestricted funding set aside. I budget for lobbying in here. Um, and it's documented on every single thing that we do when we lobby. So I will get to kind of the um, the admin pieces of lobbying shortly. So, these are the definitions of the

lobbying and and advocacy and what those mean. And just for accessibility purposes, I am going to read the slides. Um, so lobbying is an act of engaging with local, state, or federal government officials and government agencies including elected officials, their staff, and other government employees with the intent to influence, so remember that word to influence, or, it can also be your ask, for funding, support for or opposition to a particular issue or piece of legislation or potential appointment. Um, advocacy is the act of engaging with government officials and agencies, including elected officials, their staff, and other government employees to educate and provide technical, factual,

and nonpartisan information about relevant issues. So quickly, what you can remember is lobbying is your ask to influence, your ask. So you're asking something when you lobby. Advocacy is when you're educating.

When you're providing an education. So for example, you're providing education on how the disability community may be impacted by a particular piece of legislation. And then there's direct and grassroots lobbying.

Um, so direct lobbying is an attempt to directly influence or act...any actions by federal, state, or local legislative or executive branches.

Lobbying government officials as in the example above is considered direct lobbying, so when you're directly asking um...uh, a legislator or their staff for something, that is direct lobbying. No grassroots lobbying, and I did see a question come up earlier about grassroots lobbying, is...it's indirect lobbying and it includes efforts that encourage members of the public to contact your local state or federal elected officials urging their support or opposition of a specific issue or piece of legislation. So in effect, grassroots lobbying involves a federal grantee encouraging stakeholders to lobby. So that is also unallowable. So both direct lobbying and grassroots lobbying is unallowable with federal funding. Including part C and part B. Um, so...so that grassroots lobbying kind of going back, is kind of encouraging...and I think, I see a lot of action alerts from centers and different um organizations, I hope they're using unrestricted funding for that. But it is...it is that particular engaging your consumer base to act on a particular policy, and you're kind of giving them a position up front to act on. And so, I'm going to give you a little bit of an example of how you can do action alerts without encouraging your consumers to go one way or the other. So I'll give you an example in a little bit. So every year um, and I think we all just signed this, all the Executive Directors, um, you do a certification regarding lobbying. Um and you have to sign a form every year before they'll give you your award, uh for part C and part B. Um that makes the promise that you are not going to use your federal funding for particular lobbying activities. And so, we sign off that we are not going to improperly influence activities regarding obtaining grants, contracts, cooperative agreements, or loans. So we're not going...to the, this also means going to our statehouse and asking for state appropriations for centers for independent living. So we can't do that with federal funding. Um, attempting to improperly influence an employee or officer of the government, or attempting to influence outcomes of federal, state, or local elections, um through in-kind of cash contributions endorsements or publicity. You're also not contributing to the expenses of a political party, campaign, or political action committee or you're attempting to influence votes for or against specific legislation. And I know that one is probably closer to all of us than, than any other part of lobbying activities. Um, so we'll go over how you can do that without direct lobbying. And then again, all part B and part Cs are required to sign this annually, so we've been signing this for years and years and it's been saying that we're not doing these activities. So and then this is the OMB Circular, 2 CFR Part 230. [Laughter] And this also explains what is not allowable with federal money. And so again, it really breaks out that any attempts to influence outcomes of any federal, state, or local election, referendum, initiative, or similar procedure through any in-kind cash contributions, endorsements, publicity or similar activity. We cannot establish, administer, contribute, or pay the expenses of a political party campaign, political action committee, or in other organizations established for the purpose of influencing the outcomes of elections.

So, sometimes as much as we like that person whose running for governor,

we cannot endorse him with federal funding, him or her or they. We cannot endorse them with federal funding. And then any attempts to influence the introduction of federal or state legislation; or the enactment or

modification of any pending Federal or State legislation through communication with any member or employee of the Congress or State legislature, including efforts to influence State or local, so this is local as well, which means your city council, um all your mayors, um to engage in similar lobbying activities or with any government official

or employee in connection with a decision to sign or veto enrolled legislation. And then also just more unallowable, and then I'm going to get to the allowables, I promise you guys. Um. Any attempts to influence the introduction of Federal or State legislation, enactment or modification of any pending Federal or State legislation by preparing, distributing, or using publicity or propaganda, or by urging members of the general public or any segment thereof to contribute to or participate in any mass demonstration, march, rally, fundraising drive, lobbying campaign, or letter writing or telephone campaign. Or, legislative actions activities, including attendance at legislative sessions or committee hearings, gathering information regarding legislation, and analyzing the effects of legislation, when such activities are carried on in support or in knowing preparation for an effort to engage in unallowable lobbying. So this is really when we are influencing um bills, uh when we're going and testifying for or against a piece of legislation.

Um, when we're doing grassroots lobbying, when we're um asking um our consumers our members to go and um ask a representative to vote one way or the other against or for legislation. So now we will go into questions

and answers. Before we go to the next part.

>>MEGAN COWDELL: Great, thank you Kimberly and Steve. Uh, so we have a question actually that just came in, I believe about your last slide, Kimberly. Um, from Benjamin. And he wants to know: "Does this also apply to local legislators? Um, for example a Board of Supervisors?"

>>KIMBERLY TISSOT: It does, it does. So we cannot do local um. We cannot do any lobbying activities with local, State, or Federal folks.

>>MEGAN COWDELL: Um, we have a question here um, from Charles. And I believe you did cover this, but it says: "Advocacy can be encouraged...

uh can advocacy be encouraging others to write letters of support, um to the State or Congress?".

>>KIMBERLY TISSOT: So yeah, so that could be grass...that's grassroots lobbying, when you ask for letters of support for a particular piece of legislation if that's the question. Um, so that would be grassroots lobbying. Um, but and I'm going to talk with you a little bit about this, but what you could do, is you could ask your um consumers to share how a particular bill would impact them. And they could share their story.

And that would make that education. So they would educate the legislators

about how a particular bill um, would influence uh the disability community.

>>MEGAN COWDELL: Good, I hope that answered your question, Charles. If not, let us know. Um, and then we have a statement or question here from Maria. Okay. So, Maria wants to know: "It would be wonderful if possible to simplify the really long uh bullet points uh to a more concise and clear answer. Is that something that we can have?".

>>KIMBERLY TISSOT: And Maria, what I'll do is um, I am not an attorney, um and so therefore...and I'm in South Carolina, and I'm just used to not interpreting any kind of laws for anyone because I could actually be prosecuted for that in our state. Um, so I...and I'm and so what I've done is also just listed the exact uh language that is in the OMB Circular. Um, but what I'll do is I'll try to um go through each of those a little bit better and try to give examples of what each of those means.

>>MEGAN COWDELL: Uh, and then Ron said: "It sounds like grassroots lobbying also includes signing your center to support or oppose letters.

How do we get around that?"

>>KIMBERLY TISSOT: So again, um you're exactly right, that is grassroots lobbying when you ask somebody to um, sign or oppose or support any type of legislation um. So what you would do to get around that, and that's exactly what...hey, we do this everyday. [Laughter] Um, we do both, um but we uh sometimes we use our lobbying funding to do that, which is our unrestricted funding to ask for them to support a particular legislation, especially if we wrote it. Um, but what I would recommend is for people to actually um have their consumers again, how can we educate? You can write a letter to the legislators and tell them how a particular bill

would impact the disability community without asking them to vote one way

or the other. Um, so you can educate them on how a piece of legislation um can impact us um, versus asking them to not vote for something because of x, y, and z.

>>STEVE HIGGINS: Right, and we do the same here um at our center. And one of the things that uh, that we started doing especially with uh, some of

our younger folks in our youth program, is really sitting down and working with them on how to write the letter. You know, how to do this in an appropriate way. And uh, it's really become powerful because at the same time, not only are you teaching someone how to be a self advocate, uh but uh, you're empowering young folks to really become part of our community, have a whole understanding of everything that we do.

>>MEGAN COWDELL: Perfect! And it looks like we have a follow-up here from Charles. So he says: "If I provide education on a bill or other legislation, can I ask or recommend the individual share their stories with appropriate officials? Um, is it okay to give them the addresses to write to?"

>>KIMBERLY TISSOT: Absolutely! Um, so you're assisting them with um, with

self advocacy, what Steve said too. You're assisting them with, uh, educating um uh a legislator on how that bill uh, would impact them. Now what would become lobbying if if your CIL, your ILC, will...would ask your consumers to tell the legislators to vote no on a particular bill, or to vote yes. That would then be lobbying. So remember, asking...you don't want to ask your consumers, you don't want to ask your um, legislators to um vote one way. Um, but you want to educate. That's the key, is to educate.

>>MEGAN COWDELL: Perfect, so much good information today. Uh, we have a question here from Dolores, she wants to know: "Can an ILC staff member attend a local political candidate's event outside of working hours on their own time as a private citizen? Will that have any implicit conflict

of interest?"

>>KIMBERLY TISSOT: Dolores, you may want to check with your Executive Director, but I'll tell you what we do at, at our center. Um, our staff can absolutely go do this on their own time, just as long as they're

not talking about our organization um, and as long as they're not wearing like an Able South Carolina name tag or t-shirt. Um, but they are more than well...more than welcome to go um as a private citizen to go use their voice um to be...and to go support a candidate.

>>STEVE HIGGINS: Well, and that also goes back to that uh, famous piece that uh Justin Dart taught us all about um getting involved in politics as if our life depends on it. You know, our local legislators and folks

that are out there. Um, you know, when we go home from work, you know, our local legislators are folks that are running campaigns, and it's

powerful for someone with a disability to participate in that campaign, because you're sharing so much stuff about the disability community just by being you. And just by being there, and being part of that. So after hours, whether it's holding a sign on a corner, as long as it doesn't have Independence Associates, like my shirt on it, or something like that, that's really okay because that's...that's really us as persons exercising our own rights. So, and it just speaks highly of who we are.

>>MEGAN COWDELL: Thank you guys. And we have a question here from Maria,

and uh she says "Could we create a simple template letter and inform the consumer how the issue is affecting the community and provide an ask to sign the letter that is in favor or against the issue or bill?"

>>KIMBERLY TISSOT: Now that would be grassroots lobbying, um if you did that. And so that would not be allowable because you are asking them to support um or vote against a piece of legislation. Um, so what you could do in that situation is you can do an action...like you can do a action alert type of activity...like type of email blast. And what you would want to do is you would want to uh, you know, talk about the issues that the bill could present to the disability community. And you could give, you could support them with writing, you could support them with contacting a legislator, by providing their information. Um, but you would not want to ask them to support one way or the other. So they would kind of, they would make that decision for themselves whether they support or oppose that piece of legislation.

>>STEVE HIGGINS: One of the challenges sometimes too in that is just having the understanding of not having the ask. You know, that's the key piece. Is you write your template and write your letter, it's developing a good template and letter that does the education piece of it, and making sure that the ask piece isn't there, because the second that we put the ask piece there, then it turns to that lobbying, whether it's grassroots lobbying um or systems lobbying at your center, that that's when it turns to lobbying. You have to think of when you put the ask in, is where that happens.

>>MEGAN COWDELL: Okay, so we have a few follow-up questions here. Ron wants to know: "Just to be clear, we cannot wear our center's shirt while

doing a legislative visit or attending a town hall? Is that what you're saying is lobbying?"

>>STEVE HIGGINS: No, um you...you can wear your shirt. I wear mine at the statehouse all the time here in Massachusetts, and when I'm out at the town hall. It's just whether or not you're doing an ask, or whether or not you're educating. If you're doing an ask, then you're lobbying. If you're educating, and when you're teaching about what's important, and

sharing your story, you're advocating. You're not asking a legislator to vote in a particular way, or you're not asking an influencer, so to say, to say yes or no to something. So you can clearly, you know, be proud of

who you are and where you work. And don't be afraid, um, to show up at the statehouse you know, as a team together. Um, and to do that. But uh, when it... when it becomes lobbying, always remember, is when you do the ask. So make sure that you're not doing the ask wearing your shirt. [Laughter]

>>KIMBERLY TISSOT: So...or or when you're supporting a candidate. So, um or supporting a particular political party as well. So, um, so that's when, you know... you better be careful. Um, like when you're going maybe to a rally, to go support, uh, um... uh a candidate. That's where you want to be careful with your shirt. But I mean, go to, go to your statehouse and proudly wear your shirt to educate um lawmakers about what your center does. And um, or, you know, what some of the barriers are that are impacting citizens with disabilities in your state. Um, you can educate all day long. In your shirt! [Laughter]

>>STEVE HIGGINS: Nice! [Laughter]

>>MEGAN COWDELL: Thank you guys! And it looks like we have one last follow-up here from Charles. So it looks like he's asking, um: "Would advocating...could creating a template for the individuals to share

their experience be included as advocating?"

>>KIMBERLY TISSOT: Absolutely! I think that is, that is educating, so

you're encouraging self-advocacy during that moment, you're encouraging people to use their voice. You're encouraging them to educate. Because again, if lawmakers do not hear from us, they're not going to know how the negative and positive impacts of particular pieces of legislation. So absolutely, like that is absolutely fine and...I'll show you in a little bit kind of how we've done an action alert like that as well.

>>STEVE HIGGINS: And sharing your personal story, we we talked about that, and we're even going to allude to that you know, a little later in the presentation. Is so powerful because it's your personal story. And you know, when you're sitting down and talking to your legislator, and

you're talking to...you know, whether it's a member of Congress, whether it's the State legislature, whether it's your Mayor or School Committee, or others. You're sharing your personal story in a way that no one else can share it other than you. And that's the power of that. And that's you know, that's you know, many legislators will tell you that they've made a decision on how they are going to vote based on somebody's personal story.

>>MEGAN COWDELL: And just following up on that, Pilar wants to uh confirm, "Telling a story is counted as advocating or educating, correct?"

>>KIMBERLY TISSOT: Yes. Advo...that's not lobbying.

>>MEGAN COWDELL: Perfect. And then Richard says: "Uh, is it okay to lobby on a personal issue outside of the Independent Living Center, or am I never able to lobby because of my job?"

>>KIMBERLY TISSOT: You can lobby outside of your position, um so you can absolutely. Might want to check with your state, um laws though, because there are some states that if you talk with a legislator, you have to be a registered lobbyist. Um, so making sure you check with them first, um, and then also um if your center does lobby, as well. You know, I...I want to be very mindful to say this, that centers can do both, they just can't lobby with Federal money. So if you're using part C or part B, or any type of Federal, other Federal grant, you cannot use that money to lobby. But if you do have unrestricted money, from um from um fundraising or whatever, you can lobby. So our center for independent living um, and we've had an ACL comp review and all that stuff, and so they've seen our

activities for lobbying, um, and we were given a thumbs up for it. Um, but we...we lobby with unrestricted funding, and I'll tell you it's very

little money, we do have a private contractor that we use. And so we spent um last year I believe about $24,000 on lobbying, and we wrote

and passed legislation. Um, and so that is, you know, that is something that you can do, but just remember not with Federal money. And not without, you want to definitely make sure that your ED is involved um, to before if you have questions about any type of lobbying activities as well. So to see CILs lobbying, they must be using unrestricted funding.

>>STEVE HIGGINS: And that's really the key, the unrestricted. That word

unrestricted is so powerful, because even sometimes we all get, you know, many of us get grants from our State, sometimes from our County and other places, and those are also places that you should not be utilizing those dollars. It needs to be unrestricted dollars that you're using in your lobbying. Um, you know, so we're not just talking Federal dollars here, you know, understand. Um, because all of our State and County dollars many times also come with rules that are very similar. And so we need to make sure that we're following the rules of how we receive those dollars. And when we are, when we are lobbying as a center, making sure that we're clearly documenting and clearly using our unrestricted funds to be able

to do that. Because nowhere does it say that we can't lobby. As long as we're using unrestricted funds, we can do that.

>>KIMBERLY TISSOT: And and so...and I'll show you some examples in a little bit too of how we document our lobbying activities. So, even if I call and make a phone call to one of our legislators, I document my time on my time sheet as lobbying, which is then connected to our unrestricted funding source. So I document every penny that I spend everyday, um with any...all my funding sources that we use, but when I do lobbying, I'm extra careful with making sure that I have a note on my time sheet um, that I have supporting documentation backing it up, so that if ACL does ever come and make a site visit, I will be able to very much clearly show them how we lobby um, with unrestricted funding. And that we do not use any Federal funding, um, during our lobbying activities. Yeah, and I'll also be at the APRIL Conference presenting with ACL on this topic, um, is it next month? It is next month. [Laughter] Um, so I'll also be there for um questions and answers as well. Um, if any of you are planning on attending the APRIL conference.

>>MEGAN COWDELL: Thank you both so much. Uh, we're going to go ahead and take one last question before we move into the rest of the presentation. And Elizabeth Campbell has her had raised, so go ahead and uh ask us your question, Elizabeth.

>>ELIZABETH CAMPBELL: Hi, um... can you all hear me?

>>STEVE HIGGINS: Yes!

>>ELIZABETH CAMPBELL: Okay, perfect. I, this is a quick question about um, whether or not you're going to go into action alerts, um, later in the presentation, because I uh have some conflicting information from a training that I received from Alliance for Justice, and what constitutes lobbying or not lobbying in action alerts.

>>KIMBERLY TISSOT: Yes. So I will actually give you an example of how we put out action alerts, um, and it wasn't about a particular um legislation, but it was about an incident that happened with a person in our state, um in our community, and uh so I'll show you an example of

kind of our wording that we used. We, um when there is particular legislation issues on a bill, um, our action alerts are just specifically

education, and does not, there is no action required, um necessarily.

Unless the individual wants to educate their lawmaker about the impact of a particular legislation.

>>MEGAN COWDELL: Great, thank you guys! We're going to go ahead and move on to the rest of our presentation. Please feel free to send more questions in the chat. We will hopefully have time at the end for some more Q&A time.

>>KIMBERLY TISSOT: So in um, so we are going to show some examples of what advocacy looks like and what lobbying looks like on a particular topic. Um and so Allie helped to create these too, and so um we will, we'll start comparing just so that we can all get a handle on exactly what this looks like a little bit. So...so here is an example of what

advocacy looks like. Um so, a non-partisan fact-based presentation on research and data to Federal representatives about the impact of Money Follows the Person. And so this is just an example, and it's um, and it just...in a non-partisan and fact-based way, the resources that were or were not available to people with disabilities. So if we go and we talk about how many individuals were able to transfer from a nursing home or State institution into the community, um and the better quality of life about the program. That would not be lobbying. Lob...when it would be lobbying is asking the representative to support or introduce a legislation, or support issue, or allocate funding to a program such as

Money Follows the Person. So what would cause that education to turn into advo...to turn into lobbying is if I would say "Well this is the benefit of the program, and I'm asking you to please support Money Follows the Person." Um, that would then cross that line to lobbying. But if I go in there and educate about the benefits, maybe have people talk about their life living at an institution, and educate them of how the quality of life, the State savings that Money Follows the Person provides, that is advocacy. So participation, so this is advocacy, what advocacy looks like. Participation in a march, demonstration, or rally that will not endorse or condemn a particular piece of legislation or legislature. And so, because the grantee may not be able to anticipate whether the event will involve lobbying, grantees are strongly encouraged to review their Annual Notice of Award and consult with their project officer before participating in any such activities. So don't, really, if you have questions about your, a marching or have questions about um, uh um, any type of demonstration, uh you may want to check with your Executive Director and have them check with their, their grant um, the Project

Officer. But participating in um, like Disability Pride events, that is not lobbying, um we're coming together as a community to um, promote disability pride and intersectionality within the whole entire community, we're trying to bridge that, bridge that connection. So that is advocacy. Now lobbying would look like, um, participation in a march, demonstration, or rally that does endorse or condemn a particular piece of legislation and or legislature. So, a great example of that, and we're

going to talk about civil disobedience in a little bit, is the fight that it took to save our healthcare. Um, they were 100% lobbying, but boy did we need it! Because they saved, they saved a lot of lives when we were able to save the Affordable Care Act. Um, but that was lobbying, when you saw people getting arrested, for um protests and demonstrations, the lock-ins. Um, that is lobbying. So an exa...another example of advocacy

is to inform the community of proposed changes that would impact them. Communication should be factual, technical, non-partisan, and related to

the specific topic. Um, so, a couple years ago, um, we passed well, we passed something that's called Employment First for our state. And Employment First is the idea of um, that people with disabilities when given the right uh...right to be employed, and that program, State supported program, will offer that as, as an option for employment. And so, we gathered um, individuals up to share their um, the barrier that it's taken them to become employed. Um, and so that was something that they were able to educate um, the State, they did not support, they did

not say to vote for Employment First, or vote against it, um they really just kind of highlighted the barriers that are currently existing in the system um, that is preventing them from being employed. Um, lobbying would be to inform the community about proposed changes that would impact them and ask them to say yes or no to legislators or government agencies.

Um, and so that, you see a lot of that uh, in action alerts. Um so, Vote No, you know tell your, you know, call your congressman to tell them to vote No, um that that is lobbying. So, another example of advocacy is

creating and sharing an online or in-person pledge/petition that asks for people's commitment to as specific issue, such as Disability Vote, Long Term Support Services, etc. Um, so asking them, um, to provide their examples of that, um. So, and it would not be a...for a particular piece of legislation, but it would be, you know, Pledge Yes if voting rights is important to them. And then, that information can be used um, to educate legislators. Lobbying looks like creating and sharing an online or in-person pledge, and has specific asks of Government officials or agencies. Um, so that. I'm trying to think of an example of that. Um, I guess uh there was a, I think um, Steve, there was a pledge against the ADA um, re-authorization Act, right?

>>STEVE HIGGINS: Yeah

>>KIMBERLY TISSOT: Um so, what was encouraged were people to sign-on that

would directly oppose a piece of legislation, and somebody could go and say "hey, we have 25,000 signatures of people opposing this particular

legislation." Um, but that would be lobbying, because what are we doing?

We're asking people um to, we're we're really influencing people to vote one way or the other. Or to support an idea. Okay, so this is my example of an action alert. Um, so a couple of months ago, well, in January actually, um our State um, one of our State mental institutions. Unfortunately we still have them and we are trying to advocate against them and for them to close, um, but one of um, our own people in our

community were, were murdered. In, um, an institution by care staff. Um, so we put out something that we called an action alert, and I don't think we necessarily called it an action alert in the email, um, but it was to share information or um, let's educate legislators or something like that, uh, was in the wording. But, the example is, and just for accessibility reasons, I'm going to read it. Um, uh it... the top of it said: "Disability Rights are Human Rights." And then it said: "This weekend, the State reported that William Avant, a man with psychiatric disabilities, was tragically suffocated to death by mental health staffers who restrained him. At Able South Carolina, we are appaled

to hear of this fatal mistreatment of an individual by professionals who are trusted to provide care. According to the State, a House Legislative Oversight Subcommittee has held nine hearings to review the Department of Mental Health's policies, operations, and budget, and have not once questioned the department about William's death. State agencies need to be held accountable through these oversight committees to prevent further tragedies like this one. If you want to speak up for William, and people with disabilities across South Carolina, feel free to share your voice and thoughts with your legislators through this form." Um, and we used something that's called [inaudible], and it does connect with people's legislators. But they are, that is what assists them with connecting to the legislators. So we did not ask them to vote one way, we asked them if they would like to speak up for this person who is no longer on this earth, um, because of abuse and neglect, or, if they want to feel free to

share their voices um, as as a member of the disability community, uh, to use that opportunity to reach out. Um, so that is an example. So what this could be um, is, we could have turned this around and made this more of an action alert, um to create, uh legislation around this particular issue. Um, we could have also said you know, to...had them to voice how appalled they are as well, um, by contacting the Department of Mental Health, contacting legislators. But we did not really put that in their thought process, um of one way or the other, um we were very careful

with wording here. Um, and then again, it's all about the ask. What you're asking. Who you're asking. And what you're asking for. Um, that is always going to be lobbying, so remember that. Um, uh...and when you're putting a piece and an idea into somebody's head as well, so when you're saying. Um, a great example of that is, you know, the um...I'm trying to think of a horrible legislation...HR 620 was horrible. Um, I think we're always gonna fight against ADA bills that are against the rights of people with disabilities. But, if we say, you know, this...contact your legislator to vote against this bill, um because it is a violation of people's rights. You can't say, ask...you can't ask them to contact their legislator. So you can provide factual statements about what a particular bill can do, um, and you can say "If you want to connect... if you want to voice your concerns, here's a way to do so." So um, so this is a little bit more about lobbying and what is allowed, I told you I was going to get to what is allowed with Federal funding. [Laughter] Um, so, technical and factual presentations on topic, topics directly related to the performance of a grant, contract, or other agreement in response to a documented request. Um, and so this would be if your state legislators are wanting to know if, if your state gives funding to IL, if they're wanting to know um, know the outcomes of the services that you're

providing, you can go and present that to your state. You can also present that to the Federal government. Um, information must be readily

obtainable and readily put in deliverable forms. Now remember, you

always want to show, you always want to have supporting documentation that you are not lobbying with Federal funds. You're always wanting to have documentation if you are lobbying with unrestricted funds. Remember to, whatever you are presenting to um, legislators, whatever you're writing them, that you do keep it. And that you file it in in appropriate

place. Cost of travel and lodging or meals are allowed when incurred to offer testimony at a regularly scheduled hearing within a written request. And so, that's the key word here, is a written request. Um, if you go to a hearing, um a Senate hearing or House hearing, and you're offering testimony without a request, um, from a legislator, then that is lobbying. But if a legislator is asking you to come and provide a presentation on the impact a bill will have on the disability community, that would not be lobbying, and therefore you would be able to use um,

your travel costs, your lodging, or meals. Lobbying within limits set by the IRS related to your non-profit status, and I'm going to share the link with you in a little bit, um, but you can also. If a non-profit organization lobbies too much, they can actually lose their 501c3 status, and so there is a calculation that you would want to put in, um, and it's

a relatively high calculation, um. But you would want to just make sure

that you're not using too much, even if it's unrestricted um, and it'd have to be unrestricted funding. But even if you're using too much

unrestricted funding, it could um, it could hurt your ability to keep your 501c3 status. And then just careful considerations when lobbying.

Check with your state laws regarding lobbying, um, and so...and then you're going to hear more about this for uh, I guess for the part two, the California perspective. Um, but learn...you'll definitely need to learn about what your responsibilities are for reporting, and or registering to be a lobbyist. Um, you may need to register at your

State Ethics Commission, and report often about lobbying activities. Um, so in our state, we're required to report how much we spent on lobbying

activities a year, um, and also our activities. And we're supposed to actually do that quarterly. Um, and if we don't do it quarterly, then our lobbyist would lose his, his license to lobby. You may be required, again, to register as a lobbyist. Um, document your lobbying activities in your database system, time sheets, mileage, receipts, etc. to show how no Federal funding was used to pay for your lobbying activities. And then also, educate your staff about lobbying rules. And I think I have a sample policy as well. Next, um. Plan and prepare to show documentation of lobbying activities you will need to show that you were, um, you

were using other Fed...using other funding than Federal. Um, so again um I think I'll show you a time sheet, but um, my uh Financial Officer in our, in our organization, any time I uh need to report about our lobbying activities, she goes into our accounting software and pulls up the

lobbying funding stream, and is able to show everything that has been documented um, within our lobbying activities. So, if I traveled to the uh, Statehouse, which is pretty close to us. If I travel to our Statehouse, um, I will document the mileage, um, as lobbying, unrestricted. Um, however I spend my time at the Statehouse is documented as um lobbying, if I'm lobbying for that day. If I'm educating our lawmakers and just stopping in, um, to let them know about uh the activities that we're engaged in or any concerns within the disability community, um, then that would be more of education and I could use part C funding. But I will make a note of that, um as well, so I keep the same type of documentation for both, part C and for uh unrestricted lobbying.

We're also required uh, as a non-profit organization you're also required to report on your 990, your lobbying activities, um so it's actually, it's called Form C, um on your 990's and this will talk about what exactly you did to lobby, and how much money you spent on lobbying activities. So that is another reason why you must keep solid records, because your Accountant should be pulling this, your outside CPA should be pulling this, um to put on that Form C lobbying form. And then lobbying should not, uh, um, be a substantial percentage of an organization's activity, and this is the IRS rule, and so IRS restricts

organizations from using a substantial percentage of time, staff, and resources on lobbying. And then there is a website here um, on the IRS um, website, there's a... there's a page that will actually show you

the formula that is used to show if you're using a substantial amount, um, for your lobbying activities or not. And then this is just a very um, this is a Excel document that's a sample time sheet, um, that I will show you. And this is exactly what, how we report our time. Um, so on September 1st 2019, you will see that I worked uh four hours on Part C, and I was in a staff meeting and providing oversight, um, but later that

day, I went and spent two hours, um, with a State representative lobbying, when I met with Representative Smith to ask him to support Supportive Decision Making legislation. Um, and then on 9/1 you'll see that I used Part B for quality assurance, and then it goes to show other

funding sources. So really making sure you have clear documentation um, and then those funding sources is what, how your salary is paid. Um, so next. And then remember, staff must know the rules, everyone on your staff should know uh, the restrictions around lobbying, and what lobbying and uh and what the difference between lobbying and advocacy is. And then this is an example um, for our staff, and it just says: Example of Able

South Carolina's procedures for staff. Lobbying activities. Able South Carolina fully supports the Federal restrictions on Lobbying using

Federal funds, funding. Able South Carolina staff are prohibited from

lobbying during work hours or in an official capacity unless the Executive Director provides permission. In such rare situations, you would be required to document your activities in CIL Suite under Community Activities, and document your lobbying time on your time sheet using the lobbying funding source with a brief description of your activities. Below you will find examples of lobbying activities. Um, saying: Asking a lawmaker to vote, or vote against legislation. Getting your consumers or members to contact legislators to support or support opposition of a bill. Endorsing, uh, supporting a candidate. Asking for funding for the organization. And then I have a line on here, if you're

unsure of the difference between lobbying and advocacy, please ask for clarification from your immediate supervisor.

>>STEVE HIGGINS: Alright, do you want me to jump in here on some?

>>KIMBERLY TISSOT: Yeah! That'd be great!

>>STEVE HIGGINS: Nice. So tips and tools for advocacy is uh, really this is, you know, our basic toolbox. When we developed this presentation, one of the things that we wanted to do was make sure that people had a takeaway of what you can put in your toolbox after the presentation, and what you could use out there. And so, it really starts with building

personal relationships. Uh, the phone still works, you know, many of our

legislators regardless of what you may think, are pretty old school. And you know, the bottom line is that they still track the number of calls

they get. You know, how interesting is it walking into a member's of Congress' office and you see the staff person sitting there putting little tick marks next to the questions that they're getting for that

day. You know, calls from constitutients hold significant value. And because many of our legislators are old school, it's still important sometimes to have those, those conversations. The legislator that I talk to uh, up here, recently shared, he said "I only really ever hear from fewer than five percent of our actual constituents in any form. And so, those ones that do call make a difference. And when you think about that and you think about how few people that our legislators actually hear from when we're advocating, um, it's powerful. Because that really is, is pretty much what they deal with everyday before they're making their decisions. So, one of the things that's really really important is to develop advocacy programs to help you make systems change in your

community. You can do that whether it's forming, you know in your, in our Independent Living Center right now, we're forming a Consumer Involvement Committee, because consumer involvement is, you know really the place

that it starts. And so developing programs and to, to help you to you know, participate in systems change in your community is key. Designated staff who can help empower and educate the next generation of disability rights leaders. You know, when we work with our young people here,

that's the next generation. One of the biggest fears that I have, and

I've shared this with Kimberly, and Allie, and others, is when somebody tells me that I'm one of the young up and coming people in the Independent Living movement. And it scares the hell out of me that I'm

considered young and up and coming, and then I look at my age and it tells me I'm in my fifties. Because we have a bunch of young advocates out there, we need to empower who is going to be that next generation of advocates. Are they going to be able to understand to work within these roles of advocacy? So making advocacy and self advocacy an, an essential function of your CIL, in your ILC. This is going to make you stand out from other disability organizations. You know, we shouldn't be seen as just the provider, we are the disability community serving the disability community. You know, one of the things that has always set us apart as Centers for Independent Living is that we've had an understanding of how to advocate, of how to share what's important to us. And how to do things in a very positive way that promotes systems change and helps us to grow. So it's key that we continue to do that today, and we do that through developing programs, developing others. Uh, it doesn't necessarily have to be young people. You know, there's a senior group uh, that, you know, an older group that comes and meets at our center, and you know what, these are some of the most fierce advocates you'd ever want to meet. And you know, we found a commonality, and it's powerful. So, tell your personal stories. I know that you've thought, you've heard me say this a couple times today, and uh, telling your personal story is just so key

to all this. And there's so many ways that you can do this. Write your story and have it available. Make sure that you update it from time

to time. You know, when you write your story down and you spend the time to do that, it makes it much easier to be able to share that. Um, ask consumer advocates to write their stories. And then ask for permission to share them. You know, we all deal with the barriers to accessible public transportation. Or we live in rural communities. Some people don't think there's rural communities where I am, you know, just south of Boston.

But my center actually serves folks that live um, out on Cape Cod and out on the islands of Martha's Vineyard in Nantucket, so we have these geographic barriers called seven miles or fourteen miles of ocean between just being able to get onto the main land to be able to attend. So if you're one of those folks that lives on the island, if you've given us

permission to share your story, now you're still able to be able to let your legislator know what's important to you. Write letters to explain how the proposed legislation may or may not benefit the disability community. This is really the basis of that writing. You know, what's important to us, how does it benefit us as a community? And then incorporating your personal story and those of consumers, again with

their permission, into that. How is this change going to benefit all constituents? How will this change hurt all constituents? You know, just don't ask them to support or oppose something, because then it becomes lobbying. You're educating on how this effects us, we're constituents, we're persons with disabilities. Now I'm very careful when I talk about

constituents, cause some people say, well, that sounds like you're lobbying. No you're, you need to make sure in order to understand that we are all constituents of our legislators. And when we're sharing our story about how it benefits us, make sure that we're sharing it in ways that talks about how it benefits all constituents of that legislator. So, I'm going to jump to a couple of the slides. I'm going to jump to slide 41.

And slide 41, when we get there, is um it... it's tell your story on your 704 report, or as we've said someday, the PPI. Um, in separate annual reports. These are things that are incredibly important because it's telling your story as the center. And make sure that you do that. Um, and you know, it's powerful that we're telling our story. And then, you know, a lot of our peers have said don't hesitate about advocacy. That they think it's lobbying, it's not. It's education. You know, legislators

aren't experts and they need to be educated. And we are the resources, nobody knows more about independent living than us. You know, we wanted our piece of the pie, and I love this one, so we formed a Public

Information and Education Committee, so that we can inform the community.

And we can do both advocacy and lobbying, but we just cannot use the same funding source for both. So you know, those are the most powerful things about um, who we are and what we do.

And we were just you know, really excited to share today. Uh, Kimberly do you want to add anything else before we jump into um, the uh Q&A?

>>KIMBERLY TISSOT: It looks like we have a lot of questions, so I think we might want to move into that. We can probably clarify some things if needed.

>>STEVE HIGGINS: Perfect!

>>MEGAN COWDELL: Great, thank you guys. And we do have a ton of questions, so I'll try and get through them quickly here. Um, so the most recent one came from Jillian, who says: "If your organization has taken an official position on a piece of legislation, is it advocacy or lobbying if you tell your consumers that your organization has taken that position? Where do you draw the line?"

>>KIMBERLY TISSOT: So that is, that is lobbying. Um, so you, I mean you have lobbied for that particular piece of legislation and you've already set uh, the position that your organization is taking. And you're also putting it out in the community. Um, so that would be, Part C funding

would not be allowable for that, uh, but you can closely document that and if you have unrestricted funding, um that would be considered lobbying with unrestricted funding.

>>STEVE HIGGINS: One place that there's sometimes a little gray area on that is around ballot initiatives. And ballot initiatives, um, are are not necessarily um, a particular piece of legislation, but again, look at the rules in your state on that. In Massachusetts we can as a center take

a position on a ballot initiative, but that is not the same in every state. So I know that Allie is going to be, and in your team working on a presentation for the California rules, so make sure that fits there and don't take that as you know, the written word here.

>>KIMBERLY TISSOT: But on the Federal piece, that would not be allowable with Federal money. Yeah. Yeah.

>>MEGAN COWDELL: Great, and we have a question here from Thomas. He wants

to know: "Is saying negative opinions about a particular candidate is okay, as long as you're not specifically endorsing anyone?"

>>KIMBERLY TISSOT: Sooo [Laughter] That's fun! Ummm, so that would not, I mean, there's no language in the, the regs about that, and so ask long as

you're not like getting, you know, getting folks behind you, and as long

as you're not putting that out in public, um, that...I mean, I don't think that's considered lobbying. I'm not sure what that would be considered. Um, um...just yeah. I don't, there's no...there's no language in the regs that talk about that particular situation.

>>STEVE HIGGINS: Right, and there's none that I'm aware of either. But again, you always have to be very very careful when you're saying negative things about um, anyone. And also, you know, think of you know

when you're putting something out there negative, what does it say in particular about your organization? Um, it's okay to do it anytime on

your own, uh but make sure that you're being very very careful with the

wording that you're using. Cause you also don't want to have a negative interpretation of who your organization is in the future.

>>MEGAN COWDELL: Thank you, those are some great points. Um, so Benjamin

wants to know: "If a legislative office reaches out to us asking for input, um on legislation they're contemplating, is that seen as lobbying?"

>>KIMBERLY TISSOT: Now that's allowable, so that's advocacy and that's also um, a written, if that...if that's been requested from the legislator, then that is absolutely allowable, you can use Federal funding for that.

>>STEVE HIGGINS: Right. You can even actually, if they're going to be having a presentation that they're inviting you to be at, you can be at that presentation and you can educate the community about why that effects you. Why that's so important to you. Because at that point, that is definitely not lobbying, it's very very clearly education.

>>KIMBERLY TISSOT: And we want legislators to do that. We want them, we don't want them to sign any piece of legislation that has anything to do with the disability community until they reach out um, to the disability community and learn um, how a particular bill will will um, impact us. And so that, I think that's great when that happens.

>>MEGAN COWDELL: Thank you. And we have just a few minutes here left. Um, so we have a question, or more of a clarification from Ron. So he says: "Once we educate people, they can lobby on their own time. Is that correct?"

>>KIMBERLY TISSOT: Yes.

>>STEVE HIGGINS: [Laughter]

>>MEGAN COWDELL: Awesome! And then uh following up on that, uh Benjamin says: "So we can have consumers sign a petition as advocacy, but then have somebody else make the ask or hand off as in lobbying. Is that correct?"

>>KIMBERLY TISSOT: So, I'm trying to see um, I probably need a little bit more information with that question. Um, cause it could be seen as both ways because if you're um, even if somebody else makes the ask, you were part of that. So I don't know what they would be signing unless you're gathering info... gathering facts to make a presentation about a particular issue within the disability community. So I would need a little bit more information with that question.

>>STEVE HIGGINS: Right, and the key to that is the ask, once again. You know, the challenge between advocacy and lobbying is lobbying involves an ask. And so, we need to just make sure that we're being clear on that one. Um, you know, you can educate people, and educate legislators, educate consumers and others, um and that's totally appropriate. Now, if that consumer or other person now wants to write a letter, and say "This is how I want you to vote", and "This is how I believe you should vote:,

that's the consumer that's making that choice. We're not asking the consumer to make the ask. That...that's them on their own making that choice.

>>MEGAN COWDELL: Thank you, and Benjamin I hope that answered your question. Uh, so we have just a minute left here. So I'm going to go ahead and turn it over to Allie, um, for any last thoughts before we close out today.

>>ALLIE CANNINGTON: Thanks so much Megan. Um, I just want to uh...if possible, if it's a quick answer, I think if we could an...uh, either of you could answer Thomas' question, "There's a slide that says info gathering in...in preparation for an ask counts as lobbying. Is that correct?"

>>KIMBERLY TISSOT: Yeah, if it. I mean, it depends yes. So if you're

gathering it to go and lobby for particular legislation, then yes. But if

you're gathering it for a factual presentation, um, then no. It depends what...I, so if I was to put out a survey, and asked a question um, I used all the research that was gathered during that time to then um, use it to take to steer legislation, then that would be...that would be lobbying. So it really depends what is done with it. But if it...if it's going towards lobbying to go ask for particular legislation, then yes, that would be lobbying. Um, and then that time that it took to gather that research too, would count as lobbying as well. Um.

>>STEVE HIGGINS: It'd be on your time sheet.

>>KIMBERLY TISSOT: If you're involved in it.

>>ALLIE CANNINGTON: Thank you so much! And I know we're at 12:30, Megan can you go to uh, the previous slide? So, I just want to thank Kimberly and Steve so much for your time and wisdom. And Megan, uh for uh your facilitation today, and for...thank you to our captioner for providing access. I, I just...and of course to all of you for attending. Uh, so next steps that I would uh ask all of you to do is um, continue to write

down questions, or clarifications on what you want to continue to explore around the differences between advocacy and lobbying, because the conversation is not going to end in, as we end this webinar. Additionally, if you work in an ILC and still have questions, you can always count, uh, contact of course the Disability Organizing Network as your statewide hub, uh, and your grant administrator. And then I also want to remind you all to stay tuned for Part Two: Advocacy and Lobbying, the California perspective with Alliance for Justice. And then at any point you can also contact the technical assistance line with the Alliance for Justice, which is an awesome organization that uh helps to

differentiate for folks the difference between advocacy and lobbying. And their number, um is right on the screen. 866-NPLOBBY, 866-675-6229, or go through their website, [www.bolderadvocacy.org](http://www.bolderadvocacy.org). So again everyone, thank you for joining us today, and um, just another uh big thank you to Kimberly and Steve and reminding us of that we're connected across the country doing this incredible, um work of systems change advocacy.

Thank you! Have a great day everyone!