



# Lobbying for 510(c)(3) Organizations & Beyond!

South Carolina Preservation Conference  
Columbia, SC  
April 1, 2011

NATIONAL CONFERENCE OF STATE  
HISTORIC PRESERVATION OFFICERS

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# The “L” Word

# What is Lobbying?

- Stating a position on specific legislation to legislators or staff
  - Direct Lobbying
- Urging your members or the general public to contact their legislators with a position on specific legislation – “call to action”
  - Grassroots Lobbying





# Choosing the Right Rules

## Substantial Part Test

- IRS evaluates the facts, circumstances and expenditures devoted to lobbying by the organization.
- Lobbying must be deemed “insubstantial.”

## Section 510(h) or “20% Rule”

- Clear dollar-based limits
- Clear definitions of what is and isn't lobbying
- Must fill out Form 5768
- One million dollar overall lobbying cap

# Section 510(h) or “20% Rule”

## Calculating Lobbying Limits

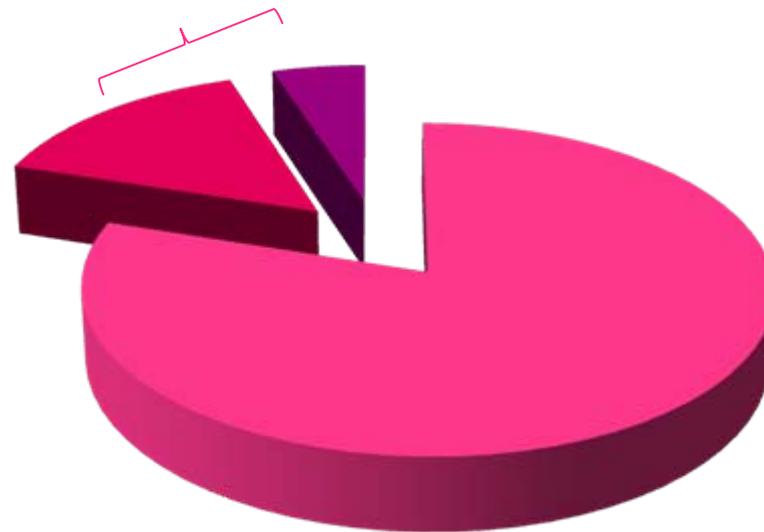
1. Calculate organization's Budget
2. Overall lobbying limit is:
  - 20% of first \$500,000
  - + 15% of next \$500,000
  - + 10% of next \$500,000
  - + 5% of the remaining

**\$1 million cap on total lobbying expenditures**



# How much Lobbying Can You Do?

Maximum total lobbying =  
Grassroots + Direct (20%)



Education & Non-Lobbying Advocacy

Direct Lobbying

Grassroots Lobbying

- Max is 25% of total lobbying



## The Term Lobbying Does NOT include the following:

1. Nonpartisan analysis, study or research that presents all sides of an issue.
2. Responses to written requests for assistance from committees or other legislative bodies.
3. Challenges to or support for legislative proposals that would change the organization's rights or its right to exist.
4. Examinations and discussions of broad social, economic and similar problems.
5. Updating the members of your own organization on the status of legislation, without a call to action.



## Resources for more Information:

- Alliance for Justice – [www.afj.org](http://www.afj.org)
- Independent Sector – [www.independentsector.org](http://www.independentsector.org)
- The Nonprofit Lobbying Guide, by Bob Smucker
- The Lobbying and Advocacy Handbook for Nonprofit Organizations, by Marcia Avner
- Nonprofits handbook on Lobbying, by J.T. Grupenhoff and J.J. Murphy

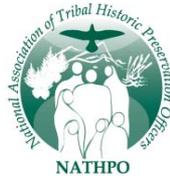


# Historic Preservation Partners

## NATIONAL



NATIONAL TRUST FOR HISTORIC PRESERVATION



**NCSHPO**  
National Conference of State Historic Preservation Officers

PRESERVATION  
*Action*



## STATE



NATIONAL TRUST FOR HISTORIC PRESERVATION



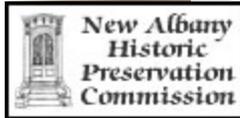
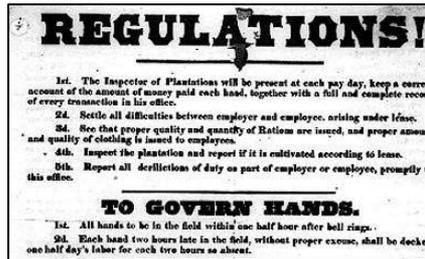
## LOCAL



# Responsibilities



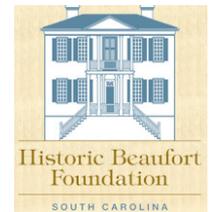
## CODE



## COURT



## EDUCATION



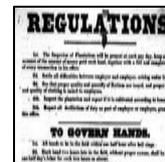
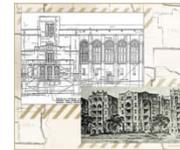
# State Historic Preservation Officers

## Federal Mandate

- Locate and record historic resources.
- Nominate significant historic resources to the National Register.
- Foster historic preservation programs at the local level and the creation of preservation ordinances.
- Provide funds for preservation activities
- Comment on projects under consideration for federal historic preservation tax credit program.
- Review all federal projects for their impact on historic properties (Section 106)
- Provide technical assistance on rehab projects and other preservation activities to federal agencies, state and local governments and the private sector.

## State Programs

- Coordinate heritage tourism efforts including heritage areas
- Hold and enforce historic preservation easements
- Manage Rehabilitation Tax Credit programs and state granting programs
- Support Main Street communities and revitalization efforts
- Provide consultation for State "Section 106" reviews





Ruth Pierpont, NY DSHPO Goes to Washington assure

The National Conference of State Historic Preservation Officers is the professional association of the State Historic Preservation Offices from all 50 states, the District of Columbia and 7 territories. Together we:

- Represent the interests of the States on Capitol Hill
- Coordinate with other federal agencies and historic preservation advocacy groups.
- Coordinate annual advocacy efforts for historic preservation issues
- Coordinate annual advocacy efforts for historic preservation funding and programs
- Facilitate communication between SHPOs to assure coordinated national efforts and strong support networks

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# 2011 HISTORIC PRESERVATION AGENDA



- FY12 Appropriations Request  
\$70 million for the HPF
  - \$50 million for SHPOs
  - \$11 million for THPOs
  - \$9 million for SAT and Preserve America grants
- Sponsor the Preservation Tax Package
  - Commercial Tax Bill
  - Homeowners Tax Bill
- Join the House Historic Preservation Caucus

# FY11/FY12 Appropriations

## FY11 Funding and FY12 Requests

	FY11 CR	FY11 CR Request	FY12 Presidents Request	FY12 Request
<b>HPF Total</b>	\$54.5	\$54.5	\$61	\$70
<b>SHPOs</b>	\$46.5	\$46.5	\$50	\$50
<b>THPOs</b>	\$8.0	\$8.0	\$11	\$11
<b>SAT</b>	\$0.0	\$14.8	\$0	] \$9
<b>PA</b>	\$0.0*	\$4.6*	\$0	
<b>Heritage Areas</b>	\$18*	\$18*	\$9*	\$18*

\* Funded through the Recreation and Preservation Account



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# Getting to Know your Members

**Who are your members,  
and what have you done for them  
lately?**



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# SC CONGRESSIONAL DELEGATION



## Senate

Lindsay Graham (R) +

Jim DeMint (R)

- + Appropriations Committee
- × Natural Resources Committee
- \* His Pres Caucus Member
- ± Asst Democratic Leader

## House

1 - Tim Scott (R)

2 - Joe Wilson (R) \*

3 - Jeff Duncan (R) ×

4 - Trey Gowdy (R)

5 - Mick Mulvaney (R)

6 - James Clyburn (D) \*±

# Getting to Know your Members

## What Influences Elected Officials?



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## Why it's Important to Make the Ask!

### Two Types of Asks

- Policy Asks
- Relationship-building



# Policy Asks



- Introduce, vote for or against legislation
- Cosponsor legislation introduced by someone else
- Send a letter to an agency about a concern you have
- Send a letter to another member of Congress in an influential position, such as a member of the Appropriations Committee
- Send a letter in support of a grant application (generally done through a district/State office)
- Help you find research information from federal agencies
- Submit a statement to the Congressional Record

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## Relationship Building Asks



- **Meet with you and other supporters in the district office**
- **Set up a tour that relates to your ask (tax credit project)**
- **Write an article for your newsletter**
- **Submit a statement for your Website or participate in an online discussion**
- **Make a speech on the floor about your issues**
- **Submit a statement to the Congressional Record**
- **Attend a meeting or employee luncheon**
- **Hold a town hall or community meeting on your issue**

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# *Dating Game*

*Relationships 101*

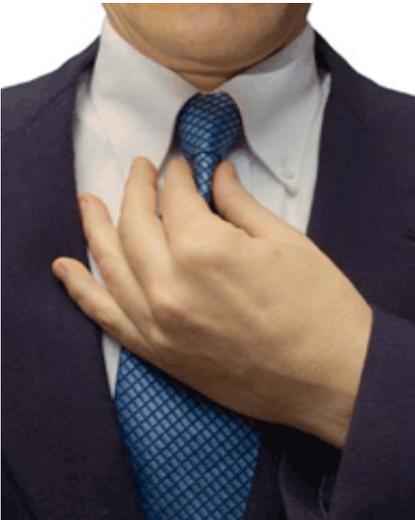
What do you do when  
you are interested  
in someone?



Identify what they like to do and what your common interests are.



Be prepared to make a  
good impression in a short  
amount of time.  
Remember: you are  
a good catch.





Be persistent.





Figure out if they  
are already dating  
someone else.

Is there competition  
for their attention?

# Who can make the introduction?

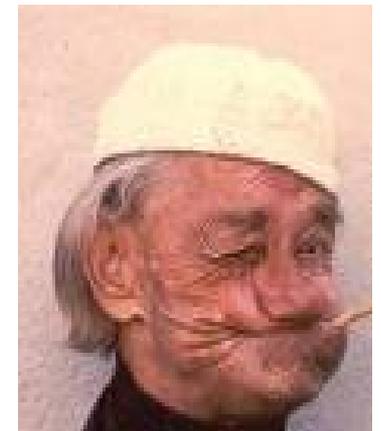




What if you can't  
date your ideal?



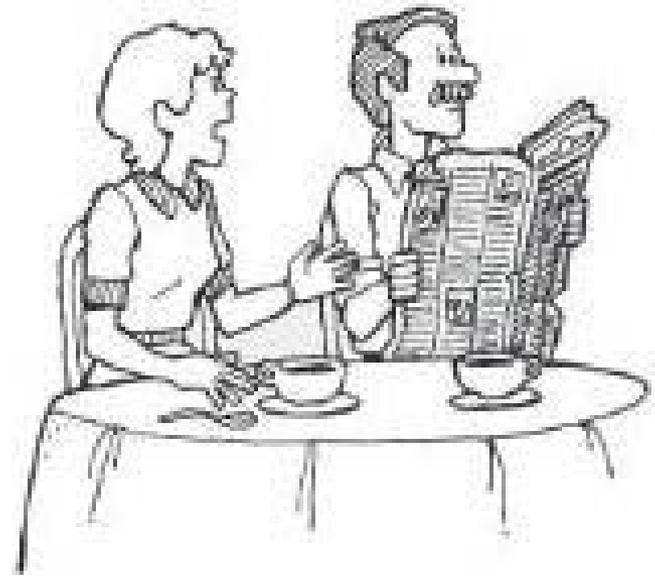
Will you be satisfied  
with the  
less important  
and less  
successful  
and less rich?



Develop trust.



Communicate constantly.



It's not just about  
your needs.  
How can you  
support them?



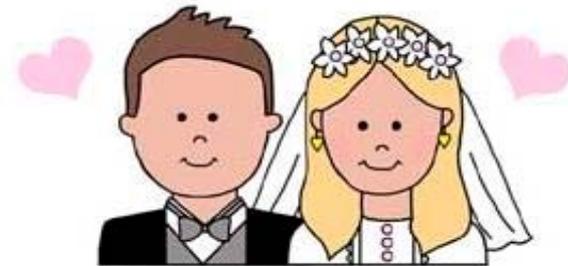
How do you deal with them  
if they woke up on the  
wrong side of the bed?



Dealing with differences:  
What if you have  
different religions?



Evaluate where this relationship is going. Do you have a future together, or was this just a one-night stand?





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