

# **IL NET**

an ILRU/NCIL National Training and Technical Assistance Project

*Expanding the Power of the Independent Living Movement*

# **SYSTEMS ADVOCACY:** *Unite in Power*

**a National Teleconference**

**Participant's Manual**

**September 13, 2000**

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# Systems Advocacy: Unite in Power

## Participant's Manual

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# Systems Advocacy: Unite in Power

## AGENDA

September 13, 2000

- Welcome and Overview
  - Our Heritage as Advocates
  - Playing By the Rules Liberates Us
  - Many Ways to Do Advocacy
- The Garrett Story: Different Approaches to the Same Successful End
  - Questions and Answers*
- Building Strong Coalitions
  - Garrett
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- Civil Disobedience: The Myths and Realities
  - Questions and Answers*
- Pulling It All Together
  - Questions and Answers*
- Wrap-up

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## ABOUT THE TRAINERS

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### **Maria Dibble**

is a graduate of Binghamton University with a B.A. in Sociology and is one of the founders of Southern Tier Independence Center in Binghamton, New York. She has been its Executive Director for the last seventeen years and is also Chairperson of the Association of Independent Living Centers in New York. Maria has also just been re-elected to serve another three-year term on the New York Statewide Independent Living Council. Maria has either led or participated in several major advocacy efforts, and was especially active in working for passage of Consumer Directed Personal Assistance legislation in New York (a three-year effort). As an advocate she has organized and built coalitions with other groups; coordinated and led protest rallies, lobbied on the local, state and federal levels; researched and written position papers; and developed long term strategic advocacy plans.

### **Melissa Marshall**

is a graduate of the University of Connecticut School of Law. She has worked in a variety of disability related positions including legislative liaison for the Connecticut Office of Protection & Advocacy for Persons With Disabilities, Executive Director of the Disabilities Network of Eastern Connecticut, a Center for Independent Living, and is associate director of Independent Living Resources. She has developed national ADA compliance materials and provides extensive training and technical assistance in all titles of the law to corporations, non-profit organizations, municipal and state governments, universities and school districts across the country. She also presents disability awareness and training of trainer workshops to a wide variety of national audiences. Melissa is also a free lance writer who is working on a book about her training experiences.

## LIST OF TRAINERS AND IL NET STAFF

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## **ABOUT ILRU**

The Independent Living Research Utilization (ILRU) Program was established in 1977 to serve as a national center for information, training, research, and technical assistance for independent living. In the mid-1980's, it began conducting management training programs for executive directors and middle managers of independent living centers in the U.S. Since 1985, it has operated the ILRU Research and Training Center on Independent Living at TIRR, conducting a comprehensive and coordinated set of research, training, and technical assistance projects focusing on leading issues facing the independent living field.

ILRU has developed an extensive set of resource materials on various aspects of independent living, including a comprehensive directory of programs providing independent living services in the U.S. and Canada.

ILRU is a program of TIRR, a nationally recognized, free-standing rehabilitation facility for persons with physical disabilities. TIRR is part of TIRR Systems, a not-for-profit corporation dedicated to providing a continuum of services to individuals with disabilities. Since 1959, TIRR has provided patient care, education, and research to promote the integration of people with physical and cognitive disabilities into all aspects of community living.

## **ABOUT NCIL**

Founded in 1982, the National Council on Independent Living is a membership organization representing independent living centers and individuals with disabilities. NCIL has been instrumental in efforts to standardize requirements for consumer control in management and delivery of services provided through federally-funded independent living centers.

Until 1992, NCIL's efforts to foster consumer control and direction in independent living services through changes in federal legislation and regulations were coordinated through an extensive network and involvement of volunteers from independent living centers and other organizations around the country. Since 1992, NCIL has had a national office in Arlington, Virginia, just minutes by subway or car from the major centers of government in Washington, D.C. While NCIL continues to rely on the commitment and dedication of volunteers from around the country, the establishment of a national office with staff and other resources has strengthened its capacity to serve as the voice for independent living in matters of critical importance in eliminating discrimination and unequal treatment based on disability.

Today, NCIL is a strong voice for independent living in our nation's capital. With your participation, NCIL can deliver the message of independent living to even more people who are charged with the important responsibility of making laws and creating programs designed to assure equal rights for all.

## **ABOUT THE IL NET**

This training program is sponsored by the IL NET, a collaborative project of the Independent Living Research Utilization (ILRU) of Houston and the National Council on Independent Living (NCIL).

The IL NET is a national training and technical assistance project working to strengthen the independent living movement by supporting Centers for Independent Living (CILs)

and Statewide Independent Living Councils (SILCs).

IL NET activities include workshops, national teleconferences, technical assistance, on-line information, training materials, fact sheets, and other resource materials on operating, managing, and evaluating centers and SILCs.

The mission of the IL NET is to assist in building strong and effective CILs and SILCs which are led and staffed by people who practice the independent living philosophy.

The IL NET operates with these objectives:

- ' Assist CILs and SILCs in managing effective organizations by providing a continuum of information, training, and technical assistance.
- ' Assist CILs and SILCs to become strong community advocates/change agents by providing a continuum of information, training, and technical assistance.
- ' Assist CILs and SILCs to develop strong, consumer-responsive services by providing a continuum of information, training, and technical assistance.

# **The Role of Independent Living Centers in Promoting Civil Rights for Persons with Disabilities**

In an ILRU project conducted during the past year to examine the roles and responsibilities of board members of independent living centers, we obtained information on the extent to which centers have an obligation to advocate for the civil rights of their constituencies—people with disabilities. This project on center boards took the form of structured telephone interviews, conducted separately, with the executive director and board president of six centers—a total of 12 interviews. The centers were chosen to represent different sizes, geographical regions, and urban/rural settings. A question on appropriate civil rights orientation for centers was included in each interview.

We learned that these individuals who hold the most influential positions in centers believe unequivocally in the importance of centers advocating for civil rights. We were told repeatedly that one of the most important distinctions between centers and other agencies and benefit programs is this orientation to civil rights.

While these individuals interviewed said that civil rights orientation should characterize everything that centers do, they expressed deep reservations about this actually being the case. Many believed that when substantial funding for service delivery became available to centers, some forgot that the primary mission of the independent living movement has been to lead the fight for the civil rights of persons with disabilities. They saw a tendency, if not in their own centers then in others, to approach service delivery in a manner similar to the approaches taken by public benefit programs with rigid and often demeaning eligibility requirements or by charity agencies designed to serve the “needy.”

They warn that centers need to be constantly on guard against drifting into such inappropriate approaches. They saw that if you have people on your board and staff who are committed to “helping those less fortunate,” then you are probably going to end up with a center that delivers a lot of services but appears to be very much like charity organizations that are in the business of helping the “needy.”

The people we spoke with want to see centers with board and staff members whose paramount commitment is to equal rights for all, because, they say, then you still have a center that is working hard to make changes in the community and sees itself as promoting equal access in all areas of living. The people whom we spoke with realize, however, that the civil rights orientation of the independent living movement is extremely subtle and can be easily overlooked in the day-to-day effort to deliver services.

They see training as the solution: centers must develop ways to provide both new staff members and new board members with a firm grounding in the civil rights orientation of the independent living movement, and centers must make sure that ongoing training is provided to staff and board members so that they will be kept mindful of the reasons why centers are unique. Boards of independent living centers need to be constantly asking the question, “Are we in the business of making changes that lead to a better community, or are we in the business of counting units of service?”

For those of you who would like a mini-refresher course on disability and civil rights, we recommend the follow readings: In *The Unexpected Minority: Handicapped Children in America*, John Gliedman and William Roth talk about adults with disabilities beginning to address their problems from the perspective of civil rights rather than from more traditional perspectives; in *Environmental Accessibility and Independent Living*

Outcomes: Directions for Disability Policy and Research, Gerben DeJong notes that the civil rights movement for racial minorities made us aware of how civil rights continue to be denied to persons with disabilities. Also: Although the Rehabilitation Act of 1973 is often referred to as the civil rights act for people with disabilities, current efforts underway to promote passage of the ADA remind us that there continues to be a long way to go in eliminating discrimination toward persons with disabilities in all aspects of living. In the Spring 1989 issue of the NCIL Newsletter, Bonnie O'Day points out that the ADA was introduced to Congress for the purpose of establishing a ". . . clear and comprehensive mandate for the elimination of discrimination against persons with disabilities."

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## **FREQUENTLY ASKED QUESTIONS ABOUT LOBBYING AND CILS (Revised 3/98)**

*It's easy to tell if a center's doing strong advocacy.  
Someone from the state is telling them they're not allowed to lobby.*

--Ed Roberts

This FAQ addresses lobbying questions which have been raised during our training programs, technical assistance calls and consultant work. It was originally developed in May 1997. We have just revised it in response to amendments made to OMB Circular A-122.

In developing this FAQ, a study was conducted of pertinent regulations of the Internal Revenue Service and the Department of Education, and then the answers were reviewed with an attorney specializing in lobbying issues and with John Nelson, chief of Independent Living Branch of Rehabilitation Services Administration and other officials of the Department of Education. We hope you find this FAQ useful, and we welcome any recommendations for improving it that you care to offer.

### **1. Are centers for independent living allowed to lobby?**

Yes, CILs may lobby; however, the types of lobbying activities that are permissible vary, depending on whether they are supported with federal or non-federal funds. In addition, a CIL's lobbying activities may be further limited by Internal Revenue Service regulations applicable to nonprofit organizations.

### **2. What statutes or regulations do centers need to follow with regard to lobbying?**

The federal government requires granting and contracting agencies, such as the Department of Education, to follow guidelines set out in the Office of Management and Budget (OMB) Circular A-122 (as amended in August 1997) when awarding federal funds. Additional restrictions may be found in Department of Education regulations 34 CFR Part 82.

Centers may elect to follow guidelines set out in regulations developed under the Internal Revenue Code, Sections 501(h) and 4911.

Centers which employ lobbyists or direct considerable funds to lobbying activities must meet reporting requirements set out in the Lobbying Disclosure Act of 1995 (P.L. 104-65).

While requirements contained in these three documents will be covered in the remainder of this FAQ, there may be other federal, state, or local laws or regulations which affect the lobbying activities of a center. Center staff should contact agencies in their states which regulate activities of non-profits and request provisions related to lobbying activities.

It is imperative that center staff have a thorough understanding of these laws and regulations whenever issues of compliance are raised-and always get a second opinion.

### **3. I have been told that centers which receive Title VII funds are restricted from lobbying. Is this true?**

Except as described in #5 below, CILs that receive Title VII funds are restricted from using Title VII as well as other federal funds to engage in lobbying activities. However, as stated above, centers may use non-federal funds to engage in lobbying activities.

### **4. What lobbying activities may not be supported with federal funds?**

Briefly, lobbying activities which may not be supported with federal funds include:

- Attempts to influence the outcome of any federal, state, or local election, referendum, initiative, or similar procedure;
- Supporting in any way a political party, campaign, political action committee, or other organization established for the purpose of influencing the outcome of elections;
- Any attempt to influence the introduction, enactment, or modification of federal or state legislation, including efforts to utilize state or local officials to engage in similar activities;
- Any attempt to influence the introduction, enactment, or modification of federal or state legislation by trying to gain the support of part or all of the general public;
- Legislative liaison activities in support of unallowable lobbying activities;
- Any attempt to influence an executive or legislative branch official with respect to any grant, contract, loan, or cooperative agreement.

It is important to note that activities that may not be supported by a center's federal funds may be supported by its non-federal funds.

### **5. What lobbying activities may be supported with federal funds?**

Non-restricted lobbying activities (that is, those lobbying activities which can be supported with federal funds) include:

- Providing a presentation through hearing testimony, statements, or letters in response to a documented request, if the information needed for the presentation is readily available. Costs for travel, lodging, and meals are not allowed unless testimony is given in response to a written request from the chairman or ranking minority member of a Congressional committee or subcommittee;
- Lobbying to influence state legislation in order to reduce directly the cost of performing the grant or contract or to avoid impairing the organization's ability to do so;
- Any activity specifically authorized by statute to be undertaken with funds from the grant, contract, or other agreement.

### **6. Will we jeopardize our center's 501(c)(3) status if we lobby?**

There are really two questions which must be answered: Is the activity under consideration really lobbying and does lobbying constitute a substantial portion of what the center does, under IRS rules?

' Question One: Are the center's activities lobbying or something else?

Direct lobbying is defined in the Internal Revenue Code (IRC) and regulations as "Any attempt to influence any legislation through communication with any member or employee of a legislative body or with any government official or employee who may participate in the formulation of the legislation."

This includes such obvious activities as contact with a legislator about a specific piece of legislation, advocating for increases in funding in the budget, opposing a candidate for appointive office, and encouraging the general public to support or reject an initiative, referendum, or board measure.

Direct lobbying does not include activities such as educating decision makers about issues of importance to people with disabilities, administrative lobbying, surveying candidates for office, attending public hearings, or even testifying if requested by a legislative committee in writing. Nonpartisan analysis and self-defense lobbying also qualify as exceptions under IRS rules.

A communication (with the general public or any segment thereof) will be treated as grass roots lobbying if, and only if, the communication (1) refers to specific legislation, (2) reflects a view on such legislation, and (3) encourages the recipient to take action with respect to such legislation (for instance, through a "call to action").

' Question Two: Is lobbying a substantial part of what the center does?

Centers can either elect to comply with IRC Section 501(h), which requires filing papers with the IRS and reporting annually on lobbying activities, or elect not to file under the law. Compliance with the law allows 501(c)(3) corporations to expend as much as 20 percent of their funds for lobbying activities depending on the size of the organization. Those choosing not to file may only spend an amount which is not "substantial." One court ruled that devoting more than five percent of an organization's resources to lobbying activities was substantial.

So, why doesn't everyone file under IRC 501(h)? Because most organizations haven't learned about it yet. The guidelines are far more generous yet record-keeping demands for day-to-day lobbying activities are virtually the same.

## **7. How does lobbying differ from advocacy?**

In the regulations for Title VII of the Rehab Act, advocacy is defined as "pleading an individual's cause or speaking or writing in support of an individual. . . . Advocacy may be on behalf of a single individual . . . a group or class of individuals . . . or oneself." Note that in this context, "pleading" is a legal term meaning "a formal statement setting forth the defense of a case" (Random House Dictionary). Advocacy, then, is action taken to convince others of the rightness of your cause and of their need to join you in supporting this cause.

Lobbying is a subset of advocacy in that it is a set of activities that plead a cause and set forth the defense of a case in order to influence the voting of legislators. In other

words, lobbying is advocacy with a very narrow and specific focus--to convince legislators to vote as you wish them to on specific legislative proposals. Thus, the use of the word "advocacy" does not change the nature of what is or is not permitted as a lobbying activity.

## **8. Where can our center get more information about compliance with the Internal Revenue Code?**

You can always try the IRS itself, but most of its information is not written for people other than certified public accountants. One excellent source of information we've found has been written by Greg Colvin, an attorney who specializes in this area. You can contact Greg at Silk, Adler, and Colvin 415.421.7555 to inquire about resource materials he has developed regarding lobbying and the tax code.

Other sources include Independent Sector (1828 L, N.W., 1200, Washington, D.C., 20036; 202.223.8100); Alliance for Justice (2000 P St., N.W., Suite 712, Washington, D.C. 20036; 202.822.6070); and Chronicle of Philanthropy, (1255 23rd Street, N.W., Suite 700, Washington, D.C.; 202.466.1200).

## **9. How does the Lobbying Disclosure Act of 1995 affect centers?**

In most cases, it doesn't. Centers which attempt to influence Congress or top federal executive branch officials may be required to register, to report their areas of interest, and to specify the amount of money spent on lobbying activities. A center is required to register under the Act only if: 1) an individual employed or retained by the center makes more than one contact and spends 20 percent or more of his or her time providing lobbying activities for the center during a six month period; and 2) the center's total expenses in connection with lobbying activities exceed \$20,000 in a six month period.

## **10. How may I obtain copies of the documents identified in this FAQ?**

The documents referred to in this FAQ are available through the Government Printing Office or from your auditor or congressman. In addition, many codes, regulations, and legislation can be downloaded electronically from the Internet.

<sup>1</sup> To access OMB Circular A-122 online, go directly to [www.whitehouse.gov/WH/EOP/OMB/html/circulars/a122/a122.html](http://www.whitehouse.gov/WH/EOP/OMB/html/circulars/a122/a122.html)

<sup>1</sup> For the Internal Revenue Code (P.L. 94-455), the address is [www.law.cornell.edu/uscode/26/4955.html](http://www.law.cornell.edu/uscode/26/4955.html)

<sup>1</sup> To find a copy of the Lobbying Disclosure Act of 1995 (P.L. 104-65), and other federal legislation, go to the Thomas homepage at <http://thomas.loc.gov>, probably the best springboard into everything from public documents to the inner workings of Congress.

## **CONCLUSION**

As you know, advocacy is one of the core services of a center, essential to achieving the mission of promoting independent living opportunities for persons with disabilities. This said, among questions most often heard by IL NET trainers and technical assistants are what constitutes advocacy and what distinguishes it from lobbying?

This FAQ is intended to provide the basics. If you need more information, be sure to contact an attorney or your grantor agency.

This fact sheet was prepared by Bob Michaels with assistance from Laurel Richards, Cynthia Dresden, and Dawn Heinsohn. We extend our appreciation to Greg Colvin, John Nelson of the Independent Living Branch, RSA, Sergio Kapfer, Department of Education General Attorney, Division of Educational Equity and Research, and Susan Winchell, Department of Education Ethics Counsel Staff for agreeing to review these responses.

The IL NET is a collaboration of Independent Living Research Utilization (ILRU) Program and the National Council on Independent Living (NCIL), and organizations and individuals involved in independent living nationwide. Now entering its second three-year funding cycle, the IL NET is building on its strong foundation to address the spectrum of needs expressed by centers for independent living and statewide IL councils.

The mission of the IL NET is to provide training and technical assistance on a variety of issues central to independent living today—understanding the Rehab Act, what the statewide independent living council is and how it can operate most effectively, management issues for centers for independent living, systems advocacy, computer networking, and others. Training activities are conducted conference-style, via long-distance communication, through widely disseminated print and audio materials, and through the promotion of a strong national network of centers and individuals in the independent living field.

For additional copies of this FAQ, contact ILRU at (713) 520-0232 (V), (713) 520-5136 (Tty), (713) 520-5785 (FAX) or email at [ilru@ilru.org](mailto:ilru@ilru.org) or download it from our web site at <http://www.bcm.tmc.edu/ilru/ilnfaqs.html>.

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# DEFINITIONS

## Grass Roots Organizing

Grass roots organizers identify people with disabilities from the community and help empower them to advocate for themselves about issues that affect them and their community. --Melissa Marshall

## Civil Disobedience

Civil Disobedience is the term used when individuals knowingly violate the law for what they believe is a higher principle. An example of the use of civil disobedience was when African Americans sat at 'whites only' lunch-counters in the South during the 1950's and 60's. Another is when ADAPT members blocked buses and were arrested to protest the lack of accessible transportation. --Melissa Marshall

## Coalition Building

Coalition building involves collaboration with other agencies/organizations, individuals, unions, support groups, other entities, which have similar viewpoints on a particular issue. It is important to note that coalitions are sometimes created with members who are ordinarily at odds with one another for various reasons. It is the issue itself which is the focus and glue holding the coalition together, and not philosophies or past history.

The more broad-based the coalition, the more effective it will be, especially with legislators, because it takes the issue out of the realm of "special interest" and makes it more mainstream. Coalitions that represent diverse groups such as children, senior citizens, minorities, etc. are especially effective and desirable, because they demonstrate the global impact of the issue, and they represent a much larger group of voters.

Not only do the participants in the coalition bring along their constituents, but they also lend their specific areas of expertise. One group may be known for and skilled at civil disobedience, another with organizing rallies, another with grassroots organizing, etc. High profile groups also help coalitions to establish credibility and get more media attention more quickly.

- ' **Example** In New York State, a coalition called the "Long Term Care Action Coalition" was established in the early to mid 90's, to fight proposed cuts to home care services and to promote some major changes in the Medicaid/home care system. There were members representing ILCs, advocacy groups, children, parents, senior citizens, people with Alzheimer's, people with AIDs, home care agencies, and a union representing home care workers. It was a very powerful coalition which developed a ten page, well-researched position paper, which not only pointed out the deficits of the system, but also offered solutions. The document was extremely well received. Even those officials who did not agree with the proposals were impressed, because they were pleased to see creative solutions being put forth. The document helped the coalition members to establish credibility, clearly outlined the agenda, and was useful in averting internal disagreements among coalition members. In the end, all budget

cuts were avoided and legislation was passed which implemented Consumer Directed Personal Assistance Program statewide.

–Maria Dibble

# ADVOCACY OUTLINE

*by Maria Dibble*

1. Never begin an advocacy effort or strategy from a confrontational position unless the situation is an emergency and nothing else will be effective.
2. Try to verify information before proceeding.
3. If an issue is volatile take enough time to consider strategies and ramifications of actions. (Cooling off period.)
4. Be credible. Make sure you have the facts. Do your research before approaching agencies, officials, etc.
5. Know the right people to talk to about specific issues.
6. Know all sides of the issue.
7. Find out where the opposition is "coming from." Understand their reasons and positions as well as who else may share them.
8. Identify common ground.
9. Develop a proposed solution to the issue if possible. Try to incorporate some of the language and concerns of the opposition into your proposal.
10. Identify other stakeholders, i.e. people with whom you can make common cause to build coalitions when appropriate.
11. Ask for the moon and accept the stars. (Ask for the ideal solution but have a compromise position in mind. Know what you're willing to give up and on what points you absolutely cannot compromise.)
12. Try to resolve problems at the lowest level but don't hesitate to contact a higher authority if the problem is not resolved. (Go through the chain of command.)
13. Put the issues in writing and keep a copy. This should include your expectations about when you want a response and what steps you will take if you don't get one.
14. Always follow through on your timeline, especially if you have made threats or promises.
15. Keep records (names, dates, etc.).
16. Always attend important meetings with another person. After the meeting, send a thank you letter which includes everything that was agreed to at the meeting (very crucial).
17. When you get desired results write a thank you letter or give other appropriate recognition.

18. Be systematic and well organized. The more organized you are the better your chance of success.
19. Never forget the power of advocacy through infiltration. When you join groups your issues become part of the group agenda, not merely "your" issues.
20. When all else fails, never forget the power of the media. This should be used sparingly (usually as a last resort) and should be well considered. This strategy can backfire because we never really know how the media will present the issue. It can, however, also achieve great results.
21. Cultivate reporters. Make an effort to congratulate or thank them for good stories that present people with disabilities and/or related issues in a positive light.
22. If you achieve your advocacy goal, try to allow the other side to "save face". This could mean allowing them to take credit for solutions you proposed, etc. In the case of public officials, joint press conferences or other photo ops go a long way towards soothing ruffled feathers.

## **Southern Tier Independence Center Quarterly Lobbying Activity Log**

### **INSTRUCTIONS**

The purpose of this form is to track the time and money spent on lobbying each year. There are two kinds of lobbying: direct and grassroots (indirect).

Direct lobbying is when you try to influence a specific piece of legislation by writing or talking to a legislator and/or his/her aides. This would include city council members, county legislators, state senators or assembly people, or federal congresspersons or senators. It does not include agency heads, the Governor, the mayor, or the county executive.

- ' Example: Letter to Senator X asking him to sponsor Senate bill number 0000.

Grassroots lobbying is when you try to influence others such as consumers, agency reps or other members of the public about a specific piece of legislation or if you urge them to contact legislators about an issue. This includes verbal and written communications.

- ' EXAMPLE: "We want you to support the New York State Assembly bill creating a CDPA program." Or "Call Senator X and say we need stronger enforcement of the New York State Human Rights Law." It does not include advocacy unrelated to legislation such as: "You really ought to reconsider your position on assisted suicide."

Include the following information on your form:

- DATE:                      Date lobbying activity occurred.
- ISSUE:                     What you were lobbying about, such as: home care, healthcare, Medicaid, IDEA, etc. The more specific the better, but please be brief.
- ACTIVITY:                What form did lobbying take?
- MAILING:                 How many copies and was it regular or bulk mail. Attach a copy to the form; number the attachments and refer to the number on the form.
- TELEPHONE CALL:      phone number and time of call.
- PERSONAL VISIT:        Where (Binghamton, Albany, etc), total round-trip mileage and indicate if there were overnight accommodations and meals.
- TIME SPENT:            Total time spent on activity. This should include time writing a letter/memo, preparing a mailing, running copies, traveling to/from appointments, etc.

### **Examples**

DATE: 9/26/96  
ISSUE: homecare  
ACTIVITY: met with Senator X in Albany, 189 miles, no hotel,  
TIME SPENT: 5 hrs, 45 mins

DATE: 9/30/96

ISSUE: IDEA  
ACTIVITY: mailing to consumers, bulk 284 (see attachment 1)  
TIME SPENT: 2.5 hours

DATE: 10/4/96

ISSUE: healthcare  
ACTIVITY: phoning, get people for Albany rally: 555-5551, 10 mins.,  
555-5552, 6 mins.  
TIME SPENT: 3 hrs,45 mins.

DATE:

ATTACH copies of any correspondence with local, state or federal legislators. ATTACH copies of correspondence with others that mention specific legislation or urge people to contact legislators about an issue.

QUARTER:

YEAR:

STAFF:

DATE:

ISSUE:

ACTIVITY:

TIME SPENT:

## **Southern Tier Independence Center Independent Living Philosophy**

People with disabilities should be empowered to control the direction of their own lives. This means choosing their goals, plotting their course and taking responsibility for their actions and the results. People with disabilities have the right to make their own choices and decisions and the right to make mistakes and learn/benefit from those mistakes. Independent living centers (ILCs) foster independence, help disabled people to develop networks and supports and promote self-reliance. ILCs advocate for the inclusion and integration of people with disabilities in all aspects of community life.

### **STIC MISSION STATEMENT**

STIC's mission has three parts. We provide assistance and services to people with all disabilities of all ages to increase their independence in all aspects of integrated community life. We also serve their families and friends and businesses, agencies, and governments to enable them to better meet the needs of people with disabilities. Finally, we educate and influence our community in pursuit of full inclusion of people with disabilities.

### **STIC Values Statement**

- We value the ability of every human being to reach for their dream.
- We hold that each individual has strengths and weaknesses that must be taken into account in their journey toward their dreams. Each individual must accept the responsibility for the dream, the journey, as well as the work to get there.
- We offer support, ideas, tools, training, respect and concern.
- We will not do for, when it can be done by the person.
- We will not patronize for the sake of efficiency, or in the guise of caring. We will try to understand when this causes fear, anger and frustration.
- As we develop programs and policies, we will be guided by the dreams and abilities of the people we serve.
- No matter how difficult the road, we will always choose the path of inclusion and integration.
- We will not sacrifice our principles or values for money, convenience or expediency.
- We will not shy away from controversy if that controversy will further our mission.
- We offer hope and continue to look at each person as a unique and joyful experience that will teach us and take us on a journey where we have never been.



# **BUILDING AND MAINTAINING RELATIONSHIPS WITH ELECTED OFFICIALS**

*by  
June Isaacson Kailes  
Disability Policy Consultant*

## **Lobby? You? Why?**

This article covers items to consider as you work to build and maintain relationships with your elected representatives. Strategies are presented on to how to build a profile and how to plan for, carry out, and follow through on visits and contacts with your elected officials. The terms "legislators," "elected representatives," and "elected officials" are used interchangeably in this article.

Please dispose of the myth that you cannot lobby if you work for a nonprofit organization. You can and you should lobby as long as you are aware of the lobbying restrictions placed on recipients of federal funds. In spite of the restrictions, you do have a lot of leeway. Lobbying activities that cannot be supported by federal funds can be supported by other funds. Note: Please see the...article in this manual for additional lobbying information: "Frequently Asked Questions About Lobbying and CILs."

Public policy makers represent you and to do that well, they must have good information from you. Our system of government depends upon citizen participation. Nonprofit organizations provide a vital link between legislators and their constituents and legislators.

Visiting a legislator's office with a goal of advocating for needed action can be a frightening prospect, but there's no better time than the present, and no better tool than knowledge to overcome fear and anxiety. When you consider that fear and anxiety may be the primary feelings separating people with disabilities from necessary health care reform or from employment, it places the value of dealing with these feelings in quite a different perspective.

## **Lobbying is Honorable**

There are still some people for whom the word "lobbying" carries a negative connotation. To them it conjures up visions of shady deals, favors bought and sold, and money passed under the table. In other words, they believe that you've got to do something for your legislators--wine and dine them, make a big campaign contribution--if you hope to get them to do something for you. This is not true. You are a constituent! Your legislators need you every bit as much as you need them. You can give your legislators information and recognition. Whenever your legislators do something on your behalf, such as help your organization or advance your cause, show them your appreciation and let the world know.

## LOBBYING TIPS

### WHAT WORKS...

1. **Delivering the straight facts to elected officials.**
2. **Having active allies.**
3. **Mobilizing grassroots action, such as phone calls and letters.**
4. **Getting along well with legislators and their staffs.**

### WHAT DOESN'T...

1. **Rounding up volunteers in an election year.**
2. **Buying radio, TV, and print ads to promote your cause.**
3. **Spending lots of money on issue oriented ads for or against a legislator.**
4. **Retaining high-priced lobbyists.**

**Adapted from "Techniques Considered Most Effective and Least Effective," by Fortune poll respondents, December 8, 1997, p. 146.**

### Building Relationships and a Profile

To find out who your elected officials are, call the local League of Women Voters office. Building relationships with elected officials is an ongoing process. Get to know them before a crisis arises in which you may need their help.

**Brief yourself** on your elected officials and learn more about their:

- C district's economics, politics, ethnic and racial make-up, geographic boundaries
- C political party;
- C committee assignments;
- C number of terms served;
- C professional background;
- C areas of interests; and
- C views stated publicly and voting record on issues important to you.

**Maintain files** on your officials that contain many of the above items as well as newspaper clippings and their newsletters to constituents. If many individuals in your organization have contact with elected officials, consider using a "Political Contact Report Form" (attached) as a way of summarizing contacts and staying current. You can place these in a file which you can all share and refer to before making the next contact.

To achieve name and face recognition, you will have to make regular contacts. Congratulate them after their election or reelection by letter and/or visit (see "Boilerplate

Letter to Elected Representatives," attached).

Don't call only when you need something. As often as possible, call just to say hello, say thanks, or to update them with good news.

**Seek opportunities for informal time** with legislators, where interaction is more personal.

- C Make social contact at events like dinners, plays, sports events, concerts.
- C Attend meetings held by your legislators, or meetings where they will speak, and address questions to them.
- C Invite your legislators to speak to your group or organization on an issue of value to you.
- C Host an event like a picnic, cocktail party, or breakfast where your community can meet legislators face-to-face.
- C Be instrumental in arranging for your legislators to appear before citizens' groups such as the Parent Teachers Association (PTA), American Disabled for Attendant Programs Today (ADAPT), American Association of Retired Persons (AARP), state associations of centers for independent living (CILs), service clubs, civic organizations, etc., to speak on your organization's issues.
- C Present an award to your legislator for some deserved service.
- C Visit your legislators when they are at home in their district offices.
- C Offer to include supportive legislators when you are doing work with the media.
- C Offer and follow through on providing your legislators with specific information and background on your organization's advocacy issues.

Get involved in the political process. As an individual, not on behalf of your organization, work for the re-election of your legislative supporters (individuals who share your values and views). If you feel your interests are unrepresented, get involved in party policy committees. Consider running for office yourself. Learn how to track bills, budgets, and committee proceedings.

### **Visit Strategies**

## BASIC GUIDELINES

BE:

PREPARED  
BRIEF  
CLEAR  
ACCURATE  
PERSUASIVE  
TIMELY  
REALISTIC  
PERSISTENT  
APPRECIATIVE

**Schedule appointments in advance**, when possible, and state the topic. Ask for the appointment secretary or personal secretary when you call to make an appointment. Be sure they know you are a constituent. Do not wait to get someone to go with you before making the appointment.

A personal visit often provides the most effective kind of political action. Personal visits can make a significant difference in a legislator's vote or an executive's action, particularly when the issue is controversial. A personal visit provides the opportunity for an exchange of information and clarification of complex issues.

**Confirm your appointment** a day or two before your visit.

**Unscheduled appointments** - If you drop by without an appointment, realize that your legislator probably will not be available and you may wait quite a while before you see an aide. It's great if you can get an appointment with your legislator, but don't worry if you end up meeting with aides because your legislator cannot be there. Visits with legislative aides can be as effective as visits with legislators.

**Meeting strategies.** Plan how you will get acquainted with the legislator, express your views and discuss specific issues.

**Limit the number of issues to be discussed.** It is better to contact officials frequently with one issue at a time than to contact them occasionally with a whole laundry list of requests.

**Plan** - Once you have decided who will attend the meeting with you, if anyone, include them in a planning session to structure the agenda you will follow during the meeting. If others are going with you, consider taking no more than four or five people. Legislators sometimes fall into making a speech when they see a large group. Since legislators are most responsive to their constituents, whenever possible ask your colleagues who live in a legislator's district to attend with you.

**Decide who will say what.** Chose one person as the lead spokesperson.

**Be brief.** Outline your comments. An outline will help keep the discussion on track and brief. Cover your topic in five minutes, ten minutes at most.

**Perfect the quick hit.** Practice your message so you can present the basics in one to three minutes. "Senator, I'm \_\_\_\_\_ and I'd (we'd) like to talk to you about SB10. You'll be voting on it in Committee this afternoon. We are here from your district because this bill will be critical to \_\_\_\_\_ number of children and adults because \_\_\_\_\_. We would appreciate your 'yes' vote."

**Decide which facts, data, and/or statistics to use** to make your points since you will not be able to discuss all the information in your written packet. Leave a copy with your representative. With the variety and number of bills and issues introduced in each legislative session, your officials and aides cannot possibly be aware of every item. They depend on others to interpret these issues for them. Sometimes they will have no exposure to your particular concern. View this as an opportunity to define the issues and to educate them.

**Prepare written materials to leave** with your legislator(s). Don't, however, dump volumes of material on the legislator.

**Anticipate questions** and have the answers ready. Make sure you've thought about arguments against your position and are prepared to respond to them. Study the facts and the arguments, pro and con. The mere fact that you want legislators to adopt one position or another won't be enough.

While some votes may be firmly committed, there will be many others you can sway on the basis of sound arguments properly presented.

**Tailor your approach** if you know your official's position on the issue. To make your cause of interest to them, know their point of view and the impact it will have on their districts. The most persuasive arguments used to influence elected officials involve issues that effect their districts.

**Package the information** in a way they will remember. For instance, real life stories have more power than a page of statistics. Statistics are important, but people respond to people.

**Be clear.** Explain clearly what your issue is and why you think they should support it. State what you want them to do.

**Be realistic.** Remember, controversial legislation and regulations usually result in compromise.

**Never take a elected official's vote for granted.** Legislators are inundated with phone calls and letters on a variety of issues.

If your legislator breaks a commitment?

C Ask yourself if you had a real commitment.

C Seek an explanation.

C Did you expect and accept reasonable compromise hearing the elected official's

explanation?

- C Were you realistic and did you understand the counter-pressures affecting the legislator before denying the legislator continued support?
- C Do not scold the legislator in public but let the legislator know that you are aware of the breach.

Effective advocacy requires a variety of tasks. It's important to organize a team (peers, consumers, family, and friends) to share the work load.

## **During Your Visit**

### **Be on time.**

**Introductions** - Always introduce yourself and others even at the second, third, or fourth meeting. Don't put your legislators in the awkward position of having to ask your name or trying to bluff their way through without ever calling you anything. When you realize how many people a legislator meets, you should understand there is a possibility your legislator may not remember you.

Describe the group, if any, that you represent and the number of people involved.

### **State the reason for your visit.**

#### **Be concise and specific.**

- C Hold small talk to a minimum; get down to business quickly.
- C Keep the discussion to the point; don't let it wander.
- C Limit the number of subjects discussed.
- C Refer to the official's position on the issue, if known.

**Be positive.** Acknowledge areas of agreement and appreciation. State criticisms in a positive way.

Present your case, listen, and give counterpoints when necessary.

Find out if you can count on their support for the issue. If talking with a staffer, make it their mission to find out the answer to this question.

Ask what you can do--for example, provide further information, arrange a visit to your organization, or contact others.

Be prepared to list other supporters.

**If the legislator doesn't agree with your position**, be gracious about the difference in views and ask if there are any amendments which would make the bill more acceptable to the legislator. If amendments are suggested, take them back to the author and other supporters of the bill. After a decision is made on the amendment, make sure you get back to the legislator who suggested the amendment.

If the legislator doesn't have suggestions for amendments, thank the legislator for spending time with you and listening to your views. Avoid arguments. Confrontations usually aren't helpful, except as a last resort. Stay calm, don't lose your cool, and don't argue. Today's opponent may be tomorrow's friend.

**If your elected official is undecided**, ask, "What kind of information would help you decide? How can I assist?" Try to keep an undecided official from stating outright opposition. This makes it easier to return with more information at another time. Try to determine what is preventing them from offering their full support. Keep the door open for further discussion; don't get backed into an unyielding position.

**Leave a written summary of information** including how to reach you.

Ask for related legislative materials: a copy of the bill, policy or regulation; analysis, etc.

Bring a camera and ask to have a picture taken with legislator. You may later choose to hang it on your wall, print it in your newsletter, send it to the newspaper with a press release and/or send it to the elected official with a thank-you letter.

Explore options of attending committee meetings or hearings, visiting House or Senate galleries, the Capitol building, etc.

Let officials know they can rely on you for accurate, informative, well-documented information related to your specific focus and that you are available to answer questions and provide testimony when needed.

Offer to help legislators with passage of bills important to them.

**Never give bad information.** If you lose credibility, you lose your power. If you're asked a question and don't know the answer, tell them you'll find out and get back to them by a specific time. Don't make promises you can't keep.

Take defeat gracefully. You'll be back for another round.

Express thanks if the official supports your position; you might want to ask for advice and suggestions on spreading the word. Get supportive legislators to talk to other legislators for you. Ask them to recommend other contacts who may be important in assisting or supporting your issue.

Close the visit on friendly terms, even if you do not agree, and summarize any commitments made.

### **After the Visit**

**Be discreet** in the halls, avoid gossip, and debrief in privacy.

**Send a thank-you letter.** A thank-you letter really scores. Write a letter following every visit and supportive action by your legislator. Identify any follow-up activities to which you and the legislator may have agreed.

Send a dated copy of a picture (if taken) and make sure to identify the people in the

photo. Enlargements have a better chance of appearing on their office wall or desk.

**Always report back to your organization.** With whom did you visit or speak? What did you discuss? What was the representative's position? Your report and those of other volunteers are important to your leadership in planning strategy. Consider completing a political contact report form after each visit as a way of remembering contacts and content.

Don't give up the first time; it may take several sessions to educate officials to your point of view.

## **Communicating with Elected Officials**

### **Writing (letter, e-mail, fax)**

Develop both quantity and quality of contacts. Some legislators value 100 postcards on the issue. Others prefer one or two well-written letters. The key is to generate both.

Timing is important. Write shortly before or at the time the subject is being discussed or the decision is to be made. If you write too soon, you may not capture the attention of the legislator. If you write too late, the decision may have already been made. Prepare the letter early and be ready to send it at the right time.

Write to say you approve, not just to complain.

**Include your return address.** This is especially critical when using e-mail.

If you are urging action, state what you need: support, opposition, or amendment. Be sure to state the issue, bill number, and author. Be brief and to the point. Keep your letter to a single page. Attach information elaborating on the one-page summary.

### **Use your own words.**

Point out the positive effects on their district(s) and tangible results that will occur as a result of acting on your request.

Close with a statement of thanks and an expression of continued interest in future action.

Make it clear that you expect a prompt response.

Make a follow-up phone call and state in your letter that you will do that.

## **Telephone**

Telephone calls do not substitute for face-to-face visits. They can be used if rapport has already been established with the legislator or if an issue is contested and you are part of a group trying to convey a broad community support for a position.

If the legislator's position is favorable to your own, express appreciation: "I'll tell our friends of your support."

## **Closing Thoughts**

Today, contact with elected representatives is a must. Any organization that does not work with its elected representatives and does not lobby well is almost certain not to do as well in achieving advocacy goals.

“Revolutions begin when people who are defined as problems  
gain the power to redefine the problem.”

John McKnight

## BOILERPLATE LETTER TO ELECTED REPRESENTATIVES

This may be a helpful contact letter for you to consider modifying and using after any local-city, county, state or federal election.

January 2, 1997

Dear \_\_\_\_\_,

Congratulations on your recent election (re-election)....We at the XYZ Independent Living Center look forward to (continuing to work) working with you and your colleagues.

Attached is information (updated information) on our independent living center and the services we offer to your constituents. As you embark upon your term of office, please utilize XYZ Independent Living Center as a resource for technical assistance and expertise on disability-related public policy and funding issues. Also, please feel free to call upon us for:

- C consultation related to disability-related policy and long term care issues;
- C assistance to ensure that your district office is accessible to all people with disabilities; and
- C assistance to constituents with disability-related problems.

We wish you success in meeting the challenges of your office. We know you are busy getting established in your new office, but when things settle down we would like you to come and visit our center.

(OR)

We'd like to invite you to revisit our center so we can update you on our many new accomplishments, programmatic changes, and advocacy and public policy priorities.

We look forward to hearing from you. Again, best of luck.

Sincerely,

June Isaacson Kailes  
Executive Director

Enclosures

# POLITICAL CONTACT REPORT FORM

Date of visit \_\_\_\_\_

Elected official \_\_\_\_\_ Present? Yes \_\_\_ No \_\_\_

Staff name(s) \_\_\_\_\_ Phone \_\_\_\_\_

\_\_\_\_\_ Phone \_\_\_\_\_

U.S. Representative \_\_\_\_\_ U.S. Senate \_\_\_\_\_ City Council \_\_\_\_\_

State Assembly \_\_\_\_\_ State Senate \_\_\_\_\_ Supervisor \_\_\_\_\_

District \_\_\_\_\_

Reason for visit/contact:

Outcome of visit/contact:

Follow-up:

Other information/comments:

Staff/volunteer \_\_\_\_\_

**Systems Advocacy: Unite in Power  
Brainstorming Stakeholders  
Template #1**

**Coalitions have more power when they include groups representing diverse needs as well as groups that traditionally do not join forces.**

Issue: \_\_\_\_\_

Identify stakeholders that may be potential partners.

Person or Group	Reason for Partnership
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

## **Systems Advocacy: Unite in Power Articulating Values and Guiding Principles Template #2**

**In any policy campaign, hundreds of decisions are made. They range from when to use a tactic or when to compromise your position.**

Value

As a coalition, develop a list of words with a meaning that encompasses the reason your coalition exists.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Prioritize and group the words above.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

## Guiding Principles

**Determine your guiding principles by setting the philosophical boundaries for your coalition. Do this by turning your words of value into statements.**

EXAMPLE Value: Community

Guiding Principle: All people deserve the opportunity to reside in their communities.

Value \_\_\_\_\_

Guiding Principle \_\_\_\_\_

Value \_\_\_\_\_

Guiding Principle \_\_\_\_\_

Value \_\_\_\_\_

Guiding Principle \_\_\_\_\_

**Systems Advocacy: Unite in Power  
Developing a Strategic/Action Plan  
Template #3**

**An effective strategic plan includes the following components. As you address these questions a plan will emerge that will lead to the accomplishment of the goals that brought you together as a coalition.**

Issue: \_\_\_\_\_

**What do you stand for?**

Describe the coalition's values or guiding principles (Template 2).

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**Complete a reality check.** List the following:

Strengths \_\_\_\_\_

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Weaknesses \_\_\_\_\_

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Opportunities \_\_\_\_\_

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**Keep your eye on the prize.** What do you want to achieve?

Goals and Objectives \_\_\_\_\_

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**What are the steps necessary to achieve your goals and objectives?** This is the action part of the plan. Use the analysis you have completed on the above questions and outline your strategy. Ensure that all activities lead to the desired outcome.

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## Systems Advocacy : Unite in Power Strategies for Interacting with Policy Makers Template #4

**Below are the major factors that affect the decisions elected officials and their staff make in the course of fulfilling their policy making responsibilities.**

Issue: \_\_\_\_\_

**Merit/content of the proposal.** Lay out the proposal by listing the key issues and rationale.

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**Framing the Issue.** Without deviating from your guiding principles, develop the message your coalition will use to elicit a positive response.

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**Timing of the Proposal.** Determine a timeline to maximize your message. Work from the action plan developed in Template 3.

Activity

Timeline

_____	_____
_____	_____

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**Reality Check.** Indicate the realities in the following areas that will need to be addressed.

Political Realities:

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Logistical Realities:

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**The Form of the Message.** In order to maximize the time of elected officials and their staff you must determine how you will present your information. Determine which materials you will use, who will develop them and the format to be used.

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**Who will deliver the message?** The person delivering the message often whether or not it is heard and acted on in a favorable manner.

Who will deliver your message? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Why? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Systems Advocacy: Unite in Power  
Planning a Public Forum  
Template #5**

**What is the goal of the forum?**

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**What is the message?**

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**Who is invited (panel)?**

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**Who are the speakers and why?**

Speakers

Reason

<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

**Who is the audience?**

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**List logistical information.**

Name of event \_\_\_\_\_

Date \_\_\_\_\_

Location \_\_\_\_\_

Address \_\_\_\_\_

Time \_\_\_\_\_

Coordinated by \_\_\_\_\_

## **INTERNET LINKS TO GOVERNMENT AND OTHER USEFUL SITES**

Federal Legislative Information Thomas : Library of Congress' Website  
[www.thomas.loc.gov](http://www.thomas.loc.gov)

United States Senate  
[www.senate.gov](http://www.senate.gov)

United States House of Representatives  
[www.house.gov](http://www.house.gov)

The White House  
[www.whitehouse.gov](http://www.whitehouse.gov)

Cabinet Agencies  
[www.whitehouse.gov/WH/Cabinet/html/cabinet\\_links](http://www.whitehouse.gov/WH/Cabinet/html/cabinet_links)

Federal Independent Agencies and Commissions  
[www.whitehouse.gov/WH/Independent\\_Agencies/html/independent\\_links](http://www.whitehouse.gov/WH/Independent_Agencies/html/independent_links)

Government Accounting Office  
[www.gao.gov](http://www.gao.gov)

U.S. Code of Federal Regulations  
[www.access.gpo.gov/nara/cfr/cfr-table-search](http://www.access.gpo.gov/nara/cfr/cfr-table-search)

Federal Register  
[www.access.gpo.gov/su\\_docs/aces/aces140](http://www.access.gpo.gov/su_docs/aces/aces140)

OSERS - Office of Special Education and Rehabilitative Services - U.S. Department of Education  
[www.ed.gov/offices/OSERS](http://www.ed.gov/offices/OSERS)

Rehabilitation Services Administration  
<http://www.ed.gov/offices/OSERS/RSA/rsa>

### **Internet Resource Information**

Congress.org Congressional Directory with biographical information and a search engine to find your Members of Congress by zip-code  
<http://congress.org/main>

Congressional Quarterly's AMERICAN VOTER Check up on your members of Congress and compare your positions on key issues.  
[www.cq.com](http://www.cq.com)

Congressional Quarterly's VOTE WATCH provides timely news stories on key congressional votes and a searchable database of members' individual votes.  
<http://cnn.com/ALLPOLITICS/cq/resources/votewatch>

Governors Offices and Phone Numbers  
<http://www.nga.org/Governor/GovernorsAddress.htm>

State and Local Government Links

<http://www.piperinfo.com/state/states.html>

Empowerment Zone- Great Disability and General Public Policy Information  
[www.empowermentzone.com](http://www.empowermentzone.com)

Media Links

<http://www.policy.com/community/media.html>

Political Dictionary

<http://www.fast-times.com/political.html>