



Information to Assist: DD Council Public Policy and Advocacy Activities

Basic Information

Advocacy is when people make their voices heard on issues that affect their lives and the lives of others at the local, state and national level.

Lobbying is when people directly or indirectly act to support or oppose a specific piece of legislation.

Advocacy

Advocacy is the act of connecting with government officials to educate and provide factual, and non-partisan information about relevant issues.

There is no limit to the amount of advocacy a person or organization can do.

Advocacy Examples:

- ✓ Telling your legislators how a Council grant has helped people with intellectual and developmental disabilities, their families, and helped change systems for the better.
- ✓ Educating a legislator about how proposed legislation will affect people with intellectual and developmental disabilities and their families.
- ✓ Inviting a legislator to visit with your Council so he/she may see firsthand how federal, or state funding is helping make a difference in the lives of people with intellectual and developmental disabilities.
- ✓ Providing technical assistance or advice to a legislative body or committee in response to a written request.
- ✓ Making available nonpartisan analysis, study or research.
- ✓ Providing reviews and discussions of broad, social, economic and similar problems.
- ✓ Communicating with a legislative body regarding matters that might affect the existence of the Council, its powers and duties, and other allowable issues.

January 2025

- ✓ Updating the members of the Council and other advocacy partners on the status of legislation, without a call to action.

Lobbying

Direct Lobbying - Telling a policymaker to vote yes or no on proposed legislation.

Indirect or Grassroots Lobbying – asking the public to tell their policymakers how to vote on a proposed piece of legislation. This includes but is not limited to:

- online petitions
- flyers
- organizing a public march or rally for this direct purpose.

Lobbying examples:

- ✓ Asking your legislators to vote for or against, or amend, introduced legislation.
- ✓ Emailing a “call to action” to your members and other advocacy partners urging them to contact their legislators in support of action on introduced legislation or pending regulations.
- ✓ Preparing materials or organizing events in support of lobbying activities.
- ✓ Organizing a rally to call for the passage of specific bills (legislation).

What about a march, rally, or something similar?

If a march, rally, or something similar is centered on the support of or opposition to an issue rather than support of or opposition to specific legislation, it would be considered advocacy.

If a rally is focused on promoting people with intellectual and developmental disabilities (disability pride rally, right to work, increased funding for waitlists, services, etc.) and NOT connected to proposed legislation, this would also be considered advocacy.

If a rally is centered on calling for the passage or opposition of specific legislation it would be considered lobbying.

Councils should be aware of the intent of a march or rally and make decisions about participation based on the purpose and intent of the rally.

Providing technical assistance or advice

If your Council is asked to provide technical assistance or advice in response to official written questions or inquiries from a legislative or congressional body (committee or subcommittee), you are allowed to share written or oral testimony about a piece of legislation and share your position on the legislation – this is **ADVOCACY**.

Remember!

- Advocacy is when you inform an official on an issue.
- Lobbying is when you intend to influence an official's opinion in a specific way for a specific purpose.

Can a Council write legislation?

A federal grant recipient generally cannot directly write legislation using funds from their federal grant.

Councils can participate in the legislative process through other means, like providing expert testimony, collecting and analyzing data, sharing results of research, and fostering coalition building.

For example: Asking a representative to support or introduce legislation on a specific issue or allocate more funding to a program such as Money Follows the Person is lobbying.

Federal funds and DC Hill Visits

A common question: “If a Council uses federal funds to support people to travel to Washington DC and the person meets with their federal representatives, is that OK?”

It depends. Meetings with federal representatives to educate them about your Council program is okay. If you or a lobbyist colleague encourages the federal representative to allocate more funding for Councils during the meeting, that would be lobbying because you would be trying to influence legislation.

Costs of grant-related travel that do not involve lobbying can support that part of the trip.

Additional note: If Council members or staff are acting on behalf of the Council, they cannot act in their individual capacity while they are also operating in an official capacity.

January 2025

For example, a member or staff person could not attend a meeting in an official capacity and avoid anti-lobbying regulations by claiming to speak briefly “in their individual capacity” or “in their personal opinion”.

When in doubt about your advocacy activities

If you have concerns or questions about Council funded activities, we highly recommend the following:

- Contact your Council’s assigned Program Officer
- Describe your activity and ask for confirmation whether the activity is supported by the terms and conditions for federal funding.

References:

US Department of Health and Human Services, Federal Restrictions on Lobbying for HHS Financial Assistance Recipients. <https://www.hhs.gov/grants-contracts/grants/grants-policies-regulations/lobbying-restrictions.html>

Administration for Community Living, Program Policy and Guidance for Centers for Independent Living FAQ: Allowable Advocacy Activities for Federal Grantees (2019). Retrieved from: https://acl.gov/sites/default/files/about-acl/2020-06/FAQ%20-%20Allowable%20Advocacy%20Activities_1.pdf

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