
N4A/CAP ADVOCACY HANDBOOK

Advocacy • Action • Answers on Aging



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INTRODUCTION

The Center for Aging Policy, the advocacy arm of N4A, recognizes the importance of advocacy at the national level on issues affecting older persons and individuals with disabilities. Advocacy is an important part of the legislative process because legislators at all levels of government – local, state and national – recognize that their vote is influenced by the “people back home.”

Each of you reading this handbook, as individuals, or as staff, Advisory Council or Board members of an Area Agency on Aging (AAA), has a civic responsibility to let your elected officials know where you stand on issues. [Please note that although the Older Americans Act does not require Title VI – Native American aging programs to have an Advisory Council, the advice in this handbook is equally applicable to Title VI grantees.]

This handbook is a guide to conducting advocacy at any level of government, but is targeted primarily at influencing the national policy debate. The handbook presents simple tools and recommendations that can be implemented locally without major expenditures. The tools discussed are readily available to almost everyone.

USING THIS HANDBOOK

This *N4A/CAP Advocacy Handbook* is intended to provide information about the basics of advocacy, the legislative process, communicating with elected officials and working with the media. Area agency personnel and advocates are in the best position to know the needs of the older adults in their community and how to appropriately and efficiently meet these needs. As such, the decision-makers who craft our national policies and priorities must hear from you.

One of the great privileges of our nation is the ability to speak our minds. Using our voices and speaking out are a right – and responsibility – protected under the First Amendment of the Constitution. Please use this handbook as a resource for communicating about the needs of older persons, persons with disabilities and others with special needs.

ADVOCACY AND THE OLDER AMERICANS ACT

First enacted in 1965, and enhanced over the years, the Older Americans Act established the U.S.

Administration on Aging and over time created Area Agencies on Aging and Title VI Native American aging programs. The overarching goal of the Act is to provide older adults and their caregivers with information and access to home and community-based services that enable for older adults to remain at home for as long as possible.

The Older Americans Act of 1965, § 306 (a)(6)(D), also mandates that Area Agencies on Aging shall:

“Serve as the advocate and focal point for older individuals within the community by (in cooperation with agencies, organizations, and individuals participating in activities under the plan) monitoring, evaluating, and commenting upon all policies, programs, hearings, levies, and community actions which will affect older individuals.”

Because the Older Americans Act gives AAAs advocacy responsibility for issues pertaining to older people, AAAs must assure that efforts are made locally to educate elected officials who have decision-making roles in the setting of public policy.

Advisory Councils serve AAAs as representatives of older persons. AAA staff provides Advisory Council members with information on the agency, its programs, and concerns within the community. AAA staff also supplies legislative updates to its advisory council and should encourage its members to use materials provided to them to inform others in the community and to take action on issues.

COMMUNICATING WITH ELECTED OFFICIALS

continued

Strategies for Communicating with Elected Officials

Letter Writing – Often the most widely used and effective strategy for communicating with an elected official is a letter. Form letters are less effective than personal letters. Advocates should be encouraged to personalize their letters and explain how an issue affects them locally. [See **Sample Letter to Congress**, page 13].

Guidelines for Letter Writing

- Write as soon as alerted; time is of the essence.
- Use personal or business stationary; handwritten letters are acceptable. E-mail is another way to communicate. You can connect to your elected official's office through www.house.gov or www.senate.gov.
- Identify yourself and your interests in the issue; be direct and concise. Keep the letter to one page; be courteous and reasonable.
- Ask for a specific action (e.g., co-sponsor a bill, sign on to a letter of support), using the bill number or title of the measure whenever possible. Ask for a written response and include your return address, fax or email.
- Make sure you include your name, address and phone on your letter.
- If you have any personal connections with the elected official, mention them in the letter (e.g. worked on their campaign, studied together, served together).
- Encourage others to write.
- After receiving a response, follow-up with a thank you to your legislator for agreeing with your position or ask questions on why he or she took a different position.
- Be sure to send copies of your correspondence to CAP headquarters.

Telephone Calls – Telephone calls should be used when there is little time for communicating by letter. When making calls, as when writing letters, be direct and keep your message simple. Call your local office to express an opinion about an issue; call the Washington, DC office when time is short and you must convey your message immediately. You can reach your member's office by calling the Capitol Switchboard (202-224-3121). Ask for your Member of Congress by name.

Guidelines for Calling Congressional Offices

- Use talking points or prepare notes before calling.
- State your name and the fact that you are a constituent.
- Ask to speak to the staff member responsible for the issue area of concern to you.
- State your concern, identifying the related bill number, if applicable. Do not engage in a debate with the staff member; rather register your support or opposition to the bill or other action, with constructive criticism and recommended solutions.
- Provide background on the bill or other action and its direct impact on constituents and services within the district.
- Be insistent on receiving information on how the Member plans to vote. Thank the individual for their time.
- Follow-up with a letter addressed to the Member of Congress and a "cc" to the appropriate staff.

Sample Phone Call Script:

Caller: *Hello. This is Alex Garcia calling for Representative Washington. I'm her constituent and am calling to urge her support for family caregiver support services under the Older Americans Act. I am a member of the local AAA Advisory Council, representing over 100,000 older people in our county. Given the ever-increasing number of older frail persons and the burden that falls on family members to provide long term care, we need this funding to help families in her district. Can we count on the Congresswoman's support?*

Staff person: Answers that the representative is undecided at that time.

Caller: *Thank you for the information. I'd like to provide a fact sheet that may help the Congresswoman to make her decision. In the meantime, could Representative Washington write me outlining her concerns about the issue? My address is Thank you again for your time.*

WORKING IN COALITION WITH GRASSROOTS ADVOCATES

Having individuals contact their elected officials, host special events, and the like can have a major impact on legislators, but that's not the only way to influence the legislative process. Another key approach to successful grassroots advocacy is to build coalitions which allow for greater leveraging of resources. A successful coalition can expand the numbers and expertise of those individuals who are committed to working on issues. Moreover, your impact on Capitol Hill will be greatly enhanced: Legislators strongly prefer to move forward on issues when they know there is consensus among those organizations that have a vested interest. When key parties agree on a particular position, legislators and their staffs are relieved from having to resolve conflicts among competing interests.

Coalitions are formed around common interests and can be temporary or permanent. They can be fully funded and staffed or they can be ad hoc as the need arises. Coalitions serve to unite allies and bridge gaps that exist between unnatural allies.

For any coalition to be successful, it must have strong leadership, outreach, mutual trust, sharing of resources and responsibilities, and effective communications. Coalition members must accept the importance of setting aside their specific interests in favor of the overall goals of the coalition. By following the steps below, you can ensure your coalition's success.

Components of a Successful Coalition

- Decide who should belong to the coalition by considering factors such as issues of concern, geography, membership, size and diversity.
- Develop a broad, unified message that all can agree to when working on behalf of the coalition.
- Create a mission statement and set goals and objectives, using them as measures of the coalition's success.
- Get firm commitments on the amount and types of resources each group will bring to the effort.
- Delegate coalition responsibilities according to members' strengths; choose a spokesperson.
- Avoid scheduling numerous coalition meetings; establish working groups for specific tasks.
- Find a champion for your issues who knows and can work with your members.

STARTING AN ACTIVIST NETWORK

Starting an activist network is critical to addressing national issues through advocacy. Members of Congress consistently tell Washington advocates that they must hear from their constituents before they make up their minds about an issue. It is the responsibility of the Washington-based advocates to provide the information and messages necessary for grassroots advocacy. It is the responsibility of local advocates to communicate these messages in their local communities.

Communications with participants in a grassroots campaign must be engaging and exciting in order to be effective. Keep explanations simple – don't overwhelm advocates with details. Always give deadlines for action and outline the specific steps needed. Be sure to provide your grassroots advocates with a contact person and telephone number for more information. Include mechanisms for the grassroots to report back their activities and progress. Always let the grassroots activists know the results of their efforts and how their activities resulted in change.

Mobilizing Your Activists

- **Organize a petition drive.** Enlist individuals to join you by signing a petition. Make sure you include a place for individuals to include their name, address and phone number so you can contact them to take further action.
- **Host post card and letter writing campaigns.** Encourage people to write letters using their personal experience as evidence of the value of OAA services.
- **Start a "chain letter" and "phone tree."** Ask others to write a letter to their legislator and direct them to ask several other people to write and so on. Use this same strategy when urging people to call the legislator.
- **Keep careful records of those who take action.** Use this information to create a data-bank of individuals who can be called upon to take action in the future.
- **Keep your message simple.** Your communications with activists should give them one task to perform with a deadline for action.

Mobilizing Your Activist Continues on Next Page →

THE NUTS AND BOLTS OF FEDERAL LEGISLATION AND BUDGETING

CONGRESSIONAL STAFF

Chief of Staff (CoS) or Administrative Assistant (AA) – is often the most senior staff person and the most trusted aid to the elected official. This individual runs the office and has supervisory responsibility over the entire staff – administrative or legislative. This individual is often involved with the re-election concerns for the member.

Legislative Director (LD), Senior Legislative Assistant, Legislative Coordinator (LC) – is the staff person responsible for the legislative schedule and makes the final recommendations for legislative issues. This individual also is responsible for all of the staff involved with legislative matters.

Press Secretary or Communications Director – is the individual responsible for the member's interaction with the press and is often relied upon as a political adviser as well. This person writes the member's speeches, press releases, articles, and the like.

Legislative Assistant (LA) – is the individual responsible for issue areas, e.g. health, appropriations, etc. Offices often have many LAs covering many issues. Because Senate staffs are larger, LAs cover fewer issue areas. LAs can also assist with legislative correspondence in their issue area.

Legislative Correspondents (LC) – monitor and respond to constituent mail.

Appointment Secretary, Personal Secretary, Scheduler – these staffers serve as the member's gatekeeper, scheduling meetings and events both in the Washington, DC office and in the district office.

Caseworker – is the person who handles constituent problems with federal programs on behalf of the member, e.g. eligibility or receipt of benefits under Social Security. They may also assist with drafting correspondence in response to constituent inquiries. Many district offices are staffed exclusively by casework staff.

Types of Legislation

Bill – A bill is legislation introduced in either the House (**H. R. #**) or the Senate (**S. #**). A bill has the force of law after completing the full legislative process and either receiving presidential approval or a two-thirds override vote in each chamber of Congress.

Joint Resolution – Joint resolutions (**H. J. Res. #** or **S. J. Res. #**) may originate in either chamber and follow the same process as a bill.

Concurrent Resolution – Concurrent Resolutions (**H. Con. Res. #** or **S. Con. Res. #**) may originate in either chamber but do not carry the force of law. They express the sentiment of the Congress or address rules of both chambers. They must be approved by both chambers but do not require the President's signature.

Simple Resolution – Simple resolutions (**H. Res. #** or **S. Res. #**) originate and must be approved only by the chamber which it affects. They either address the operation or express the concern of the chamber of origin.

THE BUDGET PROCESS

The President proposes a fiscal year budget usually during the State of the Union address each January. However, only Congress has the power to set the spending limits for the government. This is determined by the congressional budget process, which requires three steps:

1. The **congressional budget process** establishes broad guidelines for federal spending to be approved by the full House and Senate. The Budget Committees of both chambers develop general guidelines for government spending, including tax cuts, paying down the debt to the Social Security and Medicare trust funds, and the amounts of discretionary spending for both defense and non-defense programs.

A budget resolution then goes to the full House and Senate for passage, based on the guidelines established by the Budget Committees. These resolutions are not binding and do not go to the President for signature.

2. The **authorization process** creates and reauthorizes federal programs, such as the Older Americans Act, and

establishes the structure and requirements of programs and services. The authorization process does not allocate funds; rather it establishes specific spending guidelines for each program. These guidelines do not guarantee funding for the programs.

3. The **appropriations process** in each chamber allocates funds for authorized programs. Appropriations bills set specific funding levels for each agency and its subparts for the fiscal year. Each of nine appropriations subcommittees (e.g., defense, transportation, human services) receives a total allocation, which the subcommittee apportions to the agencies under its jurisdiction. Some programs may or may not receive their full authorized amount; some may not receive any funding.

Advocates' role in this process is to try to influence lawmakers as they determine the broad outlines for the budget and the specific amounts authorized and appropriated in the subcommittees.

APPENDIX A

LOBBYING BY NON-PROFIT ORGANIZATIONS

There are two types of lobbying – direct and grassroots. Direct lobbying involves communications with legislators by your organization and its members; grassroots lobbying involves communicating with constituents encouraging them to contact their legislators. ***A Summary of the Laws Governing Lobbying by 501(c)(3) Organizations*** reproduced below discusses definitions and tax treatment of public charities in relation to their lobbying activities.

A Summary of the Laws Governing Lobbying by 501(c)(3) Organizations

John Pomeranz, Nonprofit Advocacy Counsel
Alliance for Justice

501(c)(3) public charities **can lobby**, within limits, in support of the organization’s charitable mission. How much lobbying the organization can do depends on which of two sets of rules the organization chooses to fall under. The ‘old’ rules — the rules that apply unless you elect to come under the new rules — require that lobbying activities not be a “substantial” part of a 501(c)(3)s activities. Unfortunately, the Internal Revenue Service and the courts have been reluctant to define substantial. Most lawyers will tell you that up to 5% of your organization’s activities are safe, but this is hard to track when much of those activities may be conducted by unpaid volunteers. Furthermore, the old rules are fuzzy about just what activities constitute lobbying.

Fortunately, there’s a “new” set of rules that provides much clearer guidance on how much lobbying a 501 (c)(3) organization can do and what activities constitute lobbying. Internal Revenue Code Section 501(h) was enacted in 1976 and regulations implementing it were adopted in 1990. The limits under 501(h) are based on how much money the organization spends on the activity, so activities that don’t incur an expense don’t count as lobbying. To take advantage of these clearer rules, the organization must “elect” to do so by filing a simple, one-time form (IRS Form 5768).

For most 501(c)(3) organizations (those with budgets under \$500,000), the organization can expend as much as 20% of its budget on its total “direct” and “grass roots” lobbying. However, it may only spend a quarter of its overall limit (as much as 5%) on “grass roots” lobbying. As the size of an organization’s annual budget increases, the percentage of those expenditures that the organization can spend on lobbying declines. Direct lobbying occurs when a representative of the organization communicates the organization’s view on a specific piece of legislation to an official, such as a council member or a legislator (or a staff person for such an official). Grass roots lobbying occurs when the organization urges the general public to communicate the organization’s position on legislation to these officials. Fortunately, an organization’s members are treated as a part of the organization, so urging them to contact public officials about legislation is considered direct, not grass roots, lobbying.

There are some specific exceptions for some activities that otherwise might appear to fit the definition of lobbying under the 501(h) rules. For example, it is not lobbying to prepare and distribute a “nonpartisan analysis” that fully discusses the pros and cons of a legislative proposal (even if the analysis comes to a conclusion on the merits of that proposal). Nor is it lobbying to respond to a written request for assistance from a legislative committee to help the committee with a legislative proposal. In addition the statutory exceptions, remember that litigation and attempts to influence an administrative (regulatory) decision fall outside the definition of lobbying.

The organization is required to track expenditures in a way sufficient to show that it hasn’t exceeded its lobbying limits. Some of they types of expenditures that could count toward the lobbying limit are:

APPENDIX B

CONGRESSIONAL COMMITTEE JURISDICTIONS

ISSUE	HOUSE	SENATE
Budget Policy	Budget Committee	Budget Committee
Housing Appropriations	Appropriations Committee/VA, HUD, Independent Agencies Subcommittee	Appropriations Committee/VA, HUD, Independent Agencies Subcommittee
Housing Reauthorization	Banking & Financial Services Committee	Banking, Housing & Urban Affairs Committee
Low Income Home Energy Assistance Program	Education & the Workforce Committee	Health, Education, Labor and Pensions Committee
Managed Care	Ways & Means/Health, Commerce/Health & the Environment, and Education & The Workforce/Employer-Employee Relations	Health, Education, Labor, and Pensions Committee/Public Health Subcommittee
Medicaid	Commerce Committee/Health and the Environment Subcommittee, and Ways & Means Committee/Health Subcommittee	Finance Committee
Medicare Part A	Ways & Means Committee/Health Subcommittee	Finance Committee
Medicare Part B	Commerce Committee/Health & the Environment Subcommittee	Finance Committee
Older Americans Act/ Family Caregiver Support Services Appropriations	Appropriations Committee/Labor, HHS, Education Subcommittee	Appropriations Committee/Labor, HHS, Education Subcommittee
Older Americans Act Reauthorization	Education & the Workforce Committee/Post Secondary Education, Training and Lifelong Learning Subcommittee	Health, Education, Labor and Pensions Committee/Aging Subcommittee
Prescription Drugs	Ways & Means Committee and/or Commerce Committee	Finance Committee
Social Services Block Grants (Title XX)	Ways & Means Committee/Human Resources Subcommittee	Finance Committee
Social Security	Ways & Means Committee/Social Security Subcommittee	Finance Committee
Supplemental Security Income (S.S.I.)	Ways & Means Committee/Human Resources Subcommittee	Finance Committee

Sample Letter to Congress

DATE

FOR SENATORS:

The Honorable _____
 United States Senate
 Washington, DC 20510

FOR REPRESENTATIVES:

The Honorable _____
 U.S. House of Representatives
 Washington, DC 20515

Dear Senator:

Dear Representative:

I urge you to work vigorously to ensure that Congress adopts a \$125 million increase in Title III-B of the Older Americans Act to support the needs of family caregivers.

Families and friends provide most of the long term care in this country. By funding these services, Congress would recognize the important role families play in caring for an aged loved one. Family caregiver support would help families as they struggle to provide help with such activities as eating, bathing and dressing. Such services would protect the health of caregivers and allow them to continue caring for their relatives at home.

Let me explain why this issue is so important to me. (Use this paragraph to describe your personal situation. Make sure you describe how you and your family will benefit from the respite care, counseling, training and other services this funding would provide.)

My family and I are counting on you to support an increase of \$125 million to fund family caregiver services in the Older Americans Act. I also urge you to support increases in funding for other titles within the Act to allow these critical programs to keep pace with inflation and respond to the growing numbers of older people who need these services.

I look forward to hearing from you soon on these important matters.

Sincerely,

Your Name
 Your Address
 City, State, Zip
 Your Phone #

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Center for Aging Policy

SAMPLE FACT SHEET
**National Association of
 Area Agencies on Aging**

927 15th STREET, NW, SUITE 600
 WASHINGTON, DC 20005
 Phone: (202) 296-8130
 Fax: (202) 296-8134

THE OLDER AMERICANS ACT

WHAT IT DOES:

Gives Older Adults the Opportunity to Live Independently With Dignity at Home

Unlike funding from many other federal government programs that pay for long term care, the Older Americans Act helps fund programs to keep seniors independent at home and in their own communities. While consumers overwhelmingly prefer to be cared for at home, three out of every four federal dollars spent on long term care goes to costly care in facilities.

Supports Family Caregivers

Family members, friends, and neighbors provide the majority of long term care. If it were compensated, this unpaid care would amount to \$200 billion per year. Caregiving takes a toll, and when caregivers become exhausted they often have no other option but to place their loved one in a nursing facility. Supporting caregivers is sensible, less costly, and it's what people want. Even the President has recognized the important role the Older Americans Act plays in supporting caregivers by including \$125 million in his budget this year to fund additional support services to caregivers.

Funds Critical Home and Community-Based Services

The Older Americans Act links seniors with a variety of existing federal, state and local home and community-based services which provide information, assistance and referral to a wide array of local services. Services funded by the Act include home-delivered and congregate meals, transportation, employment services, chore and personal care, legal assistance as well as many other unique local programs. This broad array of services is available in every community across the nation.

Provides a Place Close to Home Where Seniors and Their Families Can Get the Help They Need

For 25 years, Area Agencies on Aging, funded through the Older Americans Act, have been a focal point in local communities where seniors and the community-at-large can make connections with seniors and families. AAAs help families find the information and services they need which are important in navigating an often complex home and community-based system. AAAs also make the connections with businesses, foundations, and other leaders in the community to educate them about issues affecting an aging society.

SAMPLE PRESS RELEASE
(NAMES AND OTHER INFORMATION ARE FICTITIOUS)

FOR IMMEDIATE RELEASE
DATE

Contact: Name
 Phone

**CAREGIVERS NEED ASSISTANCE TO KEEP
 LOVED ONES AT HOME**

Beaumont, TX — Families across the country are struggling to care for loved ones at home. Missy Peters is representative of this group of caregivers. “Edmond cared for me for nearly 40 years, I can’t let him down,” she says, “But everyday, I feel my energy and strength fading. I worry about how long I’ll be able to continue to make it from day to day.” Missy is a 65-year-old former nurse and long-time resident of Beaumont where she has lived since marrying Edmond, a retired county police officer, in 1956.

Missy knows too well the great financial and emotional stress that can accompany caring for a loved-one at home. When Edmond suffered a stroke in 1995, he was unable to bathe, dress or get out of bed by himself. At first, Missy continued to work in order to earn the extra income needed to afford the in-home services that Edmond’s condition warranted.

In 1998, Edmond began showing signs of dementia and needed 24-hour care. Missy quit her job to care for him full-time. With a reduced income, Missy can no longer afford the part-time assistance that gave her some rest and time to regain her strength. “I’m just thankful I still have my health. I worry about what will happen to Edmond if anything happens to me,” she says.