

# Peer Pressure: The Value of a Government Relations Peer Review Program

## ***SELF-ASSESSMENT TOOL***

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### **Direct Lobbying (Federal, State, Local, and/or International)**

1. Does the association have a Federal/State/Local/International Legislative or Regulatory Program?
  - a. if YES, Proceed to question 2
  - b. if NO:
    - i. Does the Association's membership engage in activities that would be impacted by federal/state/local/international legislative and regulatory actions?
    - ii. Has the Association engaged in an informed debate on the pro/cons in not having a federal/state/local/international legislative or regulatory program in place to advocate on behalf of their members?
    - iii. Are there federal/state/local/international affiliates or chapters that have federal/state/local/international legislative or regulatory programs in place?
2. Is the program carried out by a dedicated advocacy staff, or is the program volunteer driven? What is the breakdown of staff / volunteer participation? Is there a volunteer committee(s) that sets policy and or advocates on the issues?
3. How is the relationship between the national/state/local chapter organizations? Is information shared equally? Are advocacy efforts coordinated between the units?
4. Are outside consultants or lobbyists engaged to carryout the goals of the program? How is this expense budgeted? Is it shared with local/state/international affiliates of chapters?
5. Does the association form /or participate in coalitions to further their federal/state/local/international legislative or regulatory agenda?
6. Does the association engage the media to further their federal/state/local/international legislative or regulatory agenda?
7. Does the association have an annual or regularly scheduled event to train and /or educate volunteer members and or legislators or regulators?
8. How does the Association define success of the program and how does it communicate this to its membership and external stakeholders?

9. What type of monitoring systems are in place for federal/state/local/international relations?

## Grassroots

10. Does the association have a system in place to mobilize members into state legislative or regulatory action? How are volunteers educated or kept apprised of legislative or regulatory developments?
11. Do you know who your "key legislators" are? (key to your issues, constituency) Do you know who your members are who live/work in these districts/states?
12. Do you have an easy, quick method of communicating with your grassroots?
13. Do your "calls to action" clearly state: action requested, what to say, how to identify and contact elected officials, follow-up request, request to forward to others who might take action.
14. Do you have a method of tracking grassroots actions taken by your members? Can you name 100 members who have taken action in the past six months? 50 members? (can vary the number depending on size of membership) In the past month?
15. Does the association encourage member visits with legislators and regulators? If so, does the association play an active role in facilitating these meetings or events?
16. Do you have a way of acknowledging and thanking grassroots participants?
17. Are your leaders (staff and volunteer) participants in grassroots activities? Do they publicly support grassroots efforts?
18. Do you have a method of involving grassroots in setting government relations agenda of your organization?

## Political Action Committees

19. Does the Association have a Political Action Committee (PAC)?
  - a. If YES: Proceed to question 2.
  - b. If NO: Does the association fully understand the requirements, costs and potential benefits and challenges of Political Action Committees? Has it engaged in an informed debate and made an informed decision not to include a PAC in its government relations operations?
20. Does the association have clearly stated policies in place establishing the criteria used to determine eligibility of candidates who will receive PAC contributions (e.g; past support of association positions, position on relevant committee of jurisdiction, incumbent versus challenger, general election or primary, etc.)?

- a. Are these criteria strictly adhered to?
- 21. Does the association have a PAC committee, with clearly articulated policies on who is accountable for what activities (e.g.; PAC fundraising, decisions RE: expenditure of PAC funds, etc.)?
- 22. Does the association achieve a broad, generally bipartisan mix of contributions overtime or is it viewed as aligned with a particular party or interest area?
- 23. Does the association have a mechanism in place for insuring the appropriate handling of PAC funds and bookkeeping and that required reporting (internal financial reports as well as required FEC filings) is made in a timely basis in full compliance with campaign finance regulations?
- 24. Are staff involved in PAC activities (within the Executive and Finance Departments as well as the Government Relations Department) fully aware of the restrictions and limitations on solicitation and acceptance of PAC donations and on PAC expenditures? Does the association have a mechanism and/or competent expert counsel available to ensure that PAC operations remain current with any changes in campaign finance regulations?
- 25. Does the PAC have clear and specific goals for each year or election cycle in terms of fundraising targets and issues to be focused on?
  - a. Is there a mechanism for assessing performance against goals?
- 26. Are a variety of fundraising approaches utilized (In-house, peer-to-peer, outside consultants)?
- 27. Does the PAC succeed in securing both new (first time) donors as well as retention and increased level of support from past donors? Is there substantial (preferably full) participation by volunteer leadership as donors to the PAC?
- 28. Is the association's volunteer leadership (board, committees, etc.) and general membership aware of the role and importance of a Political Action Committee, and of the activities of the association's PAC?
- 29. Does the PAC have an incentive program to promote contributions or to increase the amount contributed?
- 30. What type of recognition programs exist for PAC contributors?

## **Governance / Management**

- 31. Does the association have clearly stated goals and objectives in place for the government relations program? How often are the goals and objectives reviewed and is this procedure aligned with the association's strategic planning or budgeting processes?
- 32. Does the association have a formal mechanism in place for identifying public policy issues of importance to the membership?

33. Does the association have a clearly articulated and well understood process for how policies are adopted and by whom? Are these policies strictly followed?
34. Are policies identified on an ad hoc basis, or is there a clear hierarchy of policy decision making (e.g.; association strategic plan drives establishment of a general, long term “platform” of legislative/regulatory objectives, which in turn is used as the basis for annual or tactical advocacy plans)?
35. Is there a formal mechanism for tracking performance against advocacy objectives?
36. Is there a formal mechanism for reviewing and updating public policy positions, and eliminating those no longer relevant?
37. Is there a mechanism for keeping volunteer and staff leadership informed, on an ongoing basis, of association advocacy efforts?
38. Is there a mechanism for keeping the general membership informed, on an ongoing basis, of association advocacy efforts?
39. Are the association's members and leaders effectively involved in association advocacy efforts?
40. Is the government relations staff organized in a manner to:
  - a. Best accomplish the association's advocacy mission?
  - b. Accommodate fluctuations in the advocacy opportunities and workload?
  - c. Effectively assess and forecast the political landscape and the resulting or anticipated advocacy opportunities/challenges?
41. Are the government relations and communications/public relations operations of the association closely coordinated, with clear delineation of areas of authority and accountability?

## **COMPLIANCE ISSUES**

### *Internal Revenue Service*

42. Has the association reviewed the Internal Revenue Service rules and regulation regarding lobbying by 501(c)(3) and 501(c)(6) organizations?
43. If you are a 501(c)(6) organization does the organization report the non-deductible portion of membership dues on the renewal form? Is this recalculated annually?
44. If you are a 501(c)(3) organization has the organization made the 501(h) election?

### *Congressional Lobbying Rules*

45. Has the association registered with the House and Senate in compliance with the Lobbying Disclosure Act of 1995? Is everyone who needs to be registered under the LDA actually registered?

46. Does the association file semi-annual reports required under the LDA?

*State and Local Lobbying Rules*

47. If your association is lobbying at the state or local level are state and local laws regarding lobbying reviewed to ensure compliance? Has the association registered if necessary?

*Lobbying Ethics*

48. Does the association require its lobbyists to adhere to either the ASAE Lobbying Code of Ethics or the American League of Lobbyists Code of Ethics?

49. Does the association review with its employees the Congressional Ethics rules regarding gifts and travel?

50. If lobbying at the state or local level does the association review state and local laws regarding gifts and travel?

## **Volunteer Leadership – Evaluation Tool**

***Use this simple survey tool to ask key association leaders and staff about their impressions of the association's government relations program.***

1. Is the mission of the association's government relations program sufficiently clear and focused?
2. Does the association have the necessary and optimum mix/balance of internal and external resources to support the government relations mission?
  - a. Budget
  - b. External Consultants/Lobbyists
  - c. Information resources
  - d. Outsourced Functions
3. How should the association's government relations staff be organized to best accomplish the public policy mission?
4. How should the association's government relations staff be organized to accommodate fluctuations in advocacy opportunities/workload?
5. How should the association's government relations staff be organized to effectively assess and forecast the political landscape and the resulting or anticipated opportunities/challenges?
6. What is the most effective balance (now and in the foreseeable future) of the association's advocacy activities in the federal and state arenas?

7. How should the association measure the effectiveness of our government relations work?
8. Are the association's members and leaders effectively involved in the association's public policy activities?
9. How does consumer advocacy tie into the association's public policy mission?
10. How does the association best align members' desired outcomes with the feasibility/possibility of success in any given area?
11. What is the most effective (and reasonable) balance of staff effort relative to keeping members involved and informed and advocating for the professions and their issues?
12. How can we best communicate with the association's members regarding public policy efforts/goals/outcomes on their behalf?
13. What balance of public policy activity with association/national office activities and responsibilities is appropriate for the government relations staff?

### **Possible Groups to Interview within your Association**

Executive Committee

Association members, Committee volunteers, Board members

External contacts

Association staff

## **Answer Key**

### ***Your Guide to additional information on each question***

#### **Direct Lobbying**

1. For all the of the questions in "Direct Lobbying" See Creating and Managing an Association Government Relations Program edited by Michael Kastner (ASAE 1998).
2. See "Is That Your Final Answer? Policy and Associations, Peter Farnham, CAE, Executive Update, September 2004, "Five Steps of Policy Development," Peter Farnham, CAE, Executive Update, May 2004, and "An Association Advocacy Primer," Andrea Cianfrani, ASAE GR News, "The Value of Teamwork", Robert E. McLean, CAE, ASAE GR News, April 2004, "Advocates With Impact, Geraldine Romano, ASAE website, June 2002, "Passing A State Law: A Primer," Christine Umbrell, ASAE GR News, May 2004.
3. See "Passing a State Law: A Primer," Christine Umbrell, ASAE GR News, May 2004, "Quick Tips for State-Level Advocacy", Dennis Brown, CAE, ASAE GR News, January/February 2004, "Targeting National Meetings of State Legislators", Adrian Hochstadt, CAE, ASAE GR News, January/February 2004, "State and National

Government Relations: A Team Approach," Diane Ewert, CAE and David Reynolds, ASAE GR News, November 2003, "Establishing a State Government Relations Program in a National Association", Dennis Brown, ASAE GR News.

4. See Creating and Managing an Association Government Relations Program edited by Michael Kastner (ASAE 1998)
5. See "Coalition Building, Part I: Why and How To Get Started", Robert McLean, CAE, ASAE GR News, May 2005, "Coalition Building, Part II: Reaping the Benefits", Kristin Hellquist, ASAE GR News, May 2005, "Coalitions: How to Sleep with the Enemy and Still Respect Yourself in the Morning," Peter Farnham, CAE, Executive Update, October 2004, "Advancing Your Views and Values," Casey Dyson, ASAE Website, June 2002
6. See "The Making of a Spokesperson", Al Rothstein, ASAE GR News, November 2004, "Persuading the Legislature Through Strategic Use of the News Media", Al Rothstein, ASAE GR News, September 2004, "Using Public Relations in Government Relations," Jenny Boese, ASAE GR News, November 2003, "PR versus GR: Friends of Enemies, Adam Nelson and Andrea Cianfrani, ASCE GR News.
7. See "Extending Your Fly-In Miles", Alan Rosenblatt, Ph.D., and Pam Fielding, ASAE GR News, March 2005, Grassroots Games: Preparing Your Advocates for the Political Arena, Christopher Kush, American Society of Association Executives, 2002, "Train Advocates to Stay On-Message During Legislative Meetings," Christopher Kush, ASAE GR News, August 2000, and "When Your Members Go to Washington," Deborah Brickey, ASAE GR News, March 2000,
8. See "Lessons Learned from the Listserve – Demonstrating Value Part I and II," Michael Herndon, GR News, October 2000, "Connecting with Members: Government Relations as Member Benefit," Patrice McCarthy, ASAE GR News, August 1998.
9. Monitoring Systems

## **Grassroots**

10. See Creating and Managing an Association Government Relations Program edited by Michael Kastner (ASAE 1998), "The Science Behind Successful "Get Out the Vote" Programs", Amy Showalter, ASAE GR News, November 2004, "Trust – The Ultimate Grassroots and PAC Motivator parts I & II, Amy Showalter", ASAE GR Newsletter, May/July 2004, and Cultivating Your Roots, Adam Nelson, ASAE GR Newsletter.
11. See [www.advocacyguru.org](http://www.advocacyguru.org), [www.showaltergroup.com](http://www.showaltergroup.com), and [www.soapboxconsulting.com](http://www.soapboxconsulting.com) for resources on a variety of grassroots topics.
12. See "Email and Grassroots," Bob Rising, ASAE GR Newsletter, June 2002, "Maintaining the 20/80 in Grassroots Advocacy," Amy Showalter, ASAE GR Newsletter, April 2002, and "Creating a True Online Grassroots Community, ASAE GR Newsletter, September 2001.

13. See "Role of Grassroots parts I & II," Susan Berger, ASAE GR Newsletter, September/November 2003.
14. See "Choosing a Software Package for Government Affairs", Brian I. Caudill, ASAE GR News, May 2005, "Election Year Brings Opportunities for Online Advocacy", Alan Rosenblatt and Nicole Duritz, ASAE GR News, April 2004, "Role of Grassroots parts I & II," Susan Berger, ASAE GR Newsletter, September/November 2003 and "Managing Your Online Advocacy Program," Alan J. Rosenblatt, ASAE GR Newsletter, July 2002.
15. See "Managing Your Online Advocacy Program," Alan Rosenblatt, ASAE GR Newsletter, July 2002, "Increasing the Participation at Your Lobby Days," Amy Showalter, February 2002, and "Effective Communication Tip: Don't Ignore District and State Congressional Offices, ASAE GR News, May 2001.
16. See "Set Your Sights on a Site Visit," Robert E. McLean, CAE, ASAE GR Newsletter, September 2003 and "Conducting Site Visits for Legislators," ASAE GR Newsletter, June 1998.
17. See "Maintaining the 20/80 in Grassroots Advocacy," Amy Showalter, ASAE GR Newsletter, April 2002.
18. See "Is That Your Final Answer? Policy and Associations, Peter Farnham, CAE, Executive Update, September 2004.

### **Political Action Committees**

19. For information on the nature and role of PACs and the how to form one, see Association Law Handbook by Jerald Jacobs (ASAE 1996); "Getting Started and Staying Legal," ASAE GR Newsletter, July 1998; "PACs 101: Political Action Committee Basics," ASAE GR Newsletter, October 1997; and <http://www.asaenet.org/asae/cda/index/1,1584,PID14353,00.html>
20. See "PAC It In", Suzanne Clark Weiss, ASAE GR News, September 2004, "How to Prepare a Survey of Congressional Candidates", Stephanie Vance, ASAE GR News, July 2004. For an example of PAC giving guidelines, see the APAC policy statement: [http://www.asaenet.org/asae/cda/content\\_lv12/0,1584,ETI1526\\_MEN1\\_NID4325\\_NVTleft,00.html](http://www.asaenet.org/asae/cda/content_lv12/0,1584,ETI1526_MEN1_NID4325_NVTleft,00.html)  
For information on how Federal candidate voting records, assignments, etc, see: <http://capwiz.com/asae/home/>
21. See Creating and Managing an Association Government Relations Program edited by Michael Kastner (ASAE 1998)
22. See 7 Habits of Highly Effective PACs by Gary Andres and "PAC Plays," *Campaign & Elections*, April 1999.
23. See <http://www.tray.com/fecinfo/>



24. See "Your PAC and the FEC: Tips for Keeping Out of Trouble," ASAE GR Newsletter, September 1995.
25. See Creating and Managing an Association Government Relations Program edited by Michael Kastner (ASAE 1998)
26. See "New Ideas for PAC Fundraising," ASAE GR Newsletter, February 1994
27. See "Commitment: The Key to Successful Fundraising," ASAE GR Newsletter, September 1995.
28. See "Help Your Board See the Light," ASAE GR Newsletter, April 1997.
29. See "Trust: The Ultimate Grassroots and PAC Motivator," ASAE GR Newsletter, May and October 2004.
30. See <http://www.asaenet.org/asae/cda/index/1,1584,PID14394,00.html>

### **Governance / Management**

31. See: [http://www.allianceonline.org/FAQ/strategic\\_planning/what\\_are\\_basic\\_steps.faq](http://www.allianceonline.org/FAQ/strategic_planning/what_are_basic_steps.faq)
32. See Creating and Managing an Association Government Relations Program edited by Michael Kastner (ASAE 1998), especially chapter 2.
33. See "Five Steps to Public Policy Development," ASAE GR Newsletter, May 2004 and "Issue Development: A Case Study," ASAE GR Newsletter, August 1999.
34. See "Five Steps to Public Policy Development," ASAE GR Newsletter, May 2004 and "Issue Development: A Case Study," ASAE GR Newsletter, August 1999.
35. See "Benchmark Your Way to Success," ASAE GR Newsletter, January 1998
36. See "Five Steps to Public Policy Development," ASAE GR Newsletter, May 2004 and "Issue Development: A Case Study," ASAE GR Newsletter, August 1999
37. See "Activists – Associations Lifeline to the Future," A Sharing of Experience, Volume 10, 1992 and "Help Your Board See the Light," ASAE GR Newsletter, April 1997
38. See "Connecting with Members: Government Relations as a Member Benefit," ASAE GR Newsletter, August 1998 and "Keeping Your Members Inspired – Even When You're Not," ASAE GR Newsletter, October 1998.
39. See "Activists – Associations Lifeline to the Future," A Sharing of Experience, Volume 10, 1992 and "Help Your Board See the Light," ASAE GR Newsletter, April 1997
40. See "Managing Your Government Relations Staff," ASAE GR Newsletter, September 1998 and Human Resource Management in Associations edited by Phyllis Roderer and Sandra Sabo (ASAE 1994)
41. See Professional Practices in Association Management by John Cox (ASAE 1997), in particular Chapter 14.

42. If you answered yes, that is great. You might want to review these rules again just to make sure you are well acquainted. There are good summaries in the *Association Law Handbook* by Jerry Jacobs (ASAE Bookstore).
43. You can find a summary of the lobby tax law on ASAE's website, and in the October 2000 issue of Dollars and Cents (ASAE Finance and Business Operations Section newsletter). A more detail discussion can be found in the Association Tax Compliance Guide by Jeffrey Tenenbaum, Esq. (ASAE Bookstore).
44. See "Facing Down the Fear Factor: Top Ten Myths about Lobbying and Political Activity by 501(c)(3) Organizations," by Jeffrey Tenenbaum, Esq., and Brian Pallasch, CAE, Executive Update, April 2004. Or you can review the Independent Sector's *Nonprofit Lobbying Guide* by Bob Smucker, <http://www.independentsector.org/programs/gr/lobbyguide.html>
45. Compliance information on the Lobbying Disclosure Act of 1995 can be found at <http://clerk.house.gov/pd/index.html>. One note forms must be filed with both the House and the Senate in order to be in compliance.
46. See answer to #45.
47. See [www.stateandfed.com](http://www.stateandfed.com) for a complete listing of state lobbying laws, or visit a specific state's website and search for lobbying regulations.
48. See "Guidelines for Association Lobbyists on ASCE GR Section homepage, and the American League of Lobbyists Code of Ethics at [www.alldc.org](http://www.alldc.org).
49. See [www.house.gov/ethics](http://www.house.gov/ethics) or [www.senate.gov](http://www.senate.gov) for rules governing congressional gifts.
50. See [www.stateandfed.com](http://www.stateandfed.com) for a complete listing of state legislator gift laws, or visit a specific state's website and search for legislator gift regulations.