Shedding Light on 501(c)(4) strategies: Evaluating the role and influence of 501(c)(4) organizations

Kat Athanasiades, Center for Evaluation Innovation
Gigi Barsoum, Barsoum Policy Consulting
Johanna Morariu, Innovation Network

Discussant: Jared Raynor, TCC Group

American Evaluation Association
Minneapolis, MN
November 15, 2019
The Case for Evaluating 501(c)(4) Strategies

Kat Athanasiades, Center for Evaluation Innovation

American Evaluation Association
Minneapolis, MN
November 15, 2019
Funders, evaluators, and advocates have been grappling with evaluating advocacy work for over 25 years.
501(c)(3) organizations are charitable, religious, educational, scientific, literary, public safety, sports, and/or preventive of cruelty to children or animals. They are restricted in how many political and legislative activities they may conduct.

501(c)(4) organizations are social welfare organizations that may pursue educational, lobbying, and some limited political activities (as a secondary activity).
501(c)(3) strategies and tactics haven’t failed.

There are limits to how far they can go.

“We typically fight with 501(c)(3) dollars, and 501(c)(3) activities are insufficient to win. Critical, necessary, but not sufficient.”

—Deborah Barron
New Left Accelerator

Quote from Philip Rojc, *Fight on All Fronts: A Progressive Group Looks to Build Political Power*, Inside Philanthropy, May 2019
## What can 501(c)(3) organizations do?

<table>
<thead>
<tr>
<th>Activity</th>
<th>501(c)(3) public charity</th>
<th>501(c)(4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lobby for/against legislation</td>
<td>Limited</td>
<td>Unlimited</td>
</tr>
<tr>
<td>Educate candidates on issues within purview of the organization</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>(must offer information to all candidates)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sponsor a debate between candidates, where all viable candidates</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>are invited and given equal opportunity to speak on a broad range of</td>
<td></td>
<td></td>
</tr>
<tr>
<td>issues</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Distribute voter guides to the public that set out the candidates’</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>views on a broad range of issues</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Establish a 501(c)(4)</td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

Selected activities from Bolder Advocacy, *Comparison of 501(c)(3) and 501(c)(4) permissible activities, 2018*
### What can 501(c)(4) organizations do?

<table>
<thead>
<tr>
<th>Activity</th>
<th>501(c)(3) public charity</th>
<th>501(c)(4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Endorse candidates and publicize its endorsements</td>
<td>X</td>
<td>✓</td>
</tr>
<tr>
<td>Compare organization’s issue position with that of a candidate</td>
<td>X</td>
<td>✓</td>
</tr>
<tr>
<td>Connect organization’s criticism of public official to voting in an election</td>
<td>X</td>
<td>✓</td>
</tr>
<tr>
<td>Distribute voter guides to the public that compare candidates on issues of importance to the organization</td>
<td>X</td>
<td>✓</td>
</tr>
<tr>
<td>Fund independent expenditures in support of or opposition to a candidate</td>
<td>X</td>
<td>✓</td>
</tr>
<tr>
<td>Conduct voter registration and GOTV activities based on party affiliation or how people will vote</td>
<td>X</td>
<td>✓</td>
</tr>
</tbody>
</table>

Selected activities from Bolder Advocacy, *Comparison of 501(c)(3) and 501(c)(4) permissible activities*, 2018
WHY EVALUATE 501(C)(4) EFFORTS?
We need to reckon with evaluating 501(c)(4) efforts. Otherwise, we will find ourselves unable to speak meaningfully to the progress and setbacks our clients experience.
My client is a 501(c)(3). What can I do?

- Educate yourself about the limits of what a 501(c)(3) can do.
- Use nonpartisan measures that can show whether a 501(c)(4) is able to advance its advocacy agenda.
- Evaluate 501(c)(3) activities of a 501(c)(4) organization.
And...what should I look out for?

Do not assess contribution to election or defeat of a candidate for public office

Avoid evaluating 501(c)(4) partisan political activities
Where to start? Check out these resources.

**Bolder Advocacy**
866-NP-LOBBY
bolderadvocacy.org

**Atlas Learning Project**
atlaslearning.org

**Strengthening Emerging Social Justice Groups and the Intermediaries That Support Them**
Change Elemental
cchangeelemental.org/resources/strengthening-emerging-social-justice-groups/

**Philanthropy’s New Playbook for Policy Advocacy**
Urban Institute
urban.org/events/philanthropys-new-playbook-policy-advocacy

**Why Some Politically Active 501(c)(4) Organizations Are More Effective Than Others**
Margaret Post
scholars.org/contribution/why-some-politically-active-501c4-organizations-are-more-effective-others

**From the Streets to the Courts to City Hall: A Case Study of a Comprehensive Campaign to Reform Stop-and-Frisk in New York City**
Gigi Barsoum