

## **NAML Advocacy and Public Policy**

The question of the role of NAML and its regional associations in lobbying activities often comes up. To clarify the position of NAML and its regional associations on the subject of lobbying, the NAML Board of Directors issues the following statement, which was approved on June 29, 2020.

**First**, the regional associations (NEAMGLL, SAML, WAML) are not engaged in lobbying activity (see definition of lobbying below).

**Second**, for NAML, as a non-profit organization with an Internal Revenue Code 501 (c) (3) designation, there are some constraints on what is allowed in the way of lobbying and this is discussed below. To understand the context of NAML's advocacy activities, it is helpful to view the stated purposes and objectives of NAML as specified in the NAML Articles of Organization (<http://www.naml.org/about/bylaws.php>).

### **From the NAML Articles of Organization**

#### **II. PURPOSES**

The purposes for which the Association is organized are exclusively charitable, scientific, and educational within the meaning of section 501(c) (3) of the Internal Revenue Code of 1986 or the corresponding provision of any future United States Internal Revenue law. Notwithstanding any other provision of these articles, this Association shall not carry on any activities not permitted to be carried on by an organization exempt from Federal income tax under section 501(c) (3) of the Internal Revenue code of 1986 or the corresponding provision of any future United States Internal revenue law.

#### **III. OBJECTIVES**

The objectives of the Association shall be:

1. To stimulate research and promote education in marine science, to disseminate information in marine science, to promote application of marine science, and to advance the profession of marine science.
2. To provide a forum for the resolution of problems common to non-profit marine laboratories in the United States.
3. To further the wise use and conservation of marine and coastal resources, and to encourage increased accomplishments and initiatives in related areas.
4. To increase the effectiveness of member institutions in their work on marine and coastal resources.
5. To stimulate cooperation and unity of effort among members.
6. To act on other such matters as may be of mutual interest to marine laboratories.

## **NAML Advocacy of Public Policy**

There are three ways that NAML fulfills its objectives in the area of public policy.

1. **NAML Public Policy Agenda.** NAML has a very active Public Policy Committee, chaired by the NAML President-Elect. This committee has monthly calls open to any NAML member (<http://www.naml.org/policy/policyagenda.php>). A Public Policy Agenda is published each year that outlines positions and recommendations of NAML on various issues of public policy of interest to the Association. This agenda is carefully crafted by the Public Policy Committee with the assistance of the Federal Science Partners and is ratified by the membership of NAML at its winter Public Policy Meeting. The Public Policy Agenda is published on the NAML website (<http://www.naml.org/policy/policyagenda.php>).
2. **NAML Briefings.** To educate legislators and their staff on issues of interest to NAML, periodic public briefings are held from time to time, often in Washington, D.C. These sessions are arranged with a small number of speakers on particular topics. Examples of these briefings are found on the NAML website (<http://www.naml.org/policy/briefings.php>).
3. **NAML Positions.** NAML, either alone or in concert with other organizations, sends letters to different entities, usually in the U.S. federal government, urging a particular action (see Public Policy tab > Documents, Letters, Positions or <http://www.naml.org/policy/documents.php>). Some of these activities can be considered lobbying as defined by the IRS (see below).

### **Definition and Limits on Lobbying**

The information below (in italics) on lobbying is provided on the website of the U.S. Internal Revenue Service.

From <https://www.irs.gov/charities-non-profits/lobbying>

*In general, no organization may qualify for section 501(c)(3) status if a substantial part of its activities is attempting to influence legislation (commonly known as **lobbying**). A 501(c)(3) organization may engage in some lobbying, but too much lobbying activity risks loss of tax-exempt status.*

***Legislation** includes action by Congress, any state legislature, any local council, or similar governing body, with respect to acts, bills, resolutions, or similar items (such as legislative confirmation of appointive office), or by the public in referendum, ballot initiative, constitutional amendment, or similar procedure. It does not include actions by executive, judicial, or administrative bodies.*

*An organization will be regarded as attempting to influence legislation if it contacts, or urges the public to contact, members or employees of a legislative body for the purpose of proposing, supporting, or opposing legislation, or if the organization advocates the adoption or rejection of legislation.*

*Organizations may, however, involve themselves in issues of public policy without the activity being considered as lobbying. For example, organizations may conduct educational meetings, prepare and distribute educational materials, or otherwise consider public policy issues in an educational manner without jeopardizing their tax-exempt status.*

**Summary.** Clearly, some of the activities of NAML described above, namely item #3 NAML Positions, can be considered lobbying. However, these activities are only a small part of the overall activities of NAML in the area of public policy and an even smaller part of the overall activities of NAML. In addition, NAML has engaged [Federal Science Partners](#) to assist the Association and especially its Public Affairs Committee in the activities mentioned above.

Thus, the leadership of NAML feels that its public policy advocacy activities are well within the constraints of the guidelines offered by the IRS for a non-profit organization.

Presented and discussed.

17 Mar 2020 - NAML Board of Directors Meeting

18 Mar 2020 - NAML Business Meeting