

Sierra Club Compliance Guidelines
501(c)(3) Work in an Election Year
Last Updated 2/12/2020

Below are guidelines on how a c3 campaign may and may not interact with candidates and political events. Please consult with Compliance Review to determine whether a specific c3 activity is permissible in the context of an election.

Our c3 work to educate the public about environmental issues is entirely separate from our political work and must be conducted as a separate program. C3 projects or activities may never be linked in any manner with our electoral work. C3 campaigns may not target based on electoral considerations, including but not limited to electoral vulnerability, campaign donations, and battleground states. Any campaign plan incorporating an election strategy makes it impossible to use charitable funds for any related work.

Materials to Candidates

Materials created using c3 funds may *not* be provided to a political candidate, campaign or political party, even if they meet “[Subsequent Use](#)” requirements, unless they are provided to all candidates running in the same election. If a candidate, campaign or political party asks for a c3 material that has already been made available to the public, it is permissible to send a copy as you would to any person in the general public.

Materials created using c4 funds MAY be provided to candidates, given the materials are made available to all candidates who request them. However, materials such as documents or reports may not be prepared specifically for a candidate or campaign. This type of activity would be considered an illegal in-kind contribution to that candidate.

Presentations to Candidates

You may NEVER give a presentation on a c3 campaign to a candidate. You may give a presentation to a political organization (political party, voting league, etc.) ONLY IF it is part of a larger, established series of presentations. The same presentation must be given to any political organization who requests it. You may not use c3 funds to educate candidates on the issues, even if you do so in a nonpartisan manner.

Endorsement or Candidate Forum Questionnaires

You may NEVER use c3 funds to contribute to an endorsement or candidate forum questionnaire. C4 funds should always be used to develop political questionnaires.

Get Out the Vote (GOTV) and Voter Registration

No c3 funds may be used to conduct voter registration or GOTV for our endorsed candidates. The Sierra Club pays for voter registration and GOTV activities with c4 funds if directed toward our members and PAC funds if directed toward the general public. Under limited circumstances,

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c3 funds may be used to conduct nonpartisan voter registration, requiring advanced case-by-case approval by The Sierra Club Foundation. Please work with compliance.review@sierraclub.org if you are interested in submitting a nonpartisan plan for The Sierra Club Foundation's consideration. All plans must be submitted four weeks prior to the start date of the proposed activity.

More Dos and Don'ts

C3 campaigns may:

Communicate with candidates IF the candidate is also a public official, and the communication is appealing to them in their capacity as a legislator or administrative official *with a specific c3 ask*. Their candidacy may not be referenced or discussed.

Attend public events (farmers' markets, parades) to promote an issue provided that there is no engagement with any political organization, campaign or candidate that may also be in attendance.

Attend events, even if candidates attend so long as they are not sponsored by a candidate or candidate's campaign or supporting particular candidates, to collect signatures or recruit volunteers, provided that the event is open to the public; no candidate or party committee requested or encouraged our attendance; there is no engagement with any political organization, campaign or candidate; and we have no role (nor are recognized) other than visibility or collecting signatures.

- E.g., collect signatures and recruit volunteers at a candidate debate sponsored by League of Women Voters

Educate and mobilize citizens to communicate a strong message on global warming to the President and other administration decisions makers.

C3 campaigns may not:

Create or use any materials in connection with electoral activities. Materials created and paid for with c3 funds must be used exclusively for a legitimate c3 purpose.

Approach candidates to support your issue if you mention whether others have done so or describe their record on the issue in unflattering terms. All requests to candidates must use neutral language and must be directed to all viable candidates in the same race.

Conduct an organizing campaign focused on candidate events.

Attend events which support a specific candidate or political party to collect signatures and recruit volunteers.

Hold an elected official legislatively or electorally accountable based on whether they did or did not support your issue. Nor may you address incumbent candidates in a confrontational manner for not supporting your issues (i.e. repeated asks, negatively framed asks, etc.)

Coordinate your c3 activities with any political candidate, campaign or political party.

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Mention words like “election,” “candidate,” “November 2020,” etc. in your public remarks, materials or activities, unless they are part of a Compliance-approved nonpartisan voter registration campaign.

Seek pledges from candidates.

Invite candidates to attend or participate in any event, rally, or march related to the c3 campaign, unless they are invited in their capacity as an elected official and the election is more than thirty days away.

Since we are in an election year, we need to take steps to ensure that our c3 and c4 programs do not overlap with any of the Sierra Club’s political work.

The Club must apply strictly nonpartisan criteria in selecting target markets for its public education activities. Nonpartisan selection criteria include, for example: (a) the demographic make-up of particular cities, with a view to maximizing the chances that the Club's educational message will fall on receptive ears; (b) the relative costs of advertising or mobilizing volunteers in various markets; and (c) the special relevance of particular issues to residents of particular areas. The Club is required to keep contemporaneous records documenting its reliance on such nonpartisan criteria.