Writing letters or op-eds in support of the Charitable Conservation Easement Program Integrity Act

I. Introduction

The Charitable Conservation Easement Program Integrity Act addresses an urgent problem for our community, where a few bad actors are promoting conservation easement donations as a way for investors to make a fast profit by gaining access to very large federal tax deductions. These transactions are abusive tax shelters and cannot be allowed to continue. (You can learn more about this issue at www.landtrustalliance.org/integrity.) This legislation requires your support.

You can help advance the Charitable Conservation Easement Program Integrity Act in Congress while you build — or strengthen — your land trust’s relationship with local media by writing a letter to (or op-ed for) your local newspaper. This document offers guidance to assist you in crafting such a piece.

II. Before you write your letter or op-ed

Newspapers across the country continue to struggle with staff cuts and page count reductions. These resource limitations mean that many letters to the editor and op-eds never make it into the paper. But it’s possible to get your piece printed! The key is giving the newspaper what it wants.

- Your piece must be well written and fall within word count limitations. An ideal letter or op-ed is one that is succinct, powerful and relevant to local readers. That can be a challenge to achieve when you’re working with tight word counts. (As a first step, verify with your newspaper of choice the word count for either letters or op-eds, depending on what you plan to write.) Still, meeting this challenge is important, for letters and op-eds are influential.
- Your piece must be relevant to current news. In the competition for space, the most timely letters and op-eds are given priority. So emphasizing why you’re writing now is critical.
- Your piece must be clear in its purpose. Some letters or op-eds see print because they offer a quick chuckle or astute observation. Yours should pressure Congress to pass the Charitable Conservation Easement Program Integrity Act because this bill is important to your community.
- Your piece must be written by you. Newspaper editors frequently identify and weed out form letters or op-eds (aka. fill-in-the-blank pieces). Additionally, newspapers now routinely ask letter and op-ed submitters to attest that they did, in fact, write the piece. So while we can help you make the best possible letter, please note that we cannot write the letter for you.

One more tip: Before you write your letter or op-ed, read several recent pieces that your newspaper has printed. This will help you identify any common traits (tone, style, etc.) published pieces share.

III. Writing your best possible letter or op-ed

When you’re ready to write your letter, remember that you’re not attempting to write the perfect letter or op-ed. You’re simply trying to write your best possible letter or op-ed. That’s much easier to do!

- Think about how you would present your argument if you had just 60 seconds to convince someone the Charitable Conservation Easement Program Integrity Act is needed. Consider
recording audio of yourself briefly explaining the issue. When you play back that recording, note the frank and plainspoken language you use. This can inform and inspire your draft.

- Think about the importance of keeping your letter understandable for general audiences. Avoid getting bogged down in details. (Remember: Most readers of your letter or op-ed will have never heard of a conservation easement!) Instead, focus squarely on why this bill in Congress is so important to your community.
- Think about highlighting a good example of how the federal tax incentive for conservation easement donations was used locally. If your community adores a conserved orchard, note how the federal program that helped make that happen is now at risk because bad actors are exploiting it. As much as you can, maintaining a local focus in your letter or op-ed.

Once you’ve drafted your letter or op-ed, your friends at the Land Trust Alliance are happy to review it and provide feedback. Feel free to share your draft with policy@lta.org. One of the Alliance team members working on this issue will get back to you promptly.

**IV. Submitting your letter or op-ed – and following up**

Submitting your letter or op-ed can be an art unto itself. But by carefully seeing through delivery, you can give yourself the best possible chance of being published.

- Pay close attention to your newspaper’s specific submission requirements for letters or op-eds. If the limit for letters is 150 words, for example, don’t submit a letter of 152 words.
- Follow exactly the newspaper’s submission procedure. Some newspapers want letters or op-eds via email while others accept postal delivery. If you’re unclear on how the letter or op-ed should be submitted, simply call the newspaper and ask.
- Not sure where you should send your letter or op-ed? Email the Alliance’s communications team at communications@lta.org and ask for help.
- If you do not receive delivery confirmation from the newspaper and you do not see your letter or op-ed published in three to five days, use your best judgement on following up. If you call to inquire about the piece’s status, do so with no expectation of publication.

Whether your piece is published or not, you have taken an important step in building your land trust’s relationship with local media. There are other steps you can take next.

- Make sure local media is aware of the work your organization is doing, whether that’s finalizing a new easement or offering family events that could be listed in community calendars.
- Invite your newspaper’s publisher or editor to visit conserved lands and help build familiarity with your land trust’s work.
- Be sure your land trust is included in reporter rolodexes, so to speak, for the next time they’re writing about land conservation.

The more that local media know your land trust is a force for good, the more your entire community benefits! Writing a letter to the editor or op-ed about the Charitable Conservation Easement Program Integrity Act takes you one step closer to this important goal.
Appendix 1: General outline for letters or op-eds

Letters to the editor and op-eds are strongest when local authors craft them. But we can work together to write the strongest possible letter or op-ed. Consider the following outline as you craft your letter or op-ed. (Note: *Italicized text* represents placeholder concepts that are used for illustration.)

**Op-ed (usually 500 to 750 words, but verify with your newspaper)**

- Invoke a special place under easement locally
  - “One of my favorite fall traditions is *taking my daughter to pick apples at Ichabod’s Orchard*. That special place, once in danger of closing, still exists because...” etc.
- Introduce your reason for writing
  - “As the executive director of *Open Spaces Land Trust*, I’m concerned that *Congressman Smith* has not yet indicated his support for legislation that would...” etc.
- Explain why this issue is relevant to readers
  - “Not only does The *Charitable Conservation Easement Program Integrity Act* save taxpayers billions of dollars, it ensures that money will continue to be available to support special places like *Ichabod’s Orchard*...” etc.
- Include other important key messages
  - “This legislation is urgently needed. Brazen and continuing abuse of conservation donations by a few bad actors have already cost honest taxpayers billions of dollars. These bad actors and these transactions must be stopped...” etc.
- Clarify that conservation easements and tax incentives are not inherently bad
  - “To be clear, the permanent conservation easement tax incentive is a powerful tool that has helped tens of thousands of Americans with truly charitable intent conserve their land voluntarily...” etc.
- Tie discussion back to special place
  - “I want the abuse to stop because I want more communities to have special places like *Ichabod’s Orchard*, where we come together...”
- Close with your ask or call to action
  - “On behalf of *Open Spaces Land Trust*, I ask *Congressman Smith* to cosponsor the *Charitable Conservation Easement Program Integrity Act*.”

**Letter to the editor (usually about 150 words, but verify with your newspaper)**

- Introduce your reason for writing
- Explain why this issue is relevant to readers
- Include other important key messages
- Close with your ask or call to action
Appendix 2: Key messages regarding the Charitable Conservation Easement Program Integrity Act

While it is not necessary for your letter or op-ed to include all the key messages below, you should use versions of these messages as appropriate.

Top messages:

- The permanent conservation easement tax incentive is a powerful tool that has helped tens of thousands of Americans with truly charitable intent conserve their land voluntarily.
- Brazen and continuing abuse of conservation donations by a few bad actors have already cost honest taxpayers billions of dollars. These bad actors and these transactions must be stopped.
- Enacting the Charitable Conservation Easement Program Integrity Act is the fastest and most efficient way to stop this abuse.

Additional messages:

- The conservation easement tax incentive allows landowners to take a charitable deduction based on the fair market value of a donated easement, making conservation a viable option for land-rich, cash-poorn landowners who have no other alternatives.
- While the vast majority of these donations are truly charitable endeavors, a few bad actors are exploiting the incentive to make fast – often large – profits for investors.
- In the most current data available, approximately $20 billion in tax deductions were claimed from 2010 to 2016. In 2016 alone, $6 billion in apparently unwarranted charitable deductions was claimed by participants from just 248 transactions.
- To combat this abuse, Sens. Steve Daines (R-MT) and Debbie Stabenow (D-MI) introduced S. 170, the Charitable Conservation Easement Program Integrity Act. Reps. Mike Thompson (D-CA) and Mike Kelly (R-PA) introduced a companion measure, H.R. 1992.
- These narrowly focused bills disallow a charitable deduction only when a profit is made in a short time from a conservation easement donation, ensuring that tax incentives for land conservation remain available for genuine philanthropists.