



HOW TO LOBBY ELECTED OFFICIALS...A GUIDE FOR EQUINE WELFARE GROUPS AND INDIVIDUALS *Provided by the American Horse Defense Fund*

The Legislative Process

To the average person, figuring out how a bill gets through Congress may seem confusing. You can find yourself trying to recall your high school civics class and still not understanding it. The goal of this article is to assist you in understanding the process and how to make your position heard. While this guide is written specifically for those interested in equine welfare issues, anyone wanting to influence legislation may find it useful. The hope is that the reader will find a way to have their voice heard in our government.

The United States government's legislative system is called bicameral, meaning there are two legislative chambers. For a bill to become law it must pass both chambers and then be signed by the President. How a bill moves through the process is the part most find confusing, but understanding the process is critical to being an influence on legislation and it can be interesting to follow.

The process itself is fairly simple. (Although with anything political there will almost always be bumps along the way (e.g., holds, amendments, committee actions, scheduling/calendars).) What can be confusing to the average person is (1) the volume of legislation pending before Congress, and (2) the systems and processes Congress has for distributing its work. It is true that Congress handles a great deal of legislation each year. But only a handful of bills will be of particular interest to those interested in equine welfare. So long as you keep your sights on the legislation, including amendments to other legislation, that impact horse/equine welfare, you should have no trouble following the progress of those bills. And once you familiarize yourself with the key committees responsible for handling our issues, following the progress of legislation will become much easier.

Legislation is grouped into three main categories:

Authorizing legislation: A bill that creates a new federal program, extends the life of an existing program, or repeals existing law. Authorizing bills usually set a limit on the amount of funds that can be spent annually by a program over a period of three to five years. But it's important to remember that an authorizing bill only establishes the framework for a federal program - it does not provide funds to operate the program.

Appropriations bill: A bill that allocates funding for specific federal/federally funded programs. Unlike authorizing legislation, which remains in effect for three or more years, an appropriations bill must be enacted into law every year. Each year, in fact, Congress must pass a



series of 13 appropriations bills to keep federal departments and agencies operating. Recently, (i.e., over the last 10-20 years) Congress has begun using “Omnibus” spending bills process to combine these various appropriations bills into one huge spending package. The Omnibus shouldn’t be used except in extreme circumstances as they are long, cumbersome and difficult to read and often contain numerous little “extras” or what is commonly referred to as “pork” that are often added by individual members of Congress or may be added in committee.

Entitlement legislation: A measure that guarantees a certain level of benefits to persons who meet eligibility requirements set by law, such as Medicare, Medicaid, Veterans, and college student loan programs. Entitlement programs typically do not need to be reauthorized, nor do they require annual appropriations.

Laying the Groundwork

The first formal step in the legislative process occurs when one or more members of Congress (the sponsor(s)) introduce a bill. As a practical and factual matter, the work begins much earlier than that. For example, once AHDF has identified an issue or problem that merits special attention, one or more members of Congress are identified whose philosophy and voting record indicate that they would be willing to play a leadership role in supporting the issue. After extensive discussions with the senator or representative and/or their staff, formal legislation and/or amendment(s) is/are prepared for introduction. Bills introduced in the House are assigned an "H.R." number (e.g. H.R. 503) and bills introduced in the Senate are given an "S." number (e.g. S. 311).

Anyone can suggest legislation, an organization such as the AHDF, the President, or even citizens like you. However, only a member of Congress can introduce legislation. For example, Trina Bellak, founder of the American Horse Defense Fund, worked to draft the very first bill introduced to ban horse slaughter for human consumption. She also provided extensive input (e.g., statistical, study, research, other background information supporting passage of the bill) on making the transport of equine to slaughter more humane until a ban could be passed. Since then more groups have become involved and provided input into the proposed bills.

Of course, having legislation introduced and getting it enacted into law are two different things. Preventing a bill from dying during the legislative process (e.g., committee hearings, mark-ups, and floor debate) requires broad support for the issue. Constituents must contact their own senators and representatives and convince them to co-sponsor and support the bill. Often that support along with special interest and/or lobbying organizations or coalitions of individuals or organizations are working for the passage or preventing the passage of a given bill or portions thereof.

IMPORTANT NOTE:



- 1) Above all else, perceptions of the members of congress, their staffs' and those of other organizations about those seeking support of a congressman is key in getting a foot in the door, being heard and making a strong case that will influence the ultimate decision of the member regarding his/her support. All contact with Congress should be polite, professional and respectful, even if the Representative or Senator's position is different than your own. Expressing your opinion is absolutely essential, but over-zealous actions and language, including: vulgar language, threats (veiled or otherwise), shouting or rude/obnoxious behavior will immediately kill any chance of obtaining support for your position and could result in actually causing the member to vote against your position. Legislative aides talk to one another frequently and share information on bills, and rude or hostile communications are the talk of the halls. In addition, congressional staff often moves to other members' staffs, as new members are elected or leave congress, so you may find a member of one congressman's staff this year in an influential position the next. Alienating him/her now to make a point could cost the passage of the bill. Alternatively, a "friend made now, may prove invaluable later.

- 2) One other essential element to highly effectively influencing and persuading is to ensure a coordinated approach. Doing a little homework before you begin working an issue will pay dividends. One example of not using a coordinated approach that could negatively impact an issue is several individuals and/or groups presenting the exact same information to those they are looking to for support. When working equine/horse related issues on the Hill, it is advisable to check with AHDF and/or other organizations or people who are active in working an issue to see how you can best help the cause.

The Committee System

Congressional committees are where most of the work is done in Congress. As stated earlier, the number of issues brought before Congress is staggering. Lawmakers rely on the committee system/process to sift through the facts and determine how issues and sometimes conflicting interests and competing priorities should be resolved. This is generally the first stop for a bill. If the Chairman of the committee supports a bill, it normally moves smoothly through the process. However, if the Chair opposes a bill, the bill may not get a hearing or a vote and thus is effectively a dead bill. This also applies if the majority of the members are opposed to it whether or not the Chair supports it. Of note is that most bills do not progress past this step.

Congress is made up of both standing committees and select committees. Generally, standing committees have the power to generate legislation in their particular areas of jurisdiction, such as public land use or appropriations. Select committees are primarily advisory in nature. We deal primarily with standing committees.



Most committees have delegated specific issues under their jurisdiction to subcommittees. Subcommittees analyze each issue and eventually make a recommendation to the full committee. Here again, it is **vitaly important** that constituent contacts be made with the subcommittees as **early** in the process as possible. In the early stages of review, subcommittees welcome input from interested organizations and individuals. At this point, letters and personal visits with members of the subcommittee and their staff can have a tremendous effect on the panel's recommendations. In many instances, a subcommittee will hold public hearings, normally in Washington, DC, where constituents may ask to present their positions and testimony is given by chosen experts. Remember how important we all know first impressions are. That is not to say that minds cannot be changed, however.

If your senator or representative is not on the committee or subcommittee, does that mean you have no influence over the outcome? While the members of committees are considered "specialists" and can wield considerable power in deciding whether or not an issue will be advanced through the legislative process, your own senators or representatives, even if they are not on the subcommittee, often can be effective advocates, depending on their personal or political relationships with the subcommittee members. Committee members are often open to contact from the public on issues, even if they are not constituents, as they recognize their decisions often impact the public as a whole. However, these comments are given less weight than those of their constituents.

Floor Action

Once a committee has approved legislation, it becomes eligible for debate on the House and Senate floors, where it may be passed, defeated or amended. Because floor debates often are scheduled on short notice, you should prepare/plan your messages (e.g., emails, letters, and phone calls) well in advance. However, keep in mind that **timing** is extremely critical. Any communications about legislation that is coming up for floor debate should arrive as close to the time of voting as possible. When HR 503 came to the House floor for a vote in 2006, the AHDF hand delivered packets to each and every office the day before the vote this is just one example of being prepared and timing that may be critical for the passage of a bill.

Conference Action

It is usually the case that the House and Senate pass different versions of the same bill. When that occurs, a handful of members from each chamber are appointed to serve on a conference committee that attempts to work out a compromise. A conference committee usually consists of selected members of the House and Senate subcommittees that originally developed the legislation. In some instances, conference committees may need to resolve only a few issues; in



the case of appropriations bills, there may be several hundred to be reconciled. Constituents whose senators or representatives happen to be on a conference committee can play a crucial role in the deliberations.

The end product of the meetings is a conference report containing a compromise bill and a section-by-section explanation of the agreed-upon compromise. Once both the House and Senate agree to the conference report, the measure is sent to the President for approval (or veto).

Staff Contacts

While senators and representatives are the ultimate decision makers, it is important to recognize that their staff members can and do have significant influence. They assist with providing content for legislation and amendments, provide resources and information on the issue to the legislator, and even give opinions on the position a legislator should take on an issue.

Constituents are urged to maintain ongoing contacts with these individuals, especially subcommittee staff and the lawmakers' own legislative aides. It is more likely than not all of your contact within a lawmaker's office it will be with legislative aides or legislative directors and not with the lawmaker themselves. Also, keep in mind that every senator and representative maintains an office(s) in his or her home state. These district offices offer an excellent opportunity to build relationships with key staff, channel the latest information back to senators and representatives and generally get your message across to the legislator. In real estate is "location, location, location." In influencing legislation and the process it is "facts, timing, a little luck, and relationships, relationships, relationships"

Congressional Sessions

Each Congress lasts two years and is comprised of two sessions. The dates of Congressional sessions have changed over the years, but since 1934, the first session convenes on January 3rd of odd-numbered years and adjourns on January 3rd of the following year, while the second session runs from January 3rd to January 2nd of even-numbered years. On the first day of each session the Congress swears in each newly elected member.

At the start of a new Congressional Session, the slate is wiped clean; there is no pending legislation (that is not to say issues are not carried over). If a bill does not pass during a session, it must be reintroduced as new legislation in the new session. If a bill is reintroduced, it will most likely get a new number. That is, unless it passes either the House or the Senate in the previous session, in which case, it may retain the previous session's bill number. However, it still must pass through all of the legislative process, just as if it is a new bill. For example, HR



503 passed the House of Representatives in September 2006. However, the Senate never voted on the issue during the session. When the bill was reintroduced in 2007 it was reassigned the number HR 503, but was sent back to committee for review before it could come to the House floor for a vote. Even though it was approved by the committee it never received a floor vote and never left the Senate committee, so in 2009, it will have to be reintroduced and start over in the process.

Filibusters/Holds

Some of us older folks may remember an old Jimmy Stewart movie called “Mr. Smith Goes to Washington”. In the movie Mr. Smith (Stewart) stands on the House floor for hours arguing very eloquently his point. In real life it isn’t as moving. Filibusters, as they were originally intended, are very rare. The filibuster was originally designed to allow members time to get to the floor to vote. Over the years it has had many uses such as to allow time for opposing sides to negotiate terms of a compromise, preventing a vote until the opposition isn’t available...

According to the [US Senate website](#), the word filibuster -- derived from a Dutch word meaning "pirate" -- was first used more than 150 years ago to describe "efforts to hold the Senate floor in order to prevent action on a bill."

Rule 22

A filibuster is a stalling method which prevents a bill from being voted on. In its truest sense a member or members of Congress would stand and speak until the issue they had with the bill was resolved or they were too exhausted to remain on their feet. A filibuster requires only a single legislator to initiate it. Filibusters are related to "cloture," a rule adopted almost 100 years ago to stop a filibuster. A cloture required a two-thirds vote. At times this was two-thirds of those voting; for a limited time, it was two-thirds of membership.

Since 1975 the Senate has reduced the number of votes needed to invoke cloture to three-fifths (60) of Senate membership. At the same time, they made the filibuster "invisible" by requiring only that 16 Senators state that they intend to filibuster. However, the leadership can refuse to call a bill to the floor if they feel that ANY number of Senators (even as few as 1 or 2) plan on filibustering to prevent any disagreements. This allows Senators opposed to a bill to block it from coming to the floor for a vote while not having their names associated with a filibuster. To override the filibuster a motion of cloture must pass, but this method is seldom used as it is seen as hostile or possibly alienating a potential political ally. You may recall stories about senators reading phone books – that is a filibuster.



LOBBYING 101

Who Should I Contact in My Congressional Office?

The purpose of the contact determines the person you should contact. The chart below displays the different roles staff members play in a Congressional office, both in Washington, D.C., and at the member's office, in their district. Please note that not all Congressional offices are the same. Some may have two schedulers, one in Washington and one in the Congressional district office and some may have two Chiefs of Staff, also one in Washington and one in the Congressional district office.

District/State staff	Washington staff
District/State Director oversees operations for the district staff and serves as point person for top issues in the state. Top advisor on state issues.	Chief of Staff/Administrative Assistant oversees the entire operation for the Congressional office in Washington and the district. Top advisor.
Field Representative handles local policy issues and serves as the principal representative between the Congressional office and local organizations.	Legislative Director (LD)/Legislative Assistant (LA) handles policy issues. Typically a Congressional office will have one LD and 2 or 3 LAs who have divided most issues between them, with the LD handling priority issues for the member and overseeing the entire legislative operation.
Caseworker assists with constituent problems with federal agencies (i.e., Veterans Affairs, Social Security).	Legislative Correspondent/Staff Assistant handles constituent communications and may oversee some lower priority legislative issues.
District/State Scheduler manages the schedule and appointment requests for the member of Congress when the member is in the district/state.	D.C. Scheduler/ Executive Assistant manages the schedule and appointment requests for the member of Congress when the member is in Washington.

General Tips for Communicating with Congressional Staff

- Try to talk to the right staff person. Ask whether the staff member you reach handles the issue you are concerned about. If the issue is related to the wild horse issue, make sure you are working with the staffer who handles public lands issues or issues relating to the Dept of Interior.



If you have a pre-existing relationship with another staffer, involve that staffer in initial meetings, but ask to be put in touch with the person who handles the specific issue.

- Use the right method of communication. Telephone and email contact work best. Telephone calls allow interactive communication, and emails allow for detailed communication records. Work with staff to find out which method of communication they prefer. Remember that regular mail is not an effective alternative for Capitol Hill communication; since the 2001 attacks, it takes weeks to reach the Congressional offices.
- Be informed about the issues you are lobbying. Use your role, as a respected professional with extensive experience, to become a relied upon source for information.
- Don't be turned off by Hill staffers; they often have the elected official's ear. Show them respect, and they will take your issue to the elected official. It is good to have a working relationship with staff.
- State and district staff members often have long careers. When developing a relationship with state and district staffers, keep in mind that they will probably continue to work for the legislator for a long time.

Message: How to Talk to Your Legislator – 12 Tips

1. Feel good about what you're doing. Constituents visiting legislators is what representative democracy is all about.
2. Be friendly and respectful, even if you don't ordinarily support a legislator's politics.
3. When you meet a public official, create a personal bond right from the start (e.g., common experiences with people and places in the home state are a good place to start, but remember time is precious).
4. Once greetings are completed, explain why you're there. Get to the point quickly.
5. Ask your legislator to do something specific. And when you do, be clear and precise.
6. Legislators and their staffs are very busy. Use the time effectively.
7. Don't overstate your case. Stick to reasonable arguments based on the facts. Don't exaggerate to make a point.
8. Don't be afraid to express an informed opinion about an issue, even if you're not an expert. Also, don't be afraid to explain your technical credentials if you are, in fact, an expert. If you are leaving materials, make sure that it isn't too much, no more than 5-10 pages. And if you do not know the answer to a question, get back to them with an informed answer quickly.
9. Listen for an actual commitment of support—not something that may sound like one, but really isn't. Follow up if you didn't get one.
10. If your legislator disagrees with your viewpoint, don't get angry and never make a threat. Not even that you won't vote for them if they disagree with your position.
11. Never offer an elected official anything in return for their support and never discuss campaign finances, PAC contributions, or endorsements.
12. Get to know key legislative staff members. They often have great influence and can be extremely helpful as follow-up contacts.

What You May Ask For



The following are actions constituents often request of a member of Congress:

- Sponsor or co-sponsor a particular bill or amendment. This allows a legislator to sign on as a supporter on a specific piece of legislation.
- Vote in favor of final passage of a bill. Because the final versions of many bills contain extensive, complicated legislative language, support of final passage may not be easy to secure.
- Sign a letter. Letters with long lists of signatories get passed around Washington every day. They are a common tool to show support generated for a particular issue or to express concerns on actions taken by a particular agency.

Follow-Up

Always be sure to follow up with the office. If you have a meeting with a member of the staff, thank the staffer for his or her time. If you meet with an elected official, make reference to any previous meetings with the staffer and offer praise for the staffer's work. Also, remind the elected official about any previous meeting you have had with the official, and refresh his or her memory about the issues you are advocating. Finally, make yourself available as a resource.

Glossary of Legislative Terms

The following is a listing of terms commonly used in connection with the legislative process:

Act - The term for legislation that has been passed by Congress and signed into law by the President.

Amendment - The proposal of a member of Congress to alter the wording of a bill being considered by a subcommittee, committee, or on the House or Senate floor. Amendments can also be offered to add or delete entire sections of a bill.

Appropriation - Legislation that directs the spending of funds from the federal treasury for a specific purpose, e.g. funding for the Department of Health and Human Services. By custom, an appropriations bill originates in the House, where it is assigned an H.R. number (e.g. H.R. 5027) until it becomes law or is vetoed by the President. Typically, each appropriations bill includes funding for several hundred federal programs.

Authorization - A law creating a new federal program or extending the life of an existing program. An authorization establishes the framework for operating a federal program, and usually sets the maximum amount of funds that can be given to a program for a period of 3 to 5 years.

Bill - A proposed law introduced by a member(s) of Congress.



Budget - The document the President sends to Congress each year outlining federal expenditures and revenues for the upcoming fiscal year. The President's budget is usually submitted to Congress in late January or early February.

Budget Resolution - Legislation passed by Congress each year, which sets overall limits on spending and revenues. Congressional committees use the budget resolution as a guide for allocating funds to specific federal programs. The budget resolution does not require the President's approval.

Conference - A meeting between House and Senate members to reconcile differences between bills passed by their respective chambers of Congress. Once a compromise has been ironed out, a conference report is issued and voted on by the full House and Senate. The measure is then sent to the President for approval.

Continuing Resolution - An emergency appropriations bill that provides funding for federal agencies whose regular appropriations bills have not been passed before the end of the federal government's fiscal year (September 30).

Entitlement - A federal program that guarantees a certain level of benefits to persons who meet requirements set by law, such as Social Security and unemployment benefits. Congress and the President generally have very little discretion over spending by these programs.

Fiscal Year – For the federal government, the fiscal year runs from October 1 through September 30.

Hearings - Committee meetings where testimony is taken from witnesses representing government agencies, private sector organizations and the general public. Most congressional hearings are accessible to the public. Hearings may be held in Washington, DC, or in local communities.

Mark-Up - A subcommittee or committee meeting for the purpose of writing legislation. Once completed, the measure is ready for debate on the floor of the House or Senate.

Public Law - A bill after it has been passed by the House and Senate and subsequently approved by the President.

Reconciliation bill - Legislation that contains changes (usually spending cuts) to existing laws so as to conform – or reconcile – with policies adopted in the budget resolution.

Rescission - The act of canceling appropriations already enacted into law.



Standing Committee - A committee that is permanently established by House and Senate rules. Standing committees are empowered to prepare and review legislation (as opposed to *select* committees, which serve only to advise Congress on a limited range of issues).

Veto - The President's formal disapproval of legislation passed by Congress. When Congress is in session, the President must veto a bill within 10 days after receiving it from Congress; otherwise it becomes law without his approval. A bill can become law after a presidential veto if two-thirds of Congress votes to override the veto.

Helpful Sites:

<http://usgovinfo.about.com/od/rightsandfreedom/s/gov101.htm>

<http://usgovinfo.about.com/library/weekly/aa020199.htm>

<http://usgovinfo.about.com/od/thepoliticalsystem/a/meetreps.htm>

http://www.bastards.org/activism/US_legalcalendar.html