



An Effective Guide to Lobbying Lawmakers

by Jim Battin

The basic premise of government in the United States was stated simply by Abraham Lincoln in the Gettysburg Address: “a government of the people, by the people, for the people...” Unfortunately, many tribes are not familiar with the governmental process outside of their own, not knowing where to turn to solve a problem or how to influence a policy decision. Several gaming tribes, however, have very sophisticated and successful governmental affairs operations and are actively doing everything detailed below as a matter of course.

The legislative process is most effective when people share their views with their elected representatives. By lobbying, tribal leaders can influence an elected official’s position on an issue. Influencing the legislative process begins with information. Keep up on the issues and know who the elected officials are making the decisions at each level of government.

You can influence elected officials by communicating your views through letters and phone calls. Many lawmakers hold regular public forums where you can ask questions and express your views. You may also make an appointment to talk to the legislator or a staff member. As a tribal leader, you’re likely to find your representative is eager to meet with you. By actively participating, you can become part of the process and influence the decisions that establish policy and create law.

It is important to become familiar with your elected officials. This is easier than you might think. Although state and national representatives split their time between home districts and either the state capitol or Washington, D.C., legislators and their staff are readily available. Many legislators hold public meetings to get to know the people they represent – their constituents – and to learn about their concerns. Hearing concerns from Native Americans can help inform legislators on issues of importance to their constituents. It also assists them in developing an understanding of the unique issues affecting Indian Country, and can help them learn about sovereignty – an area many lawmakers don’t understand well enough.

If you choose to send a letter to an elected official, here are a few guidelines:

- Put your views in writing and send the letter to your legislator’s office as early in the session as possible.
- Be brief and to the point, courteous and reasonable.
- Be direct about identifying the problem and how existing law affects the problem. Provide specific suggestions on what should be done.
- Show the effects to your tribe and tangible positive results of your position.

- Include articles from local newspapers that reinforce your concerns.
- Before writing, find out to which committee the bill has been assigned.
- Write the committee chairperson and the individual committee members prior to the bill’s hearing.
- Say, “Thank you.” (Easy and amazingly effective.)
- Ask your legislator to inform you how he or she voted and why.

There are some common mistakes made when corresponding with elected officials, such as addressing an elected official with an incorrect title or confusing a State Senator with a U.S. Senator. Another error is forgetting to include your contact information, which makes it difficult for a legislator to answer your letter. Avoid writing lengthy letters that don’t clearly state your concerns or positions. Also, be sure to write legibly so the office can read your name, address, and your concern.

It’s important to know the steps in the legislative process to understand how an idea or issue becomes a bill, and how a bill becomes law. After reviewing the legislative process, a strategy must be plotted to increase the chances of the bill’s passage or defeat. Most states have different legislative processes, and congress is unique altogether, so it’s vital you know how things work in your state. Here are a few generalities:

- The bill process begins with an idea, which often comes from an individual, group or tribe who brings the issue to a legislator and asks the legislator to author a bill. The individual or group becomes the bill’s sponsor.
- The proposed legislation goes to the legislature’s legal counsel. They draft the actual bill text. After the author reviews the bill, along with the sponsor, it is then introduced, given a number, and read the first time in the house of origin.
- In both houses, the bills are assigned to policy committees by the Rules Committee. If the bill has any fiscal impact, it must also go to a fiscal committee after it is heard in the policy committee.
- A bill goes through the house of origin first, then repeats the process in the second house. If both houses cannot concur, it goes to Conference Committee.
- Once the bill has been introduced, the next step is to

figure out who on the committee is sympathetic to your viewpoint and which members need to be persuaded. To evaluate the members' views, look at their interests, voting records and constituencies, as well as their media coverage.

Never assume you know how legislators will vote on an issue. Always check with each legislator to make sure all questions have been answered. More time should be spent with the members who are undecided or who are inclined to vote against you. When lobbying, remember that elected officials are most responsive to their own constituents. Whenever possible ask supporters to contact their own representatives. This is most important when a bill is before a legislative committee.

On most issues, the legislators have done their homework on a bill before the committee hearing and have decided their position. At the hearing itself, the only additional votes to be gained are those by members that are undecided. This means that you should follow up your written position on a bill with a phone call or personal visit to those undecided legislators a day or two before the hearing. The most persuasive argument you can use is to tell a legislator how a bill will affect his or her district.

- Be aware of the member's interests and district concerns.
- Present issues in a clear and concise manner.
- Be available to answer questions and provide testimony when needed.
- Offer to help the member with passage of a bill important to him or her.
- Provide the necessary follow-up after each stage of the legislative process.

Talking to a legislator in person can be extremely helpful in getting the vote you want on a bill. Here are a few suggestions:

- Find out which legislators are on the committee that will be hearing the bill. (Ask your representative for a list of who sits on each committee.)
- Set up appointments with committee members to discuss the bill; because of time constraints on legislation, it is often easier for a constituent to get in than for a non-constituent.
- Be honest with the scheduling person about how much time you need.
- If a member is unavailable, ask to speak to his or her key aide. (But as a tribal leader you should push to meet with the member.)
- Have printed material available.

- At the meeting, be prepared to quickly present highlights of the bill.
- Be prepared to list other supporters and discuss the issues which concern the opposition.
- If the legislator does not agree with your position, be gracious about the difference in views and ask if there are any amendments which would make the bill acceptable. Suggested amendments must be taken back to the author and other supporters of the bill. After a decision is made on the amendment, make sure you get back to the member who suggested the amendment. If the member does not have suggestions for amendments, thank him or her for taking the time to listen to your views.

Testifying on a Bill

- Contact the author of the bill and indicate that you would like to testify.
- Coordinate your testimony with others who are testifying on the bill so statements before the committee will be brief and not redundant.
- Be prepared to answer questions on the bill from members, especially on those issues that are of concern to the opposition.
- Finally, be sure to thank the committee chairperson and the committee members for the opportunity to express your views.

Politics

Finally, to the extent that you can, get involved in the political process. You can't buy a vote – the cynicism Americans have about political contributions buying votes just isn't true. 99.99% of elected officials are fair and honest people and whether you contribute to them or not does not affect their vote. But what the political process does do is give you the ability to spend more time with an elected official, often in a more relaxed social setting, to make your case.

Without the "pressure" of an official office visit, you'll be surprised how positive social relationships influence decisions – especially when all things are equal. After all, politicians are people too. They have all the strengths and weaknesses you do. Treat them with interest, respect and, above all, honesty and you'll influence the outcome when it counts. ♣

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