

Lobbying and the Legislative Process

A lesson plan designed for high school students



Developed by the Close Up Foundation
and the Bryce Harlow Foundation

Fall 2007



Dear Educator,

The Close Up Foundation and the Bryce Harlow Foundation offer a lesson plan for your classroom that gives students insight into one of the most important responsibilities citizens have—making their voices heard.

Through its many programs, the Close Up Foundation uses current issues to educate participants on public policymaking and government processes and to prepare citizens to handle the rights and responsibilities that come with citizenship. The freedom to petition is a valuable right and all citizens share the responsibility of becoming more involved in the legislative process.

The Bryce Harlow Foundation seeks to support and promote a community of knowledgeable lobbyists with integrity; and to help teachers and students better understand that informed public policy comes from diverse ideas that flow from professional advocacy.

This lesson plan will help your students better understand the legislative process, the right to petition, and how lobbying by groups or individuals affects lawmaking. The lesson plan includes handouts and supplemental information for you and your students, as well as enrichment activities.

The activities are designed to give students a chance to use current issues to help them learn about the First Amendment right of petition and the effects of lobbying, both personal and professional, on government. The lesson plan also provides practice in the skills of cooperation, communication, decision making, and advocacy.

We encourage you to find out more about Close Up programs on our Web site at **www.closeup.org**.

Sincerely,

The Close Up Foundation

Lobbying and the Legislative Process

Constitution, Legislative Branch, Lobbying, First Amendment

Goal:

Students will understand and analyze the effects of lobbying on the legislative process and on the creation of public policy.

This lesson aligns with these National Council for the Social Studies Curriculum Standards:

- **2.5 *Individuals, Groups, and Institutions*:** Social Studies programs should include experiences that provide for the study of interactions among individuals, groups, and institutions.
- **2.6 *Power, Authority, and Governance*:** Social Studies programs should include experiences that provide for the study of how people create and change structures of power, authority, and governance.
- **2.10 *Civic Ideals and Practices*:** Social Studies programs should include experiences that provide for the study of the ideals, principles, and practices of citizenship in a democratic republic.

Objectives:

Students will be able to:

- Explain the constitutional right to petition and its relationship to lobbying
- Define lobbying
- Explain the legislative process
- Explain current laws that govern lobbyists
- Identify the tools that lobbyists use
- Identify ways to promote their own interests
- Develop an advocacy strategy for a specific legislative goal
- Assess citizen involvement in the legislative process
- Assess the role of lobbying in the legislative process
- Analyze multiple perspectives on lobbying

Procedure:

1. Anticipation Survey.

As students come into the room, hand each student an anticipation survey (see Attachment 1). Put each statement onto the board, followed by boxes for each possible answer (see Attachment 2). After they have completed the survey, ask each student to mark his or her initials on the board to show how they answered each question. Review the chart aloud and solicit student reactions to a few of the statements.

2. What is Lobbying?

Reveal the definitions of advocacy and lobbying (see Attachment 3) and tell students that we will study lobbying and the legislative process. Briefly review the legislative process using Attachment 4. Ask the students to brainstorm answers to the question, “Who participates in lobbying?” After listing their responses, reveal the list **Players and Decision Makers in the**

Lobbying Process (see Attachment 5) and go through the list of lobbyists and the definition of lobbying. Ask students to speculate on the issues the organizations and people listed might lobby for or against. Solicit answers to the following questions:

- Where can a citizen or lobbyist become involved in the lawmaking process through lobbying?
- How important is it for the public to be heard?
- Are any students involved with a lobbying group? Why or why not?
- Has anyone ever lobbied before on any level? What for? Was the lobbying effort successful?

3. The Right to Lobby.

Reveal a copy of the First Amendment (see Attachment 6) and have a student read it aloud. Using the information provided on Attachment 6, guide a discussion among students. Which section of the First Amendment gives people the right to assembly and petition? Why would individuals, groups, businesses, and organizations choose to have lobbyists? Relate the discussion to experiences that students have had in their lives where they have used techniques of lobbying, i.e. family (lobbying for raises in allowance, extended curfew), school (lobbying for or against dress codes, curriculum, student privileges), local government, state government, or national government. Should there be rules that regulate the lobbying process? Why or why not?

4. Rules Governing Lobbying.

Distribute information on the rules that currently govern lobbying (see Attachment 7) and ask a student to read each one aloud. Tell the students that over the course of the lesson, they will participate in a role play as lobbyists as well as assess whether these rules provide too much or too little regulation.

5. Characteristics of a Good Lobbyist.

Give half of the students the article on what makes a good lobbyist. Give the other half the list of tools and strategies in the lobbyist's toolbox (see Attachments 8 and 9). After the students are done reading, ask them to pair up with a student who read the other article. Students should share with each other how these professional guidelines and tools assist and govern the work that lobbyists do.

6. Researching Legislative Proposals.

Next, pick an issue for which there is currently a piece of legislation under debate in the Congress. (See <http://www.thomas.loc.gov/> or www.citizenjoe.org for ideas.) Assign students to four separate groups: a corporation, an ad hoc coalition, a trade association, and a public-interest advocacy group. Assign two groups to work as lobbyists in favor of the legislation, and two groups to lobby against the legislation. For homework, ask students to research the issue as a lobbyist would, keeping in mind the tools they have in their toolbox, applicable laws, and consequences. Ask them to come to class ready to put together a lobbying strategy with their team.

7. Developing a Lobbying Strategy.

Give each group a toolbox made up of cards listing the different lobbying techniques available and the price tags for each tool (see Attachments 10 and 11). (Or post a price list for the tools on the board.) Each group should be assigned a budget between \$1,000-5,000, depending upon the issue(s) involved. Be sure to give opposing sides different amounts in order to explore the success of differently priced lobbying tools. Give the groups time to come up with a strategy for their campaign. Remind students that all tools are available to them, but that some are more expensive than others; and thus they will have to evaluate which tools they can afford and which will be most effective. Tools can be used more than once but the cost will add up. Distribute Attachments 12-19 and review them with the class. Student groups should then use these sheets and guidelines to plot out their lobbying campaign. Tell students that they will need to present their plans at the end of the working session.

8. Presentation of Strategies.

When students are prepared, have each group present its strategy. After the presentations, ask the class to reflect on its performance. Which tools were used most often? In this specific case, which tools do you think were most effective and why? Ask students to predict which tools would be most successful in real life. Why?

Reflection and Evaluation:

1. Divide students into four groups. Give each group an article that offers a different perspective on lobbying (see Attachments 20-23). After students read the articles, ask them to discuss in small groups or write down individually why they agree or disagree with the perspective of the article assigned to them. Then, “jigsaw” the students by having them form groups of four, with all four articles represented. Students should then share the information gleaned from the article they read with the other members of their group and discuss the different views of lobbying presented.
2. Gather students together again in a large group. Poll the students by asking them to raise their hands or stand in agreement while answering the following questions.
 - Is lobbying a negative or positive part of the legislative process?
 - How effective are lobbyists?
 - What are the best ways for decision makers to acquire information?
 - Are the laws that currently govern lobbying effective?
3. From there, transition into a reflective discussion with the whole class, using the following questions:
 - Are there strengths and weaknesses in the current rules governing lobbyists? What are they? What policies, if any, would students suggest to address the weaknesses?
 - Does lobbying provide a valuable contribution to the legislative process?

Why or why not?

- How can students become involved in lobbying the legislative process?
- In what ways can students educate their elected officials about the specifics of a particular issue or students’ views on it?
- How easy was it to find the information needed to prepare a lobbying strategy?

Extension and Enrichment:

As a follow-up project, ask students to lobby on an issue of concern to them at the local, state, or national level, either as an individual or as part of a group or organization. Have students keep a journal of their progress or their group’s progress over the course of a semester or school year. Students can track what advocacy tools are used and how successful the tools are, and present their findings to the class or to the teacher in journal form. This activity could be used in conjunction with an English or Speech class on persuasive writing and speaking techniques.

Or, ask students to monitor the path of an issue or piece of legislation over time and watch how the policy debate progresses. Periodically, have students report to the class or the teacher on their findings, especially on what lobbying techniques advocates and opponents use.

Lobbying Lesson Anticipation Survey

Please answer the following questions. Circle your responses. When you are finished, please mark your responses on the chart at the front of the room by placing your initials in the corresponding boxes.

1. The decision makers who represent me at all levels of government are knowledgeable enough to make good decisions on their own.

Strongly Agree **Agree** **No Opinion** **Disagree** **Strongly Disagree**

2. Citizens should be allowed to petition their elected officials in any way they choose to make their positions known.

Strongly Agree **Agree** **No Opinion** **Disagree** **Strongly Disagree**

3. Lobbying enriches the policymaking process by organizing information and resources.

Strongly Agree **Agree** **No Opinion** **Disagree** **Strongly Disagree**

4. Lobbying distorts policymaking by injecting money and special interest politics into the process.

Strongly Agree **Agree** **No Opinion** **Disagree** **Strongly Disagree**

5. Lobbying is an effective way to promote the interests of citizens.

Strongly Agree **Agree** **No Opinion** **Disagree** **Strongly Disagree**

Lobbying Lesson Anticipation Survey Responses

(Instructors should reproduce this onto the board or a large piece of paper so that students can collectively mark their answers.)

Question	Strongly Agree	Agree	No Opinion	Disagree	Strongly Disagree
The decision makers who represent me at all levels of government are knowledgeable enough to make good decisions on their own.					
Citizens should be allowed to petition their elected officials in any way they choose to make their positions known.					
Lobbying enriches the policymaking process by organizing information and resources.					
Lobbying distorts policymaking by injecting money and special interest politics into the process.					
Lobbying is an effective way to promote the interests of citizens.					

Definitions for Advocacy and Lobbying

Advocate:

To defend or maintain a cause or proposal; to petition for change using the art of persuading others

Lobby:

To promote (as for a project) or secure the passage of (as for legislation) by influencing public officials through education; to attempt to influence or sway (as for a public official) toward a desired action by substantive debate

How a Bill Becomes a Law

House

1. Idea

People have an idea for a bill, and they let their representative know about it.

2. Proposed

A bill is proposed by a representative and sent to a committee that understands the subject.

3. Committee Considers

Many bills are proposed, and the committee can choose only a few to look at further.

4. Hearings Are Held

The committee holds public meetings and people express their opinions about the bill. The committee might then make changes or “mark up” the bill.

5. Rules Are Set

The House has 435 members, so a time limit and rules for debate have to be set. This is done by a special Rules Committee.

- The U.S. Congress meets in the Capitol building in Washington, D.C. The U.S. Congress is made up of men and women who are elected either to the House of Representatives or to the Senate.

- Members of the House of Representatives are elected every two years. Each member represents a district in his or her state. A state is divided into districts, with an equal number of people in each district. In order to be elected, you must be 25 years old and a citizen for at least seven years.

- Members of the Senate are elected every six years. Each state has two senators, so there are a total of 100 members. In order to be elected to the Senate, you must be 30 years old and a citizen for at least nine years.

- Congress first met in 1789, and there is a new Congress every two years. The 109th Congress is now in session. The main duty of Congress is to pass laws.

Senate

1. Idea

People have an idea for a bill, and they let their senators know about it.

2. Proposed

A bill is proposed by a senator and sent to a committee that understands the subject.

3. Committee Considers

Many bills are proposed, and the committee can choose only a few to look at further.

4. Hearings Are Held

The committee holds public meetings and people express their opinions about the bill. The committee might then make changes or “mark up” the bill.

5. Rules Are Set

The Senate leaders schedule the bill for debate. The Senate leaders decide the rules for debate.

6. Debates Held

The House discusses the bill, changes or amends it, votes, and either passes or rejects it.

6. Debates Held

The Senate discusses the bill, changes or amends it, votes, and either passes or rejects it.

7. The Conference Committee

If there is a difference between the bill passed in the House and the bill passed in the Senate, a Conference Committee works out the differences.

8. The bill is sent back to both houses

for a “yes” or “no” vote by the members.

9. The bill is sent to the president, who can sign it or veto it. Congress can override a veto with a two-thirds vote of each house.

Players and Decision Makers in the Lobbying Process

- President and the cabinet
- Members of Congress
- Governors and mayors
- Individual citizens

Individual companies.

Examples include:

- General Motors
- Procter & Gamble
- McDonalds Corporation

Trade Associations.

Groups of business people in the same trade or industry who have organized for the advancement of common interests. Examples include:

- National Association of Manufacturers
- American Forest and Paper Association
- Food Products Association

Labor unions and consumer groups.

Examples include:

- Consumer Federation of America
- American Federation of Teachers
- AFL-CIO

Law firms and lobbying groups.

Businesses formed by lawyers and non-lawyers to engage in the practice of lobbying.

Examples include:

- Cassidy & Associates
- The Duberstein Group
- Akin, Gump, Strauss, Hauer & Feld, LLP

Public Relations Firms.

Firms with expertise in influencing public opinion through the presentation of a client's image, message, or product. Examples include:

- Porter/Novelli
- Edelman Public Relations Worldwide
- Fleishman-Hillard

Grassroots Firms.

Firms or organizations with expertise in organizing networks of citizens. Examples include:

- e-Merges.com
- Grassroots Campaigns Inc.
- Democracy Data & Communications

Polling Firms.

Firms who survey public opinion on various issues. Examples include:

- Zogby International
- Public Opinion Strategies
- The Gallup Organization

Interest Groups.

Organized bodies of like-minded individuals, united in the pursuit of a common goal, who try to influence public policy. Interest groups exist for almost every issue before Congress, no matter how large or small. These are sometimes called “pressure groups.” Examples include:

- AARP (formerly the American Association for Retired Persons)
- American Association for People with Disabilities
- American Cancer Society
- American Civil Liberties Union
- Children’s Defense Fund
- American Humane Society
- Americans for Tax Reform
- American Civil Liberties Union
- Catholic Charities USA
- Center for Education Reform
- Christian Coalition
- Citizens Flag Alliance
- Clean Water Action
- Family Research Council
- Friends of the Earth
- Friends of Tobacco
- Gray Panthers
- League of Conservation Voters
- Mothers Against Drunk Driving
- National Association for the Advancement of Colored People (NAACP)
- National Audubon Society
- National Coalition for the Homeless
- National Coalition on Television Violence
- National Organization for Women
- National Rifle Association
- National Right to Life
- National Wildlife Federation

Freedoms in The First Amendment

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

- **Freedom of religion**
- **Freedom of speech**
- **Freedom of press**
- **Right to petition.** “To petition the government for a redress of grievances” means that citizens can ask for changes in the government. They can do this by collecting signatures and sending them to their elected representatives; they can write, call, or e-mail their elected representatives; and they can support groups that lobby the government.
- The right to petition is really a part of a larger American right—the right to advocate for one’s own beliefs or opinions.
- Advocacy, and petitioning for change, involves the art of persuading others.
- Advocacy skills provide effective ways for citizens to participate in making laws.
- The ability to petition for change is one of our most valuable rights—and responsibilities—as American citizens.

Adapted from “Education for Freedom: Lesson Plans for Teaching the First Amendment, The Freedom Forum and First Amendment Schools: Teacher’s Guide.”

Regulations that Govern Lobbying

The Honest Leadership and Open Government Act of 2007

This comprehensive legislation signed by the president in August 2007 amends the federal Lobbying Disclosure Act of 1995, the Senate rules that regulate gifts to senators and staff, and the federal criminal statute that defines lobbying restrictions for former government employees. The House of Representatives amended its own gift rules earlier in 2007. The act dramatically increases the civil and criminal penalties for lobbyists and their employers, and it's likely to lead to stricter enforcement of the existing rules.

The Lobbying Disclosure Act of 1995

Laws and rules that regulate lobbying activities give the public confidence in the legislative and political system. There have been lobbying laws on the books in the past but they were vague and inadequate, so they were rewritten and improved in 1995. The Lobbying and Disclosure Act of 1995, as amended by the Honest Leadership and Open Government Act of 2007, establishes criteria for registering as a lobbyist and requires disclosure about who paid for lobbying activities and how much was paid. It now requires disclosure of campaign contributions by registered lobbyists. The goal of the Lobbying Disclosure Act is not to restrict lobbying, but rather to provide the public with information about the array of private activities attempting to influence or persuade decision making within the federal government. Reporting is done quarterly and failure to comply with the Lobbying Disclosure Act can result in a civil fine of up to \$200,000 and criminal penalties of a fine and imprisonment of up to five years.

The Foreign Agents Registration Act

The purpose of the FARA is to ensure that the American public and its lawmakers know the source of information intended to sway public opinions, policy, and laws. In 1938, FARA was Congress's response to the large number of German propaganda agents in the U.S. before WWII. Basically, individuals and organizations that represent foreign interests must register and report their lobbying activities and expenditures on behalf of the foreign principal. FARA does not restrict lobbying by foreign agents but ensures that their activities are properly disclosed.

Congressional Ethics Rules – The Gift Ban

Along with registration requirements for lobbyists, there are also internal congressional laws that apply to the members of both the House and Senate and their staff. One such set of internal laws is the congressional ethics rules, which detail the standards of conduct as well as restrictions on gifts received. The gift ban was put in place to keep outside sources from influencing members of Congress by lavishing exorbitant gifts upon them. The general restriction prohibits gifts that exceed \$50 from being given by a private source to a member of Congress. Gifts in ANY amount (including dinner at a restaurant) from registered lobbyists, foreign agents, and the entities that employ or retain them are completely prohibited. Gifts with a value under \$10, such as T-shirts, are considered "nominal" and are not counted against the ban. There are several other exceptions to the general gift ban, including gifts between personal friends. However, the regulation sets criteria to qualify an individual as a

“personal friend” that must be proved before any gift exchange can take place. There is a parallel set of gift rules that apply to the Executive Branch.

Post-Employment Lobbying by Federal Officials

Another set of regulations intended to build the public’s trust against undue influence between elected officials and lobbyists is the post-employment lobbying restriction for members of Congress. First and foremost, members of Congress may not allow the prospect of future employment to affect their official actions. They are free to pursue future employment while still in office, but they must be particularly careful, especially when negotiating with anyone who could be affected by their official actions. A congressman must abstain from voting on a particular piece of legislation if the vote would convey a specific benefit to a potential employer. In addition, congressmen are restricted from lobbying or communicating with the intent to influence their former colleagues for one year after leaving office. For senators, the wait time is two years. They may, however, aid or advise clients concerning how to lobby Congress.

Campaign Laws and Political Action Committees

Laws that govern campaign activities and contributions that fund those activities are administered and regulated by the Federal Election Commission. Federal election campaign laws address such issues as compliance by the candidates and their committees as well as disclosure of campaign contributions—namely by whom and how much. Campaign reports are easy to access on-line through the FEC’s Web site, enabling citizens to be informed about the amount of campaign contributions as well as their sources.

Who can contribute?

- Any American citizen can contribute up to \$2,300 per election to a candidate running for federal office and up to \$28,500 to a national political party.
- Foreigners with no permanent U.S. residency are prohibited from contributing to any political candidates at any level.
- Cash contributions over \$100 are prohibited, no matter what their origin.
- No candidate can accept an anonymous contribution that is more than \$50.
- Corporations and labor unions are prohibited from contributing to federal campaigns or parties.
- Minors are prohibited from making contributions to federal candidates and contributions or donations to committees of political parties.

What are PAC’s?

A Political Action Committee (PAC) is a common term for a political committee set up for the purpose of raising and spending money to elect and defeat candidates. PACs have been around since 1944 and they represent ideological, business or labor interests. PAC funds are generated from voluntary contributions from the individuals they represent. For example, General Motors Corporation, the American Federation of Teachers, and the American Farm Bureau all have PACs and all participate in the process to elect or perhaps defeat a political candidate. A PAC can give \$5,000 to any candidate committee per election. PAC contributions by both the donor and the recipient can be reviewed through their mandatory reports on the Federal Election Commission’s Web site (www.fec.gov).

Qualities of a Good Lobbyist: The Bryce Harlow Principles

Adapted from “Reflections of a Lawyer/Lobbyist” by Joel Jankowsky
Political Powerhouses: Beltway Insiders of the Way Washington Works

Bryce Harlow believed that there were five fundamental characteristics of being a good lobbyist in Washington, and they still apply to being a good advocate in the policy arena today. The first characteristic is “**integrity**.” Bryce Harlow put it this way: “The coin of lobbying, as of politics, is trust. One’s word is one’s bond. Truth telling and square dealing are of paramount importance in this profession. If one lies, misrepresents, or even lets a misapprehension stand uncorrected—or if someone cuts corners too slyly—he or she is dead and gone, never to be resurrected, or even mourned.” This applies to individuals and to groups. It applies across the board, without exception. Once a lobbyist loses credibility, it most likely cannot be regained.

The second characteristic is a “**willingness to work hard**.” Lobbying is a very competitive process. There often are advocates on the other side of the issue who are trying to have their position accepted, or to stop a position from being adopted. In such circumstances, the first challenge for the lobbyist may be to convince someone in a position of authority to enter the fray and act on the issue. Contrast this scenario with a courtroom proceeding where one decision maker (the judge) is required to render a verdict. Accordingly, since most policy issues tend to be extremely complex, it takes an enormous amount of work to convince someone in authority to listen to the case, much less understand it and work towards its adoption. In this business, there is simply “no rest for the weary.”

The third characteristic is “**adaptability to change**.” Bryce Harlow said, “The formal and informal rules of the game undergo frequent and sometimes subtle modifications and, lest we forget, key participants in the policy process turn over with alarming frequency. No sooner does a ranking official profess to see the merit in a company’s position than that official resigns, dies, gets transferred or fired, or is beaten in an election. The whole painstaking process of education and persuasion then has to be started from scratch with the official’s successor.” This phenomenon is even truer today than it was when Mr. Harlow wrote the words, due to factors such as increasingly competitive elections and self-imposed “term limits,” as well as term limits for certain leadership positions and committee chairmanships.

The fourth characteristic is “**humility and perspective**.” According to Bryce Harlow: “A Washington representative needs to recognize and accept the fact that whatever it is that he or she represents is more important than his or her own personality and atmospherics.” A Member’s schedule, and that of his or her staff, is extremely demanding. Most people outside Washington do not have an appreciation of just how hard Members and staff work. Moreover, the issues that policymakers must master are increasingly complex, and therefore their time is precious. Good lobbyists, therefore, must respect these hard-working people. They need to learn to be patient and to check their egos at the door. As Harlow said, “Never confuse yourself with your job. It may be important. You are not.”

The fifth characteristic is “**an understanding of the processes of government.**” Bryce Harlow described this fundamental as follows: “Representatives need to have a clear fix on how the government actually works, how the pieces fit together, how things get done.” A good lobbyist simply must take the time to read and comprehend the rules under which governmental bodies operate and to understand the process of how decisions actually get made. Understanding the so-called “decision tree,” as well as the rules of how the various institutions work, internally and with each other, is essential to success. These rules define the “realm of the possible” for each lobbying project and enable a lobbyist to focus his or her efforts on the appropriate decision maker at the right time in the policy-making process.

Joel Jankowsky heads the policy department of the Akin Gump Strauss Hauer and Feld law firm in Washington, D.C. Mr. Jankowsky serves on the board of governors of the Bryce Harlow Foundation and is Chairman of the Board Close Up Foundation.

Building Blocks of Professional Advocacy and Tools of the Professional Advocate

Credibility

- Personal integrity and professionalism
- Corporate or organization's reputation
- Delivering factual information
- Compliance with laws, regulations and rules

Issue Management

- Identify and prioritize the issues important to your organization
- Monitor emerging issues
- Understand how Congress works and the political realities

Theme and Argument Development

- Develop a theme and argument for your case based on accurate information
- Perform policy research through all available resources
 - Be skeptical—carefully consider each source
 - Be accurate—don't use opinion as fact
 - Be thorough—pay attention to detail
- Be the best expert you can be—know both sides of the issue

Strategy Development

- Identify the stakeholders
 - Who's with us, and who's against us?
 - Who will likely be helped; who might likely be hurt by the outcomes?
- Target legislators
 - Champions—committed to the cause; help develop "inside strategy."
 - Allies
 - Fence Sitters—potentially will vote either way
 - Opponents—mellow and hard core

Implementation of advocacy plan

- Educate and argue your position
- Make use of established relationships
- Legislators, staff, colleagues

Tools in the Professional Advocacy Toolbox

Communication tools

- Direct Lobbying
 - Meetings, letter writing, faxes, phone calls, e-mail
 - Each tool serves a purpose; however, the easiest tools are overused.
 - Form letters are never as effective as personal letters.
 - No letter-writing campaign can ever compare with the opportunity to tell your story in person.
 - Communications from the lawmaker's district receive the highest consideration, but members of Congress who are issue-oriented or who serve on a committee with jurisdiction over a particular issue will also consider relevant communications that originate outside his/her district.
- Grassroots and Grass-tops activities
 - Grassroots is the involvement of citizens, particularly constituents from a congressional district.
 - Grass-tops (quality of the contacts, i.e. mayor, civic leader) and grassroots (quantity of the contacts) activities, when done well, can level the playing field with big dollars.
- Public Relations Campaign
 - Develop a message that puts the issue in the public arena
 - Paid advertisements, print and electronic ("paid media")
 - Public relations activities today are a key part of a comprehensive advocacy strategy.
- The Media
 - Press conferences
 - Editorial board visits
 - Assisting reporters with their stories

Coalition and Trade Association Participation

- Will our argument be stronger if we're aligned with others who agree with our position?
- Who are our allies on this issue?

Campaign Contributions

- Opportunity to support candidates who share our ideals.
- Strict laws govern campaign contributions and provide disclosure.
- Contributions to candidates are only one small tool in the toolbox.

Hiring consultants

- Outside lawyers, government relations professionals, and policy experts can help throughout the process, from analysis of the issues, to developing the theme, to helping to make the case.
- Consultants can be expensive; analyzing who can add the most value is important.

Lobbyists' Toolbox Cards

(One set for each group of students.)

<h2>Research</h2>	<h2>Direct Lobbying:</h2> <p>Letter writing campaign by constituents</p>
<h2>Polling</h2>	<h2>Direct Lobbying:</h2> <p>E-mail campaign by stakeholders</p>
<h2>Direct Lobbying:</h2> <p>Meet with member of Congress</p>	<h2>Direct Lobbying:</h2> <p>Fax form letters signed by constituents to members of Congress</p>
<h2>Direct Lobbying:</h2> <p>Meet with member of Congress and bring one of the member's constituents</p>	<h2>Grassroots Mobilization</h2>

Grass-tops Mobilization

The Media:

Hold a press conference

Public Relations Activity:

Paid TV advertisement

The Media:

Visit local editorial board

Public Relations Activity:

Paid newspaper advertisement

The Media:

Share information with reporter

Public Relations Activity

Development of a Web site

Participate in a coalition

Participate in a trade association

Make a campaign contribution

Lobbying Tools Price List

• Research	\$200
• Polling	\$600
• Direct Lobbying	
- Meet with member of Congress	\$0
- Meet with member of Congress (bring constituent)	\$50
- Letter writing campaign by constituents	\$50
- E-mail campaign by stakeholders	\$50
- Fax form letters to members of Congress	\$50
• Grassroots mobilization	\$200
• Grass-tops mobilization	\$100
• Public Relations Activities	
- Paid TV advertisement	\$700
- Paid newspaper advertisement	\$600
- Internet site	\$500
• The Media	
- Hold a press conference	\$50
- Visit the local editorial board	\$0
- Share information with reporter	\$0
• Participate in a coalition	\$100
• Participate in a trade association	\$200
• Make a campaign contribution	\$200

E-mail/Fax/Phone Campaign

\$50/250 (per state)

Who is your target audience and why?

State: _____

Age Group: _____

Political Party: _____

When will you be contacting them and why?

What will you try to accomplish with this campaign?

Write out your e-mail/fax/phone script.

Fly to D.C. to Testify Before Congress

\$50

1. Which committee would be best situated to hear testimony?

- | | | |
|-------------------------|-------------------------|-------------------|
| Appropriations | Armed Services | Budget |
| Energy and Commerce | Financial Services | Government Reform |
| Homeland Security | International Relations | Judiciary |
| Resources | Small Business | Veterans' Affairs |
| Education and Workforce | Ways and Means | |

List three main points of the argument you will make before the committee:

1)

2)

3)

What are some challenges your testimony might face?

Grassroots/Grass-tops Mobilization

\$200 (per state)

Who is your target audience and why?

State: _____

Age Group: _____

Political Party: _____

1. What type of grassroots mobilization will you use and why?

(Possibilities include a Town Hall meeting, handing out pamphlets, hanging up posters, or canvassing door-to-door.)

2. Which civic leaders will be most effective for grass-tops mobilization?

(Possibilities include the mayor, newspaper publisher, school board president, corporate leaders, ministers, etc.)

3. What are you trying to accomplish with this mobilization?

Develop and Maintain a Web Site to Support Your Cause

\$500

1. What will the name and address of your Web site be?

www. _____ . org

2. What information will appear on the homepage of the site?

3. What about on subsequent pages?

4. What other Web sites will you try to link to?

5. What do you hope visitors to your Web site will know or do after visiting?

Letter Writing Campaign

\$50/250 (per state)

Who is your target audience and why?

(Meaning, who do you want to encourage to write letters to their members of Congress?)

State: _____

Age Group: _____

Political Party: _____

When will you send these letters?

What will you try to accomplish with this campaign?

What three points do you want people to include in letters they will write to their members of Congress?

1)

2)

3)

Print Advertisement

\$600 (per newspaper)

Who is your target audience with this print ad and why?

Age: _____

Political Party: _____

1. In which newspapers do you want to place your advertisement and why?

2. When will you place this advertisement and why?

3. List three arguments that will be displayed in your advertisement:

1)

2)

3)

Trip to D.C. to Meet With Members of Congress & Key Staff

\$50

1. Which members does your lobbying organization want to meet with and why?

2. When do you want to meet with them and why?

3. List three main arguments you will present:

1)

2)

3)

TV Advertisement

\$700 (per station that airs your ad)

Who is your target audience for this television advertisement and why?

State: _____

Age Group: _____

Political Party: _____

1. What type of TV station do you want to air your advertisement and why?

2. When do you want this advertisement to be aired and why?

3. List three arguments that will be incorporated into the advertisement:

1)

2)

3)

How a Bill Really Becomes Law

By Lee Hamilton

When I visit with students in American government classes, I always make a point of flipping through their textbooks to see the diagram illustrating “How a Bill Becomes a Law” in Washington. The diagram explains that a piece of legislation, once introduced, moves through subcommittee and committee, then to the House and Senate floors, then to a House-Senate conference, and finally to the President for his signature or veto.

In a technical sense, of course, the diagram is accurate. But it gives a woefully incomplete picture of how complicated and untidy the legislative process can be, and it barely hints at the multitude of difficult things that a Member of Congress must do to shepherd an idea into law. For a U.S. Representative, the most-time consuming aspect of moving legislation is conversation: the scores - even hundreds - of one-on-one talks that an astute Member will have with colleagues to make the case for a particular bill, to learn what arguments opponents will use to try to block it, and to get a sense of what adjustments might be needed to move it along.

There was a time when it didn't take so many conversations to advance a proposal through Congress. If you could sell your idea to the top leadership and a key committee chairman or two, their clout would carry a bill well down the road to passage. Nowadays, though, more people on Capitol Hill have legislative power, including subcommittee chairmen, party leaders, leadership-appointed task forces, and individual Members, especially those who are skilled at attracting media attention. People outside Congress also need to be consulted, including key special interest groups who have much to gain or lose depending on the precise language of a bill and who have influence with Members.

The soundings from this smorgasbord of conversations generally end up posing a dilemma to a Member pushing a bill: altering the proposal to accommodate skeptics might broaden its appeal, but compromising too much could alienate core supporters. A successful legislator must constantly be counting votes to assure he has a majority of support and must be strategically savvy enough to gauge accurately whether to try to mollify the opposition, or to push ahead and hope to defeat it. He needs to check with the parliamentarian to assure that technical objections do not block the bill, and be prepared to debate with his colleagues every line of the bill and to find the arguments that are most persuasive. And through it all, the Member must always weigh the political impact of the bill, especially with his constituents and his contributors.

If, with conversation, persuasion, persistence and luck, a House Member clears the many hurdles and gets a bill passed through that chamber, the reward is to begin the difficult journey anew in the Senate, where the threat of a filibuster immensely complicates the legislative process. Unless 60 of 100 Senators vote to close off debate on a measure, it is effectively blocked; the Senate on many issues no longer operates by simple majority rule.

The fate of a legislative proposal is also influenced by the preferences of the President and the executive branch bureaucracy. A Member of Congress trying to advance a bill must be taking constant readings from the President to learn if he will veto it or sign it into law.

The workings of Washington sometimes appear to be a tangled and contentious mess, but there is a framework in which the action takes place. Granted, it is not as tidy as the textbook diagrams suggest; the legislative process is increasingly complex and dynamic, and thoroughly political from beginning to end. But it is a process that takes into account the need to hear from all points of view and to build consensus in our large, diverse and complicated country. Rarely is that quick or neat work, but it is the fundamental stuff of democracy, and it has served our country well.

Copyright Center on Congress at Indiana University 2000 - 2004

Lee Hamilton is currently the director of both the Woodrow Wilson International Center for Scholars and the Center on Congress at Indiana University. Prior to serving in these positions, Mr. Hamilton served over 20 years as a distinguished member of the U.S. Congress from Indiana. Most recently, Mr. Hamilton served as the co-chairman of the commission investigating the Sept. 11, 2001, terrorist attacks, most commonly known as the 9/11 Commission.

10 Reasons to Lobby for Your Cause

For many of us, lobbying is something other people do—people who wear fancy clothes and buy politicians lunch at expensive restaurants. But lobbying, or more simply, trying to influence those who make policies that affect our lives, is something anyone can do. And it is something all of us should do if we believe in a good cause and in a democratic form of government. Read on to find out why.

1. You can make a difference.

It takes one person to initiate change. Gerry Jensen was a single mother struggling to raise her son in Toledo, Ohio, without the help of a workable child support system. She put an ad in a local newspaper to see if there were other moms who wanted to join her in working for change. There were. Over time, they built the Association for Child Support Enforcement, or ACES, which has helped change child support laws not just in Ohio, but across the country. One person—a single mother—made a difference.

2. People working together can make a difference.

Families of Alzheimer's patients working together, through the Alzheimer's Association, convinced the government to invest resources into research for a cure. Other individuals formed Mothers Against Drunk Driving and convinced dozens of states to toughen up their drunk driving laws. As a result, the numbers of drunk driving deaths are lower. Additionally, many people find healing from tragedy by telling their stories and working to prevent it from happening to others.

3. People can change laws.

Many of us think that ordinary individuals can't make a difference. It is hard to change laws and policies. But it can be done. It has been done, over and over again in our history, in the face of great obstacles. People lost their lives fighting racist "Jim Crow" laws. They won. Women didn't even have the power of the vote—as we all do today—when they started their struggle for suffrage. Our history is full of stories of people and groups that fought great odds to make great changes: child labor laws, public schools, clean air and water laws, social security. These changes weren't easy to achieve. Some took decades. They all took the active involvement—the lobbying—of thousands of people who felt something needed to be changed.

4. Lobbying is a democratic tradition.

The act of telling our policymakers how to write and change our laws is at the very heart of our democratic system. It is an alternative to what has occurred in many other countries: tyranny or revolution. Lobbying has helped keep America's democracy evolving over more than two centuries.

5. Lobbying helps find real solutions.

Services provided directly to people in need, such as soup kitchens, emergency health clinics, and homeless shelters, are essential. But sometimes they are not enough. Many food pantries, for example, needed new laws to enable caterers and restaurants to donate excess food so the kitchens could feed more people. Family service organizations working to place abused children into safe homes needed changes in the judicial system so kids did not have to wait for years for a secure place to grow up. Through advocacy, both changes were implemented. People thinking creatively and asking their elected officials for support can generate innovative solutions that overcome the root-cause of a problem.

6. Lobbying is easy.

Many of us think lobbying is some mysterious rite that takes years to master. It isn't. You can learn how to lobby—whom to call, when, what to say—in minutes. While there are a few simple reporting rules your organization needs to follow, it isn't complicated. Countless numbers of people have learned how. Lobbying is easier and more effective when many committed people work together. One person does not have to do everything or know everything.

7. Policymakers need your expertise.

Few institutions are closer to the real problems of people than nonprofits and community groups. They see problems first-hand. They know the needs. They see what works and what doesn't. They can make problems real to policymakers. They care about the problems. Their passion and perspectives need to be heard. Every professional lobbyist will tell you that personal stories are powerful tools for change. People and policymakers can learn from your story.

8. Lobbying helps people.

Some people become concerned that lobbying detracts from their mission, but quite the opposite is true. Everything that goes into a lobbying campaign—the research, the strategy planning, the phone calls and visits—will help fulfill your goal whether it be finding a cure for cancer, beautifying the local park, or helping some other cause that helps people. You may not personally provide a direct service, but through your advocacy work, you enable thousands of others to do so.

9. The views of local nonprofits are important.

Increasingly, the federal government has been allowing local governments to decide how to spend federal money and make more decisions than in the past. This change gives local nonprofits even more responsibility to tell local policymakers what is needed and what will work. And because more decisions are being made locally, your lobbying can have an immediate, concrete impact on people in need.

10. Lobbying advances your cause and builds public trust.

Building public trust is essential to nonprofit organizations and lobbying helps you gain it by increasing your organization's visibility. Just as raising funds and recruiting volunteers are important to achieving your organization's mission so is lobbying. You miss out on an important opportunity to advance your cause if you don't think as much about relationships with local, state, and federal government.

Let's End the Revolving Door of Politics

by Michael Shapiro

The Daily Targum, a newspaper of Rutgers University - Opinions
Issue: 4/13/05

It is time to end the practice of federal- and state-elected officials becoming lobbyists and advocating their former colleagues on behalf of private interests soon after their terms of office expire. Their relationships with their former colleagues create access and opportunities for private interests to exert an unsavory amount of influence on our current federal- and state-elected officials. In the process, the public interest is often being undermined.

The revolving door between the public and private arena is troubling. An elected official who has either lost his or her seat or has retired soon thereafter becomes a staple in the corridors of the Statehouse or Congress, using his or her influence and connections to provide special interests with privileges that the average member of the public is not afforded. These special interests often win support from legislators for their pet projects, making large sums of money in the process. The elected official-turned-lobbyist does quite well too, often making a six-figure or higher salary for his or her efforts. Meanwhile, the measures adopted by the Statehouse or Congress to advance the causes of special interests are costly to the taxpaying public and may not be in its best interest. In addition, the public is left without any vehicle to influence the legislators in a like manner.

Congress and the state legislature should pass a law banning elected officials from working as lobbyists for a period of at least 10 years after their term expires, they resign or they fail to be re-elected. Such a ban would reduce the improper influence a former elected official has with current elected officials. Former elected officials would then be hired by special interests more for their knowledge and experience than for their influence. In addition, present elected officials would be less likely to bestow special attention on a lobbyist who was a former elected official from a decade ago.

Most importantly, a 10-year ban would help restore the public's trust in our political process. Too often, measures are adopted because of the influence of special interests. Even when that is not the case, there is an appearance of impropriety caused by having measures adopted that were lobbied for by recently retired elected officials. By instituting a 10-year ban against former officials taking positions in lobbying firms, more measures will be adopted because of their merit rather than the influence exerted by lobbyists who were recently retired elected officials. It is time to end the revolving door and enhance the public's trust in the political process.

Michael M. Shapiro is a 1998 Rutgers College alumni and an attorney who resides in New Providence, NJ.

How a Bad Bill Becomes Law

By Bernie Sanders March 9, 2004

Remember the elementary school lesson “How a Bill Becomes a Law”? Well, George W. Bush and Republican Leadership in Congress redefined lawmaking when they forced their Medicare law through Congress. And a brief look at the gnarled twists and turns taken as this bill became law should make any student of American democracy shudder.

Step One

Use your bill to raise massive amounts of political cash from friendly corporate interests. On June 19, 2002, two days after Republicans unveiled their new Medicare bill, the pharmaceutical industry staged a fundraiser for President Bush and the Republican Party in which a record-breaking \$30 million was raised in one night. British drug giant GlaxoSmithKline, the chief corporate fundraiser of the event, coughed up \$250,000, as did the drug companies’ trade group, PhRMA.

Step Two

Completely ignore the will of the nation’s elected representatives. In this case, on July 25, 2003, a strong bipartisan coalition in the House approved allowing Americans to buy safe, FDA-approved medicines at 25 percent to 50 percent less than U.S. prices by accessing the well-regulated markets of 26 developed countries. Despite strong support in the Senate for a similar provision, the White House had this language stripped from the final Medicare bill. On the other hand, at the request of drug companies, a prohibition on Medicare negotiating lower prices for our seniors was added to the bill.

Step Three

Ram your bill through even if you don’t have the votes. Let’s see how it works in practice. At 5:53 a.m. on November 22, House Republicans passed their Medicare bill by a vote of 220-215. By all accounts, it was a historic night in the Capitol. Under House rules, time allowed for voting is 17 minutes, at which point voting is cut off and cannot be changed. On this occasion, voting was left open for an unprecedented three hours while Republican leaders, including Health and Human Services Secretary Tommy Thompson, cajoled and arm-twisted to get the votes the White House demanded. Rep. Nick Smith (R-Michigan) later publicly stated that he was encouraged to change his “no” vote to “yes” by Republican leaders who assured him that “business interests” would contribute \$100,000 to his son’s campaign to succeed him in Congress. When that didn’t work, encouragement turned to threats and he was told that if he didn’t change his vote they would work to make sure his son never gets to Congress. Smith held firm and Republican strong-arm tactics are now under investigation by the House Ethics Committee. Other Republicans did ultimately switch their votes, giving the White House a win.

Step Four

Hoodwink members of your own party who have reservations. Throughout the debate, many conservatives were concerned about the potential cost of a new prescription drug benefit. The White House pledged that the Medicare bill would cost no more than \$395 billion. Two months after the president signed it into law he submitted a budget to Congress that put the estimate at, oops, \$530 billion. And with its glaring lack of cost-controls and its prohibition on price negotiation, it likely will cost far more.

Step Five

Stick to your story regardless of the facts. In his State of the Union address, the president said, “For a monthly premium of about \$35, most seniors ... can expect to see their drug bills cut roughly in half.” Unfortunately, that claim is simply untrue. The reality is that most seniors will see their drug bills cut only by about one-third—and many even less. In fact, the Consumers Union estimates that many will pay more in 2007 for their medicines under the plan than they do today without it.

Step Six

Turn your work on the bill to your own personal gain. Schoolchildren, pay close attention to this one. Within a month of the bill becoming law the chairman of the House Commerce Committee, Rep. Billy Tauzin (R-La.), was reportedly offered a \$2 million a year job by PhRMA (remember, the industry’s lead lobbying group). According to the Washington Post, Tauzin is expected to take the PhRMA offer and leave the House before his term expires. Another key player—Thomas Scully, the immediate former head of the Center for Medicare and Medicaid Services and White House point person on the Medicare bill—recently left his post to work for law firms that represent pharmaceutical and other healthcare interests.

Seventh and Final Step

Use the taxpayer’s own money to “educate” them if they aren’t buying your story. Recently, President Bush launched a \$23 million advertising blitz—all at taxpayer expense—to tout the Medicare bill. A media firm working on his reelection campaign will get a cut of the pie for buying airtime for the government to tout the new Medicare law—a sweetheart deal and a handy piece of campaign propaganda at taxpayer expense.

Well, there it is. The new way a bill becomes a law when George W. Bush and the Republicans control the government. Questions anyone?

Bernie Sanders represents Vermont as an at-large member of the House of Representatives.