

APRIL 8, 2015

ADVOCACY 101

PRESENTED BY:

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OVERVIEW

1. Opening Discussion
2. Congress – the Basics
3. Political Context
4. Why Advocate?
5. Talking to Congress
6. Being an advocate from home
7. The regulatory process
8. Resources
9. Group Exercise – Formulating an advocacy campaign!



GROUP DISCUSSION

- What is the impression of your community on Congress?
- Why do you think Congress fails to enact legislative priorities from Tribes?
- What do you think you can do to help?
- How many of you have advocated before? What barriers do you encounter when advocating?

TWO HOUSES OF CONGRESS:

U.S. House of Representatives

435 voting Members of Congress (MOCs) apportioned by population (*Delegates and Commissioners Participate But Do Not Vote.*)

2 – Year Terms

Rules – Majority will always prevail!



TWO HOUSES OF CONGRESS:

U.S. Senate

Two per each of 50 States = 100

6 Year Terms

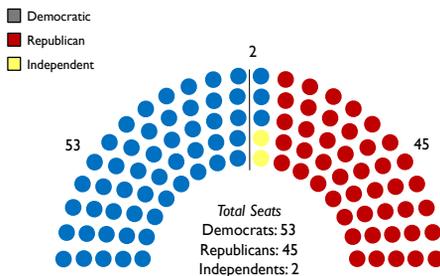
Rules - Deference to minority.

Filibuster.

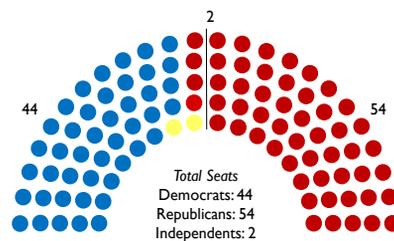


REPUBLICANS WIN SOLID MAJORITY IN SENATE

Control of the 113th Senate (2012-2014)



Control of the 114th Senate (2014-2016)

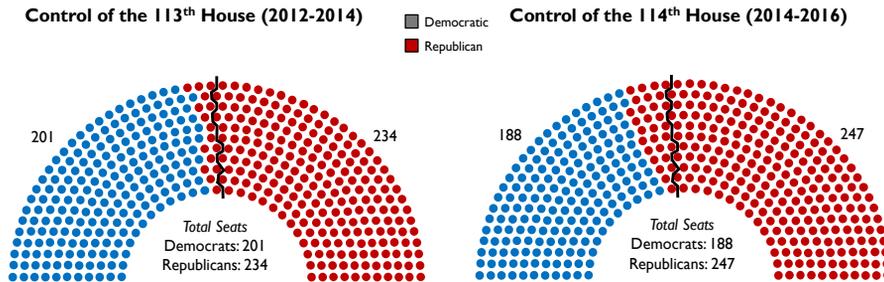


Analysis

- Having won most of this year's competitive races, Republicans secured 54 Senate seats, flipping the Senate from blue to red
- A GOP win in Louisiana was announced on December 6, 2014
- Since Republicans expanded their majority to 54 seats, they will have an easier time passing legislation in the Senate because they will need fewer Democratic defections to overcome filibusters (which require a 60 vote supermajority)

Source: National Journal Research; CNN Election Center; Associated Press; NBC News.

REPUBLICANS WIN RECORD MAJORITY IN HOUSE



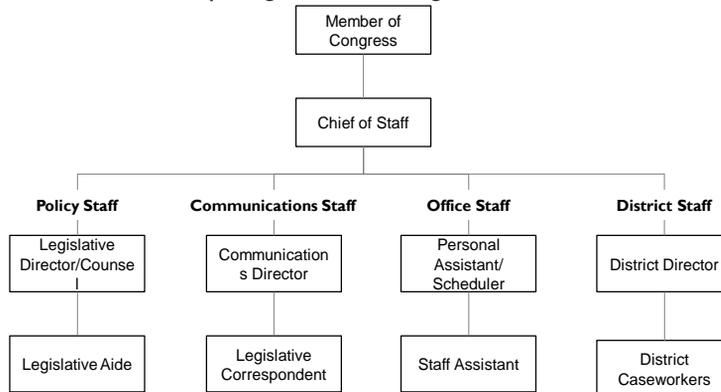
Analysis

- Republicans won a total of at least 246 seats in the House, their largest majority since 1928
- An expanded GOP majority in the House means that Speaker Boehner will have an easier time passing legislation in the House without Democratic support, and Republicans will also have an easier time holding on to their majority in future elections

Source: National Journal Research; CNN Election Center; New York Times.

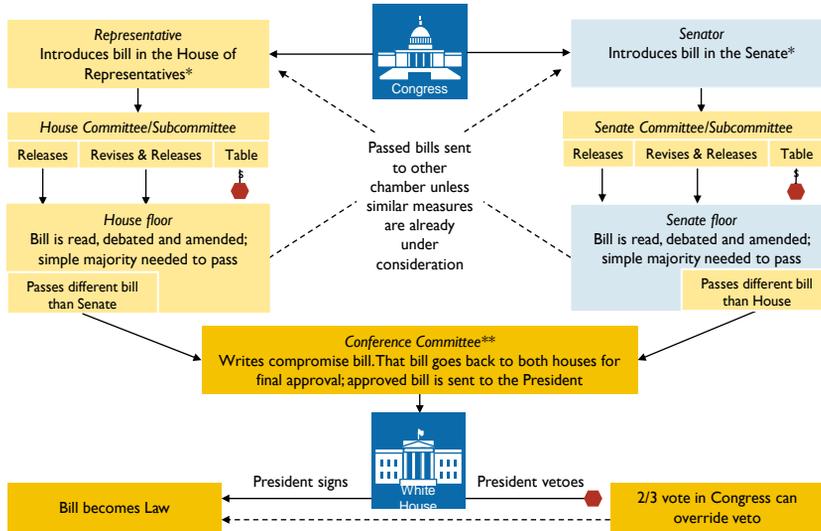
CONGRESSIONAL OFFICE STRUCTURE

Sample Organization of a Congressional Office



Source: "Hit the Ground Running: 112th Congress Edition," Office of Rep. Eric Cantor.

HOW A BILL BECOMES A LAW

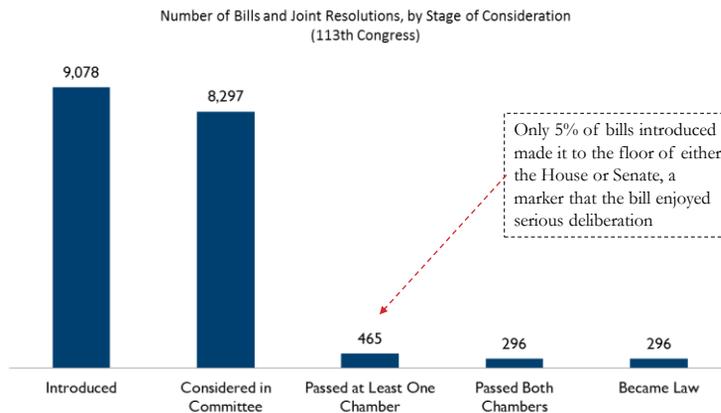


*Legislation may be introduced in either chamber except for tax law, which must originate in the House **Most major legislation goes to conference committee; When one chamber passes legislation originating in the other without making changes, bill goes directly to President

Source: National Journal Research, 2013.

More information on legislative processes can be found in [Federal Rulemaking](#). Visit NJ's Presentation Center to download the full deck.

ONLY 3% OF BILLS INTRODUCED IN 113TH CONGRESS BECAME LAW

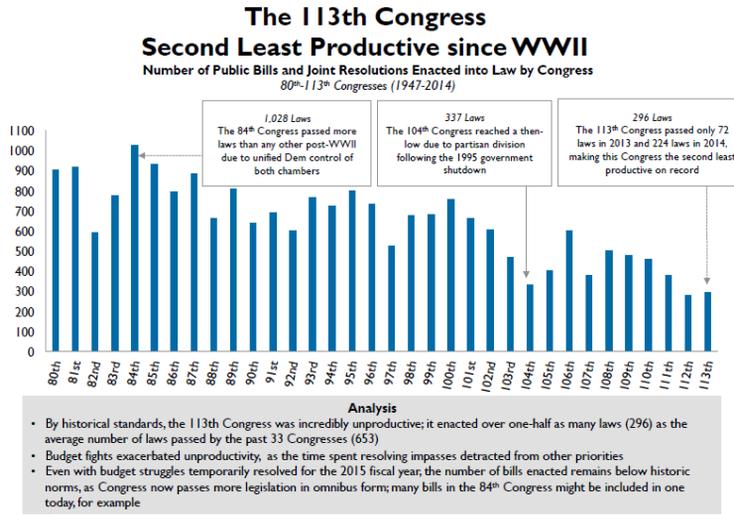


Analysis

- The vast majority of bills (97%) introduced in the 113th Congress failed to become law, and most never even came close; only 5% of bills introduced passed at least one chamber
- While there has been a recent trend of unproductivity in Congress, GOP leaders hope to pass more legislation in the 114th Congress

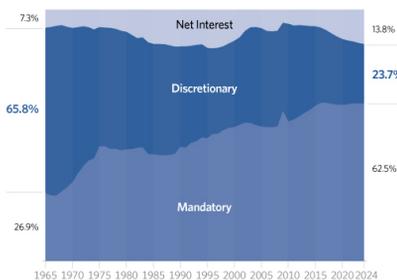
POLITICAL CONTEXT

Congress' overall productivity is diminishing over time:

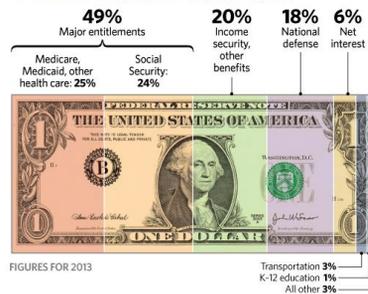


POLITICAL CONTEXT THE FEDERAL BUDGET

As Entitlement Spending Grows, the Discretionary Share of the Budget Falls



Where Did Every Dollar in Spending Go?

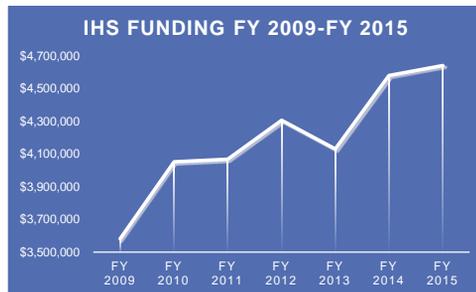


- Discretionary as a percentage is going down over time

IHS SINCE 2009...

IHS has increased by about \$1 billion since FY 2009

- About 30% increase
- Purchased / Referred Care: increased by \$295 million (44%)
- Contract Support Costs: increased by \$380 million (135%)
- Facilities: \$70 million increase (not including ARRA) (17%)



WHY ADVOCATE?



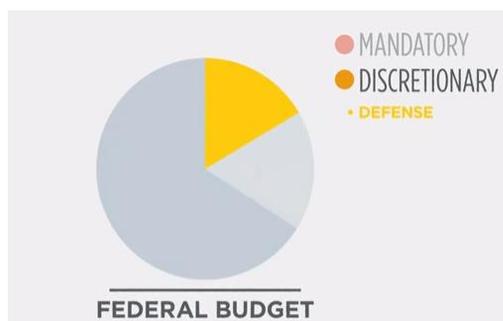
WHY ADVOCATE?

- Duty as a U.S. citizen, but especially as an advocate for your people
- Congress won't know what issues are important to you if you don't tell them
- Many (most) Members of Congress don't know about the American Indian / Alaska Native issues
- Most Members of Congress *want* to help you

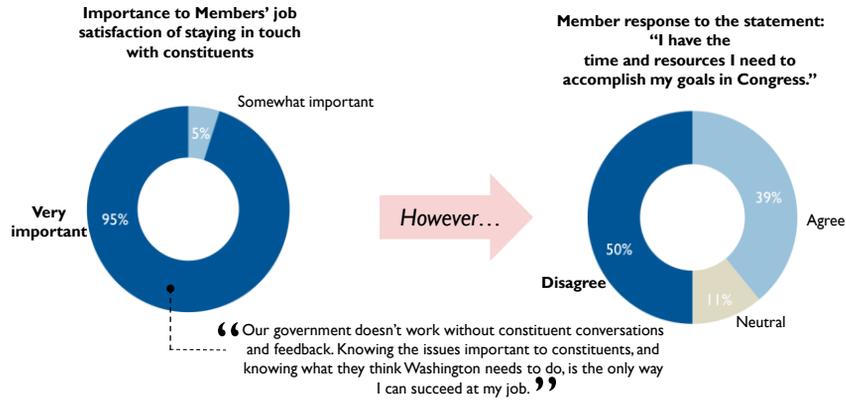


WHY ADVOCATE?

- Federal Pie is getting smaller and smaller. More voices trying to be heard on the same things



CONSTITUENT SERVICE WORK IMPORTANT TO MEMBERS



Analysis

- Members prioritize serving and staying in touch with constituents; constituent conversations guide policymaking, and every Member realizes that reelection hinges on their ability to serve the constituents who vote them into office
- Nonetheless, Members face constraints in their ability to meet constituent demands, and advocates should be sensitive to Members' limited time and resources when making specific asks of their Member of Congress

Source: Congressional Management Foundation and the Society for Human Resource Management, "Life in Congress: The Member Perspective," 2013.

WHERE DO WE ADVOCATE?

Pillars of Advocacy



Legislative

Political

Regulatory

WHO SHOULD WE BE TALKING TO?



YOUR OWN SENATORS AND REPRESENTATIVES

- You should always establish a good relationship with your own Senators and Representatives
 - Invite them to events you have including council meetings; cultural events; facility tours
 - Make sure you know the district staff in your area.
 - Call local office to set up meetings
- Visit www.senate.gov or www.house.gov to find your representatives
- It is recommended to know all representatives from your state – especially if they are on the relevant committees

HOUSE REPUBLICAN LEADERSHIP



From left to right: Speaker of the House John Boehner (R-OH), Majority Leader Kevin McCarthy (R-CA), Majority Whip Steve Scalise (R-LA)

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21

HOUSE DEMOCRATIC LEADERSHIP



Minority Leader Nancy Pelosi (CA)



Minority Whip Steny Hoyer (MD)

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22

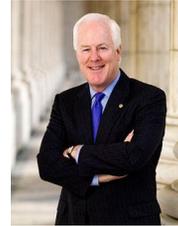
SENATE LEADERSHIP



Senate Majority Leader
Mitch McConnell (KY)



Senate Majority Whip
John Cornyn (TX)



Minority Leader Harry Reid (NV)



Minority Whip
Dick Durbin (IL)



23

OTHER KEY HOUSE PLAYERS

- **Congressman Tom Cole (OK-04)**
 - NA Caucus Co-Chair / Labor H Chair
- **Congresswoman Betty McCollum (MN-04)**
 - NA Caucus Co-Chair / Interior Approps Ranking
- **Congressman Ken Calvert (CA-42)**
 - Interior Appropriations Chair
- **Mike Simpson (ID-02)**
 - Interior Approps / Labor H appropriations
- **Don Young (AK-AL)**
 - Chair of Subcommittee for American Indian and Alaska Native Affairs
- **Raul Ruiz (CA-36)**
 - Ranking Democrat for American Indian and Alaska Native Affairs



OTHER KEY SENATE PLAYERS

- **John Barrasso (WY)**
- **Lisa Murkowski (AK)**
- **John Thune (SD)**
- **John Tester (MT)**
- **Tom Udall (NM)**
- **Heidi Heitkamp (ND)**

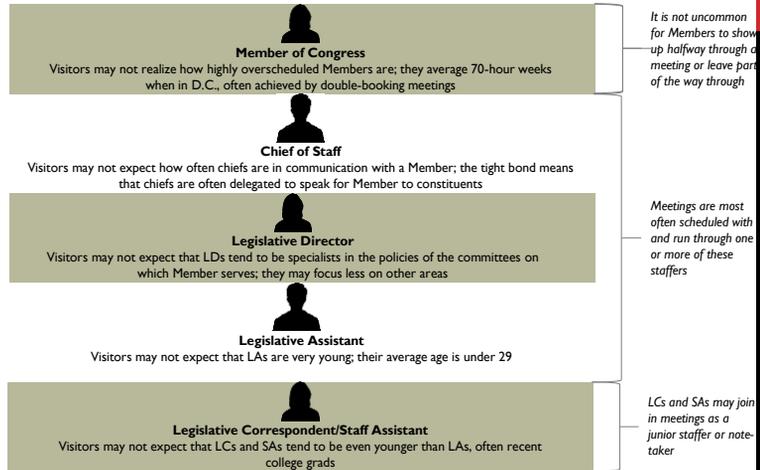


HOW TO SELECT A MEETING

Generally if a Member of Congress has **three** of the following criteria you should meet with them.

- On a Relevant Committee
 - Appropriations, both chambers (esp. Interior Subcommittee); House Ways and Means; House Energy and Commerce; House Natural Resources Subcommittee on American Indian and Alaska Native Affairs; Senate Committee on Indian Affairs; Senate Finance)
- Previous Supporter
- Member of Native American Caucus
- Tribes in District / State
- Member of House or Senate Leadership / Committee Chair / Subcommittee Chair

EXPECT TO MEET WITH STAFFERS DURING HILL VISITS



Analysis
Because members of Congress are often running from meeting to meeting to vote, staffers will often have more time to devote to a meeting, and be more capable of affecting any takeaway

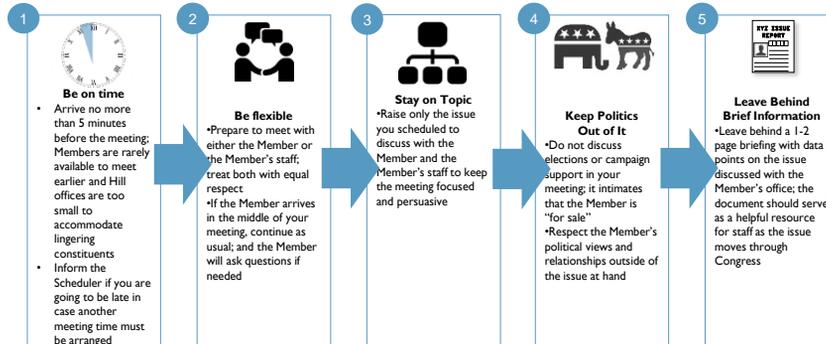
Sources: "2010 House Compensation Study," Chief Administrative Officer of the U.S. House of Representatives; "Communicating With Congress," Congressional Management Foundation, 2011.

WHAT SHOULD WE BE SAYING?



PREPARING FOR MEETINGS WITH MEMBERS OF CONGRESS

What to Keep in Mind When Conducting a Meeting with a Member of Congress



Source: Congressional Management Foundation and the Society for Human Resource Management, "Face-to-Face with Congress: Before, During, and After Meetings with Legislators," 2014.

OTHER TIPS

- ❖ **Arrive with some knowledge of the Member:** What Committees are they on? How long in Congress? How close was their last election?
 - ❖ **Introduce yourself:** Who are you and why you are important. Brag a little about cool things your Tribe/ health facility is doing at home.
 - ❖ **Get to the point:** Don't spend a lot of time beating around the bush. Your overview and ask should be no more than **3 minutes**
1. Be prepared to answer questions
 2. Offer your assistance to provide more information or to talk further



OTHER TIPS

- ❖ Assume the staffer/ Member doesn't know anything about AI/ANs: Make sure to explain why you are not an “Entitlement” and why federal trust responsibility is critical.
- ❖ Make it personal: Make sure to emphasize why this “ask” should matter at home. Will people lose services? Will there be jobs lost? What will happen to the community?



FOLLOW UP!

Use Meeting Follow Up to Build Trust, Serve as Resource

Quick Takes

- Advocates can become trusted resources for lawmakers by following up and keeping in touch with Members of Congress after face-to-face meetings
- Advocates should consider the following actions to position themselves as effective and trustworthy advocates for their issue

Tips for Following Up a Meeting with a Member of Congress



Send a Thank You Message

- Send a follow-up e-mail several days after meeting with a Member
- Keep the message brief, thank the office for their time, and remind the office of the issue at hand
- Leave a link to a reliable source of information on the issue for the office to refer to



Attend Events in the District

- Attend town hall meetings or other public events in the district to build a stronger relationship with your representative
- Find opportunities to engage in policy matters in the district and serve as trustworthy resource to earn visibility for your issue



Stay in Touch

- Do not over-communicate with Members of Congress, but do pass along new information about your issue as it is released
- Communicate with your representative in a respectful and informative manner to gain the representative's respect—for you and your points of view

NIHB TOP ISSUES FOR INDIAN HEALTH

1. Additional funding for IHS
2. Advance Appropriations for Indian Health Service
3. Long-term Renewal of the Special Diabetes Program for Indians
4. Medicare Like Rates for Non-Hospital Purchased/Referred Care
5. Exemption from Employer Mandate in the Affordable Care Act
6. Definition of Indian in the Affordable Care Act
7. Tax Exempt Status for IHS student loan repayment

BUT WHAT IF YOU CAN'T GET TO WASHINGTON DC??



WRITE!

- If you can't get a meeting with a Congressional Office at home or in the district write a letter from your Tribe
- Email is the best way – Find out who handles the issue at the staff level and send directly.
- Organize a letter-writing campaign
- Pass a Tribal Resolution
 - NIHB can help with sample letters and Resolutions



HOST A SITE VISIT

- Invite the Member of Congress or their staff to your facility or Tribe
- First-hand experience will help them learn about innovating things you are doing, but also challenges.
 - SDPI, great opportunity to showcase innovative work
- Have them speak with health directors, administrators, patients, employees
- If they don't respond – **KEEP TRYING**



BE A GRASSROOTS GURU

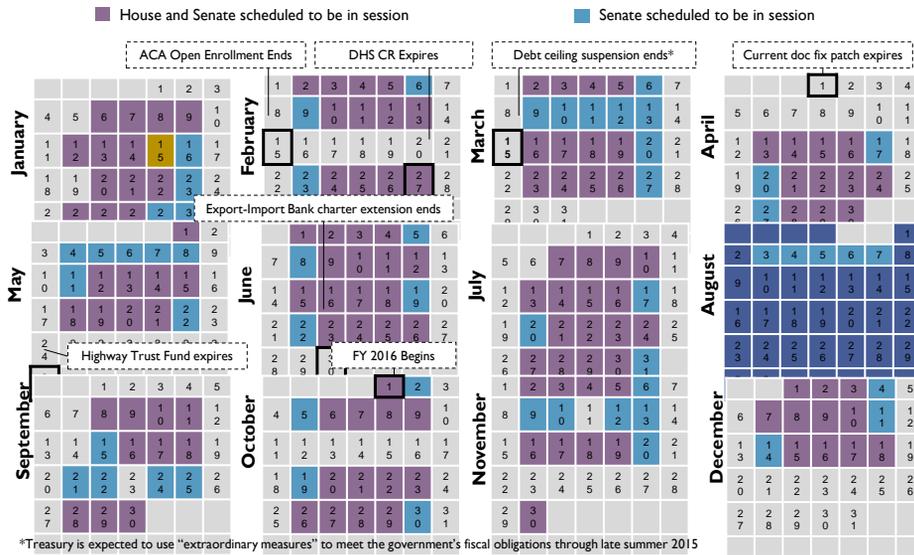


- Engaging other community members is really the key to effective advocacy. There is power in NUMBERS.
- Go to community events / fairs/ pow wows, school events, sporting events, and talk about these issues
- Have people fill out postcards, record a testimonial on your phone, write down their experience
- Pass out information with issues on how folks can help
- Take people's pictures holding a sign

WHEN SHOULD WE BE TALKING WITH CONGRESS?



2015 CONGRESSIONAL CALENDAR



CONGRESSIONAL APPROPRIATIONS TIMELINE

- **Early February:** President releases his budget to kick off Appropriations
- **Late Winter/ Early Spring:**
 - Appropriations advocacy is key. Testify before appropriate committees; have meetings with staff/ deliver testimony
- **Summer**
 - Floor action on many bills
- **August RECESS**
 - Always invite your Member of Congress to your reservation!
- **September / October**
 - Key work still getting done. Final deals being made
- **November / December**
 - Must pass bills/ action taken

WHAT ABOUT THE ADMINISTRATION?



OPPORTUNITIES VARY

- **Tribal Advisory Committees (funded by federal government)**
 - Regional representation selected by Secretary from suggested nominees
 - Agency itself reserves authority but considers input from board members in decision making
- **Formal Consultation in person**
- **Regulation promulgation and written comments**
- **Regional and National Tribal Leader Boards such as National Indian Health Board United South and Eastern Tribes and National Congress of American Indians(funded by dues)**

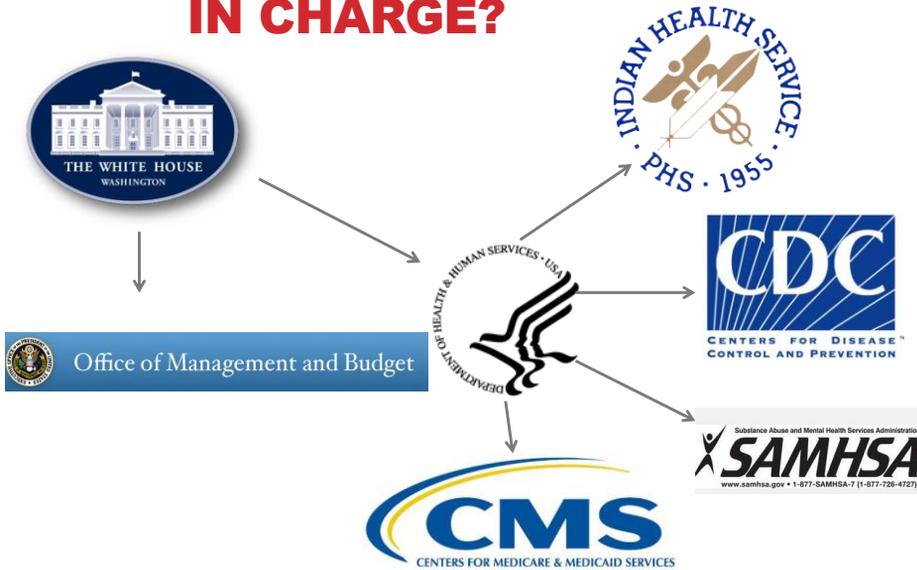
Lynn Malerba, NIHB Consumer Conference 2014

REGULATORY BUREAUCRACY



43

REGULATORY WHO'S IN CHARGE?



44

REGULATIONS, REGULATIONS, REGULATIONS....



FEDERAL REGISTER

The Daily Journal of the United States Government

- 20,000 pages of ACA-related regulations courtesy of the Office of Senator Mitch McConnell (R-KY).

45

SUBMITTING A PUBLIC COMMENT



46

TRIBAL CONSULTATION



- **Key opportunity to have your voice heard in the Administration**
- **Use the opportunity to talk about key concerns with government officials.**
- **Think of agencies besides IHS – CDC; SAMHSA; NIH; Treasury; DOJ**

NIHB CAN HELP!

NIHB is here to help Tribes tell that story.

We can help with:

- Congressional Testimony
- Regulation Comments
- Site Visit tips
- Visiting Congress on your behalf
- Arranging Hill Visits
- Sample Letter / Resolutions



Other services:

- Washington Report
- Health Reporter
- Medicare, Medicaid Policy Committee (MMPC)
- Appropriations & Policy Analysis
- Public Health Digest

GROUP EXERCISE

You and your Tribal community are hoping to get your Member of Congress to sign onto a bill that would permanently reauthorize the Special Diabetes Program for Indians.

- Formulate a plan on how you will accomplish this.
- Things to consider:
 - Who will you meet with?
 - How will you get community involved?
 - Will you go to DC?
 - What Tribal organizations should you involve?
 - Will you talk to the Administration?

CONCLUSION

- It is critical to talk to Congress in order to get things done
- If you know the system, you can make it work to your advantage
- Always work with others if possible.
- Work all angles – executive and legislative
- Questions?
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