

Government Relations Consulting



e-agency

Introduction

Government relations is not just another word for lobbying. It is much more. It is a key part of the political process. Working with the government, representing your ideas or your company to local, state & federal officials and agencies, takes skill and understanding. And it takes time – time to build relationships; time to nurture those relationships; time to study and develop legislation – time that many companies do not have. Hiring a government relations consultant can save you time and take advantage of years of relationship building and knowledge of the government's inner workings.

Otto von Bismarck once said "Laws are like sausages; it's better not to see them being made," and he was right. Two centuries later, the process has not improved.

What can a government relations consultant do for you?

- Represent your interests before a government body
- Explain and analyze how pending legislation will affect your business
- Educate a targeted audience about your issues
- Write legislative language for use by local, state or federal officials
- Run a campaign for an individual, an issue or a cause
- Manage a political action committee (PAC) and comply with reporting requirements

The following is a description of the types of services we provide.

Lobbying

What is lobbying? It's educating a person, a committee, or a government agency and trying to influence them to see your point of view and take action. Whether your issue is school bus safety or prescription drug availability, your view needs to be heard – even more so if you own a school bus or a pharmaceutical facility. Just as critical are the opinions of the parents of children who ride school buses or the elderly patient who can't access prescription drugs. And both sides of every issue are lobbied. So, who "wins?" Sometimes common sense; often, he who makes the better case.

The best lobbyists are those who build and maintain key relationships; who understand the legislative process; and, who are honest. No legislator wants to be blind-sided by the opposition because a lobbyist failed to tell him/her both sides of the story. That's the quickest way to have doors closed and access denied.

E-agency can lobby the local, state or federal government on your behalf. We can work directly with legislators, with regulators, with trade associations, and with the media to communicate your viewpoint.

Grassroots Communications

Grassroots is a term that applies to those on the ground level. Why are grassroots important? Gaining the support of the masses can sometimes be as important as knowing the decision-makers. Having a million people write letters or march for an issue speaks volumes, more than any one lobbyist could do solo. Those with a solid grassroots network – like the AARP – have a true advantage. By rallying the troops they can overwhelm legislators in a matter of hours, getting their message heard loud and clear.

How is this done? Communicating clearly with the grassroots is important. In this day and age, that can be done almost instantaneously via e-mail. Explaining the issue in a way that they will understand and likely feel compelled to act is crucial. Sending them legislative language alone will make their eyes glaze over. They need the issue explained in layman's terms and they need to know what action is expected, specifically. The

most successful grassroots efforts make it almost effortless – giving people not only the language they should use but supplying the address, e-mail and phone numbers for those who need to be contacted.

Grassroots can also make lobbying efforts more effective. By building a grassroots network of employees, for example, a national company can extend its relationships multi-fold. Let's say a corporation has business in 40 states. By educating and activating its employees, it can build relationships with legislators (local, state and federal) in all 40 states...much more quickly than a single lobbyist possibly could. And, in many instances, local legislators are more likely to listen to one of their own constituents than a hired lobbyist from out of state. Similarly, a constituent is more likely to get face-time with the legislator and be able to maintain a relationship with the legislator's staff. Then, when an issue comes up that affects the company or its employees, with one call or one e-mail, the grassroots network can be activated and within 24 hours, legislators in every locale will have heard your company's opinion personally.

E-agency can not only help build the grassroots network but develop the communications tools that will make the network, and your lobbying efforts, effective.

Coalition Building

It often takes a collective effort to impact federal policy on important issues. E-agency brings groups together to advocate for a common goal. Whether it is partnering with trade associations, combining forces with other like-minded companies, or creating a consortium of individuals energized to take action, e-agency can not only build the coalition, it can provide the communications and marketing tools needed for the coalition to make its voice heard.

White Papers

Whether an issue is complex or basic, presenting the facts in a clear and concise fashion can help legislators and their assistants develop better legislation. A white paper typically argues a specific position or solution to a problem. Although white papers take their roots in government policy,

they have also become a common tool used to introduce products. White papers are powerful marketing tools used to help key decision-makers and influencers justify implementing solutions.

Think tanks use white papers as a basis for new legislation or amendments to existing legislation. Presenting the problem and the proposed solution, and backing it up with facts and figures and anecdotes, arms the legislators with the information they need to justify new policy.

Well-written, the white paper can also be used as an article, thereby reaching a broader audience and perhaps energizing a grassroots effort.

Legislative Analysis

E-agency's government relations consultants understand legislative language and can tell you which laws will or will not affect your business; how the language changes current law; what sort of compliance will be required by you; the cost you will bear – everything you need to know to be prepared or to act on pending legislation.

Legislative Development

Writing legislative language is also a service provided by e-agency. Once legislation has been analyzed, changes may be necessary. Knowing how to formulate amendments to hand to the legislators is invaluable. Or perhaps you are starting from scratch, in which case writing a bill can be like writing in a foreign language. In either situation, providing language to a legislator – in ready-to-go format – can save valuable time, indicates a real understanding of the process, and validates your professionalism.

Monitoring Legislation and Regulations

The volumes of new legislation and changing regulations that are produced each day, each month, each year are mind-boggling. Unless someone is monitoring those areas that are important to you and your business, it is inevitable that legislative language or regulations will sneak by undetected and impact you before you can even react. If you are involved in a business that is highly regulated – utilities, transportation, health care – you need to

have someone watching out for you. If you are involved in a small business, where profit margins are narrow, you need to have someone watching out for you. One law passed or one regulation changed can easily eat away at your profit if you're not paying attention.

E-agency can monitor those areas that have the potential to impact you, notify you of pending changes, suggest solutions, and then work with you and with legislators to make changes.

Political Action Committees

Political Action Committees, or PACs, are fundraising tools. They are established by politicians, by special interests, or by employers who wish to "play" in the legislative game. There are as many rules and regulations controlling PACs as you can imagine. The federal government has rules for compliance and each state has rules of its own. Simply complying with all the regulations, if you do business in all 50 states, can be a full-time job. Knowing the rules is critical to avoid costly mistakes.

E-agency will help you form a PAC, manage it for you, and make sure you comply with federal and state regulations.

Political Campaigning

Are you considering a run for office? Do you have an issue that needs to get on the ballot? Are you mounting efforts to oppose pending legislation? Any of these efforts requires a coordinated plan – a communications strategy, funding, grassroots efforts, endorsements, media relations, and more.

A Senate candidate once believed that even bad press is good if it gave him exposure. With that in mind, he hired a Financial Advisor only to fire him 2 weeks later. He was thrilled that the papers covered it. The result was that voters viewed his campaign as in disarray and doubted his judgment. That move was the beginning of the end of his short-lived campaign. Listening to a seasoned government relations consultant or political campaign strategist could have saved the race or, at the very least, prolonged it.

E-agency has experience in statewide and local political campaigns. We can assist you with your strategy, dealing with the media, building the grassroots network, and more.

Communication Tools

Instrumental in communicating with the government are the tools that many public relations professional use. E-agency designs the solution that fits your goal. Among the many options for promoting your issue, cause or individual are:

- Press Kits (Print and Electronic)
- Develop Media Lists
- Press Releases
 - Announcements
 - Major announcements
 - Press releases
 - Feature story releases
 - B-roll or video news releases (VNRs)
 - Webcasts
- Media Training
- Public service announcements (PSAs)
- Op-Ed Articles
- Letters to the Editor
- Press conferences
- Media tours
- Press Clipping Services
- Special Events
- Trade Shows
- Speech Writing
- Photography
- Audio Tapes
- Internet Monitoring
- Community Meetings
- Specialized Fact Sheets
- By-line Articles
- Quarterly Newsletters
- Annual Reports

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- Community Calendar Listings
- Crisis Management
- E-mail Marketing

Obviously some of these will be better suited to your goals than others. The key is working together to develop the strategy that is right for you; implementing it effectively; and following through to ensure success.

E-agency works through the entire process to:

- Develop a strategic plan
- Build the road map to get you where you want to go
- Manage the content and the process
- Market the client, the message, the product

Patty Deutsche is a seasoned government relations professional, working in

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Washington, DC in both the Executive and Legislative branches and with 46 states' legislative bodies. She served as Special Assistant to the Surgeon General, Dr. C. Everett Koop, before going to work for U.S. Senator Conrad Burns where she handled all legislation relating to health care, education, housing, small business, veterans affairs, labor, the aging, and appropriations.



She joined Vencor, Inc. (a Fortune 500 health care corporation) in 1996 to head up their state government relations department. With Vencor having businesses in 46 states, Patty lobbied state legislators directly, worked with state trade associations, and built a grassroots network that had a 24-hour reaction time to key legislators.

Patty has also worked for Deloitte & Touche LLP providing marketing services to one of its national consulting practices, and has served as a consultant providing public relations and marketing advice to companies in the biotechnology, retail, and non-profit industries. She has worked on a U.S. Senate race in Montana and recently served as a Media Chair in a California campaign for Governor.

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Glossary of Terms

A

Act - The term for legislation that has been passed by both houses of Congress and signed by the president (or passed by Congress in an override of a presidential veto), thus becoming law.

Actions (Legislative) – Consideration of a measure by a subcommittee, committee, or on the floor in either chamber. Typically, actions take the form of a vote on motions, amendments, or passage.

Actions (Regulatory) – Steps in the process of adoption of a rule or regulation, which may include invitations to submit comments, attend hearings or other meetings, corrections to a proposed rule, and notice of final adoption.

Administrative Assistant - The top aide in a congressional office; often referred to as chief of staff.

Adoption – The approval or acceptance of a legislative or regulatory proposal.

Advance Notice of Proposed Rulemaking (ANPR) – An early step in the federal rulemaking process to encourage public reaction as early as possible.

Amendment - Proposal of a member of Congress to alter the language or stipulation in a bill or act. It is usually printed, debated and voted upon in the same manner as a bill.

Appropriations Bill - Legislation permitting the expenditure of funds for federal programs approved by an authorization bill, but not necessarily to the total permissible under the authorizing legislation. Appropriation bills originate in the House, as required by the Constitution.

Authorization Bill - Legislation setting up or continuing programs; sets general aims and purpose and may set a ceiling for funding. Usually enacted before appropriations bill is passed.

B

Bill - Legislative proposal introduced in either house. Designated H.R. (House of Representatives) or S. (Senate) according to the house in which it originates and by a number assigned in the order in which it was introduced. When introduced, a bill is referred to the committee that has jurisdiction over the subject with which the bill is concerned.

Budget - Document sent to Congress by the President in January of each year estimating revenues and expenditures for the ensuing fiscal year.

By Request - A phrase used when a Senator or Representative introduces a bill at the request of an executive agency or private organization but does not necessarily endorse the legislation.

C

Calendar – The agenda for pending legislative business.

Caucus - A group of Members with a common interest. The most powerful are the Democratic and Republican caucuses or conferences in each chamber. There are at least 100 caucuses representing interests from sugar growers to the Democratic Task Force on Hunger.

Chairman's Mark - The draft of a bill that the chairman/chairwoman of a committee or subcommittee uses as the starting point in a mark-up.

Cloakrooms – Separate small rooms for Democrats and Republicans located off the floor of the Senate and House chambers where Members can go for informal conferences and telephone calls.

Closed Rule (House) - Prohibits the offering of amendments, thus requiring that the bill be accepted or rejected as reported by committee.

Cloture - A process by which debate can be ended in the Senate. A motion for cloture requires 16 Senator's signatures for introduction and the support of three-fifths of those present and voting.

Committee - A subdivision of the House or Senate that prepares legislation for action by the parent chamber. There are several types of committees. Most standing committees are divided into subcommittees, which study legislation, hold hearings and report their recommendations to the full committee. Only full committees can report legislation for action by the House or Senate.

Committee of the Whole - When the House sits as one committee to consider legislation reported by a standing committee before it goes to the floor, the committee debates and amends legislation; requires only 100 members for a quorum rather than the usual 218 required.

Concurrent Resolution – Not a law, but a statement or agreement approved by a majority in the House and Senate but not sent to the President for approval.

Conference Committee - A committee made up of members from both houses. Its purpose is to iron out differences between the House and Senate versions of a bill. Members of the conference committee are appointed by the Speaker and the committee must reach agreement on the provisions of the bill (often a compromise) before it can be sent up for final floor action in the form of a "conference report."

Congressional Record - Daily record of the proceedings and debates of Senate and House; not always a verbatim account of floor debate.

Continuing Resolution - When a fiscal year begins and Congress has not yet enacted all the regular appropriation bills for that year, it usually passes a joint "continuing resolution" that continues appropriations for government agencies at rates generally based on their previous year's appropriations.

D

District Office - In addition to their Capitol Hill offices, Members usually maintain one or more offices in their congressional districts.

District Work Period - A congressional euphemism for recess.

E

Engrossed Bill - The final copy of a bill that has been passed by one chamber, with the text as amended by floor action and certified by the Clerk of the House or the Secretary of the Senate.

Enrolled Bill - The final copy of a bill that has been passed in identical form by both chambers. It is certified by an officer of the House of origin (House Clerk or Senate Secretary) and then sent on for signatures of the House Speaker, the Senate President and the President. An enrolled bill is printed on parchment.

Executive Session – A closed meeting of a Senate or House committee.

Expenditures - The actual spending of money, as distinguished from the appropriation of it. Expenditures are made by the disbursing officers of the administration; appropriations are made only by Congress. The two are rarely identical in any fiscal year; expenditures may represent money appropriated one, two or more years previously.

E

Filibuster - A time-delaying strategy of debate, amendments, other procedures, and just plain talk, used by those in the minority in an effort to prevent a vote on a bill that probably would pass if brought to a vote. The most common method is to take advantage of the Senate's rules permitting unlimited debate. Filibusters are more difficult in the House because of stricter rules, but such devices as repeated demands for quorum calls are used from time to time.

Fiscal Year - Financial operations of the government are conducted in a twelve-month fiscal year, beginning October 1 and ending September 30. The fiscal year carries the same number as the calendar year in which it ends.

G

Germane - Pertaining to the subject of the measure at hand. All House amendments must be germane to the bill. The Senate requires that amendments be germane only when they are proposed to general appropriations bills, bills being considered under cloture or often when proceeding under an agreement to limit debate.

H

Hearings - Committee sessions for hearing witnesses. At hearings on legislation, witnesses usually include specialists, government officials and spokespersons for groups affected by the bills under study. The public and press may attend "open" hearings, but are barred from "closed" or "executive" hearings. The committee announces its hearings from one day to many weeks in advance and may invite certain persons to testify.

Hopper – A box on the House clerk's desk where bills are placed to be introduced.

J

Joint Committee - A committee composed of a specified number of members of both House and Senate. Usually a joint committee is investigative in nature.

Joint Resolution - A joint resolution, designated HJ Res or SJ Res, requires the approval of both houses and the signature of the President, just as a bill does, and has the force of law if approved. There is no real difference between a bill and a joint resolution. The latter is generally used in dealing with limited matters, such as single appropriation for a specific purpose. Joint resolutions are also used to propose amendments to the Constitution. Resolutions to amend the Constitution do not require Presidential signature, but become a part of the Constitution when three-fourths of the states have ratified them.

L

Law - An Act of Congress that has been signed by the President or passed over his veto by the Congress. Congress lists laws numerically. For example, the National Nutrition Monitoring and Related Research Act of 1990 is Public Law 101 - 445, meaning it was the 445th law passed during the 101st Congress.

Legislative Assistant (LA) - A Member's aide who is responsible for legislative duties.

Lobby -

- As a noun, it refers to a group seeking to influence the passage or defeat of legislation. Originally the term referred to persons frequenting the lobby of the old Willard Hotel, near the White House, seeking appointive positions. Later, the term evolved to mean those occupying the corridors of legislative chambers in order to speak to lawmakers.
- As a verb, it includes such activities as: 1) directly contacting members of a legislative body (or their staffs) to propose, support or oppose legislation; 2) grassroots action (urging the public to contact legislators or legislative staffs to propose, support or oppose legislation; and 3) more generally, advocating the adoption or rejection of legislation.

M

Marking up a Bill - Going through a measure, usually in committee, taking it section-by-section, revising language and penciling in new phrases. If the bill is extensively revised, the new version may be introduced as a separate or "clean" bill, with a new number.

Motion to Recommit - A motion to send a bill back to committee; used to "kill" or delay a bill.

O

Omnibus Bill - A bill containing several separate, but usually related, items.

Open Rule - In the House, germane amendments are permitted to be proposed on the House floor and adopted by majority vote.

Override a Veto – A procedure Congress may use when a President refuses to sign a bill into law. Congress must have a vote in each chamber to override the veto by a 2/3 majority of those present. If this vote is upheld, the bill becomes law over the President's objections.

P

PAC (Political Action Committee) - Federal law prohibits incorporated associations from making campaign contributions to candidates for federal offices. The establishment of a PAC allows individuals with similar interests to combine and direct their individual contributions to political candidates who share those interests.

President of the Senate – Though the Vice President is President of the Senate, junior Senators preside over most debate and action.

President Pro Tempore – The presiding officer of the Senate in the Vice President's absence, elected by the full Senate.

Q

Quorum - Number of Members who must be present to conduct business. In the House, it is 218, and in the Senate it is 51.

R

Ranking Member - Member of a committee who has more seniority on the committee than any other member of his or her party. Usually used in reference to the most senior minority party member.

Rescission - An item in an appropriation bill canceling funds previously appropriated but not spent. Also, the repeal of a previous appropriation by the President to cut spending, if approved by Congress under procedures in the Budget and Impoundment Control Act of 1974.

Reconciliation – The process that requires the authorizing and appropriations committee to spend within the budget resolution's prescribed limits.

Report - Both a verb and a noun, as a Congressional term. A committee that has been examining a bill referred to it by the parent chamber "reports" its findings and recommendations to the chamber when the committee returns the measure. The process is called "reporting" a bill. A "report" is the document setting forth the committee's explanation of its action. House and Senate reports are numbered separately and are designated S. Report or H. Report. Conference reports are numbered and designated in the same way as regular committee reports.

Rider - An amendment, usually not germane, proposing substantive legislation attached to another bill.

S

Select or Special Committee – A committee created for a special purpose and, usually, for a limited time.

Sessions - Normally, each Congress consists of two sessions, with each usually beginning in January and ending when Congress adjourns for the year.

Sine Die – The final adjournment of a session of a Congress, occurring in the fall of even-numbered years.

Standing Committee - Committee whose existence is permanent and continuing from one Congress to the next.

Subcommittee - Smaller subject-matter division of a committee, facilitates specialization and division of labor.

Supplemental Appropriations - Normally, such appropriations are passed after the regular (annual) appropriations bills, but before the end of the fiscal year to which they apply. Also referred to as "deficiencies."

Suspension of the Rules - In the House, a two-thirds majority may suspend the rules and bring a bill directly to the floor. Often, a voice vote is used to suspend the rules on non-controversial bills.

U

Unanimous Consent - Usual way of conducting business in the Senate. After the morning hour, the Majority Leader asks unanimous consent to consider pending legislation. The practice is used in lieu of a vote on non-controversial measures.

V

Veto - Action by the President. If the President doesn't approve of a bill or joint resolution, it is returned with the objections to the chamber of origin, where the bill may be reconsidered. It must receive approval of two-thirds of both chambers to become law. When Congress has adjourned, the President may pocket veto a bill by refusing to sign it.

W

Whip - Chosen by party caucus as an assistant to the floor leader; job is to keep in touch with all members of the party, discover their voting intentions and get them to the floor for a vote.