

CHAPTER 7

LEGISLATIVE ACTION

Annually, Congress addresses a host of important issues which directly affect NTEU members: federal health benefits, retirement and pay, travel and per diem rates, RIF procedures, contracting out, agency funding levels and many others. NTEU can most effectively influence the final form such legislation takes through the direct involvement of its members.

Chapter participation in the legislative process is key to NTEU 's lobbying efforts on Capitol Hill. When devastating cuts in federal employee benefits and agency budgets are proposed, grass roots lobbying and political action on the part of NTEU Chapters is crucial to our success in protecting federal jobs and employee rights and benefits.

I. How Congress Works

A. The Path of Legislation

Proposed legislation typically travels the following route to becoming law:

1. A bill is drafted and introduced by a Member of Congress.
2. Once introduced, it is referred to one or more committees.
3. A subcommittee may conduct hearings in order to gather information and publicize or test support for a bill. The legislation may be amended in a subcommittee "markup session" and referred to the full committee for further action.
4. The full committee may also hold hearings and markup sessions on proposed legislation. If a bill is adopted, the committee favorably reports the bill back to the House or Senate for floor action and usually issues a committee report to explain the intent of the legislation. (Committee report language can be important; NTEU has averted RIF's by having staffing levels specified in the committee report accompanying an agency appropriation bill.) A favorably reported bill is then placed on a legislative calendar to await floor action.
5. At this point, legislation is available to be brought to the House or Senate floor for action. In the House, the committee which reports a bill usually must request a "rule" for consideration of the bill from the Rules Committee before floor action can occur. The Rules Committee sends a resolution to the floor that spells out the ground rules for debate of the bill. The House must approve the resolution, granting either an open, closed, or modified rule, which allows either unlimited amendments, no amendments, or a restricted number of amendments, respectively. Senate rules for bringing a bill to the floor for debate are much less restrictive.
6. During floor action, a bill may be debated and amended, delayed, or simply adopted or rejected.
7. If a bill is adopted by one chamber, it is then referred to the other chamber for action.

8. Since the House and Senate must pass identical versions of a bill before it can be sent to the President for signature, a conference committee comprised of members from both bodies is formed to iron out any differences in the two versions of the legislation.
9. The conference report, or final version of the legislation, is then sent to both chambers again for final approval.
10. If the conference agreement is passed by both houses of Congress, the measure is sent to the President for signature or veto.

B. The Role of Committees

Congressional committees, which are generally responsible for considering legislation and determining whether a bill will advance to the floors of the Senate and House of Representatives, frequently seek testimony from experts and constituents on bills under their jurisdiction. Because of their central role in shaping legislation, the committees are frequently the focus of NTEU's lobbying activities.

Each committee has jurisdiction over all measures affecting a particular area of law. For example, legislation relating to the mission of either the Internal Revenue Service or the U.S. Customs Service is referred to either the House Committee on Ways and Means, the Senate Committee on Finance or the House Select Committee on Homeland Security.

C. Types of Bills

1. Authorization Bills

Legislation, which sets up, or continues the operation of a program or an agency, is called an authorization bill. Authorization bills outline the aim of the program or agency and may impose a ceiling on the amount of funds that can be used to finance it for a specified period of time.

2. Appropriations bills generally provide Federal agencies with the ability to incur obligations and to make payments. An appropriation measure usually follows enactment of authorizing legislation. Appropriations measures originate in the House Committee on Appropriations. Funding measures for agencies within the Treasury Department are referred to the Appropriations Subcommittees on Transportation, Treasury and General Government in both the House and the Senate. Other House and Senate appropriations panels include, but are not limited to, the Subcommittee on Homeland Security, the Subcommittee on Labor, Health and Human Services, the Subcommittee on Interior and Related Agencies, the Subcommittee on Commerce, Justice, State and the Judiciary as well as the Subcommittee on VA, HUD and Independent Agencies.

An expenditure for a program or agency cannot be made by an agency until Congress has enacted a bill providing for a specific appropriation and it has been signed by the President. If an appropriation measure is not enacted before the fiscal year begins, Congress must pass a joint House and Senate resolution to continue funding the affected agency. This measure, referred to as a "continuing resolution," is necessary to prevent a

shutdown of the agency at midnight on September 30, the last day before the new fiscal year begins each year on October 1.

D. Benefits, Compensation and Employee Rights

Legislation relating to federal employees rights and compensation, such as health benefits and Civil Service retirement, is generally referred to the House Government Reform Committee and the Senate Committee on Governmental Affairs. In the House, most pay and benefit bills are referred to the Subcommittee on Civil Service. In the Senate, nearly all federal employee legislation is referred to the Subcommittee on Oversight of Government Management and the Subcommittee on Financial Management, the Budget and International Security.

E. Budget Process

As part of the budget process, each year the House and Senate Budget Committees adopt a Budget Resolution setting overall levels of spending and revenues for the coming Fiscal Year. The various House and Senate Committees must bring their spending measures into line with the budget ceilings imposed by the Budget Resolution. Each appropriations category, or bill, is also given a cap, or limit, on the amount of money that can be spent on the programs funded under that bill in a Fiscal Year. In addition, legislation may be required to carry out reductions in spending proposed by the Budget Resolution. This is called a Reconciliation Bill.

One of the most controversial aspects of this process in recent years is the requirement that any proposal to decrease the amount of revenues that are to be collected, or increase the amount of spending that is to occur for a specific entitlement program must be offset by other entitlement cuts or tax increases. (An entitlement program is any program for which spending is determined by those who qualify for its benefits, such as Medicare, Medicaid, Social Security or the Civil Service Retirement Program.) This is known as the pay-as-you-go approach to budgeting. As an entitlement, the Civil Service Retirement Program, for example, is subject to the pay-as-you-go procedures and any increase in the cost of the program due to improved or expanded benefits (as opposed to more individuals retiring and qualifying for benefits) must be offset by another decrease in spending in another entitlement program or by an increase in taxes. This has made it extremely difficult, for example, to make positive improvement in federal retirement benefits.

The President is still required to submit his budget to Congress no later than the first Monday in February and Congress is supposed to adopt its Budget Resolution by April 15. If Congress fails to adopt a Budget Resolution by that date, the appropriations committees are free to begin marking up their appropriations bills using the allocations in the President's budget. This was designed to increase the likelihood that appropriations measures will be adopted no later than the beginning of the new Fiscal Year, October 1, however, in practice this does not always occur.

II. Chapter Legislative Committee

An effective Chapter legislative committee can play an important role in your Chapter and in the outcome of legislation. The legislative committee can perform such tasks as making Chapter members aware of NTEU activities relating to pay, retirement, and other legislative issues; expanding opportunities for members to participate in Chapter activities; providing your Members of Congress with information and advice on federal employee issues; and generating grass roots lobbying activities.

A. Legislative Committee Activities

1. Monitoring legislation and publicizing to the Chapter's members the voting records and other legislative activities of congressional representatives.
2. Arranging for Chapter leaders and legislative committee members to meet with Members of Congress.
3. Keeping Chapter members informed of relevant information through Bulletin Board postings, meetings, newsletter articles, lunch and learns and emails.
4. Organizing grass roots lobbying activities, such as letter writing campaigns, picketing, and political education at chapter meetings.
5. Using the CapWiz website to communicate legislative concerns to Members of Congress. (Further information on CapWiz can be found later in this chapter.)
6. Organizing political action.

B. Organizing a Legislative Committee

If your Chapter is establishing or expanding its legislative committee, the following steps should be followed:

1. Appoint a legislative coordinator who has primary responsibility for organizing the committee.
2. Forward the name to the NTEU Legislative Department and be sure to alert the Legislative Department to any changes in your legislative coordinator listing.
3. Recruit three to six additional committee members who represent a cross section of the Chapter membership. Retirees may also be interested in serving on this committee.
4. Prepare a list of the telephone numbers and both home and work email addresses of all chapter members so that prompt communication is possible.
5. Develop a one-year plan for Chapter legislative activities. Include the following steps in your plan.
 - a.) Identify issues for legislative activities.
 - b.) Design a time table that takes into consideration Congress' schedule. (A schedule of congressional district work periods appears periodically in the NTEU Bulletin. Contact the NTEU Legislative Department for further information.)
 - c.) Identify the two United States Senators and Member, or Members of the House of Representatives who represent the employees from your chapter.
 - d.) Identify and tentatively schedule activities such as meetings with congressional representatives, letter writing campaigns, and Chapter meetings at which legislative issues will be discussed.
 - e.) Assign specific tasks and responsibilities to each legislative committee member.

III. How to Lobby Congress

Although the NTEU Legislative staff maintains close contact with Members of Congress and their staffs, nothing can take the place of constituent contact. As interested as Members of Congress may be in the issues NTEU brings to their attention, they are usually even more interested in the views of you, their constituents who have the opportunity to vote for them. By coordinating the Chapter's grass roots lobbying campaign with the activities of the national NTEU staff, your Chapter can influence the outcome of legislation that can affect your livelihood and working conditions.

There are several ways in which your Chapter can lobby Congress. Each of them serves a valuable objective. In combination, they constitute the key to success. A discussion of the principal lobbying methods follows.

A. Personal Visits

The most effective way to lobby Congress is through personal visits with your elected representatives.

Congress recesses for "District Work Periods" many times each year so that Members can meet with constituents in their home districts. Frequently, Representatives and Senators also return home on weekends for this purpose.

You can arrange to meet your Congressman or Congresswoman in one of the Representative's local offices within the congressional district. Your Senators may also have an office in your area of the state.

To make an appointment, call the Representative's office in your congressional district or in Washington, D.C. and tell the Appointments Secretary that you would like to meet with the Representative on his or her next visit to the district office. Be sure to explain who you are and the purpose of your visit.

Prior to meeting with a Member of Congress, prepare notes outlining (1) the issues you wish to discuss, (2) two or three points in support of your positions, and (3) the action you want the Member to take.

To facilitate a productive meeting, these steps should be followed:

1. The group that meets with the Member of Congress should consist of a spokesperson and two or three other Chapter officers or members who represent a cross-section of the Chapter membership.
2. Focus the discussion on the two or three points you wish to emphasize. Do not boast, exaggerate, or misstate the issue.
3. Explain how the issue affects you and your co-workers.
4. If possible, leave fact sheets outlining NTEU's positions on the issues you discussed with the Member.

5. Before you ask about his or her views, be sure the legislator understands yours. This will give the legislator the opportunity to agree with you.
6. Do not be intimidated by your legislator or the surroundings. You are a taxpayer, and your legislator is paid with public funds to represent you.
7. Make notes after the meeting. The legislator may be less candid if you are writing down every word he or she says.
8. Be a polite listener, and be sure to concentrate on what is being said, even if it differs from what you want to hear.
9. Control your emotions. Above all, do not express anger or harsh criticism.
10. Do not take too much of your Member's time; 30 to 45 minutes should be sufficient.
11. Immediately after the meeting, discuss the conversation with the other participants and fill out an NTEU Congressional Contact Form (Attachment No. 1). Mail it to the NTEU Director of Legislation at the NTEU national office. This checklist is the best way of coordinating your legislative efforts with those of the national legislative staff.
12. If possible, write a short note to your legislator thanking him or her for their time. This will help your legislator remember you favorably the next time you request an appointment.

B. Community Group Meetings

Another good way to interact with your elected officials is to attend meetings of community groups, such as local political or social club events whenever a Senator or Representative is featured as a guest speaker.

During the question-and-answer period, identify yourself as a federal employee or retiree and an NTEU member or officer and ask a question concerning a specific issue, such as pay, health benefits, or another timely issue of interest to federal workers.

After the meeting, introduce yourself to the Senator or Representative and tell him or her that you enjoyed his or her remarks and that you are looking forward to your next meeting.

Many Members of Congress also hold "town meetings" to meet with constituents. These meetings provide a perfect forum for federal workers and retirees to ask questions and express their views to their elected representatives. Encourage several chapter members to go as a group and to wear NTEU pins, name tags, or NTEU shirts or hats.

C. Letter Writing Campaigns

Most constituents only write to their members of Congress when they are gravely concerned about an issue. By generating a large number of articulate, personal letters concerning proposed legislation, you can persuade your elected officials that the legislation affects many informed voters in their districts. A letter writing campaign is also an effective way to inform chapter members about NTEU's legislative program and to involve them in Chapter activities.

A letter writing campaign will be most effective if you have at least several days in which to publicize proposed legislation and mail letters to your elected officials before Congress is to act on the issue. If you have little time in which to act, consider making telephone calls or sending emails.

1. Organizing a Letter Writing Campaign

The key to conducting an effective letter writing campaign is to focus on an issue of concern to many employees and to provide them with the materials they will need to write a clear, concise, original letter with as little difficulty as possible. The following steps will help you organize a successful letter writing campaign.

- a.) Publicize the issue among the unit employees. Clearly describe the potential impact of the legislation and the importance of the letters. Consider drafting a letter on the topic that can be handed out to chapter members, addressed to their individual Senators and Representatives, signed and returned to you for mailing.
- b.) Announce a set deadline for collecting and mailing the letters.
- c.) Use chapter meetings, conference room gatherings coffee breaks, tables in public areas, or other areas permitted under your contract for conducting letter writing campaigns. Ask employees to write their letters at the meeting and to return the signed, addressed letter to you for mailing.
- d.) Ask employees to write a separate letter to each of their Members of Congress (usually two Senators and one Representative).
- e.) Provide employees with the names and mailing addresses of their Members of Congress.
- f.) Provide paper, pens, and envelopes. Chapters may wish to provide postage and to mail the letters, thereby obtaining an accurate count of the letters and ensuring that letters are actually sent.
- g.) Encourage family and friends to write letters in support of NTEU's position. Providing sample letters and stamped, addressed envelopes will facilitate a successful activity.

2. Organizing Your Letter

Here are some suggestions for writing your letter.

- a.) Introduce yourself as a federal employee and identify the issue or legislation that concerns you.
- b.) Briefly explain why you favor or oppose the measure, supporting your position with two or three of the most persuasive arguments.
- c.) Explain how the issue affects you, and what your Senator or Representative can do to help.

- d.) Do not use threats in your letter. The purpose of your communication is to inform your elected official of your views on the subject and to explain how the issue affects federal employees in the Member's congressional district.
- e.) The letters should be personalized. Each of your elected representatives should receive their own letter, even if you are using a form letter.

D. CapWiz

CapWiz is a new and easy way to influence the legislative process. Chapters should visit www.capwiz.com/nteu, or visit the NTEU website (www.nteu.org) and click on the box marked ACTION ALERTS on the NTEU homepage. Either site will provide links to currently spotlighted NTEU legislation and updates as well as a wealth of other Congressional information. There is a list of pending legislation NTEU is following as well as information about voting records of Members of Congress. In addition, NTEU members can use this site to find out who their Member of the House of Representatives and two United States Senators are.

Moreover, with just a few clicks, NTEU members can send a pre-drafted message to their individual member of the House of Representatives as well as their two United States Senators on a wide variety of legislative topics. This site will make contacting Members of Congress concerning critical legislative issues easier and quicker than ever.

E. Other Forms of Written Communication

Two other acceptable forms of written communication are postcards and petitions. Both of these devices, although effective, should be used only after a Member of Congress has already been contacted through a visit or by personal letter. Petitions should always be attached to a personal letter, which identifies the source of the petition and explains the response desired.

F. Telephone Calls

When you want to contact a Senator or Representative quickly, or when you want to remind him or her of your opinion shortly before Congress votes on an issue, phone the Member's district or Washington, D.C. office.

1. Effective Telephone Contact

Before placing the call, draft a fact sheet for yourself. This should include an outline of the issue and what you want the Member to do as far as supporting or opposing the measure.

Ask to speak directly to the Senator or Representative. If he or she is unavailable, ask to speak to the staff person who handles the issue you are calling about. After your conversation, record the Member's responses on the NTEU Congressional Contact Report and mail it to the NTEU Director of Legislation.

2. Organizing a "Phone Tree"

Before an important vote, it is helpful for a Member of Congress to receive a large number of phone calls concerning the specific issue. A "phone tree" will allow you to accomplish this objective by quickly alerting NTEU members to an important vote and asking them to telephone Members of Congress to seek their support for NTEU's position.

If you wish to establish a phone tree, keep these tips in mind:

- a.) Obtain the telephone numbers of all Chapter members. Assign five to ten names to each member willing to call other NTEU members. (The first name on the "tree" calls five to ten other people; each of those contacts calls five more members, and so on.)
- b.) Place your most reliable members at the top of the list to increase the probability of contacting all members.
- c.) Keep the message as simple as possible. If you are asking NTEU members to call a Member of Congress, give them the name and phone number of the Member and provide them with a specific, brief message which includes a statement of the issue, the number or name of the bill involved, and the action you want the Member of Congress to take.

IV. Political Action

By helping elect Members of Congress who support our positions, NTEU members can also influence the outcome of legislation. The key to such influence is through contributions to the Treasury Employees Political Action Committee (TEPAC) and through participation in the election process.

A. Election Participation

NTEU members should always participate in the following activities:

1. Voting.
2. Publicizing each candidate's record on federal employee issues. NTEU issues voting records for each United States Senator and Member of the House of Representatives annually.
3. Inviting Members of Congress to speak at Chapter meetings.
4. Participating in non-partisan voter registration drives. Registration drives are considered "partisan" if the sponsoring organization has endorsed a candidate.

B. TEPAC

Contributing to the Treasury Employees Political Action Committee (TEPAC) is a fruitful form of political action for federal employees.

Your contribution to TEPAC, along with those of other NTEU members, enhances your role in the political process. TEPAC augments NTEU's lobbying program by providing financial assistance of elected officials on Capitol Hill who support NTEU's legislative program. Voluntary contributions to TEPAC from NTEU members are vital to the achievement of NTEU's legislative goals. There are several ways that NTEU members can contribute to TEPAC including through payroll deduction and by credit card.

HATCH ACT DO'S AND DON'TS

A Federal Employee Can:

- o Register and vote as they choose.
- o Assist in non-partisan voter registration drives.
- o Express opinions about all candidates and issues, privately and publicly.
- o Run for election to a non-partisan office.
- o Sign petitions, including nominating petitions.
- o Wear political badges or buttons (except in government buildings or while on duty).
- o Run for office within party organizations and affiliated groups.
- o Attend political conventions, rallies and meetings as an elected representative of a partisan organization.
- o Take an active part in political management of campaigns.
- o Solicit contributions to the political action committee of the organization to which both employees belong provided that the contributor is not a subordinate employee.

A Federal Employee Cannot:

- o Be a candidate for partisan public office.
- o Use their official position to influence election results.
- o Wear political buttons in government buildings, or elsewhere, if on duty.
- o Collect, solicit, receive, handle, disburse or account for political contributions from the general public.
- o Wear a government uniform or government insignia while engaged in political activities.

SUMMARY

Federal workers have a unique stake in the legislative process because their pay, benefits, and working conditions are in large part determined by the U.S. Congress. Since Members of Congress usually respond when their constituents bring their views to their attention, the direct involvement of NTEU members is a vital part of NTEU's legislative strategy.

Your Chapter can help NTEU to shape legislation by planning and carrying out a legislative program of letter writing, emails, telephone calls, personal meetings with Members of Congress and other activities. By voting and contributing to TEPAC, NTEU members can also help to elect candidates who will treat civil servants with the respect they deserve. These grass roots initiatives, in combination with NTEU's lobbying activities in Washington, are crucial to NTEU's success in protecting the livelihood and working conditions of our members.

NTEU CONGRESSIONAL CONTACT REPORT

Date _____

I contacted:

Senator _____/Representative _____
and/or Congressional staff persons _____

of _____'s Washington, D.C. _____ District _____ Office.

Method of Communication:

___ Office Visit ___ Telephone ___ Email ___ Letter

We discussed: _____

Responses of Senator/Representative or Staff:

- ___ Will act immediately in favor of NTEU's position
- ___ Was supportive, but will not act
- ___ Was neutral
- ___ Was negative, but will not act against NTEU's position
- ___ Was negative and will act against NTEU's position

Remarks: _____

Name _____
Address _____
City _____ State _____ Zip _____
Email address _____ (home) _____ (work)
Telephone No. _____ Chapter No. _____
(include area code and extension number)

Please fill out for each contact and return to Director of Legislation 1750 H Street, NW, Washington, D.C. 20006. (Be sure to include your name, address, and work phone number.)