

LEGISLATIVE ADVOCACY

INTRODUCTION:

Few things are more frustrating than having your voice go unheard. Legislative Advocacy is an opportunity to share your voice, because you can make a difference in the lives of people coping with cancer.

Legislative Advocacy is the process of working to achieve a legislative outcome. This involves taking action to change a current law, proposing an idea for new legislation, or expressing a view about a proposed bill. There are many ways to become involved in the legislative process, including writing a letter to your elected officials, scheduling a meeting with your legislators, joining an organization's advocacy efforts, communicating with the media to express an opinion on legislation, or calling fellow community members to action.

I. THE STRUCTURE OF THE U.S. GOVERNMENT

- A. **Introduction:** The federal government is divided into three different branches: the Legislative, the Executive, and the Judicial branches. Each branch has its own functions, sometimes overlapping with one another, but each branch has checks on the other two. The term "checks and balances" describes this process. For example, a function of the legislative branch is to make laws. However, the executive branch has the power to veto a law passed by the legislative branch. The purpose of checks and balances is to prevent any one branch of the government from becoming too powerful, theoretically keeping the branches equal in power.
- B. **Legislative Branch:** The Legislative branch is the U.S. Congress, divided into two parts, the U.S. House of Representatives and the U.S. Senate.
- 1) Every state is guaranteed at least one Representative. Each additional Representative is based on the state's population; currently there are a total number of 435 Representatives. A state that has more than one Representative is divided into a number of districts equal to the number of Representatives allocated to that state. For example, California has 53 Representatives and, therefore, has 53 congressional districts. Each district votes to elect their Representative. The term for a member of the House of Representatives is two years. A Speaker leads the House of Representatives and is elected by the Representatives.
 - 2) The Senate has exactly one hundred members at all times. Regardless of population, each state has two Senators. Unlike the two-year term limit for Representatives, Senators serve six-year terms. The elections are arranged so every two years, one-third of the Senators are up for re-election. The Senate was designed to be more stable, while the House of Representatives was designed to be more dynamic. The chief function of the U.S. Congress is to make laws.
- C. **Executive Branch:** The Executive branch is composed of the President, Vice President, cabinet, and other various agencies and departments of the federal government (e.g., Department of Justice). The cabinet is a group of advisors

nominated by the President to serve as chief officers in the departments of the federal government. The chief function of the Executive branch is to execute the laws passed by Congress.

- D. **Judicial Branch:** The Judicial branch consists of the U.S. Supreme Court and all of the lower federal courts. Supreme Court Justices (one Chief Justice and Eight Associate Justices) are nominated by the President and confirmed with the “advice and consent” of the Senate. Justices serve a life term unless they resign, retire, or are removed by impeachment and conviction by a congressional vote. The chief function of the Judicial branch is to interpret and determine the constitutionality of each law passed by Congress and executed by the Executive branch.
- E. **State and Local Governments:** Under the 10th Amendment to the U.S. Constitution, all governmental powers not granted to the federal government are reserved for the states. State legislative bodies, like the federal government, are bicameral (divided into two houses), with the only exception being Nebraska, which is unicameral. Local governments are responsible for passing ordinances pertaining only to their county or municipality (e.g., managing water resources, funding for school districts, etc.).

Levels:	Executive	Legislative	Judicial
Federal	<i>President</i>	<i>Congress</i>	<i>Federal Courts</i>
State	<i>Governor</i>	<i>State Legislative</i>	<i>State Courts</i>
Local	<i>City Mayor & County Executive</i>	<i>City & County Council</i>	<i>Municipal & County Courts</i>

II. LEGISLATIVE TERMS

A. **Abbreviations That You Often See Before a Bill Number:**

- 1) **AB:** California Assembly Bill
- 2) **SB:** California Senate Bill
- 3) **H.R.:** U.S. House of Representatives
- 4) **S.:** U.S. Senate Bill
 - (i) For example: S.224 is a U.S. Senate Bill, number 224.

B. **Terms:**

- 1) **Act:** A bill passed by the legislature and approved by the Executive (e.g., Governor, President, etc.).
- 2) **Amendment:** A formal proposal to change the language of a bill after it has been introduced.
- 3) **Bill:** A proposed law introduced during a session of the Legislature for consideration by the legislators and identified numerically in order of presentation.
- 4) **Constituent:** A citizen residing within the district of a legislator.

- 5) **District:** A geographic area of the state represented by a legislator.
- 6) **Lobbyist:** An individual that seeks to influence the outcome of legislation, typically on a particular issue area.
- 7) **Recess:** An official pause in the committee hearing or floor session, and often when the legislators return to their elected district to attend to business and conduct local meetings.
- 8) **Session:** The period during which the Legislature meets.

III. THE FEDERAL LEGISLATIVE PROCESS

A. **How Laws are Made:** It is important to remember that an idea for a new law can come from anyone. However, in order for legislation to be officially presented, it needs to be introduced by a member of Congress. The member of Congress who introduces the bill is known as the bill's chief sponsor. If there is more than one member that presents the bill, then they are known as co-sponsors. You may ask your legislator to a piece of legislation. Once the chief sponsor or co-sponsors agree to introduce the legislation, they will draft it themselves or turn it over to the Legislative Counsel's Office to formally draft the legislation. After the legislation is drafted, it is introduced in the House by placing it in the hopper, the famous box located at the Speaker's platform. In the Senate, it is given to the presiding officer or introduced on the Senate floor.

Bills can only be introduced when Congress is in session. During this time you can encourage other legislators to support this piece of legislation and encourage the chief sponsor to reach out to colleagues for support in hopes that the legislation will become a law. After the legislation is introduced, the bill is assigned a number and sent to the appropriate committees. If the bill starts in the House, it will have an "H.R." before the number and if it starts in the Senate, it will have an "S" before it.

1) **Committee Involvement:** There are 19 House committees and 16 Senate committees. The committees are divided according to different concerns in public policy, such as health care. The committees are responsible for holding hearings where testimony supporting or opposing the bill is heard and "mark-ups" where changes are made to the bill and a final vote to determine if the bill should be considered by the entire legislative body. In most instances if the committee decides to reject the bill, it cannot go any further. If the committee decides to accept the bill, it is presented in either the Senate or House chamber. There are rules governing the length and technique in which each bill is debated. If it passes through one chamber, it is presented to the next chamber. If there is a vast difference between the bills that pass through the Senate and the House then a conference committee containing members from both the House and Senate is formed to work out the differences. Once the issues are resolved, the bill is sent back through the voting process in both the House and Senate chambers. At this point, no further amendments to the bill are allowed. If the bill is passed, it is sent immediately to the President for signature. During this time the bill is considered "enrolled." The President has ten days to sign, veto, or take no action on the bill. If the bill is signed it becomes law. If the bill is vetoed, it

goes back to Congress for a possible veto override vote. A two-thirds majority vote is required to override a veto. If the President decides to take no action and Congress is in session, the bill automatically becomes law in ten days. On the other hand if Congress is not in session, then two weeks after the President receives the bill it is automatically vetoed. This is referred to as a pocket veto, because it is “put in the pocket” until Congress is back in session.

- 2) **How to Track a Bill:** Once the bill is presented to the legislature you can track the bill on the Library of Congress Thomas website (www.thomas.gov). This website provides details on bills, resolutions, current activity in congress, congressional records, schedules, calendars, treaties, and government resources. On the home page you can type in the bill number and you will find information about who is sponsoring this bill, bill summaries, the text of the bill, and the status of the bill. If you do not have access to the internet you can call the Office of Legislative Information on Capitol Hill to inquire about the status of a specific piece of legislation.

IV. **GET INVOLVED**

- A. **Who are Your Legislators?:** It is essential to know your elected officials. For information on your federal elected officials go to www.house.gov and type in your zip code to find your U.S. Representative, and go to www.senate.gov to find your U.S. Senators. If you do not have access to the internet, call the Capitol switchboard at (202) 224-3121.
- B. **Voting:** Voting is the duty of each eligible person. Voting is one of the most effective ways to make your voice heard. Never underestimate the power of your vote. Your vote is important and does matter, so mark your calendar for the next Election Day and go cast your vote!
 - 1) **Do I Qualify to Vote?:** To qualify to vote you must be:
 - (i) A citizen of the United States,
 - (ii) A resident of the state in which you are voting (unless you moved to a new state for school),
 - (iii) At least eighteen years old (most states require you to be eighteen at least thirty days prior to the election),
 - (iv) Not be imprisoned or on parole for a felony, and
 - (v) Not be deemed mentally incompetent by a court of law.
 - 2) **Voter Registration:** To obtain a voter registration form, visit your Secretary of State's website and fill out the online form. In California, the website address is <https://ovr.sos.ca.gov/votereg/OnlineVoterReg>. If you do not have access to the internet, you can call your Secretary of State's office or local DMV to have a voter registration form mailed to you. Allow yourself enough time, because most states require you to register prior to the day of the election. This means it is imperative that you check with your Secretary of State's election division for your registration deadline. Do not miss that deadline! In California, your registration needs to be post marked at least two weeks before Election Day. After registering to vote you will be informed of the location of your local polling place. It is important to note that sometimes

the location can change so check with the Secretary of State's office before the election to confirm your polling place. Finally, when you go to the polls, bring with you a government-issued ID, just in case. If your residency address is different than what is printed on the ID, bring proof of residency with you (a piece of mail sent to you with your current address and your name on it).

- (i) **Questions about Voting:** If you have questions at the polling place or need accommodations, ASK! If your question does not get answered, ASK AGAIN! Most of the people working at the polls are local volunteers who may not know everything there is to know about the voting process, so do not be afraid to ask more than one person until your question is answered or your accommodation is met. If you have difficulties with the polling place and would like to file a formal complaint you can call 1-800-345-VOTE.
- (ii) **Absentee Voting:** If you cannot make it to the polls on the day of the election you may qualify to vote "absentee." Contact your Secretary of State's Election Division to request an absentee ballot and ask about the requirements on voting absentee.

C. **Write a Letter to Your Elected Officials:** Writing a letter is a great tool to communicate with your elected officials. You can get your point across without interruptions, and you can spend as much time as you need to be clear and articulate your point. This is a chance to tell your personal story, so if you are a cancer survivor or a caregiver let your legislators know. However, also remember when you are writing a letter to try to be as concise and clear as possible. Try to keep your letter to one page. This better ensures that your letter will be read in its entirety.

- 1) **Format:** When you are formatting your letter remember to add your own address, as envelopes often get thrown away. Also make sure that you have the proper addresses for your legislators. Before writing your letter, find out how your legislator stands on the issue that you are presenting. A good resource to find your representative's background information and voting history is Project Vote Smart at www.votesmart.org.
 - (i) In the first paragraph of your letter explain who you are and your main objective for writing the letter. Identify yourself as a constituent and member within the community. If you are talking about a specific bill identify it at the beginning of your letter. Use the name of legislation and the bill number, if possible. If you are talking about an article published in the newspaper or another source, include a copy if possible. Always be reasonable and courteous, even if you do not agree with their position. If you have ideas on how a problem can be fixed, make suggestions. Do not be afraid to ask questions if you do not understand their point on an issue and always ask for a reply. Remember the person is your elected representative and you have taken the time to formulate a letter to them; therefore, they should be able to take the time to respond to you.
 - (ii) **Fax or Email:** Faxing or emailing your letter is a better alternative to mailing. Faxing is the most popular and most legislators have their fax

number posted. This can be very beneficial because your letter will arrive within a matter of minutes. Remember to include your fax number or method in which you prefer a response. Although written letters are usually considered more personal, with heightened security at federal offices, the mail can take an extended period of time to reach the elected official.

(iii) See APPENDIX LA1 for an example of what can be included in a letter to your elected official.

D. Schedule a Meeting with Your Elected Official: One of the most effective ways to lobby for an issue is to schedule an in-person meeting with your legislator. First, you will need to schedule a meeting in an advance by emailing, mailing, or faxing your legislator a letter requesting an appointment. If you do not know the name of the legislator's scheduler, call their office and ask.

- 1) See APPENDIX LA2 for a sample letter requesting a meeting with your legislator.
- 2) **Follow-Up on Your Request:** After you send in your request via email, fax or mail, it is important to follow up with your legislator's scheduler. If you fax the request, follow up by phone within one or two days and if you submitted your request by mail follow up within one or two weeks.
- 3) **Prepare for the Meeting:** You will need to prepare yourself for the meeting. You will have limited time to present your point. The average meeting time is between fifteen and twenty minutes. Make sure you pick one main issue. It is helpful to prepare a letter and/or materials to leave with your legislator after the meeting, recapping the issues you plan to discuss. Not only will this leave a reminder of your position with your legislator, it is great way to prepare yourself for the meeting. Before the appointment, research your legislator's position on the issue, research statistics on the issue, and plan to discuss how their position will personally affect you and/or your organization. If you are requesting that your legislator take action on an issue, be prepared to ask for a specific action. Identify other constituents or organizations that share your position. If appropriate, bring letters of their support with you to the meeting.
- 4) **Day of the Meeting:** On the day of the meeting dress professionally, be on time, and bring materials with you. Be aware that your legislator may become unavailable to meet with you at the scheduled date and time, so be prepared to meet in a different location or with a staff member. Although it would be ideal to meet with the legislator, do not be discouraged. Legislative staff cover specific issue areas and are more likely to be familiar with the issues you are raising and will brief the legislator on constituent concerns.
 - (i) **At the Meeting:** When you begin your meeting, identify yourself as a constituent and start with a compliment. For example, thank them for their continued support on women's health issues or simply thank them for taking the time to meet with you. Remember to stick to the talking points you have prepared. Be informative, thorough, concise, and ask for

what you want. Never argue over policies, but kindly express disappointment. If your legislator happens to ask for facts or information that you do not have, do not panic; just tell him/her that you will get back to them with the information. Do not be afraid to ask the legislator for a commitment or ask which way he/she is planning to vote on an issue. Finally, before the end of the meeting you can invite the legislator to your organization, to meet with specific members of the community, or to attend an upcoming event. Leave your materials, letter, and business card with the legislator. Also ask for the staff member's name and contact information that handles the relevant issues so that you can follow up with them if needed. Thank them again for taking the time to meet with you.

E. Make a Telephone Call: Making a telephone call is a great way to address your issue immediately. Most telephone calls with your legislator's office last only a few minutes, therefore, it is important to outline what you would like to say prior to the call. It is also highly unlikely that you will talk with your legislator directly; however, making a telephone call can be extremely effective and is a great way to let your legislator know that constituents are interested in that particular issue without taking up too much time. Be prepared to leave a clear message if no one is available to talk.

- 1) **What to Say on the Call:** Identify yourself as a constituent. Ask to speak to the legislator directly and if they are not available, which is likely, ask to speak to the staff person or legislative aide working on that issue. During the call be polite and concise. Let them know that you have an opinion on a certain issue or that you are supporting their position. If you are calling in regards to a specific bill, identify the bill and/or bill number. Ask for their support on the issue and ask for a response. If they ask for further information on the issue be prepared and willing to send it to them.
 - (i) See APPENDIX LA3 for an example of what you can say when you call your legislator's office.

F. Follow Up: Always remember to follow up with your representative, whether you wrote a letter, made a telephone call, or had a face-to-face meeting. A great way of following up is to send a thank you note. When you write your thank you note, identify yourself with as much detail as possible. Tell them that you are a constituent and remind them of the time and date that you were last in contact. Make it clear exactly why you are thanking them. Include additional information if appropriate. Remember to include your contact information. If you did not receive a reply or information that was promised to you, send a letter reminding them. Following up and staying in touch will help you develop a long standing relationship with your legislator, and will keep you connected to developments or progress made regarding your concerns.

G. Media Outreach: Media outreach is a great way to reach many of fellow constituents and lawmakers at the same time. One of the most basic and effective forms of media outreach is to write a letter to the editor of your local newspaper. Letters to the editor are read by community leaders and by politicians to gauge constituents' opinions on particular pieces of legislation. This is your chance to comment on articles published in the newspaper or introduce

an issue that you would like to bring to public attention. Check with the newspaper for guidelines before formatting your letters. Letters that do not meet these guidelines may be disregarded. Keep your letters limited to 150 words or less. Include your name and address because most newspapers will not print anonymous letters (although they will not print this information). Always address your letter, "Dear Editor." To ensure that your letter has the best chance of being chosen for printing, talk about current issues such as pending legislation that you either support or oppose. Also be clear, brief, and to the point. Finally, do not be discouraged if your letter is not printed. Try again and remember that unpublished letters are still read by the editors, thus you are still making others aware that there is public interest in a particular issue.

- 1) **Talk Shows or Local Radio Stations:** Another way of reaching out to the media is calling a talk show or a local radio station. Make sure that when you call in to the show, the show's topic is relevant to your issue. Present a clear statement about the current cancer-related issue that concerns you, and talk about how it affects you and your community. If you know of public support that this concern has drawn, make others aware of this, too. You may also want to contact the producer of the show and let him/her know about the issue and urge them to cover it in their show.
- 2) **Press Releases:** Press releases are an effective tool to provide the media with a summarized version of your concern and relevant background information on it. Press releases are also a great opportunity for you to familiarize the media with information on your organization. For example, if your organization received an award for its public service, this would be a great way of letting other organizations and the media outlets know of your accomplishments. When writing a press release, keep your sentences short and paragraphs brief (journalistic style). Your press release should be no longer than one page. Try to write as objectively as possible. Include your contact information and a brief description of your organization at the end of the page.
 - (i) See APPENDIX LA4 for a sample of a completed press release.

H. **Cancer Organizations:** Getting involved with an organization's established legislative advocacy effort is a great way to stay informed about issues that affect cancer survivors and their caregivers.

- 1) *Susan G. Komen for the Cure*® Advocacy Alliance is a non-partisan grassroots advocacy program designed to educate elected officials about breast cancer through community involvement. Their website, www.ActNowEndBreastCancer.org, has information about current legislation that affects cancer survivors and provides opportunities to join with them in lobbying for a change.
- 2) The Lance Armstrong Foundation has advocacy tools to stay informed, raise awareness, and advocate for legislation that expands access to cancer screenings, treatment, and survivor care. To access their advocacy materials visit www.livestrong.org, click on the Get Involved tab, then click on Advocacy.

- 3) The American Cancer Society Cancer Action Network is another non-profit, non-partisan advocacy organization dedicated to eliminating cancer as a major public health problem through voter education and issue campaigns aimed at influencing candidates and lawmakers to support laws and policies. Their website www.ACSCAN.org has the latest press releases and action reports on cancer-related legislative issues in your state.

V. CONTACT INFORMATION

<p>To find out who your U.S. Representatives are: www.house.gov Capital Switchboard (202) 224-3121</p>	<p>To find out who your U.S. Senators are: www.senate.gov Capital Switchboard (202) 224-3121</p>
<p>To find out who your CA State Senators and Assembly Members are: www.legislature.ca.gov</p>	
<p>To find information about a specific federal bill: Office of Legislative Information on Capital Hill (202) 225-7400 thomas.loc.org</p>	<p>To find information about a specific CA bill: CA Legislative Counsel www.leginfo.ca.gov/bilinfo.html</p>
<p>To obtain a voter registration form (CA): CA Secretary of the State ovr.sos.ca.gov/votereg/OnlineVoterReg</p>	<p>For absentee voting information (CA): CA Secretary of State's Election Division www.declareyourself.com</p>
<p>To file a formal complaint about your polling place: (800) 345-VOTE</p>	<p>To gather information about your elected officials: Vote Smart www.votesmart.org League of Women Voters www.lwv.org</p>
<p>To participate in Susan G. Komen for the Cure® advocacy efforts: www.ActNowEndBreastCancer.org</p>	<p>To participate in American Cancer Society Action Network advocacy efforts: www.ACSCAN.org</p>
<p>To participate in Lance Armstrong Foundation advocacy efforts: www.livestrong.org</p>	<p>To participate in Cancer Legal Resource Center advocacy efforts: (213) 736-1331 or 1-866-THE-CLRC www.CancerLegalResourceCenter.org</p>