

The Arc of Texas

***Legislative Advocacy:
Mental Retardation &
Developmental Disabilities***

****A Primer for Citizen Involvement****

A Project of the Texas Council for Developmental Disabilities

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The Arc of Texas is the oldest and largest nonprofit, volunteer organization in the state committed to creating opportunities for people with mental retardation and other developmental disabilities to be included in their communities. The Arc supports families, advances public policies, provides training programs, and builds a statewide network of advocates.

Since our founding in 1950 by a group of parents of children with mental retardation, The Arc of Texas has been instrumental in the creation of virtually every program, service, right, and benefit that is now available to more than half a million Texans with mental retardation. Today, The Arc continues to advocate for including people with mental retardation and other developmental disabilities in all aspects of society.

The Arc of Texas envisions a world where...

1. All people with mental retardation and other developmental disabilities are fully included in their families, neighborhoods, communities, and schools.
2. Quality supports and services responds to their needs and personal choices.

One of the most effective tools for moving our issues forward is advocacy. It is important for us to tell our stories in ways that move policy makers to make real, positive change for our friends, families, neighbors, community members, or for ourselves. This primer is meant to be a guide to legislative basics as you become involved in issues important to people with mental retardation and their families. The most important piece of the puzzle is you, the advocate, as you participate in strengthening the voices of Texans with mental retardation and other developmental disabilities.

Our hope is that your participation in the advocacy process will be ongoing—writing to elected officials, telling your story to decision makers, talking to the media, attending community hearings and forums—as we work to make a lasting impression on services and supports for persons with mental retardation and developmental disabilities in Texas. Thank you for your willingness to get involved!

--The Arc of Texas

Legislative Advocacy Training Primer--
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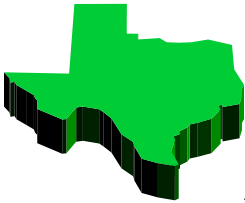


A Definition of Advocacy

Citizens exercising their constitutional right to petition their government have the power to influence the outcome of a legislative decision. Only a drive to change or improve conditions for people with mental retardation is needed to begin the process. This is what defines advocacy.

The skills and qualities needed by an advocate are:

- Knowledge of the legislative process
- Knowledge of the issue(s)
- Personal commitment to the issue(s)
- An understanding of when, why and how to communicate with elected officials



Affecting Change—The TX Legislative Process:

The Texas Legislature has Biennial Sessions. That means that the Legislature meets every other year beginning on the 2nd Tuesday in January of odd-numbered years. The session is limited to 140 calendar days. However, the Governor can call a “special session” of 30 days; the Governor proposes the subject of each special session.

The Legislature is divided into two chambers: The Senate, which is made up of 31 Senators, and The House of Representatives, which has 150 State Representatives. The Leadership is made up of the Lieutenant Governor, who is elected through statewide election every 4 years, and the Speaker of the House, who is elected by the House at the beginning of every session. These two powerful positions are responsible for making committee appointments, selecting committee chairs, and assigning bills to committees. Basically, nothing happens without their leadership and influence.

There are many committees in the House and the Senate. In the House, they include: Appropriations, Calendars, Corrections, Human Services, Criminal Jurisprudence, Public Health, and Public Education. In the Senate, they include: Criminal Justice, Education, Finance, Health & Human Services, and Jurisprudence.

Before it becomes law, the state budget and all legislation must:

- Be considered by a committee in both the Senate and House
- Be voted on and passed by both the full Senate and House
- Be signed or approved by the Governor

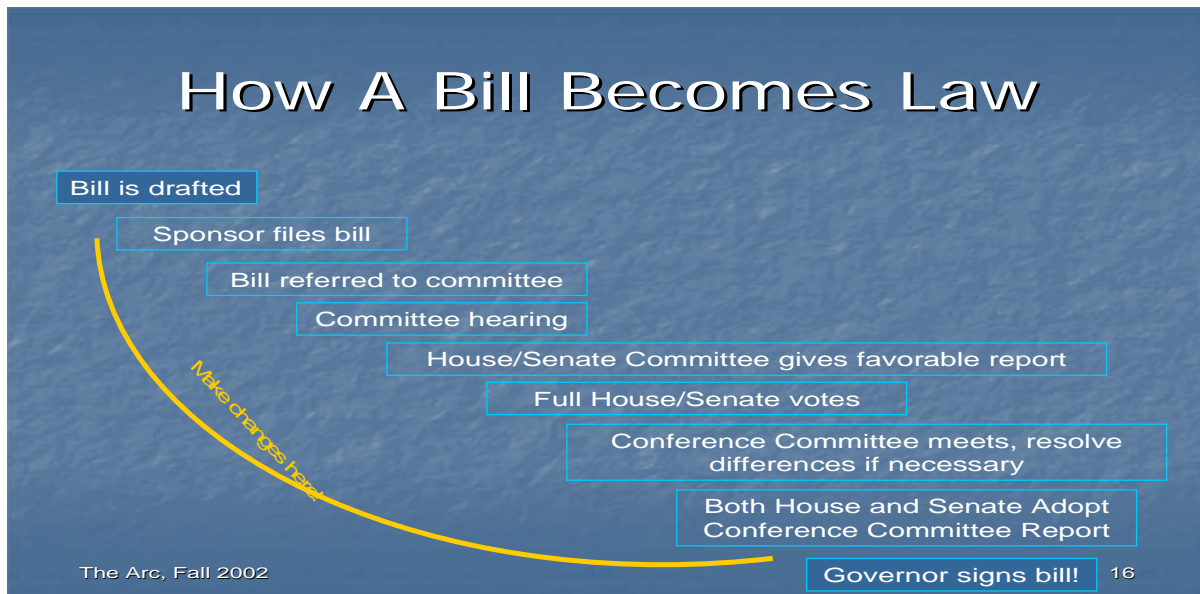
Since all bills go through a committee, it is important to note 1) what they are, and 2) who serves on each of them.

It is estimated that during session each legislator receives:

- 6,000 phone calls
- 5,000 drop-in visitors
- 8,000 faxes
- 500 invitations to events

That is why it is so important for advocates to start early, and be consistent in their communications with legislators. It is the only way to ensure that important issues remain at the forefront during the legislative session.

This diagram shows the process a bill takes on its way to becoming law:



The question now arises: What is a bill? According to the Texas Legislature Online (<http://www.capitol.state.tx.us/tlo/resources/glossary.htm>), a bill is a type of legislative measure that requires passage by both chambers of the legislature and action by the governor. A bill is the primary means used to create and change the laws of the state. Bills can come from many different sources, including:

- A legislator may have an idea and ask his staff to draft a bill and develop the issue
- An individual, group or association might approach a legislator with an idea for proposed legislation
- A legislator or his/her staff will learn of a problem or issue in their district and will seek legislation

Advocates can—and should—be involved in the suggestion and development of bills.

Influencing the development of a bill can include:

- Supporting or Opposing a bill
- Supporting or Opposing amendments to a proposed bill
- Supporting or Opposing state agency budget items

To stay abreast of who your legislator is and how to contact them, order your personal *Texas Legislative Handbook*. The *Handbook* is published by the Texas State Directory Press, Inc. Go to: www.txdirectory.com, or call 800-388-8075 for more information.



Local, State, Federal: What's the Difference?

While the TX legislative process has been addressed, what about local and federal? What's the difference? Who does what? These are important distinctions when figuring out who the decision makers are that can give advocates what they want.

The basic principles of lobbying apply at all levels of government, with some levels more easily accessed than others. Whether advocates are dealing with a township trustee or a United States Senator, it is important to remember that basic courtesy and common sense go a long way in helping to get a message across.

At the local level, government can be structured in many ways. At the city level, the person in charge is usually the mayor. In some cases, the person with the real power is the city manager. City councilpersons can also have influence over policies implemented at the city level. Other programs and supports important to the efforts of advocates may be structured at the county level. It is important for advocates to know which kind of government is in charge of what issues. To find out what kind of local government a community has, advocates can call their city hall for that information. When advocates know who the key decision maker is, only then can change be affected at the local level.

The Federal government legislative process is similar in many ways to the State process described so far. Legislators at this level represent their local district or their state in Washington DC. They address issues in Congress that have national implications, and local impact.

While the vast majority of issues impacting individuals with disabilities in Texas are addressed at the State level, much of the funding structures for supports are dictated by Federal law. The relationship between Federal and State can be confusing, but is an important distinction for advocates to research on each issue of importance addressed.

For example, while Medicaid is a Federal program, each State has some flexibility in terms of how they implement certain programs and supports. Each State also has a funding requirement, or match, for these programs, such as the Medicaid Home and Community Based Waiver in the State of Texas. Medicare, on the other hand, is a Federal program that is dictated and implemented at the Federal level. The States do not have a say in how supports are interpreted or implemented. The way advocates approach each issue is dictated by who the decision makers are.



Steps to Change: The Advocate Planning Cycle

(This section is adapted from the Midwest Academy's "Six Steps of Direct Organizing")

When advocates engage in advocacy, it is to win a specific issue, that is, a specific solution to a problem. An advocacy campaign usually goes through a cycle, or stages. They include identifying the problem, finding an issue/solution, developing a strategy, bringing the issue to the attention of a decision maker, getting reaction from a decision maker, and winning/regrouping/reorganizing.

1. Identify a problem:

The people who have the problem agree on a solution and how to get it. They may define the problem narrowly: "My brother with mental retardation does not live in his neighborhood." Or, they may define it more broadly: "People need to be able to choose where they live."

If the advocate wants people with mental retardation to have a choice about their community living options, then building a coalition to improve community living access might be the best way to address the issue.

2. Turn the problem into an issue:

There is a difference between a problem and an issue. An issue is a specific solution to a problem that advocates choose to work on. Advocates don't always get to choose problems. Often problems choose you. But you always choose your issues, or the solution to the problem that you wish to win. A lack of support for community living is a problem. Changing the law to get the State to convert state institution beds for community living supports is an issue. An issue is finding the solution to a problem.

3. Develop strategy:

A strategy is the overall plan for a campaign. It is about power relationships and it involves asking six questions:

- What are your long and short term goals?
- What are your organizational strengths and weaknesses?
- Who cares about this problem?
- Who are your allies?
- Who has the power to give you what we want?
- What tactics can you use to apply your power and make it felt by those who can give you what you want?

From the answers to these questions, advocates can begin to see a strategy emerge. For example, the answers to the above questions might be:

- The long term goal is for all persons with mental retardation to live in the community of their choice. The short term goal would be to change the way community living supports are funded in the state.
- The organization might have 50 advocates, but little funding for the campaign.
- People who care about the issue might include self-advocates, parents, and community members.
- Allies might be other disability organizations that have similar desires/issues.
- The funding for community living supports is determined by the members of the legislature. The person(s) that have the power to give advocates what they want may be the chair of the Senate or House Finance Committee(s).
- Tactics could include a letter-writing campaign, along with town hall meetings and media releases about the issue.

More information on strategy building can be found in the next section of this handbook (Developing a Roadmap).

4. Face The Decision Maker:

Use large meetings and actions to force the person who can give you what you want to react. That person is the decision maker, who we often refer to as the “target” of the campaign. The decision maker is always an individual person or number of individuals, never a board or elected body as a whole. Decision making bodies must be personalized. So, if you are trying to get something passed by the State Legislature, for example, you don't say the decision maker is the State Legislature. Rather you need specific members of the Legislature to vote on your issue. Who are they? Name them. What is your power over them? Do you have members in their districts? Do you have members that know them in other walks of life? Use those relationships to get to the decision makers in question.

5. Decision Maker Reacts:

You either get what you want, or you have to go out and organize still larger numbers of people for a second round of the fight. If the funding for community living supports is not funded in the original budget, advocates need to get more people and different tactics to influence revisions to the budget. Sometimes it takes several rounds before the fight is won. That is why we think of community organizing as a whole campaign, not just as a series of one shot events.

6. Win, Regroup, Go On To Next Issue

When advocates win real change in people's lives, it is exhilarating! Seeing the Governor sign a bill into law after a long-fought campaign is just the goal advocates have worked toward. However, the momentum needs to continue to affect ever-present, ever-evolving issues. Use the excitement felt by advocates to affect future change, build relationships with decision makers, and create coalitions with other organizations to continue making an impact in the lives of people with mental retardation and their families.

However, there are times (more often than advocates might like) that an issue is not won. This is simply an opportunity to make changes to your organization so that future issues can be won. It

is important for advocates to pay attention to those lessons learned. In other words, what could we have done differently? What worked? What didn't? Turning those lessons into change internal to a coalition or organization is a positive step as well.



Develop a Roadmap: Strategy Building

One of the most important parts of an effective advocacy campaign is having a clear direction for your advocacy efforts, and an action plan for accomplishing your goal of system change.

The strategy chart, shown here, is an excellent tool for advocates to get a sense of their resources, their direction, and their specific plans on how to win their issue. The five areas to consider are goals, organizational considerations, constituency, targets, and tactics.

The Strategy Chart

(Adapted from the Midwest Academy's "Organizing for Social Change", 2001)

<i>Goals</i>	<i>Organizational Considerations</i>	<i>Constituency</i>	<i>Targets</i>	<i>Tactics</i>
Long Term	What resources can you put into the campaign?	Who cares about the issue?	Who has the power to give you what you want?	Media releases Letter-writing
Intermediate	How will you build the organization?	How are they organized?	Who are your secondary targets?	Capitol Hill Day
Short Term	What internal problems might you experience along the way?	What power do they have? Who are your opponents?		Meet with Legislators Letters to the Editor

Goals:

In this section, advocates need to identify their long term goal, their intermediate goal, and their short term goal. A long term goal might be "Inclusion of all people with mental retardation in community living settings of their choice." An intermediate goal might be "Increased availability of supported living/group homes in every county." A short term goal might be "Increase state funding by \$500,000 for home and community based services in this legislative session."

Organizational Considerations:

An organization is defined as a group of people who work together. In this case, it is a group of advocates. Some considerations must be made when organizing around an issue. What resources does your organization bring to the campaign, and what specific forms of organizational growth do you hope to achieve during the campaign? Here advocates must clearly (and honestly) outline how much money they have to dedicate to advocacy efforts, what kinds of staff and volunteer time they realistically expect from coalition partners, what internal issues the organization has, and how can the campaign build the organization for future efforts?

A sample here might be that an advocacy coalition or organization has only \$400 to dedicate to the campaign, but has 3 staff members that can dedicate a small percentage of time to the efforts, including use of their office space. They have 500 people on their mailing list, but only 5 or 6 active volunteers they can call to act. Finally, they hope to increase membership and volunteer involvement by 10% and 25%, respectively. This gives the group a realistic view of what resources they have to implement an issue campaign.

Constituency:

This answers the question “Who cares about this issue?” Consider here how people are already organized. How can the issue be illustrated to get the broadest support in the community?

For instance, if the issue is about requiring all respite providers to have specific training in mental retardation prior to providing support, would the list of people who care about this issue include also provider organizations, professional associations for providers or training, as well as the families of persons requesting support? This allows the issue to reach a broader audience, and builds support across a larger base.

It is also important here to list those that may likely oppose the issue. Those that would be required to pay for training may be against the issue. The entity that would be responsible for providing the training itself may also object. Other groups that are vying for the same pot of money may even be opposed to the issue. Anticipating the nay-sayers helps advocates prepare for any possible barriers to success.

Decision Maker:

This is the person that can give advocates what they want. If advocates are asking for more funds in the state budget for further supports, the decision makers might be the chair of the finance committee that oversees that part of the budget. It might be the governor of the state, since he/she has final veto authority. It might even be the director of the agency that would be providing further supports. This is why it is vital for advocates to know the system well enough to know who to ask and for what.

Secondary targets are those that have direct influence over the primary decision maker. For example, if the primary target is the chair of the finance committee, the secondary target might be those people that were the legislator’s largest donors in the last election. If advocates know and have the ear of that person, that person might be a secondary decision maker in that they have

influence over the primary one. A secondary target might also be the lead staffer of that legislator. Whoever it is that has influence over the primary target.

Tactics:

This is what the people in the constituency column do to the decision maker in order to force the decision maker to win advocates their issue. Basically, what can volunteers or members do to the target (the governor, the chair of the Senate Finance Committee, etc.) to get them to act on the issue at hand.

For instance, advocates might list as planned tactics:

1. Meet with decision maker at community forum
2. Write letters with individual stories about the issue to the decision maker
3. Hold press conference during in the decision maker's district to ask for action on the issue

These tactics will likely change throughout the course of the campaign, as will many of the information in each column. Advocates should think of it as a flow chart—when one thing changes on the left of the chart, other things have to adapt to the change.



Working Together: Building Coalitions

(Adapted from the Midwest Academy's "Organizing for Social Change", 2001)

A coalition is defined as “an organization of organizations” working together to affect change on similar issues or concerns. They can be temporary or permanent depending on the goals of the coalition. But whatever the reason or longevity of a coalition, advocates build coalitions to build the power necessary to do something not able to be done by one group alone.

While the power of numbers is always greater than the power of one, there are things to consider before entering into a coalition with other advocate groups.

1. **Is it a permanent or temporary coalition?** Temporary coalitions are for specific campaigns, while permanent coalitions address ongoing issues important to coalition members.
2. **Who is behind the coalition?** It is important to know the driving force behind a coalition. Who or which agencies will be doing most of the work of the group? Who will get the bulk of the benefits or credit for the coalitions efforts? The answers can help determine whether the effort is worthwhile, and also if your organization can benefit by participating.
3. **What is your organization's self-interest?** Will your group of advocates be playing a leadership or membership role? Both are important, but each role comes with certain expectations and benefits. If your group plays a leadership role in the coalition, make sure the coalition's issue(s) affects your membership

deeply. This makes it more likely that your membership will get involved in coalition activities.

4. **How can your advocates participate?** Make sure the tactics or methods designed to impact the issue(s) are designed so that your members can participate with somewhat ease. Will the coalition be employing tactics outside your member's comfort zone, or will the tactics appeal to your advocates?
5. **How will participating in the coalition build your organization?** Since being a member of a coalition means more work, it also affords the opportunity for your organization to build its membership and support. While not all members of a coalition receive the same amount of attention or credit, it is important to consider how your organization can benefit from participation in the overall activities of the coalition.

First and foremost, a coalition must *choose a unifying issue* to bring advocates together. For example, a coalition of groups representing various disability groups might be built around issues surrounding the civil rights of those with disabilities. However, an issue that only meets the needs of one group versus another can divide a coalition before it has the chance to affect positive change for anyone.

While the roadblocks are important to consider, it is also important to realize the advantages of participating in a coalition. Coalitions afford advocates the opportunity to:

- Win what couldn't be won alone
- Build an ongoing power base
- Increase the impact of an individual organization's efforts
- Develop new leaders
- Increase resources and relationships
- Broaden the scope of impact on issues of importance

With proper attention given to all the pros and cons, coalitions can change the political landscape in Texas!



Communicating with Legislators

Lobbying legislators is about persuading them to do what you want. The first step to exerting any kind of influence over their decision making is to build a solid relationship with them and their staff. Advocates need to earn and nurture their legislator's respect.

There are a few guidelines to follow when establishing your agenda and goals: Know what subject you are going to address with them, do not overload them with too much information, and stick to no more than two or three issues.

Some tips for communicating with legislators include:

- Show that you understand their time constraints by providing summaries of lengthy reports.
- Use attention grabbers, e.g. a bright colored paper that jumps out of a pile of correspondence.
- Show an interest in other issues on which your legislator is working.
- Tell both sides of an issue so that your legislator can anticipate the opposition.
- Compliment the legislator if he/she has done an effective job on anything; a little thank you goes a long way.
- Get to know the legislator's aides—they are the key to getting information or access to the legislator.
- Provide positive media opportunities for your legislators through events such as groundbreaking ceremonies, ribbon cuttings, annual meetings, tours—anything that gets them noticed.
- Honor your legislators at annual meetings, special events, etc. Give unusual awards instead of the ordinary certificate or plaque that will attract attention in their office.
- Remember their birthdays and other events; send a congratulatory note if you hear anything positive about them.
- Use information that is accurate. Information that is vague or not true will only tell them you cannot be trusted. Legislators appreciate people who have reliable information.

While this is by no means an exhaustive list of ways to build effective relationships, there are also things that advocates do NOT want to do:

- Do not confront or challenge your legislator by saying things like “You promised me/us...”; rather say, “I understood you to say...”
- Do not take too long when meeting with them or talking to them at an event. Show that you respect their time and recognize it is as valuable as yours.
- Do not lecture your legislator. They will respond better if you have a clear, concise message to leave them with.

The most important thing to remember is that elected officials are just like everyone else. They appreciate people who show an understanding and respect for the individual legislator's personal

philosophy or issues, and they take note of service systems and alliances that have a clear strategic vision.

However, realize that legislators cannot always comply with requests from advocates. If you do not get everything you asked for, thank them for what they did do, or even for their willingness to listen, and then follow up.

There are many tactics that can be employed to communicate with legislators. They include:

- Letter-writing/Email
- Telephone
- Face-to-face meetings
- Public hearings
- Testimony



Writing Letters to Legislators:

A letter should be written to a legislator when you want them to take a position on your issue, or you want them to act on it. Letters should be less than one page, and should be exact about what the issue is. Only address one issue in a letter. Too much information can overwhelm the decision maker and make it difficult to know what you are asking of them. Send letters only when it is truly necessary. Consider sending letters when:

- Trying initially to drum up support for an issue
- A vote on a bill of importance is looming
- The legislator has done something advocates want to praise
- The legislator is undecided about an issue

Not sure what to say or how to say it? Here are some tips on things to include when writing a letter to a legislator:

- Be clear about your issue, and what action you want them to take
- Address the letter properly (see below)
- Use your story. Personalizing the issue makes it real to the legislator. Tell him/her how the issue affects you or your family.
- Do not ramble on. Be concise in your communication.
- Ask for a statement of their position on the issue(s) in a written reply.
- Thank them for their attention to the letter
- Be sure to include your full name and address. This helps the legislator know for sure you are a constituent. They do not pay attention to communications from persons that do not vote for them.

When sending letters to legislators, it is also important to address the letters correctly to ensure your correspondence reaches them. When addressing letters to legislators, use the following salutations and address formats:

Governor: The Honorable (Full Name)
Governor of Texas
State Capitol
P.O. Box 12428
Austin, Texas 78711-2428

Lieutenant Governor: The Honorable (Full Name)
Lt. Governor of Texas
State Capitol
P.O. Box 12068
Austin, Texas 78711-2068

Speaker of the House: The Honorable (Full Name)
Speaker of the House
Texas House of Representatives
P.O. Box 2910
Austin, TX 78768-2910

Senator: The Honorable (Full Name)
Texas Senate
P.O. Box 12068, Capitol Station
Austin, TX 78711

State Representative: The Honorable (Full Name)
Texas House of Representatives
P.O. Box 2910
Austin, TX 78768-2910

*(district addresses for each can be found at the end of this handbook, or at
<http://www.capitol.state.tx.us/fyi/find.htm>)*

Information on emailing legislators can be found in the Internet Advocacy section of this handbook.

A sample letter to a legislator can be found on the following page.

(Sample Letter to Legislator)

(Date)

Honorable Hubert Harris
Texas Senate
State Capitol
Austin, TX 55555

Dear Senator Harris:

I call it the Texas Tragedy. It's when the state's budget priorities don't reflect the needs of people with mental retardation and related developmental disabilities.

I have a son that has been on the waiting list for services for 8 years. We were told that he could have to wait for up to 40 years before his name comes up for services. We cannot wait that long! As so many Americans are, we are aging and will no longer be able to provide the supports necessary for my son to live at home. We—and he—want him to live in the community, in a place of his own. That is not possible with the current state of the waiting lists in Texas.

The Tragedy has been building for years. Today more than 25,000 people with mental retardation are languishing on never-ending Waiting Lists for the HCS (Home and Community-based Services) program offered through the Texas Department on Aging and Disability Services (DADS). An additional 8,000 people with other developmental disabilities sit on Waiting Lists for the CLASS (Community Living Assistance and Support Services) program of the Department of Human Services (TDHS). Some of these individuals have been on the Waiting List for nine years and have yet to receive community services.

For the last six years, The Arc of Texas has worked actively with legacy agencies and the Legislature to increase state funding for these Medicaid Waiver programs to reduce the massive Waiting Lists. Little financial relief has come. **We ask you to support Senate Bill 000 TODAY to end the Waiting List crisis in Texas.**

I would be glad to speak with you at greater length about this issue. I would appreciate knowing your position on SB 000. Thank you for your continued service to our district.

Sincerely,

Mrs. Susie Brown,
89 North Boundary Road
Temple, TX 12345
(254) 742-0000



Calling Legislators:

Decision makers take notice when advocates call them about important issues. It is less-time consuming than letter-writing, and more certain than email that may never be answered. For this reason, using the telephone to contact legislators is a reliable way advocates can quickly get their voices heard—literally.

While no tactic can take the place of a face-to-face meeting with a legislator, calling the official's office assures that someone will answer. Advocates may not get to talk directly to the legislator each time they call, but they can articulate their issue to the staffer they talk to, and tell them what advocates want the legislator to do on an issue.

Some tips to remember when calling legislators:

- Prepare your message before you call.
- Identify yourself as a constituent.
- Say exactly what you are calling about. Use bill numbers or issues to make your point.
- Say specifically what you want the legislator to do (vote against budget cuts, support a bill, etc.).
- Be sure to leave your name and contact information, including your address. This will assure the legislator knows you are a constituent.
- Do not criticize or become involved in a debate.
- Chances are, the call will only last 2 minutes, so being to the point is critical to getting your message across.
- Conclude the call by thanking the legislator or staffer for their time and attention to the issue.
- Even if advocates do not speak to the legislator directly, the staffers are the ones who have the ear of the decision maker. Give them the message on the issue at hand.
- Call the legislator at their contact number at the capitol; it has more impact than calls to the local office. If they are home on recess, however, the local office may be the best place to reach them.



Visiting Legislators: Face-to-Face Meetings

Every citizen has the right to seek a meeting with their legislators (The Democracy Center, 2003). Meeting legislators face-to-face is the most effective way to get your message across. Advocates can meet decision makers in the capitol, but you can also have them on your turf. Invite legislators to a membership gathering, or to a location that supports people with mental retardation. This can help advocates convey their message in human terms.

Some important rules to remember when meeting with legislators include:

- Make appointments as far in advance as possible for the amount of time needed.
- Arrive early, but be prepared to wait.
- If advocates are meeting a legislator in the capitol, keep the group small as legislator offices are not large enough for hundreds of people.
- Choose a spokesperson for the group, or agree on a speaking order. This will assure the message is concise and clear.
- Make the group diverse. Include self-advocates, family members and professionals—people who can address an issue from multiple sides.
- Be informal, but not disrespectful.
- Avoid using acronyms and jargon. The legislator may not be familiar with terms (e.g. HCBS, IDEA, ADA, MR).
- Know in advance with whom advocates will meet. If it's an aide and not the legislator, that's OK. They are the portal to getting information to the legislator.
- Be specific about what the desired action is from the decision maker (act on a bill, support increased funding, etc.).
- Be prepared to answer questions.
- Bring information to leave with the legislator. Include information on the issue, as well as how the legislator or their aides can contact advocates for further information, as well as information about the organization or coalition advocates are representing.
- Follow up. Advocates need to send a thank you letter, provide further information, and stay involved in what the legislator does next.



Public Hearings and Testimony: Telling Your Story

The purpose of public hearings and testimony is to give individuals and groups the chance to interact and exchange information, and to provide citizens and advocates the opportunity to express their opinions to legislators.

Public hearings are generally held after a bill is assigned to a legislative committee. It can also be scheduled to get input into drafting rules, or to see how well current laws or programs are working. Sometimes they are held as a requirement by law before a statute can be approved or implemented. They are usually held in the capitol, but can be held back in a legislator's district as well.

Hearings can also be sponsored by agencies, such as the Texas Health and Human Services Commission. Citizens can make public comment and communicate with decision makers in these agencies at public hearings.

Attending public hearings organized by the legislator or a committee, or by other organizations, can be an excellent occasion for advocates to learn what the status of an issue is. It is also a chance for advocates to provide information and education to legislators and their aides on ongoing issues of importance. Offering your expertise to committee members or staffers can mean they come to rely on you for information. Finally, it is a great opportunity to find out what other groups are interested in the issue. This can help foster collaborations on future issues.

Other reasons public hearings are important are to:

- Educate and influence legislators
- Educate the public
- Publicize positions, problems and solutions
- Test reactions to positions
- Learn what others are thinking and asking about the issue

With testimony, individuals are called on to give prepared statements on the issue being addressed at the public hearing. This is the chance for advocates to tell their story and humanize the issue. Tips for developing testimony include:

- Become familiar with the issue and how it affects you and others.
- Gather available data, including pertinent statistics. Legislators want hard data (cost of care, numbers on waiting lists, etc.).
- Begin by identifying yourself, the group you represent, the bill number and title, and your position.

- Be brief and accurate, leaving out lengthy philosophizing and avoiding clichés, repetition or threats.
- Use personal examples to make your point.
- Do not make claims you are not prepared to defend.
- Prepare a written copy of your testimony to leave with committee members, attendees, and the media, including your name and contact information for further questions from the legislator(s).
- Have large representation of groups and other advocates testify as well.
- End by thanking the committee or the legislator for the opportunity to testify.

Actual sample testimony can be found on the following page.

House Committee on Appropriations Subcommittee on Health and Human Services
Comments on the Texas Department of Mental Health and Mental Retardation
(LAR, FY 2004-2005)

By Richard Garnett, President, The Arc of Texas

Good morning. My name is Richard Garnett. I am President of The Arc of Texas, the state's largest non-profit volunteer organization creating opportunities for people with mental retardation and other developmental disabilities to be included in their communities.

I want to talk to you about A Texas Tragedy. It's the situation that occurs when the state's budget priorities don't include community-based services for Texans with disabilities.

It's a Tragedy when, due to lack of community services, an elderly couple spends worried, sleepless nights wondering who will take care of their 56 year old son with mental retardation after they die.

It's a Tragedy when Moms and Dads break up because of the incredible stress that comes with living with the needs of a child that has severe disabilities without in-home support services like respite care and therapies.

It's a Tragedy when a family must look to putting their daughter who has a disability in a state institution, at a average cost to the state of over \$100,000 per year because they can't get the much less expensive home and community supports that would enable her to stay at home—her own home.

It's a Tragedy when these stories are repeated again and again, every single day, in every part of the state.

It's a Tragedy when, in Texas, more than 20,000 of our friends and neighbors with mental retardation and other developmental disabilities who apply for needed community-based services are placed on a waiting list and are told to wait.

It's a tragedy when some of these folks wait seven, eight, nine even ten years before they can receive the services that the law of the land says they should have and to which they are entitled.

It's a Tragedy that someone who is added on the list today might have to wait for services for 20, 30, 40, or more years if the current rate of service expansion is not accelerated.

It's a Texas Tragedy when a mother of a daughter who has severe disabilities—and who is really sick and really fragile—expects that her daughter will likely die before her name ever comes to the top of the waiting list.

It's a Texas Tragedy when families must bring a federal suit to seek relief for their loved ones who continue to wait for services.

As an advocate, as a father of a son with disabilities, and as a Texan I am shamed by how our state treats our citizens who have mental retardation or other developmental disabilities.

- *We don't make our children wait for ten years to enter elementary school.*
- *We don't wait ten years before we put our felons behind bars.*
- *We don't tell Granny to wait ten years before we will have an open nursing home bed for her.*

What in the world makes it right for us to tell our next door neighbor who has mental retardation "sorry, you'll just have to wait ten years...or more."

I believe that most Texans want to take pride in the way we support our citizens with disabilities. I believe that most Texans want our state to provide the services that their friends and neighbors who have mental retardation and developmental disabilities really need. And I believe Texans are willing to pay for it.

This Texas Tragedy has gone on way too long. This tragedy must not continue—not for another ten years.

Make it a priority. Find the money. End the waiting list.

Thank you for your time and consideration of these comments.



Using the Media

The purpose of trying, as an advocate, to influence the media is to get your message to the public so that citizens can become educated and sensitized about the issues. Public opinion can be a powerful tool in advancing the issues.

Advocates work with the media to increase community awareness about an issue, to change attitudes about people with mental retardation and other disabilities, to promote support for programs, to influence policy, and to reach out to self-advocates and families with information and support.

The three rules to working with the media are:

- Read, watch and listen. Get to know the local reporters for each “beat” (medical, features, public policy, etc.), and keep their contact information handy.
- Respond to coverage. Form relationships with reporters by giving feedback about their coverage of an issue.
- Be a resource. Reporters need story ideas, so help them develop stories about people affected by your issue. Invite them to events and meetings. Provide them with information about the issues at hand.

Media exposure comes in many different forms, such as:

- News
- Investigative reporting
- Educational features
- Human interest stories
- Editorials
- Letters to the editor
- Public service announcements

Cultivate the local media by well-timed use of news releases (provides all the information on an issue) and news advisories (announces happenings). Do not overwhelm with trivia, but follow-up all releases with phone calls. Advocates can identify the reporters most likely to be assigned to your subject matter, and stay in touch. Discuss possibilities for special features with them, and offer to help them put stories together.

When planning activities (hearings, meetings, forums), plan with media coverage in mind. If the media has agreed to attend a gathering, let decision makers and their staff know that. Legislators are always on the look out for media opportunities of their own, so use that to your advantage.

Getting a decision maker to an event can garner more interest in your event, which gives more opportunities for media coverage. It's a cycle—it's all linked.

Having an always-ready media packet for distribution at events for reporters or media outlets helps advocates provide consistent, up-to-date information in a timely fashion. Information that should be incorporated in any media packet include:

- Cover letter—a letter of introduction explaining who you are and why you are contacting the reporter (used when sending information to the media)
- Press release—remember the who, what, where, when and why
- Fact sheet—information about your organization, including number of members, history of the organization, and resources
- Brochures—local brochures about mental retardation, local services, general information
- Biography—information on the person you want the reporter to write about or interview (if applicable)
- Relevant material—any other materials you want the media to have, such as reports, state bills, funding estimates, etc.

(NAMI TX, Developing & Enhancing Successful Advocacy Organizations)

Since paid advertising can be expensive, consider free media possibilities that can get your message out to the public. Be creative, but judicious, in requesting these.

Unpaid television and radio coverage on commercial and public broadcasting include:

- Public Service Announcements (PSAs)—many stations are required to provide a certain number or percentage of these in relation to their regular programming.
- Newscasts—local stations may want to do a story on either the issue itself, or an individual advocate's story.
- Editorial Commentary—most news stations have regularly scheduled editorials from senior staff members; get issues in front of them through phone calls or meetings.

Unpaid newspaper coverage includes:

- Editorials—most major newspapers will print editorials on selected issues.
- News stories—cultivate relationships with editors or newspaper contacts.
- Feature stories—these stories usually include photographs and more in-depth information on the issues.
- Letters to the Editor—be as forceful and persuasive as you can by using your best arguments and by citing specific examples. Sign your letter, including address and phone number.

News releases (also called press or media releases) are used when a group wants to announce an event, make a statement, take a stand on an issue, or make a challenge (usually to a legislator or decision maker). Remember to answer the “who, what, why, when and where” when deciding to

use a news release. Over use of news releases can dull the media's attention to your organization, so use them when something is truly newsworthy.

When writing a news release, consider these guidelines:

- Use letter-sized paper, double-spaced with wide margins, one side only.
- Identify the organization in the upper left corner, and provide the name and phone number of a contact person.
- Type any instructions in all caps (e.g. FOR IMMEDIATE RELEASE, or FOR RELEASE: DATE).
- Write a text-like news story, answering who, what, where, when, why and how. Include the most important information in the first paragraph.
- Use quotes to make your point strongly, but do not use abbreviations or jargon.
- Use active rather than passive verbs. It involves the reader in the information.
- At the end of the release, type “ ** ” to signify the end of the information.
- If newspapers will accept photos, provide them. Always attach a typed, one or two sentence caption to the back of the photo to identify people, place and action.
- Hand deliver, fax or mail the release to the appropriate people. For daily newspapers, to the city desk; weekly papers, the editor; radio stations, the news director; and television stations, the news assignment desk.

A sample news release follows.

The Arc of Texas, Debbie Jones, (555) 444-1234

FOR IMMEDIATE RELEASE:

HOUSING GRANT GOES TO SMITHTON PEOPLE FIRST GROUP

A \$50,000 grant from the Luke Charitable Trust will provide seed money for the Smithton People First group to develop a housing cooperative for accessible new housing construction in the county. The cooperative's first venture will be construction of a six-unit condominium complex that will house eight individuals, including one person who uses a wheelchair and needs assistance with a number of daily living tasks.

Tom Irwin, spokesperson for the People First group, said of the grant award, "Coop housing is something we have been planning for over three years. This generous grant will begin to make our dreams of accessible housing a reality." The group has done extensive research on housing cooperatives, including visits to several successful coops.

Elizabeth Simmons, of the Luke Charitable Trust, commented that assisting communities to provide more opportunities for individuals with disabilities to live, learn, work and play in communities is a high priority for funding. "We were impressed with Smithton People First's strong commitment to the project and thorough research into housing coops."

Construction is expected to begin within the next 6 months.

* *



E-Advocacy: Using the Internet

The internet can be a powerful tool for advocates. Using the internet is not just limited to sending emails to legislators. Advocates can use the internet to get their message out, contact volunteers, as well as communicate with decision makers and their staff.

When using email to write to legislators, many of the same rules for letter-writing apply. Email allows advocates to communicate with decision makers from work, home, libraries, community centers—wherever the internet can be accessed. It allows for immediate and timely action across geographic areas.

According to OMB Watch, a nonprofit government watchdog agency in Washington DC dedicated to promoting government accountability and citizen participation in public policy decisions, "Hill staffers and system administrators, in sharing their views on how incoming electronic mail is handled, continually make clear that their primary concern is addressing and responding to electronic mail from constituents, and effectively weeding out mail from non-constituents and routing that to the appropriate member. An additional problem is meeting the expectations of people who send electronic mail. They expect their e-mail to be answered online and immediately. It's even worse if you do manage to respond immediately to an e-mail, as that only raises the expectation for all subsequent mail to be answered as quickly. Staffers have said that if you are not a constituent, and if you do not provide contact information, including an address and phone number, then your e-mail won't be answered."

While email is convenient to advocates, it may not necessarily be the best way to communicate with legislators. It is much more effective to do so by phone, written letter, or in person. However, if advocates choose to use email to communicate with legislators and their staff, here are a few tips to increase its effectiveness:

- Identify the subject of your message in the "Subject" line. Do not use vague description lines such as "Info", rather specific words about your message, such as "House Bill 000", or "Support for Disability Funding".
- Print copies of your messages and use them to document the communication.
- Do not use email to overwhelm a legislator's inbox. If advocates "stuff" the legislator's inbox, chances are the communications will be ignored.

According to E-Advocacy for Nonprofits, by the Alliance for Justice, some possible alternative uses for email include:

- Sending an alert to groups of advocates
- Contacting a legislative staff member with information on issue developments
- Sharing information on an issue with other agencies or groups interested in similar issues
- Sending notices for public hearings or issue meetings to participating advocates

Action alerts are another use for the internet. They are calls to action to advocates on a certain issue. They can be sent via regular mail, communicated to advocates over the telephone, or sent via email and website postings. Like any form of communication, there are pros and cons of each:



Regular “Snail” Mail:

- + Pros: Written communication assures advocates will have a clear statement of the need for action.
- Cons: Since mail takes a couple days to reach advocates, precious time can be lost in communicating with officials in large numbers.



Telephone:

- + Pros: Advocates can contact others for action more quickly than with other forms of communication.
- Cons: Since there is no written form of communication to give each advocate via the telephone, the likelihood of mistakes made in regard to message and target is greater.



Email:

- + Pros: The same benefits of written communication in regard to consistency of message; advocates can instantly forward the message to friends, family and other concerned citizens in an instant; links to organization websites and legislator emails links can be included.
- Cons: Since email is so widely used, some persons tend to ignore emails from people they do not know or do not agree with the cause.

Action alerts are used to generate action by advocates when a decision maker is set to make a decision on a key issue, and can be a lucrative tool for advocates when immediate action is required to impact policy. A sample action alert follows.

Action Alert--
Immediate Action Required!

House Committee to Move on IDEA Reauthorization

April 4, 2003

Background:

The House Education and the Workforce Committee is schedule to markup H.R. 1350 on Wednesday, April 9, to reauthorize those components of IDEA scheduled to expire on September 30 and make other revisions to the law. Full Committee action follows by one week a mark up by Education Reform Subcommittee of that committee. Despite some changes made by the subcommittee, H.R. 1350 as written is still strongly opposed by The Arc, UCP and most other disability advocacy organizations.

Among the most problematic provisions in the bill are:

- The procedural safeguards in current law are gutted and replaced by new provisions giving wide latitude to school authorities to discipline students with disabilities as they do students without disabilities.
- IEP provisions are altered including the removal of benchmarks and short term objectives and allowing schools and parents to craft three year IEP's.
- IDEA's enforcement provisions are significantly weakened.
- There are numerous other problematic provisions in the pending bill.

Action To Be Taken:

Members of the Education and the Workforce Committee need to be contacted immediately, before the Wednesday markup. Tell your legislators to:

- 1. Oppose H.R. 1350 as written, and**
- 2. Postpone the markup until it can be broadly disseminated to parents and advocacy groups around the country for their input.**

Please generate as many calls, e-mails, and faxes to the Members of the committee from your state. All Members offices can be reached by calling (202) 224-3121, or use The Arc's Action Center located on The Arc's web page at www.thearc.org.

* Expires April 9 *

Glossary of Federal Legislative Terms

ACT: A bill or measure after it has passed one or both chambers of Congress. Also used to denote a law in place.

Adjournment: Ends a legislative day (recess does not end a day).

Adjournment Sine Die: Adjournment with not set time to meet again. Denotes the end of a Congressional session.

Advice and Consent: Constitutionally-based power of the Senate to advise the President and give consent to proposed treaties and Presidential appointments.

Amendment: A proposal to change, or an actual change to, a bill, motion, act, or the Constitution.

Apportionment: Allocation of legislative seats by law. The 435 seats in the House of Representatives are apportioned to states based on each state's population.

Appropriation: A legislative provision of funds for a specific purpose.

Authorization: A legislative action establishing a program and general amounts of money to fund that program. An appropriation provides the actual funds.

Bill: A proposed law.

Budget: The President's annual proposal to Congress anticipating revenue and expenditures by the federal government for the upcoming fiscal year.

Calendar: A list of bills or resolutions to be considered by a committee, the House, or the Senate.

Caucus: The meeting of members of a political party, usually to decide policy or select members to fill positions. Also refers to the group itself.

Chamber: Either the House of Representatives or the Senate.

Clerk of the House: Chief administrative officer of the House of Representatives.

Cloture: The closing of debate in the Senate, or ending of a filibuster by the required 3/5 vote (60 Senators), thereby allowing a bill to be voted on.

Committee of the Whole: Business is expedited in the 435-Member House of Representatives when it resolves itself to the Committee of the Whole House on the State of the Union. Rules are relaxed and a quorum is easier to obtain. The committee must comprise a minimum of one hundred members.

Conferees: Members of a conference committee that is composed of Senators and Representatives named to work out differences between same-subject bills passed by both chambers.

Congressional Record: The Government Printing Office publishes this daily account of House and Senate debates, votes, and comments.

Continuing Resolution: Legislation providing continued funding for a federal department or program, usually at the previous fiscal level. Used when Congress has failed to pass a necessary appropriations bill for a new fiscal year.

Enacting Clause: The initial language in a bill saying “Be it enacted.” To kill a bill, a legislator will move to “strike the enacting clause.”

Engrossed Bill: Official copy of a bill passed in identical form by the House and Senate.

Executive Session: A meeting closed to the public.

Extension of Remarks: Comments that were not spoken on the floor, but inserted into the Congressional Record by a Senator or Representative.

Filibuster: Talking and debating a bill at length in an effort to change it or kill it. Easier in the Senate than in the House because of the Senate’s more relaxed rules concerning debates.

Fiscal Year: A twelve-month period for using federal funds, beginning October 1. It is the year in which the period ends.

Franking Privilege: The right of a Senator or Representative (or member of a Federal agency) to use the U.S. Postal Service for official business at no charge.

Germane: Pertinent, bearing on the subject.

Hopper: Box in which proposed bills are kept.

Joint Committee: A committee of Senators and Representatives.

Majority Leader: Leader of the majority party in either the House or Senate.

Markup: The section-by-section review and revision of a bill by committee members.

Point of Order: An objection by a Senator or Representative to a rule being violated.

President Pro Tempore: The Vice President is the President of the Senate, but is present only for crucial votes. In his place, the Senate elects temporary president who presides, or, when routine measures are being considered, assigns the job to a junior Senator.

Previous Question: By a motion to “move the previous question”, a Representative seeks to end debate and bring an issue to a vote. Senators do not have this debate-limiting device.

Private Bill: A bill that provides for special treatment of an individual or business entity.

Privilege: A privileged question is a motion that is considered before other motions. A “question of privilege” relates to the personal privilege of a Senator or Representative.

Quorum: The number of members of a legislative body who must be present before business may be conducted.

Ranking Member: A member of the majority party on a committee who ranks first in seniority after the Chair.

Ranking Minority Member: The senior member (in terms of service) of the minority party on a committee.

Recess: Concludes legislative business and sets at time for the next meeting of the legislative body.

Report: A committee’s written record of its action and views on a bill. The committee reports its findings to the House or Senate.

Resolution: A formal statement of a decision or opinion by the House or Senate, or both. A simple resolution is made by one chamber and generally deals with that chamber’s rules or prerogatives. A concurrent resolution is presented in both chambers and usually expresses a Congressional view on a matter not within Congressional jurisdiction. A joint resolution requires approval in both chambers and goes to the President for approval. Simple and concurrent resolutions do not go to the President.

Rider: A provision added to a bill so it may ride to approval on the strength of the bill. Generally, riders are placed on appropriations bills.

Secretary of the Senate: The chief administrative officer of the Senate.

Sergeant-at-Arms: Legislative officer who maintains order and controls access to the chamber at the direction of the presiding officer.

Speaker: Speaker of the House of Representatives presides over the House. In effect, elected by the majority party in the House. Next in line of succession to the Presidency after the Vice President.

Suspend the Rules: A motion in the House intended to quickly bring a bill to a vote.

Table a Bill: A motion to put a bill aside, thereby removing it from consideration, or killing it entirely.

Unanimous Consent: A timesaving procedure for non-controversial measures. Measures are adopted without a vote when a member simply says, “I ask unanimous consent for...” and states the proposal.

Union Calendar: The calendar on which money bills are placed in order of the dates on which they are to be reported by committees.

Veto: Power of the President to negate any measure passed by Congress.

Whip: A legislator chosen to be assistant to the leader of the party in both the House and Senate.