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# Advocacy & Blisters: Making Your Voice Heard on the Hill!

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DE-DC-MD Spring Conference 2012

# Can I make a difference?

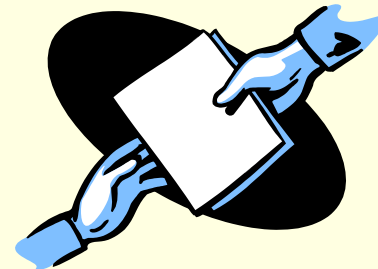
Can I influence change to help students  
afford a college education?

**ADVOCACY**

# What is *Advocacy*?

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Taking a message to our state and/or federal legislators and agency decision-makers on a wide range of subjects and through a variety of communication channels – in an effort to nurture public support or simply ensure that decisions are made with complete information.



# What We'll Cover Today

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- Difference between a Law and a Regulation
- Overview of the legislative process
  - Where, when and how you can participate
- Process for Regulating
  - Where, when and how you can participate
- Tools Available
- A colleague new to Hill Visits will share her experience on the Hill last month!

# When to Act



## Timing is important

- If you contact a legislator too soon, the issue can get lost because it's not on the legislator's radar screen
- If you contact them too late (*after the legislative body has acted*), it is a lost opportunity
- The same is true for the regulatory process, though to a lesser extent.
- Knowing who to contact is also important!

# Know the Legislative Process



- Anyone can present an idea to his/her legislative representative (s). If Congressman supports your idea, it may become a bill.
- If the bill is introduced, it will be discussed and may be assigned to a committee.
- It is at the committee level where the impact is most likely to be had.

# The Education Committees

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## The Senate Health, Education, Labor, and Pensions Committee

- <http://www.help.senate.gov/>
- 22 members from 21 states

## House Education and Workforce Committee

- <http://edworkforce.house.gov/>
- 40 members from 24 states

# How Does a Bill Become a Law?

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- Bill is introduced!
- Assigned to Committee
- After discussion, negotiation and modification, voted on
  - If passed, moves to the full floor
  - If not passed, it ends there
- After discussion and negotiation on the floor, it is voted on
  - If passed, it goes to the other House, for the same process.
  - If not passed, it either dies or is sent back to Committee
- The same process occurs at the other side of Congress
- Once both sides of Congress have voted favorably on the same bill, it goes to the President for signature or veto



# The Bill in Committee

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- This is where the opportunity for impact exists – at the committee level.
- Amendments can be made.
- The bill can be reported on favorably, voted down, or tabled (possibly to die)
- If the committee votes favorably, the proposed bill goes to the full legislative body.

# After Leaving Committee

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- The process repeats itself with the full legislative body – however significant amendments are more difficult to achieve at this level.
- If voted on favorably, the bill goes to the other house (*Senate to House, or House to Senate*) to repeat the process.

# The Back and Forth

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- When a bill that is passed by one house is sent to the other, if any changes are made AND it is voted on favorably, the bill goes back to the original house for another vote.
- More commonly, both houses have a similar bill come up through committee. Changes may be negotiated and made at the level of the full legislative body to bring the two bills into sync. Or the bill may be sent back to committee for that purpose.

# Final Steps

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- When both the House and Senate come to agreement and vote to pass a single bill, it goes to the President.
- The President will either veto the bill, or sign it.
- If the President signs the bill, it becomes law.
  - If the President vetos it, a 2/3<sup>rd</sup> vote by the House and Senate can override the veto to make the bill in to a law.

# The Federal Budget Timeline

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- February: President presents his proposed budget to Congress
- February to June: House and Senate Appropriations Committees hold hearings and draft spending bills.
- May to August: Subcommittees vote on the draft bills.
- July to September: Conference committees meet to resolve the difference between bills. If passed, resolution is sent to the President – to sign or veto.
- By October 1: New FY begins. Programs in bills not signed by the Presidents remain unfunded. Only a continuing resolution by Congress can provide temporary funding.

# What Bills are Currently in the Hopper?

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At Thomas.com (Library of Congress!) you can search any bill or proposed bill by agency, at the committee level, or in the full house. You'll be able to find the history - who introduced and co-sponsored the bill, and the most current activity.

<http://thomas.loc.gov/home/thomas.php>

# NASFAA's Major Policy Areas for Advocacy

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[http://www.nasfaa.org/Advocacy/Advocacy, Policy, and Research.aspx](http://www.nasfaa.org/Advocacy/Advocacy,_Policy,_and_Research.aspx)

- Increasing access to higher education, including early awareness and outreach
- Simplifying student aid systems
- Encouraging college persistence & completion
- College savings and financial education
- Minimizing student indebtedness and emphasizing grant and work aid
- Supporting the primacy of need-based aid

# NASFAA's Core Advocacy Principles

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- **Promote fairness and equity for students across all sectors of postsecondary education, with a particular emphasis on low-income, underrepresented and underserved students;**
- Stress the primacy of need-based aid;
- Support policies that address the needs of disadvantaged students;
- **Advocate accountability;**
- Encourage simplicity and predictability;
- Empower student financial aid professionals and their schools with the flexibility to respond to the specific needs of their students;
- **Recommend policies that accommodate the diversity of academic delivery models;**
- Encourage the use of technology wherever possible;
- **Eliminate statutory requirements that use financial aid to enforce unrelated social policies;** and
- **Validate proposed recommendations with research and data analysis wherever possible.**



# How To Start?

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## How do we advocate for legislative change?

- Contacting legislators by e-mail, telephone, or in person (*No letters re postal mail!*)
- Coordinate with other groups (*Federal Relations Committee, Student Government Associations, other volunteer advocates*) to discuss issues
- Hosting a visit by a legislator

# Setting Up a Hill Visit

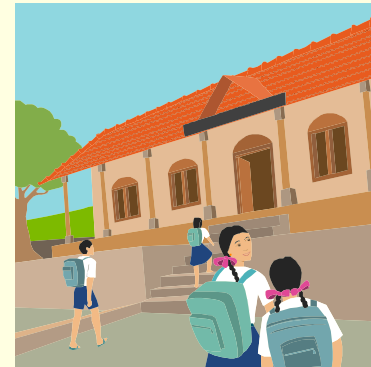


- Call or email the legislative offices you wish to visit. Usually the offices of legislators sitting on an education committee are the most productive to visit. You can find the contact information for the legislators at
  - <https://writerep.house.gov/writerep/welcome.shtml>
  - [http://www.senate.gov/general/contact\\_information/senators\\_cfm.cfm](http://www.senate.gov/general/contact_information/senators_cfm.cfm)
- When you call – state the reason for you are requesting a meeting clearly and concisely; be polite and respectful.
- Generally, you are a requesting a meeting with the Legislator’s Legislative Aide for Education.
- If you are a constituent of the Legislator, be sure to mention it.
- Request a specific day for your visit.
- Prepare a Briefing Document, or other summary outline for the Legislative Aide for your appointment.

# During Your Meeting

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- Cite relevant facts; legislators love numbers and statistics
- Include true stories about your students – examples which specifically demonstrate your point



# During Your Meeting

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- If you are expressing concern with proposed or current legislation, be specific with why.
- Offer alternatives and consider compromise. Show that you are reasonable and willing to consider all the factors that the legislator must contend with.
- Ask for a specific action to occur.



# After Your Meeting

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- Thank the official for considering your views.



- Follow up with a thank you note.
- Keep going back; that's how relationships are formed!

# How Do I Prepare?

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- Do your research!
- There are many resources out there.
- Your institution belongs to many associations, and many associations, membership or not, who have great information – NASFAA, NACUBO, NCHELP, etc.

# Good Resources on HEA

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- NASFAA's HEA Implementation Resources  
[www.nasfaa.org/SubHomes/HEA/home.html](http://www.nasfaa.org/SubHomes/HEA/home.html)
- NCHELP - <http://www.nchelp.org/>
- Congress – <http://thomas.loc.gov/>
- Or contact your Federal Relations Committee members and we'll provide other resources for you.

# February 2012 Hill Visits

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- More than 30 FA Administrators – more than half who had never done a Hill Visit before!
- The offices of 27 legislators – all education committee members. (12 Senate and 15 House)
- Each group of 4 visited with 3 to 4 legislative offices.

What was it like?



# Contact Your Representatives!

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You know better than anyone the impact on your students of proposed legislation and proposed rules.

Utilize your resources to stay up to date  
and

**Utilize Your Voice!**

# Negotiated Rulemaking



What's the Point?

# Negotiated Rulemaking

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At it's best and most simple, a bill that becomes a law.....

- Passes at committee.....
- Passes at full legislative body.....
- Goes to other side of the Congress and process repeats itself.....
- Goes to the President and is signed into Law.
- *And of course, is fully implementable as is.*

# What is a Rule?

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A rule or regulation is the equivalent of an implementation manual for a part of a statute or act of congress.

For example - more detailed instructions or prohibitions regarding activities that are addressed by the statute.

# Who Writes Rules?

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Generally, the Staff of the Federal Agency, which in our case is the U.S. Department of Education.



# After a New Rule or Change to a Rule is Proposed...

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- The proposed rule is circulated for public comment (NPRM) in the Federal Register.
- The Department of Education will analyze the results, and incorporate or not.
- The rule is published in final form.
- The final rule is incorporated into the U.S. government's Code of Federal Regulations.

# Negotiated Rulemaking



- A process that brings together representatives of various interest groups and a federal agency to negotiate the text of a proposed rule BEFORE it is circulated in an NPRM.
- All federal agencies are now required to implement the Negotiated Rulemaking process.

# Negotiated Rulemaking

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- Goal – consensus
- How is this different from Roberts Rules?

*Can you imagine running the meetings  
In your office this way?*



# Advantages/Goals

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- Can include a well-balanced group of public and private sector industry representatives.
- Include parties directly impacted by the rules!
- Develop proposed rules that will be more pragmatic and can be implemented earlier!



# Advantages/Goals cont.

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- Better creative problem-solving based on the diverse experience & skill sets of the negotiators.
- Rules more well thoughts out.
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- Reduce number of public comments and little change after public comment required.
- Reduce litigation.



# How does “NegReg” work?

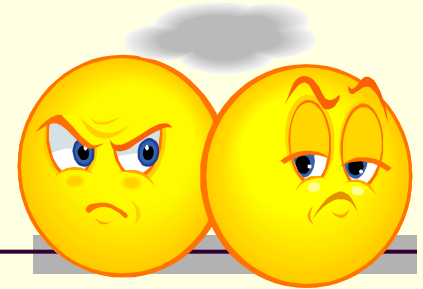
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- Balanced mix of people nominated/invited to participate (12-25 people)
- Neutral mediator
- Department of Education has 1 vote
- 3 to 4 meetings lasting 2 to 3 days each over a 3 month period
- Open to the public!!!!
- Consensus on ALL issues is required



# Student Loans Team 2012

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Students

FA Administrators

Public 2-Year

Public 4-Year

Private Non-Profits

Proprietary

Guaranty Agencies

Accrediting Agencies

Bursars

Legal Assistance

Consumer Advocacy

Inst. Third Party Servicers

State Attorney Generals

Lenders and Servicers

Dept of Education

# Student Loans Team Agenda

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25 Issues Listed!

- IBR & ICR
- Several loan discharge issues
- Repeal of FFEL regs and modification of DL
- A few loan forbearance issues
- A few loan rehabilitation issues
- School Enrollment Status Reporting Requirements
- Several Perkins issues

# Teacher Preparation Team 2012

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Postsecondary Students

Teachers

Organizations representing teachers and teacher educators

FAAs

Business Officers at post-secondary institutions

State officials

2-year public institutions

4-year public institutions

Private nonprofit institutions

Tribal college and universities

HBCUs

HSIs

Operators of programs for alternative routes to teacher certification

Accrediting Agencies

Elementary and Secondary Students and Parents

School and LEA Officials

Department of Education



# How Do You Fit In?

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Talk to Your Negotiators!

# How Do You Fit In?

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**Proximity!**

**Visit a Negotiated  
Rulemaking Meeting!**



# How Do You Fit In?

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## Respond to NPRMs!

A few years ago the NPRM results were:

- Loan Issues NPRM – 242 comments
- ACG/SMART NPRM – 52 comments
- Gen Provisions NRPM – 22 comments

How many responses do you think ED got to the Gainful Employment NPRM???

# In Summary

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- What is a law versus a regulation?
- Who do you contact to change a law?
  - How?
- Who do you contact to change a regulation?
  - How?
- Is it possible to make a difference?

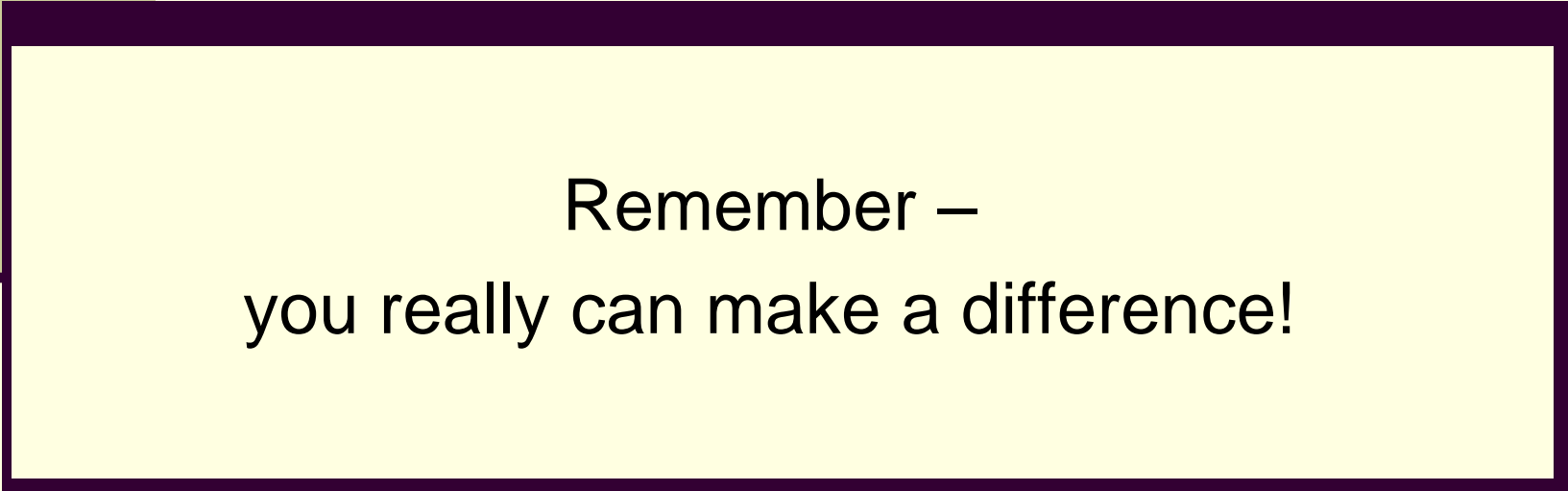
# Good Resources on Current Negotiated Rulemaking Loan Table Issues

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- NASFAA –
- [http://www.nasfaa.org/advocacy/neg-reg/Student\\_Loan\\_and\\_Teacher\\_Preparation\\_Negotiated\\_Rulemaking.aspx](http://www.nasfaa.org/advocacy/neg-reg/Student_Loan_and_Teacher_Preparation_Negotiated_Rulemaking.aspx)
- Dept of ED –
- <http://www2.ed.gov/policy/highered/reg/hearulemaking/2011/index.html>
- Or contact your Federal Relations Committee members and we'll provide other resources for you.



Thank you!



Remember –  
you really can make a difference!