

FBA GOVERNMENT RELATIONS: THE CASE FOR ENGAGEMENT

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The philosopher Plato said that the punishment of wise men who refuse to become involved in the affairs of government is to be ruled by unwise men.

From a more contemporary source -- United States Senator Thad Cochran, comes this parable:

A disgruntled person was overheard saying, "I'm not going to have anything to do with politics anymore." An eavesdropper spoke up and said, "Well, politics is going to have a whole lot to do with you."

Whether you like it or not, politics, like public policy, is everywhere, and it affects everybody; and under our system of government it is everybody's business.

If you don't participate, if you decide to drop out, someone else will take your place. They will occupy your seat; they will cast your vote; they will choose your representative for you. They will make sure that their best interests -- not yours -- are communicated to government decision makers.

Political participation is more than going to the polls on election day. It is staying involved and being up to date on the issues and the problems facing the Congress and your profession or your industry.

Does this sound like a worn-out civics lesson to you? Corny or lame? Far from it...

In the FBA, we owe it to our profession and to ourselves as members to be involved with government and its decision making, because many of those decisions affect us in some way.

What is government relations?

Government relations is the process of engaging primarily with the legislative and executive branches of government -- and occasionally with the judiciary -- to achieve public policy goals. Government relations occurs at the federal, state and local levels of government. The FBA's focus is primarily at the federal level.

The undertaking of a government relations program includes the functions of monitoring legislation and policy debates; analyzing factual, policy and political situations; lobbying policy makers to support or oppose a certain position; education and advocacy of the public and decision makers alike; and representation of a group's chosen interests.

Government relations involves understanding and monitoring the legislative, administrative and political processes of government, as well as the ability to research, evaluate, plan, communicate and implement strategies to advance a public policy goal and influence government decision makers to act a certain way.

In more specific terms, it encompasses tracking legislation, analyzing hearings records and legislative proposals, drafting bills and reports, researching and writing policy and position papers, providing insight to key lawmakers and their staffs, and providing advocacy for moving legislation through the Congressional committee process.

It includes providing access to key players in government decision making roles in order to communicate your position and, hopefully, to influence a decision in your favor. It means providing technical assistance in research and drafting, as well as advocacy and issue management with executive branch rulemaking and regulatory processes.

In a nutshell, government relations is all about helping to solve or prevent a problem, or obtain some desired public policy result, through government channels. Effective government relations programming requires a keen knowledge of the legislative and regulatory processes, as well as a thorough understanding of the issue at hand and its various stakeholders.

Much as in the way we use to brief cases in law school, it requires a mastery and synthesis of the facts and issue in order to arrive at a decision and rationale, but, further, it requires an appraisal of the political and public policy landscapes. Unlike a case before a court, the typical government relations issue is decided in one of the two other branches of government.

In fact, as a lobbyist and one who teaches the subject as well, I am fond of telling the unannointed that, in the government relations context, a lobbyist provides representation and advocacy for a client in the legislative and executive branches of government, much as a lawyer provides the similar professional services in the judicial branch. The rules are quite different, and the range of outcomes and results is vastly divergent. But the notion of representation applies in each case.

Businesses, organizations, causes and individuals represent themselves in Washington government relations circles in several ways:

- through in-house/corporate representatives, who are internal people assigned to do government relations work;
- through trade associations or special interest group representation -- like the FBA;
- through individual or private lobbyists, who usually hang out a shingle in law, lobbying, public relations, or government relations firms -- or who call themselves consultants;
- or, in many cases, through any variation or combination of these three models of representation; many organizations use all three -- in spades.

In the scheme of things, as a volunteer, professional membership association, the FBA has a volunteer government relations committee comprised of members who have knowledge and understanding of government relations because they work in or with government processes. The committee is staffed by a paid director of government relations who is our point person, and who is supported by the headquarters staff.

Essentially, in establishing a government relations committee, the FBA has enlisted and commissioned a group of knowledgeable individuals to help identify issues important to the FBA to think about and plan our approach to public policy issues, and to manage the issue campaign and implement the strategies necessary to advance our public policy objectives -- all at the pleasure of, and at the direction, of the national leadership and the national council.

In the field of government relations, we utilize a number of strategies and tactics to achieve public policy goals. For example:

- grassroots campaigns that energize and use connected, invested publics to get a message across and advocate a position;
- direct lobbying -- communications with Members of Congress and staff in an effort to persuade them to vote a certain way;
- education and persuasion through use of the media, written materials, and the spoken word;
- testimony before committees of Congress and administrative agencies;

- coalition building to involve like-minded groups, much as the FBA works with the judges' associations and others in support of judicial payraise and similar issues;
- political entrepreneurship, in which candidates and their campaigns are supported, and in which political relationships are exploited -- a strategy we have chosen not to employ as a matter of FBA policy;
- and, advisory panels and commissions to ensure that issues are on the radar screen of policy makers.

These and other strategies can be considered arrows in a quiver -- to be selected based on an analysis of the facts and issues, and to be employed based on the political landscape and the policy objectives or desired results.

Essentially, for our government relations program, I am making the standard case for engagement. So, why is the FBA involved in government relations at all, and in advocating certain issues specifically?

The answers are simple: because they matter to us; because we are stakeholders in those issues; because we owe our membership representation and advocacy with respect to issues deemed important to the profession and our association; because if we're not engaged in the process of helping to fashion sound public policy, then it either won't be done, or it may be done contrary to our best interests.

An understanding and knowledge of government and its players and processes are vital, as are the means to achieve desired results. But doing nothing or not being engaged are pretty lame options. The case for engagement is clear and simple: if you don't get involved in an effort to influence the process, then someone else most likely will, and the result may not be favorable.

Finally, a special note on politics and policy. In government, politics and policy development meet. However, engagement in government relations -- in public policy advocacy -- does not mean that we are politicizing our association. It means that we are recognizing the reality that the public policy processes of government are, in large measure, run by political people, and that their decisions affect policy development and, therefore, all of us.

As an association, as a matter of policy, we are bipartisan -- even nonpartisan-- in our collective strategy, our approach to government relations, and our efforts to influence the process. We are not involved with elective politics, candidates' campaigns, Democratic or Republican politics or committees, or fundraising in any sense of the word.

We have no PAC, make no contributions to any candidate for office in the name of the FBA, and give no political endorsements or support of any kind.

Let me be clear -- effective government relations can and does include all those political features and functions, but we have chosen to refrain from those activities that would politicize the FBA.

For the FBA, ours are campaigns of issues only, without regard to party or politics. So, we are not politicized. But, we are political in the sense that we are engaged with public policy processes and players.

Our goals are to build upon and maintain our political independence and autonomy, and to nurture and guard carefully our reputation as a respected, credible source and advocate for the profession in the public policy arena.