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Learning to Navigate the Legislative Maze through Fellowships

Fellowships give REEO staff valuable insight into legislative process

One of the most important roles the Army Regional Environmental and Energy Offices (REEOs) perform is to engage state legislators when a bill has the potential to affect military training or the military mission. REEOs have existed since 1995 and are uniquely authorized by the Department of Defense (DoD) to work directly with state legislators on issues impacting installations.

However, state legislative sessions are short and notoriously chaotic. To almost anyone but legislators themselves, the legislative process looks like a maze full of pitfalls and blind alleys.

Who is the right legislator to call about an issue? When is the best time to make an impact? How does a bill really become law?

Sometimes, the best way to get answers is to go right to the source, which is what REEO staff members have done. Amy Alton, Regional Environmental Coordinator (REC) for Region 3 in the REEO-Northern, and Stanley Rasmussen, Regional Counsel in the REEO-Central, completed legislative fellowships in the Maryland General Assembly in 2013 and the Kansas State Legislature in 2010, respectively. Both Alton and Rasmussen say their experiences are changing the way REEOs do business.

"I wanted to see how the sausage was made," says Rasmussen, explaining his initial interest in a fellowship. "I came to understand that issues are decided long before the legislative session starts. You need to build relationships with state legislators before you need them. If you build up trust before you have to ask, you're



likely to get help. If they don't know you, they don't know how to support you."

With a positive experience in 2010, Rasmussen encouraged Alton to explore a fellowship for herself. She and others at REEO-Northern had worked for years to establish relationships with members of the Maryland State Legislature at meetings of the Maryland Association of Counties, where elected officials congregate to discuss state legislation and regulation priorities. Once she received the backing of the Director of REEO-Northern, Jim Hartman, to become a legislative fellow, she asked the Speaker of the House of Delegates at the Maryland General Assembly to grant her access to the full 90 days of the 2013 Maryland Legislative Session. She worked directly for the Speaker of the Maryland House of Delegates, performed internship duties, and observed the legislative process up close in real-time.

Alton returned to her position as Region 3 Regional Environmental Coordinator (REC) with so much information to share with her colleagues, a lessons-learned briefing she held turned into a four-hour question and answer session.

"How you think a bill becomes law is not how a bill becomes law," Alton says now. Legislative staff and legal services groups working behind the scenes have a tremendous amount of clout.

"Just because the chair of a committee is listed as the bill author, it doesn't mean they know anything about the bill," she says. "You have to know who cares most about it and who has the most authority to intervene."

Sometimes that's the Senate secretary. Sometimes it's the House minority whip. Sometimes it's a clerk. And most often, it's not written down.

Alton also saw first-hand how an effective legislative program requires

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knowledge of the actual process and months of advance work to get the bill to the "magical" stage of a second reading. She says in Maryland, if a bill makes it to a second reading, it is likely to be successful. Nobody wants to risk political capital by ushering a bill that far unless they know it has the votes to pass.

In order for the REEOs to affect a bill's outcome requires knowing the right time to jump in. "You have to know the sweet spot for intervention," Alton says. That differs for each bill, and for each legislature. That's where really knowing the process and the players pays off.

Simply monitoring the legislation after it's been introduced won't influence a thing, she says. Meetings with legislators and staff should begin the year before, when the legislative agenda is being planned.

The Maryland Veterans Full Employment Act, which passed during the 2013 session and helps service members in Maryland get credentials to transition to the civilian labor market, had heavy involvement from the Office of the Secretary of Defense (OSD) months before the session began. It passed, Alton says, partly because OSD decided ahead of time that it was a priority for 2013.

During her fellowship, Alton watched bill proponents fail to exert any influence on bills because they did not know about or attend bill hearings. Sometimes they missed their window of opportunity altogether.

Alton handed a letter by a federal agency with comments on a bill that had already been debated in committee. The letter was sent through the postal service and arrived the day of the hearing – too late to make its way to a committee member where it might have been read. ("Snail mail" is rarely used, Alton says, because the legislative process moves too quickly now for anything but electronic communication.)

Getting those comments into the bill would have required a delegate to sponsor them as amendments, she says – and the best time to find a delegate's support isn't the day of the bill's first reading. It is months before the session begins when the delegate has time to



talk over the proposition.

Timeliness of response, the ability to plan ahead and react quickly when situations change, asking for help when it's available, and being ready to give testimony at a moment's notice – all require the REEOs to pay close attention during the legislative sessions and, when possible, maintain a physical presence at state houses. Currently, the REC for Region 9, with the Navy as lead, works from Sacramento, Calif., and is currently the only REC with a continuous presence at a statehouse.

When legislators are out of session, the REEOs need to meet with individual legislators. That can be in legislators' home districts, or, more effectively, at group events such as the Council of State Governments (CSG) or National Conference of State Legislatures (NCSL) meetings.

"Being active in CSG and NCSL has been really valuable because it

allows you to meet a lot of legislators at once, build those relationships, see them outside the statehouse setting," Rasmussen says. "You have the opportunity, once you know them, to say, 'Hey, we could really use your help on this.'"

"Everybody has respect for the military and appreciates it," he adds. "We help them understand the financial impact on a state. Some are surprised to hear we have such a huge impact. They want to help us – but they have to know us first."

The REEOs expect to capitalize on the legislative fellowship experience of its staff by developing proactive legislative agendas for states, prioritizing the environmental and energy issues that installations face, and developing a list of "asks" for state legislators who will support their journeys through the state maze.

Hartman is convinced the fellowship experience was valuable for Alton and his office, even though he had to give up his Region 3 expert for 90 days.

"It proves that an effective state government affairs program cannot be done virtually. It requires face-to-face intervention," he said. "And intervention requires outreach and networking to build and retain relationships."

For more information about the Army REEOs and their state government affairs programs, visit <http://www.asaia.army.mil/Public/InfraAnalysis/REEO/index.html>.

