



NATIONAL
ANIMAL LAW
COMPETITIONS

LEGISLATIVE DRAFTING
&
LOBBYING COMPETITION
2011 PROBLEM

You are a lobbyist for the Humane Democracy Alliance (HDA), a national coalition of more than 300 animal rights, welfare and shelter/rescue organizations, with more than one million members collectively. The HDA was formed in 2007, when its member groups became frustrated with a lack of focus and serious enforcement by USDA, FWS, NOAA, NMFS, and other agencies that have oversight responsibilities for various species. The coalition's overarching mission is to advance protections for animals through legislation, litigation, regulation, and public education campaigns and to integrate the value of animal protection and humane treatment within government frameworks and administrative bodies. HDA's specific goal is to advance legislation establishing a federal agency to enforce federal animal protection laws.

The coalition is based in Washington D.C. but has member groups, or membership for member groups, in every state and in every Congressional district. HDA has a small staff in D.C., including you and two other lobbyists who meets regularly with an advisory board comprised of leaders from some of the larger organizations. Your board members are not always like-minded and one of HDA's troubles has been finding agreement on strategy.

Most of the first three years of HDA's existence was spent in extended dialogue over both tactics and strategies for achieving a more humane democracy. Some felt everything should be pushed in D.C. with heavy emphasis on relationship-building on the Hill and in the White House. Others wanted a field-oriented approach where a long-term plan involved first passing resolutions and making change at the city and county level, then in state legislatures and finally pressing for change federally. The compromise position (to work on both approaches simultaneously but to put emphasis on the federal agency) won out. You are charged with emphasizing the federal agency aspect of the mission.

Your board includes several celebrities and well-known individuals, along with the leaders of animal protection groups listed below:

- Chelsea Clintwood, daughter of former democratic President Clintwood
- Rish Limpbag, syndicated conservative radio host
- Lady GooGoo, A-List musician and performer
- Catie Current, nightly news anchor
- Burt Burkett, former game show host
- Dorrie Dayton, 1950s movie and music icon
- Cleve Eastward, movie star and former mayor of a California coastal resort town
- Stu Wellington, executive director of Legal Protection for Animals
- Wynn Packhelly, president of the Humane Society of America
- Cate Listen, president of Institute for Animals
- Ericca Mayor, president of Concern for Not Killing Group in the D.C. area
- Francis O'Regal, president of International Animal Welfare Movement
- Edwin Sycamore, president of the American Society of Animal Protection
- Marie Mether, president of National Animal Control Group

The range of issues HDA represents is vast and includes animal research, farm animals, wildlife, companion animals and animals in entertainment. Some member groups are abolitionist while

others believe in some uses but feel there should be appropriate oversight. Some of the groups do not see eye-to-eye and are often competing for funding. On this one goal of securing a federal agency to enforce all federal animal protection laws, they do agree. They have all witnessed examples of the need for a federal oversight agency.

For example, local shelters and animal control officers have seen that the USDA has not vigorously enforced the Animal Welfare Act provisions for puppy mill breeders, resulting in seizures that impact member groups financially and organizationally. Your member groups were disgusted in the past when it took more than a year to press two federal agencies into action to seize polar bears subjected to serious mistreatment at a circus. By the time seizure took place, the bears were nearly dead and one died en route to his rescue facility. Confusion and/or competition when there is agency overlap in enforcement can lead to this problem – another reason HDA feels having a single agency charged with enforcement would be best.

HDA's executive director tells you to develop the case for and introduce a federal bill to establish the Department of Animal Welfare, a distinct federal agency that would take over enforcement of the Animal Welfare Act, the Horse Protection Act, the Humane Slaughter Act, and all wildlife laws with humane provisions. She suggests you model your bill after the development of the Homeland Security Agency under the Homeland Security Act of 2002 and possibly the National Security Act of 1947. Those two major examples of government reorganization in the modern era can inform your efforts.

You are instructed to:

- 1. Draft a bill to establish the agency, with appropriate findings related to the need for and purpose of the agency;**
 - 2. Create a fact sheet for your bill; and**
 - 3. Approach members for their sponsorship, co-sponsorship, and their votes.**
- * Your bill number as designated by Congress is H.R.105.**
 - ** Read the official competition rules for further details.**

LOBBYING ROUND #1

You are meeting with Representative Pat Chaplin (D-NJ) and Chaplin's staff to request that Chaplin introduce your bill.

REPRESENTATIVE PAT CHAPLIN (D-NJ) – A moderate Democrat with a very strong pro-animal and human rights record. Chaplin's district is suburban, with some urban areas, and Chaplin is the Chairman of the Government Oversight Committee. Chaplin grew up on a family farm where Chaplin helped during calving season and was in charge of the hen house year-round. Chaplin always felt that while it was an idyllic lifestyle and the animals did not suffer, it was hard to send them to slaughter. Chaplin wanted to become a medical doctor but dropped out of medical school when asked to perform the dog lab, where a live dog is put under sedation and various injuries are inflicted on the dog before it is euthanized.

This traumatic experience, coupled with family pressure to take over the business, led Chaplin to move back to the farm and begin pressing olives from the family's olive orchard on the side. Chaplin's organic olive oil label quickly became a favorite of local chefs and then the top gourmards in New York City. The family farm is now known as "Chaplina Villa" - the home of the East Coast's most famous and desirable brands of first-pressed olive oil.

Chaplin's son married a well-known Hollywood figure, Lady GooGoo, and the couple visits Chaplin in D.C. with an entourage of celebrity friends and groupies, attracting mostly welcome attention to Chaplin's causes. Lady GooGoo is a People for the Ethical Treatment of Animals (PETA) star, posing naked to demonstrate her commitment against fur and gaining world-wide attention to her cause.

Rep. Chaplin has never been the lead on an animal protection bill before, but has a 100% voting record on the Humane Scorecard. Chaplin is well-respected among peers for congeniality and passion for progressive causes, as well as for close ties with leadership. Chaplin went to Princetown University where Chaplin was friends with Nancy Pellini, now the Speaker of the House. They are delighted to be serving in Congress together.

Background information for your meeting: You have already spoken with the Chief of Staff for Republican Representative Steve Charlie, a pro-animal legislator in his first term representing an urban district of New York, and he is interested in being the Republican lead with Representative Chaplin as the Democratic lead, if Chaplin will agree to be the primary lead and to do most of the legwork on the bill (gathering co-sponsors, lobbying the chair for a hearing, organizing a briefing, etc.). Representative Charlie's district is home to several biotech companies and Starcross University, one of the few that has signed a pledge to stop using animals for research by 2015. He has taken a personal interest in the issue after adopting Jonathan, a rabbit who had been used for product testing. He also sits on the Agriculture Committee. You have learned that he is a close personal friend of Representative Carol Nelson (D-AL), chair of the House Agriculture Committee, and they frequently take fishing trips in Wyoming together.

Your goal for the meeting with Rep. Chaplin: You are seeking Chaplin's commitment to be the primary Democratic sponsor of your bill.

LOBBYING ROUND #2

You are meeting with Representative Alex Goldberg to ask Goldberg to co-sponsor your bill.

At this stage, H.R. 105, the Chaplin-Charlie bill, has been introduced and you now have 51 co-sponsors in the House and 8 in the Senate. You need to build your co-sponsor list to get the bill ready for committee and floor action.

REPRESENTATIVE ALEX GOLDBERG (R-MO) – Representative Goldberg, from St. Louis, Missouri, is a moderate Republican with many donors from the academic and medical community. Some have been vocal about animal rights groups who are trying to shut down their research. This includes one company president whose company was cited by USDA after a local activist took footage illegally showing rats and guinea pigs being tortured to death and pigs left with large open wounds and no vet care. The state medical association just took a position opposing H.R. 105 and secured an editorial opposing H.R. 105 in both the *St. Louis Star* and the *South County Times*.

Through a high donor, you have attempted to secure the support, or at least the neutrality, of the state Department of Agriculture but have not been able to obtain a meeting with them yet. You do have a strong advocate for your cause in the state's Republican party leadership, Mr. Smith, who sits on your board and who has provided tremendous financial support to the Republican party and to Goldberg. He holds lavish fundraising events for Goldberg in St. Louis where he advocates for animal adoption from shelters, a ban on all animal experimentation, and for organic farming methods. He always has someone from your group attending and handing out fact sheets about animal welfare. He is a former veterinarian and has strong relationships with others in the Veterinary Caucus. He also is a bit of an eccentric, with many rescued animals living in his own home with him and his wife. His wife is from an elite and wealthy family in the state and they own many of the major newspapers in the state.

Goldberg has aspirations to run for an open Senate seat in the next election cycle, so Goldberg is in intense campaign mode and is looking for positive press, especially in the more urban areas of Missouri.

Your goal for the meeting with Rep. Goldberg: You are seeking Goldberg's co-sponsorship of H.R. 105. You've secured a ten-minute personal meeting with the Representative through Mr. Smith, who will not be able to attend.

LOBBYING ROUND #3

You are meeting with Representative Carol Nelson, the Chair of the House Agriculture Committee, to request a hearing and a mark-up (a vote) for your bill.

At this stage, your bill has been introduced and has 235 co-sponsors in the House and 54 in the Senate, but has not had a hearing or a mark-up yet.

REPRESENTATIVE CAROL NELSON (D-AL) – Chairman of the House Agriculture Committee, Representative Carol Nelson is a known adversary of your organization. Nelson is generally offended by any organization that wants to promote animal protection and reacts defensively to legislation that “elevates animals over people,” as Nelson often tells the press.

Nelson’s rural Alabama district is one where you have 81 members and you have a good relationship with the local newspaper (the editor of the *Huntsville Times* is one of your biggest supporters). Nelson has often cited information from the Center for Consumer Freedom’s website when your bill’s come up, claiming that animal protection groups are extremist and are connected to terrorism. Nelson is a very religious person who respects Christian conservative values. Nelson is known for a primary political agenda of protecting the agriculture industry and corporate interests. You know that Matthew Scully’s book, *Dominion*, might be useful for your meeting.

You are well aware, given Nelson’s past hostilities to your organization, that this meeting will be difficult. Still, you hope to neutralize Nelson’s concerns enough that Nelson will allow the bill to pass, even if you cannot win Nelson’s support. While Nelson and Representative Chaplin have differing views, they are fairly good friends, so you have hope Nelson will be interested in helping the bill for the friendship’s sake, if not for Nelson’s own reasons.

Your goal for the meeting with Rep. Nelson: You want Nelson to give your bill a fair hearing and allow a vote out of the House Agriculture Committee.

FINAL LOBBYING ROUND

You are requesting a “Yes” vote on the House floor from a legislator who has not yet signed on as a co-sponsor.

At this stage, your bill has been introduced and has 235 co-sponsors in the House and 55 in the Senate, but the Chair in each committee is not willing to move the bill. You know you need to bypass the committee structure if you wish to pass your legislation.

The House Agriculture Appropriations bill is coming to the floor next week and you are going to attempt to convert your bill to an amendment to the appropriations bill to be offered on the House floor using this language: “\$1.5 million shall be appropriated to develop and implement a study of the feasibility of the creation of a new federal agency responsible for oversight and enforcement of the Animal Welfare Act. A report shall be filed by this agency no later than October 1, 2011 with findings and recommendations from this study.”

BACKGROUND INFORMATION ON THIS LEGISLATOR WILL BE PROVIDED BEFORE THE FINAL ROUND OF THE COMPETITION.