CQ Federal

Legislative Tracking

Understanding the Basics

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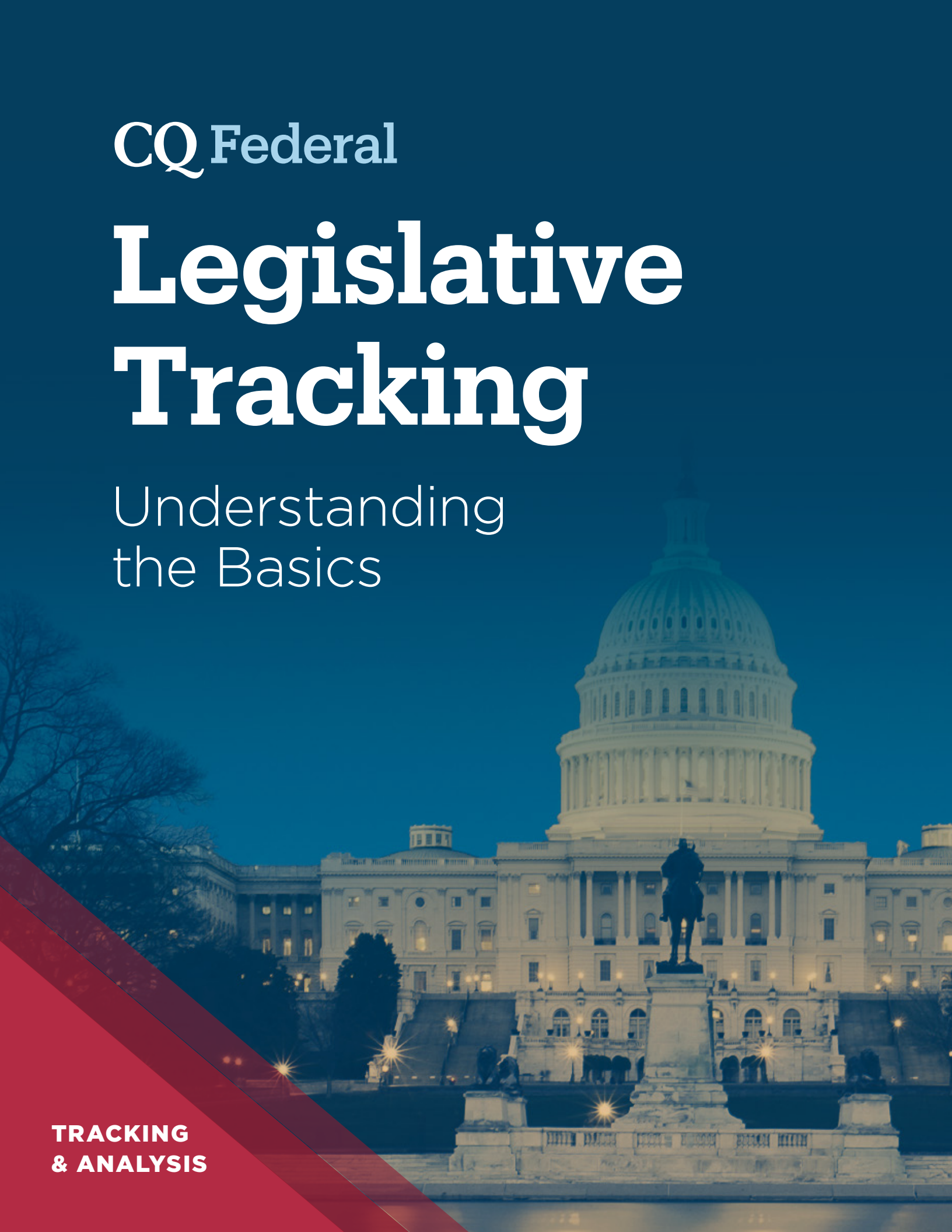
Do you have time to track every action on every bill? **With CQ you do.**

Start with the Basics

Ask anyone who follows legislation for a living how they learned their craft, and you'll often be greeted with a laugh. Sure, jobs that involve basic tracking are common enough in Washington. But useful resources are not. Many of them learned the hard way.

I t's no mystery why. In today's world of omnibus bills and inventive legislative procedures, the game changes too quickly for books, classes and training materials to keep pace. Even a degree in library science or other research-oriented disciplines only goes so far. Issues are increasingly complicated. Traditional legislative procedures no longer apply. And the pace can be maddening, with major issues languishing for months only to be sped through before a deadline. It all adds up to a dynamic gig, and it can be tough to train up.

> **" There are not a lot of resources that say here is step one, two and three. "**
>
> Kelly Harbitter
> Director of Government Affairs at *Search*

The nature of tracking also plays a role in making it a difficult art to teach. The information needs at every association, company and organization are different. A lobbying firm tracking for clients may want reports that are tightly focused on a small group of issues. An association conducting advocacy may want a broader view. Some organizations want straight facts. Others want analysis and forecasting. The result is that specialization has become extremely common, and with it another barrier to instruction.

The truth is that most analysts pick up skills from colleagues or cobble together solutions on their own, trying not to miss anything major and learning as they

go. It's not always a smooth ride. For those new to the profession, it can be extremely overwhelming.

"It is a big issue to tackle," said Kelly Harbitter, director of government affairs at Search, which helps states share information on the justice system. "There are not a lot of resources that say here is step one, two and three."

Barbara Brincefield, research and legislative director at Cahill Gordon & Reindel LLP, who has 35 years of experience, notes that the legislative system is no longer linear. "There used to be a process," she said. "You'd get to a bill. You'd get to a report. You'd get to a conference report. Today, the classical model doesn't work. They're not following the pattern."

She added: "If you've got a shiny degree in political science, and you think it's all going to go down a straightforward path, you'll be surprised."

That's exactly why CQ has created this report: to try to take some of the sting out of learning to track issues and legislation. To do so, we interviewed veteran legislative trackers about how they do their jobs, and what resources and information they would have liked on Day One. The result is a guide filled with basic strategies that can get you started, and perhaps save you some time.

Let's be honest: no one report or resource can teach legislative tracking in full. The needs of various organizations vary too widely. But advice from longtime professionals can certainly help, no matter what type of tracking to do.

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Collect Specific Information

When learning about your organization's issues, gather as much specific information as you can from your colleagues.

Make lists of the laws that are important, the bills that are in play, the people and organizations that have an impact—even the language that is used.

This information can be extremely helpful in a variety of ways, from tracking bills to developing an early warning system, so maintain these lists as issues come and go.

Where Do I Start?

While it may seem counterintuitive, experts say the place to start is within your organization, rather than in the halls of Congress.

Tanya Chin Ross, the senior policy officer for advocacy at the Local Initiatives Support Corporation, provides a good example. The organization connects local groups with public and private resources. That means they watch federal funding sources, and the appropriations process is important.

Chin Ross said she has a list of her organization's top 10 policy priorities, and then an additional 20 to 30 areas where her organization has an interest. Using professional tracking software, she sets up email alerts and tracks information on her "watches" in a spreadsheet. "It's almost idiot-proof now," she said. "Before, you used to have to work for it."

Gathering your organization's issues may seem simple, but don't underestimate the task. This by itself may require some research—and sometimes a light touch. Don't assume that everyone agrees on the top issues. Many analysts feed information to more than one person, and each may have different priorities and needs. A good example is a law firm, where one researcher may serve multiple law partners.

Meet with your colleagues and start gathering information, noting where they agree on policy priorities and where they differ. The list you have when you are done will represent the scope of your job. Also know that your organization's policy priorities may not be a fixed target. Priorities can change with the political climate, personnel moves (internally or externally) and even shifts in the client list. Whatever your method, be sure to keep pace with the changes.

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Let Information Find You

When you have targeted an issue, do everything you can to draw in information, rather than having to go gather it.

Get on the email list of every stakeholder you can find. That includes lawmakers, committees, legislative leaders, the White House, analysts, advocates and opponents. Figure out which reporters are covering the issue, and setup a Google alert for their work. This way, key information is more likely to land in your inbox.

Then, follow all of them on Twitter, and use Twitter lists to group them by subject. This gives you a place to scan for major developments.
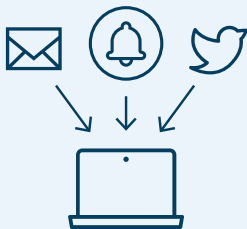
Understand Your Issues

Of course, it's not just enough to know what the issues are. You have to understand them, too. The better you know these issues, the more effective you will be at tracking. Legislative trackers are almost all carnivorous readers. "That's the easy part," said Segundo Mercado-Llorens, a Democratic lobbyist and veteran legislative tracker. He rattles off a morning reading list that includes, in part, The New York Times, The Washington Post, The Jerusalem Post, the Financial Times and The Wall Street Journal—and that's all before 8 a.m., he says. "

This record will contain a great deal of information, not the least of which is the stakeholders aligned for and against a bill. These people can then be contacted to gain even more information. "It may not be a scientific way to do it, but it does lead me to go to the roots of the issue," Mercado-Llorens said.

As you develop your understanding of the issues you're tracking, you'll become more attuned to the words and phrases most closely associated with them. If you find yourself tracking a number of issues, you'll want a tool that automatically alerts you whenever these keywords pop up as an issue unfolds. That's the primary reason that Kay Farley, executive director of the government relations' team at the National Center for Supreme Courts, uses CQ.

> **❝ I think people are sometimes surprised by the number of issues we track on behalf of the courts. There's a whole host of issues that could affect the way state courts do their business, so we need to identify those and help policy leaders understand what the impact is. ❞**
>
> — Kay Farley, *The National Center for State Courts*

With the help of a sophisticated tracking tool, Farley's team can multitask effectively.

"We all have our keywords for what we're tracking. Based on those we get an alert when something happens on a topic. We'll set up an alert for a particular bill, for example, and monitor its progress and then do analysis on whether or not it looks like it's something that's going to move, or just get introduced," says Farley.

We'll explore keywords more in the pages ahead, but before we do it's important to note that although legislative tracking software can make your job easier, effective tracking is only possible when the tracker understands the nuances of a particular issue and the language of that issue. The more you know, the more your tools can help you.

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TIP

Buying a Pro Tool

Some things to look for in a professional legislative tracking application:

- The ability to automatically track multiple bills simultaneously.

- The ability to setup email alerts.

- The capability to compare two bills.

- The capability to track changes to existing law.

- Resources on lawmakers and committees.

- News on committee and floor action.

Let the Machine Handle It

How analysts actually track bills largely depends on the scope of the job and the resources available.

Those tracking a single bill or issue might get by with free tracking applications and a spreadsheet. But any more than that and experts say it gets messy in a hurry. As Cynthia Hilton, executive vice president for government affairs at the Institute of Makers of Explosives, put it, "there's just too much stuff."

Indeed, most veteran trackers use a professional tool such as CQ.com that can track dozens of bills seamlessly, scan legislative language, follow news about lawmakers and committees and provide email alerts when something moves or changes. Some also compare bills and monitor laws for changes.

It all adds up to a second set of hands.

"You can do things on your own and rely on coalition partners when you are starting out," Chin Ross said. "But then it's, 'what did I miss yesterday on the floor?'"

CQ Federal by the numbers

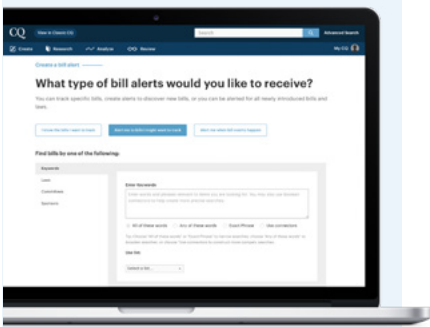| **115**th	**82**	**1**
Congress	Laws	Year

6,697 (Bills and joint resolutions introduced)

What did you miss?

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Go Broad to Start

When faced with the question of whether to use a comprehensive search that pulls in too much information or a narrow search that could miss something, some experts say go broad, accept the deluge and tighten down later.

"It's better to be more broad at first," said Kelly Harbitter, director of government affairs at Search.

Just don't go too far. As an example, she uses the term "firearms." "You'll get every NRA bill that ever was," she said.
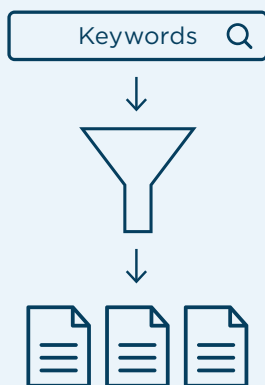
Keywords 🔍

Get Your Language Straight

Most veteran trackers are obsessed with legislative language, and for good reason. As we just learned, the keywords that are used to create searches, whether for tracking actual legislation or news on an issue, can have a huge impact on how well trackers do their jobs. "That drives the information I get, so it's really important," Hilton said. But as Kay Pauley, a senior policy analyst at Morrison Foerster, explained, "It's quite the little art to craft a good search string."

All that reading can develop a healthy list of keywords—in particular, terms of art that apply to your issues—that can be used to set up searches. But more is not always better. They key is to pull in all the information you need to see, without getting deluged by information you don't. That means carefully honed searches are vital.

"You can't use 'sanctions,'" Brincefield said. "That's a noisy word. You have to do a lot of sifting."

Some experts who use professional software rely on their account executives for help. Others have developed their own tricks over time.

Pauley, who tracks privacy, data security and financial services issues, said she is always looking for new terms and synonyms. For example, certain transactions associated with credit card purchases can be called "interchange fees," but they can also be referred to as "swipe fees."

"It takes time to develop these things," she said. "If I hear someone talking about a term of art, I add it to the list."

Another tip: "Pay attention to the words Congress uses," Pauley said. "We are interested in drones, but Congress doesn't use that term. They call them unmanned aerial vehicles."

Many experts also tweak the list continuously, especially when something gets missed. "If you find some search didn't catch something, you have to adjust your source," Pauley said.

Some bills truly generate mountains of information, and a professional tool can really help keep you keep track of it.

Let's take S1, the first Senate bill introduced by the 114th Congress, which was designed to approve the Keystone XL Pipeline.

There were fully 439 individual actions on the bill from its introduction Jan. 6 to the day the Senate failed to override a veto March 4. That included 51 floor votes and 251 amendments.

A professional tracking tool—like CQ.com, which provided these statistics—puts all of the information in one place, making anything you need just a click or two away. And it does so for every bill in Congress.

Get By With a Little Help

Of course, the sources available go far beyond electronic searches, news and public documents. The people involved in the process—especially Congressional staff—can be an invaluable resource, especially when things are moving fast and the outlook is changing quickly.

This is where trackers with a background on the Hill, or who work as lobbyists, may have an advantage. They can trade on existing relationships. But you don't necessarily have to have an iPhone full of contacts or a relationship with the legislative director to make this trick work.

Harbitter, who tracks about 100 bills a year, said she frequently interacts with Congressional staff. "I don't just dial people up and expect to get a meeting," she said. "I call people up cold. The important thing is to get the right staffer."

And they are not the only person Harbitter calls. She also occasionally draws upon outside legal help to interpret some bills and legislative language.

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Tanya Chin Ross
Senior Policy Officer, *Local Initiatives Support Corporation*

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