

Administrative Policy No. 01.04

Subject:	Communication with Congress, Federal Agencies, and Other State Governors
Information Contact:	Office of Policy and External Relations MS: 45115, Phone: (360) 902-7813 TTY: 1-800-833-6388
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Approved By:	Original signed by Pat Lashway Senior Director, Policy & External Relations

Purpose

This policy establishes Department of Social and Health Services (DSHS) policy and procedures for federal legislative activities and communication in the following areas:

- Verbal and written communication with members of Congress, their staff, federal agencies and other state Governors.
- Direct contact with members of Congress and their staff.
- Congressional testimony, hearings and meetings.
- Modifying a Department position.

Scope

This policy applies Department-wide without exceptions.

Policy

Before communicating a Department policy position or recommendation on federal legislation, regulations, or budget matters verbally or through written communication with members of Congress, their staff, federal agencies, and other state Governors, Department staff must first consult with the Office of Policy and External Relations, appropriate Assistant Secretary, Chief

Financial Officer, or Chief Information Officer.

Procedures

A. Communication with members of Congress, their staff, federal agencies, and other state Governors

1. Department staff must obtain prior approval on all verbal and written communication that expresses a policy position or recommendation or that advocates a position on federal legislation, regulations, or budget. Department staff must coordinate the Department's expressed positions with Policy and External Relations. **Note:** This includes requests from associations and organizations seeking the Department's support or opposition on federal legislation.
2. Review and approval is not required when communicating a Department policy position or recommendation on federal legislation, regulations, or budget matters through verbal and written communication with members of Congress, their staff, federal agencies, and other state Governors that is routine, or non-controversial in nature or expresses a position already approved by the Department, such as a position related to grants.
3. Department staff may contact Policy and External Relations to determine the required signature for written communication related to federal legislation, regulations, or budget issues, if unknown by staff.
4. Department staff must notify the Financial Services Administration when communication includes budget implications related to policy proposals. The Chief Financial Officer must be involved in the response process. A budget analyst will work with the program staff to complete the final response.
5. Department staff must obtain the appropriate signature (the Governor, Secretary, Assistant Secretary, Chief Financial Officer, or Chief Information Officer) on all written communication for members of Congress, their staff, federal agencies, or other state Governors related to federal legislation, regulations, and budget.
 - a. Department staff must send the original letter, a brief explanation of the reason for the written communication, and the name and telephone number of the department staff person who has knowledge of the issue to the Office of Policy and External Relations. Allow two weeks lead time for adequate review.
 - b. If the letter is to be signed by the Governor, in addition to Section A(5)(a), Department staff must prepare a cover memo addressed to the Governor from the Secretary with recommendation for approval, and send the letter and cover memorandum to the Office of Policy and External Relations. Allow at least three weeks lead time for adequate review.
 - c. The Office of Policy and External Relations will coordinate with the appropriate Assistant Secretary, Chief Financial Officer, Chief Information Officer, Office of Financial Management (OFM), and Governor's Office for their review and approval. Upon approval of the written communication, the Office of Policy and External Relations will notify the appropriate Department staff and assist in the dissemination of the written communication.

B. Direct contact with members of Congress and their staff

1. The Executive Leadership Team, Division Directors, and the Office of Policy and External Relations are responsible for initiating contact with members of Congress and their staff.
2. Department staff may respond to questions from members of Congress and their staff. Department staff must not initiate contact, except that regional and local offices may maintain contact with their local members of Congress for the purpose of disseminating material about their programs and projects.
3. Program and field staff may request assistance from their Division Director, Assistant Secretary, Chief Financial Officer, Chief Information Officer, or Office of Policy and External Relations in communicating with members of Congress. Department staff must send reports on all meetings and discussions with members of Congress or their staff to the Office of Policy and External Relations by submitting the Legislative or Congressional Inquiry form found at <http://one.dshs.wa.lcl/per/GovernmentRelations/Pages/DocumentResources.aspx> and sending to the Office of Policy and External Relations at billanalysis@dshs.wa.gov within 48 hours of the contact.
4. Department staff must refer all inquiries regarding interpretation of federal policy, controversial or pending policy, or budget issues to the Assistant Secretary, Division Director, the Office of Policy and External Relations, or the Chief Financial Officer, as appropriate
5. Department staff must respond to telephone inquiries from members of Congress and their staff as fully and openly as possible while protecting confidential information from unauthorized disclosure. Confidential information about clients cannot be given to members of Congress or their staff unless they have received authorization from the client by using DSHS Form 17-063 found at <http://forms.dshs.wa.lcl/> or other legally valid form. If a member of Congress or their staff makes a request for public records under the Public Records Act, Department staff receiving the request shall forward it to the appropriate Public Disclosure Coordinator or to the DSHS Public Records/Privacy Officer.
6. Department staff must refer inquiries regarding pending policy and budget issues to the Assistant Secretary, Chief Financial Officer, Chief Information Officer, Division Director or to Office of Policy and External Relations, as appropriate.

C. Congressional testimony, hearings, and meetings

1. The Office of Policy and External Relations coordinates the Department's congressional testimony. Executive Leadership Team (ELT) members must provide the congressional testimony. **Note:** in the event an ELT member has an unavoidable scheduling conflict, the Office of Policy and External Relations must be contacted to discuss a possible substitute.
2. Testimony must reflect the Department's position on the congressional proposal.
3. An Executive Leadership Team member or their designee authorized to provide congressional testimony may request that specific employees attend the hearing to

- assist with technical questions relating to the testimony.
4. The Chief Financial Officer must review congressional testimony that includes budget implications related to policy proposals.
 5. When the Executive Leadership Team determines congressional testimony is a priority issue needing review, appropriate Department staff must meet at least 48 hours in advance to:
 - a. Develop an outline of the congressional testimony, and
 - b. Determine any information needed by the congressional committee.
 6. Department staff must submit written congressional testimony two weeks in advance to the Office of Policy and External Relations to coordinate approval of the testimony with the Executive Leadership Team, the Governor's Office, and OFM.
 7. Department staff must notify the Office of Policy and External Relations of any requests to attend congressional hearings.
 8. Department staff must notify the Office of Policy and External Relations of any meetings with congressional members or their staff.

D. Modifying a Department position

Department positions on federal legislation must not be altered, nor compromises accepted, unless, the Office of Policy and External Relations, the Secretary, the Governor's Office, and OFM approves the modification.