

Checklist for Technical Assistance

While the current system for technical assistance on draft legislation is not perfect, there are ways to increase the chances you get the feedback you are looking for. These best practices, shared by people who have been part of the TA process from both sides, can help Congressional staff maximize the current process to draft passable, implementable legislation.

- ☐ **Have you met with respective agency staff to discuss your goals and the challenge you're trying to solve, before drafting legislation?**
 - Some agency staff prefer to discuss goals before a bill is drafted, to give the necessary context and suggest the right approach
 - Building rapport with agency staff creates greater opportunities for sustained dialogue and optimal TA
- ☐ **Have you made clear what kind of feedback you are looking for and, if applicable, what you are *not* looking for? Have you shared the format you prefer?**
 - Include specific questions about implementation, drafting construction, or otherwise to help delineate resource questions versus legal questions, etc.
 - Share constraints, and if applicable things that you will not change, so agencies don't focus on areas where feedback is not helpful
 - If you want redlines, ask for them. Agency staff are generally empowered to provide comments in response to TA requests, unless redlines are specifically requested
- ☐ **Have you provided enough context for the agency to give helpful feedback?**
 - Share the problem you are trying to solve and how the bill achieves that goal
 - Include legislative text and context where applicable
- ☐ **Have you communicated a specific timeline for the request, understanding that agencies may come back with an alternate timeline?**
 - Share critical dates, including intended introduction date or committee-imposed deadlines so agencies have a complete picture to prioritize asks
- ☐ **Have you identified what specific offices or roles at the respective agency that may be best prepared to assist in your request?**
 - Identifying a specific subject matter expert that you are most interested in hearing from, or who may be best suited to respond, can help agency congressional affairs offices expedite your request
- ☐ **Have you engaged with anyone else on the Hill who may be able to help direct your request or help tailor the feedback you need from the agency?**
 - Requests from committees of jurisdiction are often prioritized when agencies have multiple requests. Staff on committees of jurisdiction may also have relationships or knowledge from prior efforts that can help shape the bill
 - Congressional support agencies like CRS, GAO, or CBO may have relationships or information to help tailor your request
 - Former agency staff may have relationships or knowledge to help facilitate assessing a legislative proposal

For more information see:

niskanencenter.org/ta/

ourpublicservice.org