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How to Communicate Effectively with Legislators

There have been a number of studies on which communications help most in influencing a legislator's point of view, but keep in mind that there is more than one way to make your communication count. The most effective method will be the one that, over time, works best for your group. Personal visits, thoughtful letters from constituents, site visits (where a legislator sees first-hand the needs your group is trying to meet), and telephone calls from constituents whom the legislator respects—all of these can be highly effective. On balance, a personal visit from an influential constituent is clearly better than a letter or a phone call from the same constituent, and one site visit would probably be better than ten personal visits or one-hundred letters or phone calls. You will develop your own sense of what works best. Your own experience will be a far better guide than any study, although studies can provide some useful general direction for your work.

A comprehensive study by Burson-Marsteller (1992) provides important information about which sources of communications congressional staff rated as most effective. Staff people's views are important because of the enormous influence that staffers exert on the members of Congress for whom they work. There were several major findings in the study and they are

remarkably similar to earlier studies. First, spontaneous, individually composed letters from constituents were seen as the most effective way of communicating with congressional decision makers. These letters received more attention than any other form of written communication. Office visits by constituents rank a very close second, followed by articles in state and congressional district newspapers and telephone calls from opinion leaders in the state and congressional district. (For a complete listing of the attention congressional staffs give to selected communications and the comparative frequency of such communications see Table 1, p. 25)

The Burson-Marsteller report highlights the following points:

- Congressional offices pay more attention to personal communications from constituents than any other source. In fact, an average of 75 percent of offices pay a great deal or quite a bit of attention to communications from constituents.
- The best way to gain the attention of congressional staffs is to contact them personally, either by letter, telephone call, or office visit. Personal letters, whether prompted or not, are the most effective form of communication. Indeed, 90 percent of offices pay a great deal or quite a bit of attention to spontaneous mail from constituents.
- Congressional offices report a greater volume of incoming communications in 1991 than they did in the survey conducted 10 years ago. This is true for over 80 percent of the types of communications tested in this survey.

- State and district newspapers have become more important over the past decade as a mechanism by which to communicate positions to members of Congress. An average of almost half (49 percent) of the congressional offices say they pay a great deal or quite a bit of attention to print media and the largest increases in frequency all involved state and district newspapers.
- The increasing number of communications flowing into congressional offices means staff members are more pressed than ever to address the volume. This puts more pressure on those who communicate with Congress to keep their messages short and informative.
- Issue advertising in national daily newspapers and communicating by fax and videotape receive less attention than other types of communication.

The consensus among congressional staff in the 170 offices contacted was that the following “rules” are important in effective communications:

- Keep it local. The local constituency is, obviously, most important to the member of Congress. In establishing priorities in communications, this fact is more decisive than any other.
- Keep it personal. Personal forms of communication indicate a greater amount of effort, and the more obvious the effort, the more seriously the communication is taken.

- Keep it concise. Given the busy nature of congressional offices, the more concise the communication, the more likely it is to receive attention.
- Put it in writing. Hard copy provides a readily available record in the office that can be used whenever a staff member addresses the issue.

Letter writing, the lobbying technique most used by nonprofits, ranks right at the top in the survey. Regardless of which means of communication you use, there are a few general guidelines and tips that will help you make your point with legislators.

Perhaps the most important thing you need to know is your subject. What is the substance of the legislation? Why is it important? What will happen if it passes? What will be the consequences if it fails? How much will it cost? Most important, what will be the impact of the legislation on the legislator’s constituents? It is particularly helpful to give an illustration or two of how the problem will affect the legislator’s district, but don’t feel that you have to become an expert on the subject before you make the communication. Just be sure of the facts that you report, and build your communication around them.

It helps to know at least a little about your legislator, and Congressional Quarterly’s *Politics in America, 1998, 105th Congress*, is one good source of detailed information on the individual members of Congress, including positions they have taken, their interest group rating, and their education, occupation, and so on. However, don’t let any lack of detailed knowledge about your legislators

Table 1. Highest-Ranked Sources of Communication

Rank (%)	Method	1991 Great Deal/Quite A Bit (%)	1991 Very Frequently/Often
1.	Spontaneous letters from constituents	90	94
2.	Office visits from constituents	91	86
3.	Articles in state/district newspapers	86	96
4.	Telephone calls from opinion leaders in the state/district	85	58
5.	Congressional Research Service	82	79
6.	Telephone calls from constituents	81	88
7.	Office visits from chief executive officers of businesses in the state/district	81	36
8.	Editorials in state/district newspapers	77	84
9.	Office visits from delegations from interest groups, including constituents	75	74
10.	Telephone calls from state-elected or party officials	73	38
11.	Opinion or op-ed pieces in state/district newspapers	71	85
12.	Office visits from long-standing friends or contacts with an interest	69	53
13.	Spontaneous mail from state-elected or party officials	65	29
14.	Telephone calls from friends or contacts with interest	64	59
15.	News programs on TV stations in the state/district	54	41
16.	Articles in major daily newspapers	51	77
17.	Telephone calls from the executive branch	46	20
18.	National TV news	45	74
19.	News programs on radio stations in the state/district	39	31
20.	Editorials in major daily newspapers	34	73
21.	Orchestrated mail from constituents	34	79
22.	Office visits by company Washington representatives	33	69
23.	Radio talk shows in the state/district	31	29
24.	Media-sponsored public opinion polls	30	41
25.	Office visits from lobbyists	28	84
26.	Letters to the editor in major daily newspapers	26	49
27.	Office visits from representatives of trade associations	25	63
28.	Articles in national news magazines	25	66
29.	Opinion or op-ed columns in national news magazines	24	51
30.	Spontaneous mail from interest groups	23	62
31.	Issue ads on TV stations in the state/district	21	10
32.	Privately-sponsored public opinion polls	20	21
33.	Orchestrated mail from members of interest groups	16	80
34.	Petition papers from interest groups	16	37
35.	Issue ads in state/district newspapers	16	12
36.	Issue ads on radio stations in state/district	15	6
37.	Office visits from well-known personalities with an interest	14	7
38.	Position papers from regulatory and executive agencies	14	40
39.	Communications with think tanks	13	52
40.	Economic studies conducted by independent consultants	12	22
41.	Commentaries on network or syndicated TV programs	12	34
42.	Telephone calls from well-known personalities with an interest	10	6
43.	Telephone calls from members of interest groups	9	53
44.	Office visits by delegations from interest groups, not including constituents	8	43

Source: Adapted from Burson-Marsteller (1992).

stand in your way. Legislators pay attention to well-presented positions by constituents regardless of whether the presenters tie in the points they are making with personal knowledge about legislators.

In all communications, whether by phone calls, letters, or personal meetings, it is important to be accurate, brief, clear, and timely, as already discussed. No matter how much you will sometimes want to, never become angry or argumentative with your legislator about his or her failure to support your position. You will almost certainly have to go back to that same legislator sometime in the future. If you have strained your relationship by getting angry—no matter how much you may have been justified in doing so—chances are that you won't get through the door. If you do, your information may be largely discounted.

In addition to these general guidelines, there are more specific tips that may help you. Since these tips cover far more information than you will need, just skim through them, see what fits for you, and ignore the rest.

Letters

Nonprofit organizations rely greatly on mail campaigns to persuade legislators to support positions. Whether you are organizing a mail campaign or writing just one letter from your organization, it is important to keep in mind that the competition is stiff. More than 200,000,000 pieces of mail are sent to Congress each year, so give careful thought to your letter. (Table 2 shows proper forms of address to be used with various state and federal officials.)

If you know the legislator, make that clear in the first paragraph. This will alert the person opening the mail to give the letter special attention. By all means, use the legislator's first name if you have established that kind of relationship, and sign it with your first name.

Some legislators downgrade the importance of a letter if they think it has been motivated by an organization as part of a campaign so letters on plain stationery or on your personal or business letterhead may get greater attention than a letter on your nonprofit's letterhead. Do, however, mention your nonprofit group if you are fairly certain that it will strengthen the impact of your letter.

Handwritten letters are fine, as long as they are legible. They often get more attention than typed letters. (Legislators know that a machine cannot produce a handwritten letter.)

Keep your letter to one page. Put it in your own words, avoid bold words or jargon, and use only those acronyms that you are very certain the legislator will know. Cover only one issue per letter. In the first paragraph, ask for the action that you want your legislator to take. Send enclosures if you think more information is needed. Relevant editorials and news stories from local papers in the legislator's district will get his or her attention. Identify the legislation clearly, with the bill number of the legislation if you know it, and sign your letter over your typed or printed name.

Table 2. Proper Forms of Address

Person Addressed		Salutation	Complimentary Close
President of the United States	The President The White House Washington, D.C. 20500	Dear Mr. President:	Sincerely yours,
U.S. Senator	The Honorable _____ United States Senate Washington, D.C. 20510	Dear Senator _____:	Sincerely yours,
U.S. Representative	The Honorable _____ United States House of Representatives Washington, D.C. 20515	Dear Mr./Ms. _____:	Sincerely yours,
	The Honorable _____ Governor of _____	Dear Governor _____:	Sincerely yours,
	The Honorable _____ House of Representatives State Capitol	Dear Mr./Ms. _____:	Sincerely yours,
	The Honorable _____ The State Senate State Capitol	Dear Senator _____:	Sincerely yours,

Ask the legislator to reply, and ask very directly whether he or she will support your position. Legislators are masters of nonreplies—that is, letters that avoid giving you their positions. To smoke out his or her position, be as direct as possible while still being courteous. Like everyone else, legislators dislike a threatening tone. Chances are excellent that your legislator will be very aware of the political fallout of not voting for your proposal, and so it serves no useful purpose to even hint about it. Keep in mind the old saying that you catch more flies with honey than you do with vinegar.

Be certain that the legislator’s name is spelled correctly and that the address is right. Envelopes get detached, so put your

return address on the letter. Be certain that your legislator receives the letter before the vote.

Thank the legislator. Legislative staffers repeatedly say that legislators seldom receive thanks. Sending your thanks is the right thing to do and is a great way to strengthen a relationship. But also write to let the legislator know if you disapprove of the way he or she has voted. That will get attention, too.

Provide copies of any replies you receive to the leaders and government relations committee of your nonprofit. It is useful to keep them up-to-date on where the legislator stands and on whether to keep pressure on him or her.

Don't overstate your nonprofit's influence; it will only detract from your message. Do let your legislator know the size and mission of your group, however. Legislators are very aware of how much attention to pay to almost every group in their districts, so don't overstate—or understate. Just give the facts.

Send letters only to your own legislator, unless you are the president of a group with members from other legislative districts. Even then, it is well to keep in mind that legislators tend to pay only limited attention to mail from outside their districts.

There have been mixed reviews of postcards, sample letters, and similar communications produced in centrally organized efforts to mobilize grassroots support on issues. Some discount the impact of postcards and "canned" letters. Others hold that they can be helpful. As Common Cause advises, any letter is better than none. That's still good advice.

If you are part of a coalition (see Chapter 6) and most of the coalition members already have sent letters regarding the legislative issue your group is tackling, you may want to take two additional steps: 1) Compose a sign-on letter that all members of the coalition, and others, will sign and send it to all members of the legislative body addressing your issue; 2) have each coalition member send a support letter with a "Dear Legislator" salutation to the coalition leader, who in turn will send all of the letters in one packet to the legislative body. Both are helpful in supplementing personal letters but they should not be seen as a replacement for them.

Personal Visits

Personal meetings with constituents are very highly ranked among effective ways of communicating with legislators. The first time you meet your legislator face to face, you may be nervous; it would be unusual if you were not. Keep in mind, however, that legislators are almost always very eager to win your support. They want to put their best foot forward with their constituents, and they are sincerely interested in getting their constituents' views on legislation. Remember that you are the expert on the subject—you have information that the legislator needs. Legislators and their staff people repeatedly say that the information nonprofits provide is important to their decisions, so don't feel that you are entering the legislator's office as a supplicant.

There will be many reasons why your group may want to meet with a legislator who is taking a leadership role on your bill. During the visit, don't miss the opportunity to seek advice on how your organization can be most helpful in developing support for your legislation. Remember that you will think of the bill you are supporting as your legislation, but the legislator will naturally consider it to be his or her bill and will have a number of ideas and suggestions to help you focus your efforts.

If you have decided to meet with your legislator, there are ways to help the meeting run smoothly. It is important to make an appointment, if at all possible. It is better to telephone than to write for the appointment, because calling makes it easier to find an acceptable date. It is also more difficult for the appointments' secretary to turn you down by telephone than by letter. It is always more effective

if you as a constituent ask for an appointment, rather than having your organization's staff make that contact.

Legislators almost always do try to meet with their constituents. Don't turn down the opportunity to meet with a staffer, however, if it develops that the legislator cannot meet your schedule. In Congress, senior staff people wield considerable power and often are able to give more time and attention to issues than legislators can. Representatives and Senators maintain district offices, and meetings there can be particularly productive because legislators usually are less harried when they are home on weekends or during recesses.

It is acceptable to assemble a delegation for the meeting but remember that small meetings will allow for more detailed discussion of an issue, including frank comments from the legislator about the dilemma he or she faces in making choices on the issue. One delegate should be designated as the principal spokesperson. The group should meet at least briefly in advance, to orchestrate the visit. Be certain that there is agreement on the objectives to be accomplished in the meeting and on the points to be stressed.

Having more than one person presenting information permits a person who is not talking to the legislator to be ready to step in with the next key point, but don't overpower your legislator.

Present your views with conviction, but don't put him or her on the defensive.

You will probably know considerably more about your subject than your legislator does, so there is no reason to feel abashed. Legislators will welcome information and will particularly

appreciate any anecdotes or illustrations that spell out what the impact will be on people in their legislative districts.

It helps to cover your issue from the legislator's perspective, tying it in with his or her past votes or interests. Listen attentively. Often, the legislator's opening discussion with you will give you clues about how to connect your issue with his or her concerns.

If you don't have the answer to a legislator's question, say so. Don't bluff. Tell the legislator that you will provide the information, and then be certain that you do.

Give responses to arguments that you know your opposition will raise, but don't degrade your opponents. They believe in their cause as strongly as you believe in yours. It is important to provide information, both orally and in a fact sheet that you leave with the legislator. Be certain that it includes a brief description of your issue, why it is important to your organization, and the action that you want the legislator to take. Give a copy of the fact sheet to the legislative aide as well. The aide may be your principal contact in the future, so be certain to strengthen that contact during the visit.

After the visit, write a letter of thanks to the legislator. Remind him or her of any agreements reached, and provide any information that you promised.

Testimony

Testimony ranks low on the list of effective ways to communicate with legislators, but it is important to know how to give it. Legislative bodies call for public hearings for a number of reasons. They may be held to inform the public about issues or to get the information they need in helping to draft laws or in

finding out whether a law is needed. Hearings may also be scheduled as “window dressing” for decisions that have already been made.

At the very least, providing testimony—even when it is given in hearings of questionable value—serves the useful purpose of requiring a group to develop a fairly comprehensive statement of its position. Sound testimony can help to establish your organization as an authority in your field. It can also provide useful quotations for speeches and publications. In that way, testimony can be helpful to a nonprofit, even if hearings are perfunctory. In deciding whether to testify, remember that a decision against testifying sends a message to the legislators that your organization is not interested or, worse, that you have reasons to avoid questions on the subject.

If you are planning to present testimony, keep your statement brief, and always provide a one-page summary as the initial page of your written testimony. Legislators usually don’t read testimony, and staffers often only scan it. Providing a summary helps ensure that your main points will be noted. Most legislative bodies have format requirements for testimony, including the number of copies you should have and when they should be delivered to the committee. The cover page of your statement should include the legislative committee before which you are testifying; the name, title, and organization of the person testifying; and the date. A written request is almost always required from a person who wishes to testify before Congress.

At congressional hearings, witnesses are usually asked to keep oral statements to under five minutes, although a longer statement will be accepted for the record.

Oral statements should not be read word by word. They should be given as much as possible from brief outlines that permit presenters to maintain eye contact with committee members. If you can’t answer a question, it is perfectly acceptable to say that you don’t have the information but will get it for the committee immediately.

The quality of your organization’s statement is important, but the skill of the presenter is equally important in making a favorable impression for your cause. Testimony should be presented by a high ranking well-informed volunteer or the chief staff officer or other senior staff of your group. You will want the person who will make the best presentation.

It is helpful to know in advance which committee members are likely to be present and whether they will be friendly. That information is often available from the staff of the legislator who supports your position. Plant questions with friendly legislators who you know will be at the hearing, so that you can get those questions and your answers into the public record. It is usually easy to do this by working with legislative staff members. If there will be witnesses unfriendly to your cause, anticipate the opposing arguments they will make, and provide responses to friendly legislators. You can also provide questions to friendly legislators, which they can raise with unfriendly witness, to make points for you.

You may get questions that seem hostile. It is perfectly acceptable to be direct in your responses, but always be courteous. If a legislator seems particularly hostile, make a special point of trying to see him or her later, or follow up your testimony with a letter that deals with the issues he or she has raised.

If your organization is working closely with the chair of the committee holding the hearings, it is acceptable to ask staffers if they would like to have your group draft the opening statement for the chair. Staff people often welcome such statements as a starting point for the drafts they ultimately present to chairpersons.

Finally, get other groups to sign on to your testimony if they are not planning to testify separately. Having several other organizations that are well known to legislators sign on to your testimony can significantly strengthen the impact of the statement.

Phone Calls

In just about every legislative campaign, there are times when it is crucial to have immediate contact from the grassroots. There is often less than 24 hours' notice before a key vote comes up in committee or even before a final vote in the legislature. Many nonprofits have a process for telephoning constituents at this critical point and urging calls to legislators. The fact that a legislator receives 20 or so calls on your nonprofit's issue just before a vote can make a difference.

You can reach any member of Congress by calling (202) 224-3121. Using that number is almost as fast as calling the Congressperson's office directly. Telephone calls to district offices of legislators are second best, especially if the vote is imminent. They achieve the objective of communicating your message, but there may be a crucial delay in a district office's reporting your call to the legislator, particularly if he or she is not in the district at the time.

When a vote is coming up, it may not be possible on short notice to talk by phone with your legislator, regardless of how well you know him or her. If you can't reach the legislator, ask for the legislative aide who is assigned to your issue. If you can't reach the aide, leave your message with the person who answered the phone. Legislative offices do keep count of the pro and con calls on issues, so at least be certain to leave your message. Keep your call brief. There will be little if any time to persuade. Your message can simply be two sentences, one asking for support and the other stating why. To help you make your point succinctly, you may want to write out your message and have it before you when you call.

If you want to get a last-minute message to the White House regarding your organization's views on a matter that the administration is considering, call the White House Comment Line at (202) 456-7639.

E-mail and Faxes

About 90 percent of offices that responded to a recent survey said they use e-mail and reported, on average, receiving about 200 e-mail letters a week. According to the Bonner and Associates—American University survey on Congressional use of the Internet, reported February 1998, e-mails received from outside the Congressional district are not considered politically relevant and most offices do not use e-mail to communicate with constituents. E-mail is not used as a means of keeping constituents informed or to respond to their inquiries. Instead, the majority of offices respond to constituent e-mail by sending a postal letter.

Also, e-mail is not used as a means of educating the public. Fully 85 percent of congressional offices reported e-mail was not used to send constituents updates, and 81 percent said they were not planning to do so in the future.

Despite the above, the majority of Congressional offices think e-mail is a good thing. They view it as quick and inexpensive in providing another avenue for constituents to keep their elected officials informed.

Another recent, but much smaller survey (June 1998) by OMB Watch tends to confirm that spontaneous letters, telephone calls, and personal presentations from constituents get the greatest attention from Congressional offices when considering policy positions. However, faxes and e-mail from constituents rank considerably higher than form letters, postcard campaigns, and petitions—although e-mail did not rank as highly as faxes. Interestingly, a 1992 Burson-Marsteller survey found faxes ranking very low as a useful form of communication with Congress. In fact, in 1992, some staff members found faxes offensive because “fax was meant for urgent materials,” as one staffer said. These new findings might suggest that Congressional offices are becoming more accustomed to and accepting of faxes and are likely to become comfortable with e-mail as appropriate means of communication. One warning is that the e-mail and faxes must be personalized to be effective.

In the OMB Watch survey, 72 percent of respondents said that in considering a policy position, they paid “a great deal” or “quite a bit” of attention

to constituent communications in the form of telephone calls, but it is interesting that faxes generated the same high percentage response. Letters scored highest, at 83 percent, and e-mail lowest, at 59 percent, on the question regarding what communications Congressional offices pay “a great deal” or “quite a bit” of attention to when considering policy positions. While this information suggests that faxes and e-mail are becoming more acceptable, it’s clear that postal letters continue to rank highest and clearly are much preferred by Congressional staff.

A majority of offices report that the use of the Internet and e-mail will increase in the next year, but the expansion is not expected to be an explosion. In short, while e-mail is growing in popularity in Congress, there is no evidence that it will replace postal mail—at least in the near future—as the most effective means of communicating with constituents.

Telegrams, Mailgrams,
and Form Letters

Telegrams and mailgrams are less effective than personal letters or telephone calls, but they can help register last-minute opinions before a vote. It takes no more time, and perhaps less, to phone a legislator’s office than to call in a telegram or a mailgram. Unless you have good reason not to, call the legislator directly instead of relying on a telegram or a mailgram. Form letters are better than nothing at all, but their volume must be huge to get attention.

Other Communications

The number of ways you can use to get your story across to legislators is almost endless. Here are some examples:

1. Invite your legislator to visit a facility that provides services to your clients, and describe how those services will be affected by his or her vote on your issue. Such a visit, which can be arranged for a time when the legislator will be in your district, is perhaps the most effective way of communicating a need.
2. Have a legislator speak at a public meeting sponsored by your organization. Legislators usually appreciate such opportunities, if there is a chance to speak before a fairly large audience or if the audience is composed of people whom the legislator is particularly interested in reaching.
3. Invite the legislator to meet your board of directors at the regular board meeting. You will probably know whether your legislator will want to attend. If you are uncertain, ask; there is nothing to lose.
4. Some believe in holding receptions on Capitol Hill for legislators. These may provide opportunities to meet legislators or their staffs. In Washington, however, it is awfully difficult to turn out a large group of legislators on Capitol Hill. You often get very junior aides or interns, especially if it's late in the afternoon and there is food.

5. Organize a Capitol Hill day, and invite members from throughout the area served by your group to participate. The arrangements are very time-consuming, and there is mixed opinion regarding this tactic's effectiveness. In my experience, however, this approach can be very helpful if participants are well briefed and if appointments with legislators are set up.
6. Arrange for a number of two-person volunteer teams to visit legislators at the Capitol. If these key volunteers are leaders of your organization, they may also profitably visit legislators from other districts. Appointments are always recommended but are critically important for people who are not constituents of legislators.
7. A breakfast for legislators at a convenient location in the capital may be well attended because it does not cut into legislators' usual workday. Legislators are more likely to attend if they are invited by constituents who will also be there. Many state and local groups routinely use breakfasts as a forum for educating legislators.

When you find it expedient to do so, publicize any meetings that a legislator has with your organization.