

WORKING WITH ELECTED OFFICIALS IN COLLABORATIVE PROJECTS

Why work with elected officials?

- Many successful collaborative projects make an effort to reach out to elected officials at the state, local, and federal level to *build support* for their efforts and *avoid pitfalls and crises*.
- Keeping elected officials informed and up-to-date on your activities can help insulate you from problems down the road. If a crisis does erupt, you will benefit greatly from having a relationship in place with key elected leaders.

Barry Gold, Chief of the Grand Canyon Monitoring and Research Center, faced a crisis when a disgruntled member of his project secretly approached Congress to zero out the program's budget. Gold's efforts to build relationships with Congress paid off: "we had spent a lot of time building relationships at all levels of the political food chain, so rather than this happening in the dark of night, I actually got a phone call from a member of the Appropriations Committee staff." Gold was able to fly out the next day and meet with both the disgruntled member of the project and the committee staffer to resolve the situation.

- Elected officials can also draw broader community support and legitimacy to what you are doing. They can provide bridges to other constituencies and open doors to other communities with which you might not otherwise interact.

Legal boundaries

- Legal boundaries define the appropriate space for interaction with elected officials. For federal employees, these limits exist in federal criminal statute and annual appropriations laws:
 - *Criminal prohibition.* 18 USC § 1913, enacted in 1919, prohibits federal employees from directly or indirectly attempting to influence Members of Congress to support or oppose legislation or appropriations.
 - *Appropriations riders.* Every year, Congress includes provisions in the annual appropriations bills that are intended to prohibit the use of federal funds for the production of informational materials that will sway public opinion on pending legislation or otherwise influence the outcome of the legislative process.
- A full discussion of these limits is beyond the scope of this memo. But most legal interpretations have boiled them down to a couple of key ideas:
 - Never ask for *money*.
 - Never weigh in on *pending legislation*, either directly *or* by encouraging any kind of grassroots support or opposition.

- Within these legal limits, there *is* a range of ways that you can interact in mutually beneficial ways with elected officials. In fact, the reality is that you should never want to be in a position to violate these laws: if a situation has reached the point of involving legislative, it is probably already out of your control.

Ways you can work with elected officials

- *Education.* While you cannot weigh in on pending legislation, you can and should keep Members of Congress and other elected officials informed about your activities. As a regular matter, you should provide ongoing information on your project or program to any elected officials who might have a stake in what you are doing. By keeping elected officials in the loop, you can help insulate yourself from political problems down the road.

“We can’t lobby Congress. But we’re educating. It is an important distinction. We clearly have a role in education.” (Barry Gold, former Chief, Grand Canyon Monitoring and Research Center)

“Any situation or any kind of briefing that involves information is absolutely appropriate for public officials to participate in. It is not only the responsible thing to do, it is absolutely suicidal if we don’t.” (Su Rolle, former FS-BLM liaison, Applegate Partnership)

- *Publicity.* Elected officials have a number of relatively easy means at their disposal to provide recognition for your activities. These can range from simple letters of support to promotional proclamations or speeches in the *Congressional Record*. While these kinds of activities can look impressive to outside parties, they are often fairly routine and easily done by most legislative offices.

Understanding elected officials

- Members of Congress and other elected officials have two personalities: as representatives of their constituents and as members of a legislative body.
- Political Scientist Richard F. Fenno has described the two distinct identities of lawmakers in terms of their “Hill styles” and their “home styles.” *Hill styles* are the practices and identities that lawmakers adopt in order to succeed and advance as members of a legislative body. *Home styles* refer to how the same elected officials interact with their constituents and how they present themselves and their records “back home.”
- In developing strategies to work with elected officials, you should always think about both of these elements of their character and how you can present what you are doing in a way that resonates with their own situation.

- How does a legislator's *institutional role* affect his or her perspective on what you are doing? How do organizational relationships, SOPS, and insider politics influence how a member thinks about an issue? How might a party loyalist differ from an independent in their level of concern about what other elected officials think about an issue? Compare how a junior, less powerful Senator on a committee will differ from the Chair in their perspective on the how an issue will influence their power in the institution?
- How does a legislator's *representative role* affect how he or she views your activities? What are a legislator's key constituencies and re-election threats? What persona or image does a legislator present to his or her constituents? How might you differ your description of your project when dealing with a representative from a heavily agricultural district and someone who represents an urban core?

Working with staff

- The bulk of your interaction with Members of Congress will be with members of their staff, either in Washington, DC or in their district or field offices. In order to deal with the intense demands placed on them in Washington, and back home, Most members of Congress rely on sizeable staffs of people.
- The average Representative employees 14 personal staff members, plus additional staff in key committee positions. The average Senator employees 34 staffers, but this number varies greatly depending on the size of the state they represent. Large Senate offices can have 70 or more people; smaller states might have only a few dozen.
- Who are congressional staff? According to the nonpartisan Congressional Management Foundation, a very clear profile exists for House and Senate staff: young, well-educated, single and childless, underpaid, and subject to high levels of work related stress and burnout. At the same time, they also tend to find their work satisfying and engaging, and they are usually deeply committed to public service.
- While they are broadly well educated and informed, most congressional staff are *generalists*, rather than subject-matter experts. Their skill and training is in quickly developing a working knowledge of the wide range of issues that appear and disappear from the legislative agenda.
- Although you will find some exceptions, even staffers who specialize in natural resource issues are unlikely to have a strong substantive background in the “hard” sciences or natural resource management. High staff turnover – as many as two-thirds of House staffers have less than 2 years of experience in their current job, and about half of Senate staffers have less than one year of experience – also means that you should not expect staffers to be well-versed in the specific resources and issues of your state or district.

Specific tips and strategies on working with elected officials and staff

- *Meet or call them on a regular basis.* Interacting with elected officials should be a routine, scheduled practice. Every few months, set up a meeting to brief them on your work.

Legislative Assistant to a Member from Northern California, describing an effective organization: “They are always on the phone with me telling me what they know about things going on back there in the district. I get regular phone calls from people on a couple of different issues. They keep me up to speed all the time. They make regular trips back to Washington, probably once every six months.”

“Contacting congressional staff is a maintenance item like changing the oil filter on your car. You have just got to do it. If you don’t, you are going to have wear and tear on the system that will surprise you later on” (Su Rolle)

- *Put your best spokesperson forward.* Give some thought to finding the right person to represent your project when interacting with different elected officials. Find individuals with personal connections, a good story, or common interests. One strength of collaborative projects is the diverse set of individuals you can draw on to represent your project. Use the participants in your group to reach out to elected officials based on natural affinities.

“I found that I [as a federal employee] could say something to a Senator and they’d forget it as soon as I left, but if a constituent or an NGO that has 6000 members in that state says it, they listen.” (Stewart Fefer, Project Leader, USFWS Gulf of Maine Program)

- When dealing with staff, *find the right staff person* before you start talking. Every legislative staff divides issues up differently, depending on individual staff preferences, Member priorities and committee assignments, and the broader political agenda. Issue assignments vary from office to office, they frequently change, and specific portfolios may not make sense to you. You may find yourself dealing with three different people on one issue and one person on another. In any case, you need to take some time to make sure you have the right person. You don’t want to waste time talking to someone who is only marginally interested in what you are doing.
- *Know whom you are dealing with.* Staffpeople and elected officials vary greatly in their level of knowledge and background on issues. Try and find out the knowledge level of the person you are meeting and be prepared to adjust your presentation accordingly.

“One mistake that a lot of government and nongovernment entities make is brining in a lot of information that is, frankly, at least initially, too complicated for staffers to understand. A lot of things get buried because of that...The key is being well

prepared. Know the details if you asked, but start with a very simple overview. Have an elementary briefing prepared and a secondary, more sophisticated briefing in mind that you will adapt as you need.” (Darin Bird, Assistant Director, Utah DNR)

- *Don’t waste time.* Members of Congress and staff pride themselves on how terribly busy they are. Always schedule meetings in advance (never just drop by) and don’t take longer than scheduled. If you have a request for them, state it up front. If you *don’t* have a request, tell them that, too.

“Groups need to have a message and be able to communicate it efficiently right off the bat. Sometimes they get off on random tracks because they don’t recognize how short the time frame is. I’ve seen groups waste a prime opportunity where we have set up a meeting with the administration because they’ve gotten off track.” (Legislative Assistant to a Northern California Representative)

- *Keep your presentation short and clear.* Focus on the bottom line. Give them a quick overview of what you are doing and make yourself available to give them more information if and when they want it. Slick, prepared presentations or PowerPoint displays are never necessary and are often distracting. Just leave a simple story and offer to give them more information when they need it.
- *Leave behind a useful summary or fact sheet.* Provide the staffers you meet with a short fact sheet/one pager that presents the highlights of what you are doing in a clear and easy-to-use format. Don’t waste time with slick packaging or publications: just give a simple, clear, easy to use summary of what you are doing that they can put in a file and save until they need it or pass on to their boss or other staff people.
- *BUT don’t overwhelm them with paper.* Most elected officials and staff do not have time to read lengthy academic articles or reports. Focus on things that are functional, clear, and easy to use.

“Often groups will come in with too much paper. That’s just information overload. Don’t pile white paper on top of white paper, because we just don’t have time to read them.” (Legislative Assistant to a Member from Northern California)

“We used to use the ‘arm’s length’ rule: if a staffer can’t read it between when they pick it up and when they throw it away, you’ve lost them.” (Darin Bird, Assistant Director of Utah DNR)

- *When in doubt, ask.* Although there are some rough guidelines and standard procedures you can follow in dealing with elected officials, nothing is set in stone. Find out what staff people need and what they want you to do in order to help them do their job. Ask them if they would prefer to receive information in a certain format or on a certain schedule and then do whatever you can to accommodate that.

Long term, relationship-building strategies

- *Plant seeds for long term relationships.* Regular contact, honesty, and direct information will help cultivate good relationships with staff people that will help you down the road.

“It is not just about keeping people informed. It is about maintaining a rapport so that if something squirrely comes up the congressional staff will call you instead of making some kind of formal agency inquiry. Over and over again, where we had maintained good rapport with outside players – interest groups, elected officials – we would get phone calls instead of formal letters.” (Su Rolle)

- *Make yourself a resource on other issues.* Members and staff are always looking for people on whom they can call for good, clear, easy to use information on the range of topics that constantly bombard them. Establishing your own credibility and reliability as a source of information on resource issues outside of the specific project in which you are involved can help build a strong, positive relationship over time. Give them your card, get in their Rolodex, and make sure they know how to reach you whenever something comes up.
- *Get them out on the ground.* Many Members and staffers lack substantial experience in the field. Most of them spend 15 hours a day in windowless offices and are dying to get outside and see the issues on the ground. Even a little bit of direct exposure to issues can contribute powerfully to building positive relationships, leaving a good impression, and allaying skepticism.

One agency used to invite a staffer from the House Appropriations Committee into the field to help band birds: “We take her up to the island and spend three days banding puffins and she loves us.”

“You should always invite people out on the ground. They can look at maps and never get it, but if they spend five minutes on the ground it all comes together very quickly.” (Darin Bird, Assistant Director Utah DNR)

- *Build relationships with other people* that have good relationships with key elected officials. Every major politician has a set of VIPs: personal friends, old professional colleagues, and major political supporters, who have exceptional informal (and sometimes formal) access. Keeping these people informed can sometimes be just as effective as directly contacting an elected official.

“I had an opportunity to work on the Hill for a Senator to identify what budget priorities he should support. My natural instinct was to call the agencies. I was told in no uncertain terms that [the Senator] doesn’t care what the agencies think. They gave me a list of major donors and stakeholder groups that were very friendly with the Senator and they told me to call those groups and find out what they think is important. Ever since then, that’s where I spend my time. Developing my

relationships with those key people that can carry that message for you.” (John Hamill, US Dept of Interior, Desert Managers Group).

Resources:

Davidson, R.H. and Oleszek, W.J. “Being There: Hill Styles and Home Styles.” Congress and Its Members. Washington, DC: CQ Press, 2002.

Congressional Management Foundation. “Summary of Key Findings for 2000 House Staff Employment Study. <http://207.188.221.250/cmfm/templ/display.cfm?id=-246>

Congressional Management Foundation. “Summary of Key Findings for 1999 Senate Staff Employment Study. <http://207.188.221.250/cmfm/templ/display.cfm?id=-241>

US Department of Agriculture Office of Ethics “USDA Guidance Regarding Anti-Lobbying Laws.” <http://www.usda.gov/ethics/rules/rule9.htm>