



SURVIVING INSIDE CONGRESS



A guide for prospective, new and not-so-new
Congressional staff – and a guided tour for those
who just want to learn how it all works



Mark Strand
Michael S. Johnson
and Jerome F. Climer

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Chapter Three

Who's Who

Every enterprise has a hierarchy, whether it is Microsoft or the PTA. Understanding such hierarchies can mean the difference between succeeding or merely surviving – particularly in Washington, D.C.

Just as no Member of Congress owes allegiance to any other, neither is there uniformity in staff titles and their meaning or function. While each office has great autonomy, Members must respond to a maze of obligations ranging from committee assignments and party loyalties to constituent demands. Each office has its own unique hierarchy.

A Member's interests typically reflect his or her personal background and concerns of his constituents. A district from Kansas or Iowa, for instance, is likely to elect a representative interested in farm policy. Those representing western states are likely to seek appointment to the Interior or Natural Resources committee. A lawyer or a doctor prior to election may want to serve on the Judiciary Committee or a committee involved in health issues such as Ways and Means or Energy and Commerce.

When first elected most Members don't get their first choice or even a committee that addresses their home district's most pressing concerns. They're more likely to be appointed to second-choice committees, where they await opportunity to move up should someone retire or be unseated. There are instances, however, when a candidate campaigns on a pledge to seek appointment to a committee important to the home district and gets party leadership to guarantee the appointment if the candidate is elected.

Staff also tends to reflect the Member's background, interests and district while the organizational structure typically mimics that of his or her predecessor. Obviously the new Member brings a new direction and needs, but there's so much to deal with that it's usually beneficial to look to the predecessor's staff and approach to office needs and constituent services. This is particularly true when the Member is representing a district that was formerly held by a member of his or her party.

Unless the new Member is replacing someone from the opposition party, it's likely some of the predecessor's staff will even be retained, in the short term, at least, providing the continuity and experience that will enable the newcomer to focus on more urgent matters. At a minimum, however, the newcomer is likely to bring along a couple of trusted allies – people from the district and the campaign.

Once in Washington the Member-elect, particularly those replacing

a political rival, looks for experienced staffers who can get the office running, handle committee chores and deal with the federal and state agencies on behalf of constituent needs.

Congressional Staff Oath

Like the Members they serve, Congressional staff are required to take an oath of office – in the House, employees merely sign the document, but Senate employees still recite it aloud:

"I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

Personal Staff

Despite the fact that Senate offices typically have more than twice the staff of their counterparts in the House, the organization charts of the two chambers are very similar.

Not surprisingly, the Member occupies the pinnacle of the power structure, but who's next in line?

That depends. In a few cases, someone may have the chief of staff title but it will be the Member as micromanager who really runs the show, and in increasingly rare cases a staff member may carry the title but the Member's spouse actually exercises informal but real authority.

In the vast majority of offices, however, the chief of staff is the Member's strong right-arm, the most important hiring decision the Member makes – sometimes, the only one. An effective chief influences every aspect of the Member's political and professional life. It is on this, the most common types of chief that we'll focus our attention.

You'll sometimes hear the position referred to as an administrative assistant. Don't be misled. In non-Congressional parlance, Administrative Assistant may be a euphemism for *executive secretary*, which is an important position, but an effective chief of staff carries considerably more responsibility.

In the absence of the Member, the chief is the boss. Even in the Member's presence, the chief makes decisions affecting how things get done. On one level, the chief functions very much like a Chief Operating Officer (COO), holding everyone else within his or her domain accountable to the Member's mission and goals, supervising every aspect of the Congressional office. The chief oversees the legislative and communication operations and helps coordinate relations between the Member's personal office, on the one hand, and committees and leadership, on the other. The chief also coordinates the activities of the D.C. office with the Member's district or state office. Sometimes the chief even coordinates interaction between the office and the Member's family.

In addition, the chief has a hand in policy initiatives and even re-election efforts. Although the chief is legally prohibited from participating in campaign activities during working hours, he or she is usually the liaison between the Congressional office and the Member's campaign staff – particularly if the chief played a role in getting the Member elected in the first place.

Some chiefs are former campaign managers but the nature of a government office and a campaign are quite different. Conventional wisdom suggests that individuals that have experience on the Hill or previously served on the Member's senior staff at another level of government may be better suited for the task.

Despite the responsibilities heaped on the chief, there are no legally mandated qualifications for the job. No experience or age requirements, no degree or certification requirement, nothing. As a result, it's not uncommon for a Harvard Law School graduate to be working the phones in the front office under the supervision of a chief of staff whose academic achievements stopped at graduation from high school. Far more important than degrees are a chief's personal qualities – primarily competence and loyalty.

Regardless of what sort of relationship exists between the Member and the chief at the time of the appointment, they are likely to become life-long friends and confidants.

The Member will usually be less involved in the hiring of staff that will serve under the chief, taking a collaborative role in the selection of senior positions but pretty much leaving others to his or her top aide. The Member is likely to be involved in selecting a legislative director or communications director, for example, but far less involved, if at all, in hiring a staff assistant or receptionist.

The focus of staff members who report to the chief fall into four basic categories:

Legislative

Communication

Outreach and Constituent Services

Support and Administrative Staff

The legislative team deals with what many think of as the main job of Congress – the making and amending of laws. These staff members manage the legislative process from the early development of policy positions to research into legislative and political options to drafting bills and amendments to shepherding them through the legislative thicket. They review incoming constituent mail that expresses views on policy issues and conduct specialized research on key measures being advanced by the Member. They meet with individuals, constituent groups and lobbyists who have an interest in issues of importance to the Member’s constituents or the committees on which he or she serves.

Legislative staff must be knowledgeable in the rules, procedures, processes and peculiarities of the Congress, its history and traditions, including myriad rules and precedents, and the jurisdiction of committees and leadership. They must possess near-encyclopedic knowledge of issues for which they are responsible and be able to respond swiftly to questions from the Member or constituents.

B may be a passing grade in college, but a legislative staff member who gives the boss a memo on an issue that is only 90 percent accurate and balanced will soon feel the sting of rebuke. The legislative staff must earn and maintain a level of trust that assures any information it provides will be accepted and acted upon.

The legislative team is usually a three-tiered hierarchy that consists of the legislative director or LD, legislative assistants or LA’s and several legislative correspondents or LC’s.

The **legislative director** oversees the day-to-day activities of the legislative staff – four or five people in the House and more than 10 in the Senate – and is responsible for developing a strategy for pursuing the Member’s legislative agenda. The LD also reviews all legislative staff work done within the office to assure it is consistent and reflects the Member’s point of view. In addition, he or she works with the Member to map out support or opposition to efforts endorsed by the leadership or the Executive branch. The LD also has the task of keeping the Member abreast of key provisions in legislation being debated on the Floor or under consideration within committees and subcommittees.

Although some chiefs of staff have deputies, the LD is second only to the chief in most offices.

Legislative assistants commonly have several committees or topics for which they are responsible. It is their job to audit the work going on in committees and advance the Member's interest on specific legislation. In the House, they also draft answers to constituent, agency or committee inquiries associated with their areas of specialty.

An LA in the Senate doesn't usually draft correspondence but works closely with staff that does.

Legislative correspondent is the entry-level position in the legislative hierarchy, but LC's often are the best-informed team members when it comes to specific bills or amendments. Their survival depends on it. They are the ones who coordinate responses to all kinds of inquiries regarding questions on which a position has already been taken.

Such responses usually start with a pre-approved text that requires research to be sure its contents are still current. That's why the LC position is considered the best place to learn about legislation and its impact.

There are ample opportunities for LC's to learn. More than 10,000 pieces of legislation are introduced during each Congress – and each of them is the most important measure in the world to somebody. The ability to quickly research issues and reduce complex issues into easy to understand language is among the most valuable skills in any Congressional office.

The demand for such skills adds to the challenges facing the legislative director, who must teach and mentor a new LC, one fresh out of law school, perhaps, to abandon precise legalistic writing that may be accurate but far too complex in favor of communicating in a manner that constituents find straightforward, accurate and reassuring.

Constituent Mail

The biggest challenge for legislative staff is constituent mail. Every office gets lots of it. Some House office receives up to 100,000 communications per year from their constituents. Senate offices can receive many times that. As a new legislative correspondent or legislative assistant in the House, answering constituent mail may very well take up 50 to 75 percent of your day.

Communications take many forms. There is the written letter – or what

you will learn to call “snail mail.” This is the traditional handwritten or typed letter from an individual constituent on an issue of great importance to them. It has always been as good as gold in a Congressional office because someone went to a great deal of effort to exercise one of his or her prerogatives as a citizen – almost akin to a sacrament in a civil religion.

Today, the personally written letter is just as valuable, though shrinking as the main form of constituent communication. First, the ease with which people can communicate with email, has supplanted the handwritten letter. Second, the September 11, 2001 attacks, and the subsequent anthrax attack on Capitol Hill a month later resulted in all letters and packages being sent to an outside facility for irradiation. This terrorism protection measure has dramatically slowed the mail process on Capitol Hill since it takes 10-14 days to process mail through this facility. By the time an office receives a letter to the time it can answer and turn it around, a month has usually passed before the constituent gets a response. And that’s the best-case scenario.

Finally, there are professional firms that are now counterfeiting personal letters from constituents. When Jeff Birnbaum was at the *Washington Post* he reported that there are now companies that compose letters on behalf of people for their signature for special interests campaigns. As if to prove the market value of these letters, these operators receive \$75 to \$125 for each letter they are able to get a constituent to sign. If this continues it will dilute the value of authentic letters since Congressional offices won’t know which ones are from constituents and which ones are from hired writers.

Another variation of this is the postcard campaign, where organizations generate postcards on behalf of their members. The cards are usually identical and unsigned. The silver lining is that when these postcards bombard you, an organization is essentially giving you their mailing lists that an office can harvest and then use to communicate their own message to the constituent.

A second source of communication is constituent phone calls. Most offices will respond in writing to phone calls on an issue. Phone calls are personal and require a constituent to take action and verbally state an opinion. A smart office will promptly write to the caller and store the name, phone, address and issue in a database.

The highest volume of constituent communication is now email.

According to the Congressional Management Foundation, Congress received 313 million emails in 2006. Offices need to respond to emails just as they would a letter. Don't make the mistake of responding to an email with snail mail – the constituent has already shown his or her preferred means of communication.

Once again, professional companies are generating large volumes of email on behalf of various organizations. There are companies that sell, as a service, web modules that allow an organization to automatically generate emails from their membership to congressional offices. While some of these efforts may be legitimate liaisons between advocates and their supporters, these emails are often generated by slick campaigns that only reveal a small portion of the information available on an issue. For instance, in 2005 a major cancer organization contracted with one of these organizations. They whipped their membership into a frenzy by telling them that Congress was trying to pass a law that would outlaw breast cancer screenings. Nothing, of course, could have been further from the truth – the underlying legislation was a small business health care bill that would have allowed any small association of people to form a group for health insurance purposes, and operate under the same federal law that governed the health care plans of labor unions and large corporations. By operating under federal law it might have evaded state mandates – but all of the union and corporate plans covered under federal law had coverage for breast cancer screenings. These email-generating campaigns are often thinly disguised fundraising efforts by the organization originating the letter designed to create lots of smoke with a minimum amount of fire.

That doesn't mean an office can avoid answering these emails. The more inaccurate the information being received by the constituent the more important it is to generate a response that sets the record straight. And, like the postcard campaigns discussed earlier – an office can harvest the email addresses of constituents who you know care about a certain issue.

How does an office answer this massive volume of mail? It does so with enormous amounts of time, effort and technology. In the House, every legislative person writes or reviews mail.

Generally, all messages are “logged into” a computer database. That database allows an office to identify the constituent's name, address and email address. The software also allows the user to attach an “issue code”

which identifies issues that are important to a constituent. Finally, a record of previous letters and responses by that constituent is kept in the database.

The letter drafting process is different in each office – but generally speaking, offices try to answer as many letters as possible with a form response. This is essentially an identical letter written to people who have identical concerns. If an office can answer 80% of its messages with a form letter or email, it still would have some 20,000 letters – 400 per week – that require original text.

The degree to which the Member directly participates in this process varies. The best offices have the Member review all major new text. For instance, a legislative assistant may notice that a lot of letters and emails are beginning to come in regarding an upcoming tax bill. The legislative assistant will likely want to brief the Member, explain the issue, and seek his or her guidance as to how they would like to respond. The legislative assistant will then go back and draft a response based on the Member's position. The legislative director and the chief of staff will review the letter. In most offices the Member will make a final review – especially on a major issue. Once the letter is complete it is usually mailed to letter writers and callers, and emailed to people who prefer email.

It sounds redundant, and it is. That is because the written word lasts forever. A junior staffer writing an inaccurate or offensive response could cost the Member votes in the next election. There is a guiding principle about letters – never write anything you are not prepared to defend if your worse enemy gets a hold of it – because they will.

Additionally, all of these letters make up a library of “approved text” that can be used by other staff to write portions of other individual responses.

Most importantly, once the letter has gone out, a permanent computer record is made. This can be used to generate proactive email newsletters that keep constituents informed on issues you know are important to them. How do you know? Because they told you so themselves when they wrote their letter.

Other Staff

The **communications director**, who's sometimes called a press secretary, handles communications of a different sort but is involved in more than just public relations. The position has evolved into one of the most significant in any Congressional office. These days, the communications director is involved in every aspect of the office. He or she has to be. Effective communication is essential to political and legislative success – no function in a congressional office can be performed well without consideration of the others.

Like Caesar's wife, it is important for the communications director to be above reproach. Members must be able to trust that their communications directors will accurately express their thoughts, opinions and positions to the media. And the media must be able to trust that when a communications director speaks, it is with the Member's voice and that the information imparted is reliable. A seemingly innocuous misstep can prove fatal to a lawmaker's career. That's why most Congressional offices prohibit staff other than those responsible for communications from talking to the media – even casually.

Communications directors also help manage the Members' public appearances, prepare materials for public distribution, write newspaper columns and speak on radio shows, help coordinate state or district scheduling, and sometimes act as a legislative assistant, overseeing activities surrounding measures such as those involving media regulation. We write a great deal more about communication later in the book.

Outreach and Constituent Services may seem to describe many of the activities that have been ascribed to members of the Legislative team, but legislative activities are centered in Washington, D.C., while Outreach and Constituent Services are more localized.

Outreach is primarily a communications function directed by the district or state director and carried out by key staff members, who attend countless meetings of Rotary and other service clubs, farm groups and veterans' organizations and visit senior centers, churches and schools on behalf of the Member. They also work closely with the communications director to assure press coverage for local events that will be attended by the Member. For many constituents, outreach staff is tantamount to speaking with the Member since they are immediately accessible and pre-

sumably provide a direct conduit to the Member.

They listen to questions, concerns and needs and, when appropriate, pass them along to the constituent service staff. Constituent service has become increasingly important as government has grown in size and complexity, making it difficult for the average citizen to find their way through the federal bureaucracy.

Efforts on behalf of constituents are referred to as casework. Most involve immigration law, social security, small business issues, the military and veterans' benefits, but there are literally hundreds of situations that might lead to the Member or his staff being called upon for assistance.

Although the majority of casework is handled at the district or state level, there are Congressional offices that prefer to run constituent services out of Washington D.C.

There is no right or wrong place to do it – as long as it gets results.

Obviously, staff can generate considerable good will for their boss by serving as ombudsmen for constituents in dealings with federal agencies, but they have to know precisely how far they can go. Some of the biggest scandals in recent Congressional history have resulted when Members were asked to help convince agencies to bend the rules. Past examples include ABSCAM, the Keating Five, and a most recent case where a Senator called a U.S. Attorney to inquire about the status of a legal investigation (offices should never intervene in legal matters).

To help avoid such pitfalls, most district offices employ a **director of constituent services** to set parameters, but in some cases these activities are overseen by a district or state director or even the chief of staff. As a further safeguard, all employees are now required to take ethics training within a few months of joining a congressional staff.

The **district director** in the House and the **state director** in the Senate perform the role of the chief of staff at the local level. Most supervise the activities of five or so people in a Congressional District and as many as 20 in a Senator's state office. It is up to the district director to track political developments at the grassroots level and build relationships with elected officials. When a Member wants to know what constituents are thinking or how they will react to an issue, a bill or an action, it is usually the state or district director who is called.

On a day-to-day basis, however, these local directors usually report to the chief of staff.

There has always been interdependence among staff at the local office as well as in D.C. The Internet and other means of enhanced communications have made it possible for those who handle what are commonly referred to as the functional needs of the Congressional office – the legislative and communication teams in D.C. and the outreach and constituent services teams at the local level – to work even more closely. **Cross-functional teams** have been credited with making these offices more efficient and more effective

Websites represent one example. In most cases, these are designed by the communications director and maintained by the computer systems administrator. Legislative staff contributes by constantly updating issue and policy information and the local outreach and constituent services personnel share noteworthy activity occurring on the home front or on issues of broad concern.

Legislative directors, meanwhile, have developed a close working relationship with computer systems administrators in an effort to track correspondence and response times and keep the Member informed of the volume of communication on hot issues, as well as the opinions such correspondence contains.

Just a few short years ago, all it took to become a computer systems administrator – or IT (Information Technology) manager, as they're called in some offices – was to attend a class and perform data entry to support the correspondence program. No longer. Technology tools have become essential to the successful operation of every Congressional office and require specialized knowledge.

Most offices have a staff member whose specialty is technological tools and is responsible for the storage and protection of highly confidential data requiring sophisticated backup and redundancy systems. The systems manager also must meet the challenges presented by a network that may include work stations in five or more state offices, as well as those used by 18 staff members in the House and an average of 40 in the Senate, not to mention a host of laptops and other high-tech devices.

Handheld communications devices such as the Blackberry, which was introduced into the market in 1999, have proliferated on the Hill like

rabbits, making the old bells-buzzer-lights system of communication obsolete while at that same time all but guaranteeing that like the old system, they'll still be around long after the next wave of technology has swept through the country.

The systems manager is not part of the so-called functional staff. He or she belongs to the support team, which does what support staff in any office do – they facilitate the efforts of everyone else, make it possible for other teams to do their jobs, keep the wheels oiled and turning. In a Congressional office, the duties of support staff vary from filing to the tasks performed by what's affectionately known as the **scheduler**.

The scheduler, who is referred to in some offices as the *executive assistant*, is usually the gatekeeper to the Member's inner office and, not surprisingly, maintains the Member's schedule. This itinerary not only identifies where the Member is going but where he or she has been. Keeping such a schedule is not an easy task, given the fact that plans often change several times a day as unforeseen events create detours and changes of plans.

The fact that the scheduler typically is responsible for the Member's personal correspondence and phone calls adds to the need for discretion and loyalty on the part of the person who holds that position. The scheduler usually knows more about the Member's activities than anyone except the Member and chief of staff. If the Member is thinking about a bid for higher office, chances are the scheduler knows about it. If the Member is having family problems, chances are the scheduler knows about it. If the Member is avoiding the party whip, the scheduler definitely knows about it.

Among the challenges the scheduler faces is figuring out what events the Member can and should attend. Members receive hundreds of invitations to events in Washington, D.C., and the home district or state. Almost all are worthwhile, but it's humanly impossible to be at every one. In ages past, such invitations were accepted or rejected more on the basis of expediency and personal taste than strategic planning. These days, however, activities, including sporting events, are weighed against the Member's goals – and in some instances, events are actually created to help fulfill strategic goals.

When the Medicare Prescription Drug bill was signed into law, for example, some Members made it a priority to get to every senior center

in their state or district to explain the new plan and help people with the complex enrollment process. Instead of waiting for an invitation, the staff called each senior center and asked if the Member could stop by and talk to a gathering of seniors. This sort of aggressive, well-thought-out scheduling maximizes the effectiveness of the Congressional office's most finite resource – the Member's time.

It has been suggested that the scheduler's duties have such an impact on the operation that the position should be a *functional* category unto itself. But in the House, at least, many of the scheduler's other duties fall into the support category – and include maintaining supplies, contracting for package delivery and handling expense and payroll records. (Since 1995, Congress has been subject to most of the same labor laws as any other employer and must keep track of compensatory time, overtime, distinctions between salaried and hourly employees and mandatory leave schedules.)

In the Senate, where staff sizes make support functions a full-time job, the duties handled in the House by the scheduler are usually divided between two employees.

The **staff assistant** is another member of the support team. It's a position most people would call a receptionist, but he or she is not a receptionist in the traditional sense. The receptionist's job in a Congressional office has a lot more facets. Besides being the point person on the phones and the individual who greets guests as they enter the office, providing in the process that all-important positive first impression, the staff assistant frequently manages office interns, arranges and coordinates tours of numerous D.C. sites – particularly the White House – that require tickets and fields requests for flags to be flown over the Capitol.

Staff assistant is typically an entry-level position taken by people hoping to work their way into a legislative, communication or administrative position. Most are successful. That's because they're completely over-qualified for the job. Don't be surprised if you learn that the first person you meet when you walk into a Congressional office holds an advanced degree from a highly rated college or university.

For obvious reasons, staff assistant is a high-turnover position. Those who hold that job typically move up in a year or they move on.

Chapter Three Summary

- Each office has great autonomy and its own unique hierarchy. Staff tends to reflect the Member's background, interests and district.
- Senate offices typically have more than twice the staff of their counterparts in the House but the organization charts are very similar.
- In the vast majority of offices the chief of staff is the Member's strong right-arm and the most important hiring decision the Member makes.
- The focus of staff members who report to the chief fall into four basic categories: Legislative, Communication, Outreach and Constituent Services, Support and Administrative Staff.
- Legislative staff must be knowledgeable in the rules, procedures, processes and peculiarities of the Congress, its history and traditions. The legislative team is usually a three-tiered hierarchy that consists of the legislative director, legislative assistants and legislative correspondents.
- The biggest challenge for legislative staff is constituent mail. Congress receives nearly a million constituent communications every day. To answer this massive volume of mail requires enormous amounts of time, effort and technology.
- The communications director is involved in every aspect of the office. Effective communication is essential to political and legislative success.
- Outreach is primarily a communications function carried out by key staff members who attend countless meetings on behalf of the Member.
- Constituent service has become increasingly important as government has grown in size and complexity, making it difficult for the average citizen to find their way through the federal bureaucracy. The district director in the House and the state director in the Senate perform the role of the chief of staff at the local level.
- Technology tools have become essential to the successful operation of every Congressional office and require specialized knowledge.

- The scheduler is usually the gatekeeper to the Member's inner office and maintains the Member's schedule.
- The staff assistant answers phones, greets guests as they enter the office and frequently manages interns, arranges tours and fields requests for flags to be flown over the Capitol.