

ELEMENTS OF A LOBBYIST

There are many forms of lobbying. The Elements of Lobbying Style concern your comportment when trying to influence legislators. They are not about the legal requirements of lobbying or about legislative process — important topics that differ according to levels of government, and from state to state.

Mostly, the rules of common sense apply. But pitfalls abound.

The first common sense rule is to observe standard, good behavior: be well-groomed and well-mannered. Introduce yourself, and say where you are from. Be attentive to the views of the person with whom you are speaking. Do not interrupt. A smile goes a long way. Don't make faces. Don't wag fingers in faces. Don't do anything with faces. Be a polite guest; you want to be invited back.

Lobbying is about persuasion and communication, activities in which we each engage daily. We are all eager to be heard. We want to sound knowledgeable. We want to convince the other person just how right our way is — if only the rest of the world would listen. But we err when we substitute stridence for passion, passion for substance, or ourselves for the issue. We err when we pretend to know things we do not, when we ignore the other side to our argument, or when we fail to articulate what we want.

Lobbying is essential to the legislative process. Citizens bring vital expertise and public opinion to the creation of laws. Access to legislators while they perform their job is as important to a democracy as access to the voting booth. Done ethically, lobbying is a public service. But it is not romantic. An effective lobbyist is, by turns: a photocopier, an errand runner, a messenger, a hallway dweller, an eater of bad food at receptions, and a powerful force in passing a law — who must usually remain invisible. Humility is helpful.

The 21 pointers below are a guide to behaving effectively, and avoiding commonplace mistakes when lobbying. Where the words “legislator” and “legislature” are used, assume they apply equally to legislative staff, or a statehouse, the Congress, House, or Senate. Where the words “she” or “her” appear, assume they can also mean “he” or “his.”

If you only remember two words, remember these: persuade intelligently.

- 1. Represent the issue.** Lobbying is about the issue you represent; it is not about you. Every lobbyist must occasionally be reminded that pride and ego take a back seat to the work at hand. If a legislator disagrees with you vehemently, or treats you indifferently, or does not seem to like you, endure it and determine how to earn her vote anyway. It is not her job to be your friend, or yours to be hers. She does not have to like you, as long as she likes your issue — though the former can be a big help with the latter.
- 2. Make your meeting count.** You may have only one opportunity to visit with a

- legislator. Make it count. Do not assume you can later atone for being unprepared, or behaving poorly. In addition, legislative schedules are not always predictable, and can ruin plans for a follow-up meeting. If you are fortunate, you will create a good relationship, and the door will always be open to you. But you cannot count on it. Be effective on your first visit.
3. **Don't lobby alone.** Make your legislative rounds with a lobbying partner. Alone you may leave out information, fail to answer an important question, or miss an essential point. Two memories are better than one when you later make notes about your visit. Decide which of you will cover what topic. Do not interrupt or argue with one another. Make one of you the designated contact.
 4. **Show respect for the office.** Legislators care that they are legislators. Show proper respect for the office they occupy. Address them by title. Most legislators take seriously their duty to their constituents. "Voters have long memories" is a wisdom to which officeholders subscribe. If you show disdain for the office, or for the concerns of the constituents in the home district, a relationship with you is a liability. Be respectful to the legislator's position, her district and her interests.
 5. **State your purpose.** The best way to start the conversation with a legislator is to introduce yourself, whom you represent, and state plainly why you have asked for the meeting: "We are here to ask your support for the Property Tax Reduction Act." The succinct presentation you then make will have the proper attention of her and her staff.
 6. **Know your issue.** You must know your issue thoroughly, and be prepared to present a five or a one minute summation — your sole opportunity may come during an elevator ride. Know all the provisions of your bill, its status, its sponsors, and the committees to which it will be referred. Know who opposes it and why — know their position as well as you know your own. Know everything necessary to move the bill. If you do, you will be an effective lobbyist, and you will be an indispensable partner to your bill's sponsors.
 7. **Practice this statement: "I don't know but I will find out for you."** When the time comes that you do not know the answer to a question, say so. Covering-up is a mistake. A legislator is a professional who will perceive when you are faking, deceiving, or grasping for excuses. She has been in the position of not knowing the answer to a question, It is better to earn her respect by being honest and responsible. Don't be coy, say it firmly and politely: "I don't know but I will find out for you."
 8. **Explain why your issue is important.** It is not enough to know a bill thoroughly and explain eloquently its details, its politics, the positive public reaction, the votes that will be earned back home, and the great media exposure in store for the legislator. Articulate why voting for it is a meaningful act. Do not assume legislators are cynics. In fact, most care. Be a person of substance. Know and explain why your issue serves the public good, the legislator, those you represent, and you.
 9. **Speak your issue not your mind.** Stick to your issue. Suppress the fleeting desire to

vent your feelings. It is not your job to explain to a legislator how obtuse she is, nor to deliver the devastating news that you will not vote for her in November. Your job is to garner her support, and to keep her an ally for subsequent issues. A Washington Post article on election year politics said, "There's an old saying in political circles: A gaffe is what you make when you unintentionally say what you really believe."

10. **Don't be argumentative.** This is companion advice to #9. You are in a legislator's office to move your issue forward, not wage a battle, or boast to friends that you stood up to an elected official. When you find yourself fighting with a legislator, the silence that follows is the sound of a lost vote, and maybe more. Instead, be polite, persuasive, and smart.
11. **Admit the negative.** If your legislator is disturbed by a negative but necessary aspect of your bill, deal with it forthrightly. For example, she says: "Do you mean to tell me this must be paid for with tax dollars?" You think: "Of course it will cost tax dollars, but how should I say so?" Say this: "Yes." With that ugly moment aside, you can cogently and calmly explain why the tax revenue necessary to fund the crucial purpose of the bill is a worthwhile investment in the public good.
12. **Observe, listen, act.** You are in a legislator's office to gather intelligence, as well as earn a vote. A lobbyist's job includes solving problems. Let's say you have asked for Senator Jones' support. He equivocates and takes the conversation in a different direction: Senator Jones: Have you spoken to Senator Smith about this bill? You: No we have not. Senator Jones: I would like to know what he thinks. Run the errand! Many a bill has hung on the relationship between colleagues, politics back home, a legislator's expenditure of political capital on another issue, or simply the need for a political partner. Legislative politics is not linear. It is a web. Jump in.
13. **Ask questions.** There are certain types of information legislators know first. Do not be afraid to ask. You may wonder if a committee is meeting off-schedule, or if the legislature is adjourning for the week, or if a particular legislator has information about another legislator. Ask. You will be surprised at how often legislators like to talk about their business.
14. **Close the Deal.** Stating your purpose for the meeting at the outset is not enough. Conclude your presentation by asking for what you want: "Can we count on your support?" "Will you introduce our bill?" "Will you sponsor our appropriation?" You should end your visit by closing the deal, or at least knowing where she stands. The legislator will be surprised if you do not.
15. **Avoid a premature "No."** If you sense a "No" coming from a legislator whose support you must have, gracefully bring the conversation to a positive conclusion that allows you to return another time: "I see you have concerns, I would like to come back with some answers and alternatives for you." It is easier to later convert a noncommittal conversation into a "Yes" than it is to turn a "No" into a "Yes." Keep the door open; avoid the "No."

16. **Don't waste time on an unimportant "No."** Your job is to garner the support of those legislators whose votes you need. It is not your job to produce a bill that passes unanimously, along with a legislative proclamation about your persuasive talents. There will be legislators who are uninterested, unalterably opposed, defiantly unpersuadable, or monumentally bored with your issue. If you do not need their vote, move on. Let them live in peace.
17. **Bring concise written material.** Leave a Memorandum of Support. It should be well-organized, easy to read, articulate the reasons for support, and answer anticipated attacks. An accompanying fact sheet is helpful, with the most important information up top. Rambling discourses with end-of-the-world predictions in bold capitals will not be taken seriously.
18. **Get the names of key staff for future contact.**
19. **Leave a business card.**
20. **Write a thank you note.**
21. **Do not offer gifts.**