Persuading Congress: How to Spend Less and Get More from Congress
by Joseph Gibson, The Capitol.Net, 141 pages

At a time when the strengths and weaknesses of our legislative branch are illustrated by both decisive action and protracted stalemates, Joseph Gibson offers keen insight into the process and practical advice for those wishing to interact with Congress. In “Persuading Congress: How to Spend Less and Get More from Congress: Candid Advice for Executives” the author is clear, concise and brief. Not always the three most common descriptors that spring to mind when discussing the work of Congress. Gibson is respectful of his reader’s time. He presents information that is easily and rapidly absorbed, with helpful chapter summaries throughout.

Part one of the guide is an overview of how Congress works. Avoiding unnecessary detail, Gibson reviews the most important elements in the internal dynamics of leadership, committees, staff and the rules by which legislative action occurs. There are also chapters explaining the external influences that come into play, such as the president, the courts, interest groups,
lobbyists, federal departments and agencies, the news media, public opinion and, of course, elections. In an astute observation, Gibson says the following about the amount of time and energy that members and their staff spend thinking about the next election cycle: “Until you experience it, you cannot appreciate how all consuming it is.” For those readers seeking more detail about many of these aspects and influences, there are helpful footnotes that reference both Gibson’s own appendices and works like the “Congressional Deskbook.”

Part two is where Gibson’s expertise really comes into play. In fewer than 100 pages you’ll find a review of how you can influence Congress. The author’s personal experience working for all three branches of the federal government as well as working as a lobbyist and advocate on Capitol Hill is apparent as he describes the tools, opportunities and considerations of attempting to influence the lawmaking process. First up: a review of what the author calls the Facts of Life. He explains that first and foremost, the actions of Congress and its members are guided by self-interest. He warns readers not to be put off by this fact. “The framers of the Constitution grasped this utterly human tendency all too well. They carefully designed the system to pit interest against interest so that no one got too much power.” But as Gibson explains, it is just this tendency toward self-interest that gives those seeking influence their most powerful tools. If you can convince a member that action or inaction on your issue serves their self-interest and the interests of their constituents, you’re more likely to succeed. He goes on to explain additional issues—ego, ideology, credit, inertia and the size of the majority of the controlling party—that are all important factors in crafting your approach to members of Congress.

Next up: the tools of influence. Gibson divides these tools into four categories: personal, intellectual, environmental and practical. Personal tools include constituency and reputation. Every resident of the 50 United States is a constituent of three members of Congress, one representative and two senators. Gibson advises to always begin any advocacy effort with these members. It can also be a matter of courtesy to keep your members informed about your efforts. That courtesy is a part of the second personal tool of reputation. The author stresses the importance of cultivating and preserving a reputation for honesty and fairness.

The intellectual tools detailed include setting clear, achievable, timely goals. The quality of your ideas and the facts and arguments you plan to use in your efforts are also reviewed in these chapters. Environmental tools are comprised of reading political signals and using them to your advantage, recruiting allies to your cause and identifying a member or members who can act as the champion for your issue. Contained in Gibson’s list of practical tools are money, grassroots, grasstops and the Internet. Money refers to campaign contributions. While acknowledging that it costs a great deal of money to run for office, Gibson
warns contributors not to look to money as a means to an end. Rather, he suggests looking at campaign contributions as “one of a number of ways of building a long-term relationship with a member.”

Grassroots refers to a group or groups of average people who can collectively bring pressure to bear on Congress. The less familiar term of “grasstops” refers to influence brought by CEOs and other VIPs. Both grassroots and grasstops efforts can be difficult to activate and may have limited utility depending on the issue. The Internet can also be a powerful practical tool, but has its shortcomings. As Gibson observes, “Posting something on the Internet does not mean anybody gets your message.”

Opportunities to use these tools to influence Congress can be focused in several ways, most namely, in meetings with members and then at specific points during the legislative process. Hearings, markups, floor consideration, conference committees, crisis situations—these are all opportunities to attempt to exert influence or affect the outcome. Gibson reinforces an ongoing theme in addressing these opportunities: that the ability of an individual or organization to wield influence depends largely on the relationships that have been cultivated with members and staff.

The final section of the guide is titled Long-Term Considerations. Here Gibson speaks to patience, intensity, courage and understanding. Passing laws is a long and complicated process. As the author recommends, “You must remember that it is a marathon, not a sprint.”

Throughout the guide, Gibson advises consultation with an experienced lobbyist or lobbyists to craft an approach and guide you during the process. Interacting with Congress can be complicated. Gaining an understanding of the basics from a book like “Persuading Congress” is just the beginning. Any serious effort to lobby Congress should involve professional lobbyists.

Gibson occasionally illustrates certain points with specific examples that may not always be information rich for the sake of brevity. Having access to the Internet will prove helpful when you want to get more information about referenced legislative action or news stories. Overall, he has created a straightforward guide about effective interaction with Congress and its members. It is accurate and diplomatic in its approach, a refreshingly candid treatment of a complex and nuanced subject.

George W. “Buddy” Darden is senior counsel for McKenna Long & Aldridge LLP in Atlanta. His concentration is public policy, public finance and litigation. He he chairs the Judicial Advisory Panel for the Georgia Democratic Congressional Delegation and served as chair of the Judicial Nomination Commission for former Gov. Roy Barnes. Prior to joining McKenna Long & Aldridge, Darden represented Georgia’s Seventh Congressional District in the U.S. House of Representatives for six terms from 1983 until 1994. He received his B.A. and J.D. from the University of Georgia. Before his election to Congress, Darden was a member of the Georgia General Assembly and served as district attorney of the Cobb Judicial Circuit.

Consumer Pamphlet Series

The State Bar of Georgia’s Consumer Pamphlet Series is available at cost to Bar members, non-Bar members and organizations. Pamphlets are priced cost plus tax and shipping.

Questions? Call 404-527-8792.

The following pamphlets are available:

- Advance Directive for Health Care
- Auto Accidents
- Bankruptcy
- Buying a Home
- Divorce
- How to Be a Good Witness
- How to Choose a Lawyer
- Juror’s Manual
- Lawyers and Legal Fees
- Legal Careers
- Legal Rights of Nursing Home Residents
- Patents, Trademarks and Copyrights
- Selecting a Nursing Home
- Selecting a Personal Care Home
- Wills

Visit www.gabar.org for an order form and more information or e-mail stephaniew@gabar.org.