



Connecting Citizens & Legislators

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Abstract

E-mail communication is rapidly becoming the most important way for citizens to contact their members of Congress. Far more e-mail reaches Congress every day than telephone calls, faxes, telegrams, or postal mail. The Congressional Management Foundation estimated that nearly 200 million e-mail messages were sent to Congress in 2004. Often, citizens are alerted by watchdog and interest organizations of impending action in Congress, and those citizens are urged to send e-mails to their legislators. E-mail is a convenient, efficient, timely, and inexpensive vehicle for reaching Congress. But how confident should citizens be that the e-mails they send in fact reach Members of Congress?

Citizens would be understandably upset if they knew that letters they sent through the U.S. Post Office were never delivered, but simply dumped into a trash can by the mail carrier. They would be equally disturbed if they had paid a company to deliver handbills to individual households, but later found that the handbills were tossed into the gutter by the delivery person. Unfortunately, there is strong evidence that much of the electronic mail that citizens assume is reaching Congress is ending up in an electronic trash can, without the knowledge and certainly without the consent of the sender.

This research project clearly demonstrates that citizens and advocacy organizations are being short-changed by some advocacy communications vendors who promise to send their messages to Congress and fail to do so. What is worse, the vendors fail to inform the senders that the messages did not make it to their intended audience.

Current Environment

Legislators know that keeping in touch with constituents is essential, and understand that e-mail constitutes a vital, and growing, part of the communications they receive. So that they can ensure that they receive legitimate constituent communications, virtually all personal offices in Congress have installed “Web forms,” which are e-mail forms with required fields. Lawmakers want to make it easy and convenient to communicate with their constituents, but also want to manage the relentless flow of e-mail messages.

Members of Congress focus almost exclusively on communications from constituents. Incentives and requirements built into federal law, House and Senate rules, institutional traditions, and political expedience necessitate this practice. In addition, Members of Congress have instituted a variety of technological tools to reduce the administrative burden of responding to constituent communications. While these tools are sometimes seen as “barriers,” congressional offices view them as instruments to enhance their effectiveness and reduce their workload. These tools include:

- ✳ Web forms that require certain information from the sender of the communication. Many House offices use the “Write Your Representative” form, which asks that e-mail senders fill out basic information such as state, ZIP code-plus, mailing address, and e-mail address. Other web forms require additional information, such as phone numbers and preferred salutation or prefix.
- ✳ Issue categories, which ask constituents to indicate the general subject of the matter they are writing about. These allow many communications to be sent directly to the appropriate policy expert within the office, bypassing a staffer to sort and filter the message.
- ✳ Logic puzzles or CAPTCHA authentication. These are recent additions used to ensure individuals, rather than computer-generated mass mailings, are sent to the congressional office. (Note: The introduction of these new filters is based on what some believe is a false impression by congressional staff that most of the increase in constituent communications is not generated by actual constituents. See *Communicating with Congress: How Capitol Hill is Coping with the Surge in Citizen Advocacy*, page 32, for more details on this phenomenon.)

A summary of the various filters and required fields currently in use in Congress is included in Appendix 1, “Snapshot of Web forms and Message Requirements on Capitol Hill.”

Methodology

The research team developed a method to accurately test the deliverability success rate of major vendors by testing which vendor systems would generate an “automated response” from a select group of congressional offices. The research team was comprised of staff from Capitol Advantage (an advocacy communications vendor), Knowlegis (a government relations software and research firm), and E-Advocates (an integrated grassroots consulting firm). I supervised and audited the research and its methodology. When some congressional offices receive an e-mail, their correspondence management system sends an automated response which typically says “we have received your e-mail, the Member

is concerned, and we will respond in full shortly.” The automated response is the proof that the outside e-mail sent by a constituent has been received by the Member of Congress. The 37 congressional offices selected for this study all generate an automated response to constituent communications and include one or more of the requirements noted above and summarized in Appendix 1. They represent a close approximation of the entire Congress, with a mix of Republicans and Democrats from across the country.

Four Senate personal offices and 33 House personal offices were chosen as the test recipients. Each of these offices employs one or more requirements or authentication measures, and each sends automated responses alerting the e-mail sender that their e-mail has been received. The automated response mechanisms for all 37 congressional offices were tested by sending a message directly to the lawmaker (rather than through a vendor) and the automated responses worked 100 percent of the time. This became the control group by which all vendors would be measured.

The research team tested 10 leading advocacy communications vendors to determine how reliable they were in sending e-mail to Members of Congress. These vendors represent a variety of clients—unions, business interests, trade associations, and a wide range of non-profits. A typical vendor transaction with activists goes as follows: Through the vendor, a client sends an e-mail appeal to its members, supporters, or advocates, directing them to the client’s Web site where they are asked to fill out a response form and “take action” with their elected representatives. The vendor’s system then purports to forward the web-based communication to the appropriate Member of Congress.

The research team used the e-mail forms on each of the 10 vendor Web sites to send e-mail messages to the 37 targeted congressional offices. The team utilized actual constituent addresses for every message sent, to ensure the message would not be filtered out because the sender was a non-constituent. Testing began in late August and concluded in early September. Within a matter of hours, automated responses were received from congressional offices. Nearly all came within 24 hours, but to ensure any late automated responses might be received and credited to the vendor, the researchers did not close the return deadline until one week after the original e-mails were sent. There were no known anomalies in the congressional online system during this time, such as a power failure, repair work on a certain online system, or any other factor that might skew the responses.

Analysis

The results of this research were unsettling. Like citizens who expect their postal mail to be delivered and not dumped into the trash by the mail carrier, online citizens and organizations should demand the same level of reliability and accountability from vendors. Insisting that e-mail be delivered at

least 90 percent of the time is not unreasonable and should represent a bare minimum level of competency. But what the research found was that several of the vendors failed miserably in their ability to send e-mails to Congress: 6 of the 10 could not deliver 50 percent of the e-mail through their systems. Of those 6, three utterly failed, with a 16.2 percent return and two 0 percent returns. One vendor scored just over 50 percent, another at 67.6 percent, and another at 81.1 percent—all still below what should be a minimal acceptance rate of 90 percent. Only one vendor (Capitol Advantage) scored at a rate that citizens should expect from an advocacy vendor: 97.3 percent.

The offices selected for this study are representative of the growing trend in Congress toward utilizing more filters and requiring more information from the sender. While only 37 offices were tested in this research, it is reasonable to extrapolate from the data collected that many vendors are experiencing significant difficulties – and in many cases failing outright – in delivering the messages that they are paid to deliver.

Even worse than failing to deliver, it appears that most vendors did not inform the citizen about the failure. There were no indications by any of the vendors that they informed customers when they were unable to deliver e-mail messages to Congress.

Full results of this research are presented in Appendix 2, “Final Results of Deliverability Testing.”

Conclusion

It is extraordinarily important that Members of Congress hear from their constituents and it is equally important that citizens know that their messages are being delivered. Representative democracy depends upon the deep bond between citizens and their elected officials. Online communications hold the promise of strengthening that bond, and in many ways, they are doing so. However, vendors who promise to deliver online messages to Congress, but fail to do so, are robbing clients and citizens of an essential democratic voice. And their failure to inform clients and citizens that e-mails are not being received by Congress is equally disturbing. The industry of online advocacy should be equally concerned. The reputation of this entire business is at stake when vendors cannot deliver promised goods and when they fail to own up to their own shortcomings.

About Dr. Dennis W. Johnson

Dr. Dennis W. Johnson is professor of Political Management at the George Washington University and is a leading expert on online communication, advocacy, and politics. He was principal investigator for a two-and-one-half year project (2000-2003) entitled Congress Online, a joint research project of the Congressional Management Foundation and George Washington University, funded by the Pew Charitable Trusts. Among his many writings include Congress Online: Bridging the Gap between Citizens and their Representatives (2004). Dr. Johnson teaches a course on Electronic Government and Politics and is on the editorial board of the Journal of Information Technology and Politics and is senior editor of the Journal of Political Marketing.

Dr. Johnson served as consultant on this project and was compensated by Capitol Advantage.

Appendix One

Snapshot of Web forms and Message Requirements on Capitol Hill As of 9/11/06

Offices using regular e-mail	59
Offices with CAPTCHA on Web form	13
Offices with logic puzzle on Web form	55
Offices using Web forms instead of standard e-mail	478
Offices that require a sender's prefix	172
Offices that require sender's phone number	63
Offices that require sender's e-mail address	122
Offices that require the sender to select an issue category	124
Offices using automated response to acknowledge receipt	86

Appendix Two

Final Results of Deliverability Testing				
Vendor	Advocacy Clients	Count	Delivery Rate	
Member of Congress Web form	N/A	37/37	100%	
BIPAC	American Forest & Paper Association The Associated General Contractors of America (AGC) National Association of Manufacturers The Society of the Plastics Industry	0/37	0%	
Capitol Advantage	American Red Cross American Society of Association Executives Arthritis Foundation AOL's Government Guide National Education Association National Restaurant Association Southwest Airlines	36/37	97.3%	
Convio	Brady Campaign to Prevent Gun Violence Consumers Union Easter Seals MADD (Mothers Against Drunk Driving)	25/37	67.6%	
Democracy Data Communications	The American College of Obstetricians and Gynecologists Juvenile Diabetes Research Foundation International National Association of Homebuilders	9/37	24.3%	
Democracy in Action	Americans for Safe Access Council for a Livable World Friends of the Earth Public Citizen	0/37	0%	
GetActive	AFL-CIO's Working Families e-Activist Network Environmental Defense The Humane Society of the United States National Association of Realtors Planned Parenthood Federation of America	6/37	16.2%	
Grassroots Enterprises	Campaign for Tobacco-Free Kids Episcopal Public Policy Network	6/31*	19.4%	
Kintera	Amnesty International USA Lance Armstrong Foundation National Association for the Deaf	19/37	51.4%	
Vocus	American College of Physicians American Nurses Association The Financial Planning Association Focus on the Family's CitizenLink	12/36*	33.3%	
VoterVoice	Internet Freedom Coalition National Association of Community Health Centers, Inc Western Growers Association	30/37	81.1%	

* Not all vendors had an action alert targeting all test recipients. In those instances, results were not scored and they therefore did not affect the overall deliverability percentages.