

# CRS Report for Congress

## “Dear Colleague” Letters: Current Practices

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Jacob R. Straus  
Analyst on the Congress  
Government and Finance Division



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Committees of Congress

# “Dear Colleague” Letters: Current Practices

## Summary

“Dear Colleague” letters are correspondence signed by Members of Congress and distributed in bulk to their colleagues. Such correspondence is often used by one or more Members to persuade others to cosponsor, support, or oppose a bill. “Dear Colleague” letters also inform Members about new or modified congressional operations or about events connected to congressional business. A Member or group of Members might send a “Dear Colleague” letter to all of their colleagues in a chamber, to Members of the other chamber, or to a subset of Members, such as all Democrats or Republicans. The use of the phrase “Dear Colleague” to refer to a widely distributed letter among Members dates at least to the start of the 20<sup>th</sup> century, and refers to the generic salutation of these letters. New technologies and expanded use of the Internet have increased the speed and facilitated the process of distributing “Dear Colleague” letters.

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# “Dear Colleague” Letters: Current Practices

## Background<sup>1</sup>

A “Dear Colleague” letter is official correspondence that is sent by a Member, committee, or officer of the House of Representatives or Senate and that is distributed in bulk to other congressional offices.<sup>2</sup> A “Dear Colleague” letter may be circulated in paper form through internal mail, distributed on a chamber floor, or sent electronically.<sup>3</sup>

“Dear Colleague” letters are often used to encourage others to cosponsor, support, or oppose a bill. “Dear Colleague” letters concerning a bill or resolution generally include a description of the legislation or other subject matter along with a reason or reasons for support or opposition.<sup>4</sup> Senders or signatories of such letters become identified with the particular issue. “Dear Colleague” letters can also create an “unofficial link” in the Capitol Hill information chain.<sup>5</sup>

Additionally, “Dear Colleague” letters are used to inform Members and their offices about events connected to congressional business or modifications to House or Senate operations. The Committee on House Administration and the Senate Committee on Rules and Administration, for example, routinely circulate “Dear Colleague” letters to Members concerning matters that affect House or Senate

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<sup>1</sup> This report revises an earlier report by R. Eric Petersen.

<sup>2</sup> U.S. Congress, House, Office of the Chief Administrative Officer, *HouseSmart: Reference Guide to Information and Services*, 109<sup>th</sup> Cong., 1<sup>st</sup> sess. (Washington: 2005), p. 29. (Hereafter *HouseSmart*.)

<sup>3</sup> Internal mail circulation is handled by the House Postal Operations Office and the Senate Printing Graphics and Direct Mail Division. Electronic distribution of House “Dear Colleague” letters is available through a web-based e-“Dear Colleague” distribution system. Instructions on sending electronic “Dear Colleagues” can be found at [<http://e-dearcolleague.house.gov>]. The e-“Dear Colleague” website is available only to Members of the House of Representatives and their staff.

<sup>4</sup> “‘Dear Colleague’ Letters,” *Congressional Quarterly’s Guide to Congress*, 2 vols. (Washington: Congressional Quarterly, Inc., 2000), p. 645; and Abner J. Mikva and Patti B. Saris, *The American Congress: The First Branch* (New York: Franklin Watts, 1983), p. 203. See also Susan Webb Hammond, *Congressional Caucuses in National Policy Making* (Baltimore: The Johns Hopkins University Press, 1998), pp. 90, 94, 128, 167, 175, 184, and 215.

<sup>5</sup> Donald A. Ritchie, “‘Dear Colleague’ letters,” *The Young Oxford Companion to the Congress of the United States* (New York: Oxford University Press, 1993), p. 67.

operations, such as House changes to computer password policies<sup>6</sup> or a reminder about Senate restrictions on mass mailings prior to elections.<sup>7</sup>

These letters frequently begin with the salutation “Dear Colleague.” The length of such correspondence varies, with a typical “Dear Colleague” running one to two pages.<sup>8</sup>

## Development

Member-to-Member correspondence has long been used in Congress. For example, since early House rules required measures to be introduced only in a manner involving the “explicit approval of the full chamber,” Representatives needed permission to introduce legislation.<sup>9</sup> A not uncommon communication medium for soliciting support for this action was a letter to colleagues. Representative Abraham Lincoln, in 1849, formally notified his colleagues in writing that he intended to seek their authorization to introduce a bill to abolish slavery in the District of Columbia.<sup>10</sup>

The use of the phrase “Dear Colleague” has been used to refer to a widely distributed letter among Members at least since early in the 20<sup>th</sup> century. In 1913, the *New York Times* included the text of a “Dear Colleague” letter written by Representative Finley H. Gray to Representative Robert N. Page in which Gray outlined his “conceptions of a fit and proper manner” in which Members of the House should “show their respect for the President” and “express their well wishes” to the first family.<sup>11</sup> In 1916, the *Washington Post* included the text of a “Dear Colleague” letter written by Representative William P. Borland and distributed to colleagues on the House floor. The letter provided an explanation of an amendment he had offered to a House bill.<sup>12</sup>

Congress has since expanded its use of the Internet and electronic devices to facilitate distribution of legislative documents.<sup>13</sup> Electronic “Dear Colleague” letters

<sup>6</sup> Dear Colleague letter from Daniel Beard, chief administrative officer of the House, “Computer Password Protection Update,” Aug. 22, 2008.

<sup>7</sup> Dear Colleague letter from Senator Dianne Feinstein, chair, and Senator Robert Bennett, ranking member, Senate Committee on Rules and Administration, July 30, 2008.

<sup>8</sup> Walter Kravitz, *Congressional Quarterly’s American Congressional Dictionary*, 3<sup>rd</sup> ed. (Washington: CQ Press, 2001), p. 75.

<sup>9</sup> The power to introduce a bill was not regarded as the authority of any single Member. See Joseph Cooper, “Origins of the Standing Committees and the Development of the Modern House,” *Rice University Studies*, vol. 56, summer 1970, p. 3.

<sup>10</sup> Neil MacNeil, *Forge of Democracy: The House of Representatives* (New York: David McKay Company Inc., 1963), pp. 57-58.

<sup>11</sup> “Discord in House over Wilson Gift,” *The New York Times*, Oct. 31, 1913, p. 10.

<sup>12</sup> “Hears Borland Today,” *The Washington Post*, Mar. 14, 1916, p. 5.

<sup>13</sup> CRS Report RL31103, *House of Representatives Information Technology Management* (continued...)

can be disseminated via internal networks in the House and Senate, supplementing or supplanting paper forms of the letters. Such electronic communication has increased the speed and facilitated the process of distributing “Dear Colleague” letters.

## Use of “Dear Colleague” Letters

In the contemporary Congress, Members use both printed copy distribution and electronic delivery for sending “Dear Colleague” letters.

### House of Representatives

In the House, Members may choose to send “Dear Colleague” letters through internal mail, through the *e*-“Dear Colleague” system, or both.<sup>14</sup> Regardless of distribution method, House “Dear Colleague” letters are required to address official business and must be signed by a Member or officer of Congress.<sup>15</sup>

Members of the House often send out “Dear Colleague” letters to recruit cosponsors for their measures.<sup>16</sup> The practice of recruiting cosponsors has become more important since the passage of H.Res. 42 in the 90<sup>th</sup> Congress (1967-1969). H.Res. 42 amended House rules to permit bill cosponsors, but limited the number to 25.<sup>17</sup> In 1979, the House agreed to H.Res. 86, which further amended House rules to permit unlimited numbers of cosponsors.<sup>18</sup>

**Internal Mail.** “Dear Colleague” letters sent through internal mail must be written on official letterhead, address official business, and be signed by a Member

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<sup>13</sup> (...continued)

*Issues: An Overview of the Effects on Institutional Operations, the Legislative Process, and Future Planning*, by Jeffrey W. Seifert and R. Eric Petersen.

<sup>14</sup> To access the *e*-“Dear Colleague” system, visit [<http://e-dearcolleague.house.gov>]. Access to the *e*-“Dear Colleague” system is restricted to the House of Representatives.

<sup>15</sup> *HouseSmart*, p. 25. Officers include the chief administrative officer, the clerk of the House of Representatives, the sergeant at arms, and the chaplain.

<sup>16</sup> Michael L. Koempel and Judy Schneider, *Congressional Deskbook: The Practical and Comprehensive Guide to Congress* (Alexandria, VA: TheCapitol.Net, 2007), p. 257.

<sup>17</sup> H.Res. 42 (90<sup>th</sup> Cong.), agreed to Apr. 25, 1967. See Rep. William Colmer et al., “To Amend the Rules of the House of Representatives,” *Congressional Record*, vol. 113, part 8 (Apr. 25, 1967), pp. 10708-10712.

<sup>18</sup> H.Res. 86 (95<sup>th</sup> Cong.), agreed to Oct. 10, 1978. The provisions of H.Res. 86 did not become effective until the beginning of the 96<sup>th</sup> Congress (1979-1981) in January 1979. Prior to this rules change, if a measure had more than 25 cosponsors, additional bills were introduced for each group of 25 cosponsors. See Rep. Gillis Long, “Amending Rules Concerning Cosponsorship of Public Bills and Resolutions,” *Congressional Record*, vol. 124, part 26 (Oct. 10, 1978), pp. 34929-34930.

or officer of Congress.<sup>19</sup> A cover letter must accompany the “Dear Colleague” letter, addressed to the deputy chief administrative officer of the House for customer solutions, with specific distribution instructions and authorization as to the number to be distributed.<sup>20</sup> The deadline for morning distribution is 9:45 a.m. and for afternoon mail delivery 1:45 p.m.<sup>21</sup>

The current number of paper copies needed for distribution of a “Dear Colleague” letter in the House is

- **475** for all Members only (including leadership);
- **525** for all Members (including leadership and full committees);
- **625** for Members, full committees, and subcommittees;
- **275** for Republican Members, leadership, and full Republican committees;
- **250** for all Republican Members and leadership only;
- **275** for Democratic Members, leadership, and full Democratic committees;
- **250** for all Democratic Members and leadership only; and
- **700** for all House mail stops.<sup>22</sup>

For distribution to the Senate, House “Dear Colleague” letters must have a separate cover letter addressed to the deputy chief administrative officer of the House for customer solutions, adhere to the same standards as House “Dear Colleague” letters, and follow the current distribution numbers of

- **110** for Senators only, and
- **135** for Senators and committees.

When using the paper system, congressional offices create and photocopy their “Dear Colleague” letters and deliver them to either the First Call Customer Service Center<sup>23</sup> or to the House Postal Operations Office.<sup>24</sup> When the House Postal Operations Office is closed, letters may be deposited in a drop box located in the vending area of the Longworth cafeteria. A copy of the “Dear Colleague” letter is delivered to offices as requested. The letter is then distributed within each congressional office following a system devised by the individual office.

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<sup>19</sup> *HouseSmart*, p. 25.

<sup>20</sup> Telephone conversation between the author and FirstCall+, Sept. 25, 2007.

<sup>21</sup> *HouseSmart*, p. 25.

<sup>22</sup> *HouseSmart*, p. 29, and [[http://housenet.house.gov/portal/server.pt?open=512&objID=313&&PageID=23832&mode=2&in\\_hi\\_userid=2&cached=true](http://housenet.house.gov/portal/server.pt?open=512&objID=313&&PageID=23832&mode=2&in_hi_userid=2&cached=true)], accessed Aug. 20, 2008.

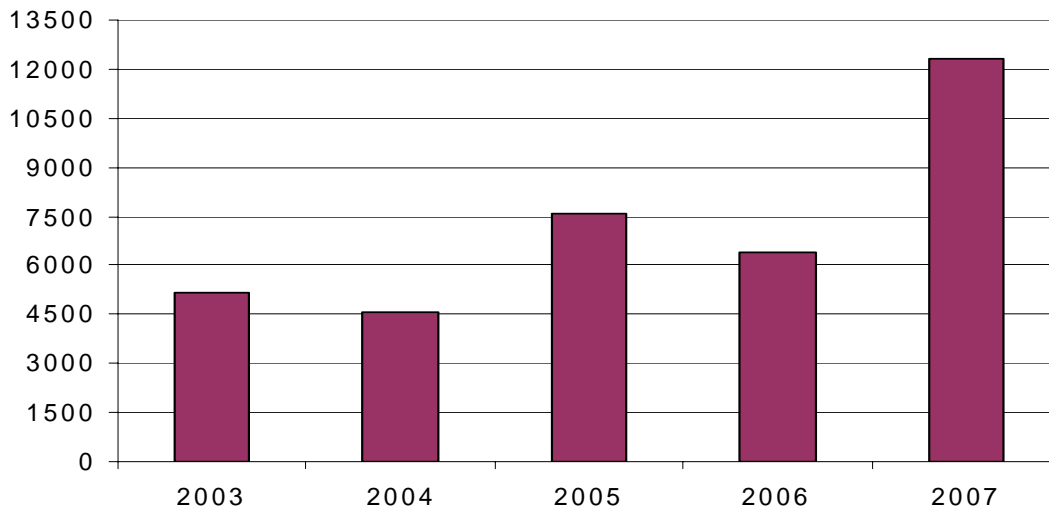
<sup>23</sup> The First Call+ Customer Service Center is located in B-227 Longworth House Office Building.

<sup>24</sup> U.S. Congress, Committee on House Administration, *Committee Handbook*, p. 21, at [<http://cha.house.gov/PDFs/CommitteeHandbook.pdf>], accessed Aug. 20, 2008.

**e-“Dear Colleague” System.** An increasing number of congressional offices transmit “Dear Colleague” letters electronically. Pursuant to the House *Members’ Congressional Handbook*, the rules regulating a paper “Dear Colleague” letter sent via internal mail are also applicable to a letter sent electronically.<sup>25</sup> Electronic versions of “Dear Colleague” letters sent prior to August 12, 2008, are stored in a Microsoft Exchange public folder that is accessible to all House Members and staff.<sup>26</sup> Electronic versions of “Dear Colleague” letters sent on or after August 12, 2008, are archived on the House e-“Dear Colleague” website.<sup>27</sup>

Since 2003, 46,072 “Dear Colleague” letters have been sent electronically.<sup>28</sup> In 2007, 12,297 “Dear Colleague” letters were sent electronically. **Figure 1** shows the total number of “Dear Colleague” letters sent electronically between 2003 and 2007.<sup>29</sup> The disparity in the number of “Dear Colleague” letters sent electronically between 2003-2006 and 2007 might be explained in part by increased use of electronic communications tools in the House.

**Figure 1. Electronic “Dear Colleague” Letters, 2003-2007**



<sup>25</sup> U.S. Congress, Committee on House Administration, *Members’ Handbook*, p. 41, at [<http://cha.house.gov/PDFs/MembersHandbook.pdf>], accessed Aug. 20, 2008.

<sup>26</sup> Based on email between the author and John Clocker, advanced business solutions, Chief Administrative Officer of the House, Sept. 11, 2008.

<sup>27</sup> U.S. Congress, Chief Administrative Officer of the House of Representatives, “Search e-Dear Colleagues,” [<http://e-dearcolleague.house.gov/search.aspx>], accessed Aug. 20, 2008.

<sup>28</sup> The 43,977 “Dear Colleague” letters sent electronically between 2003 and 2007 include individual letters that are sent multiple times by an office. For example, if a Member electronically sent a “Dear Colleague” letter at 9:00 a.m. and sent the same letter again at 2:00 p.m., it would be counted twice in the data set.

<sup>29</sup> The data in **Figure 1** do not include “Dear Colleague” letters sent on paper or electronic “Dear Colleague” letters that were not sent through the established email protocols of the House. Those “Dear Colleague” letters are not traceable and cannot be counted.

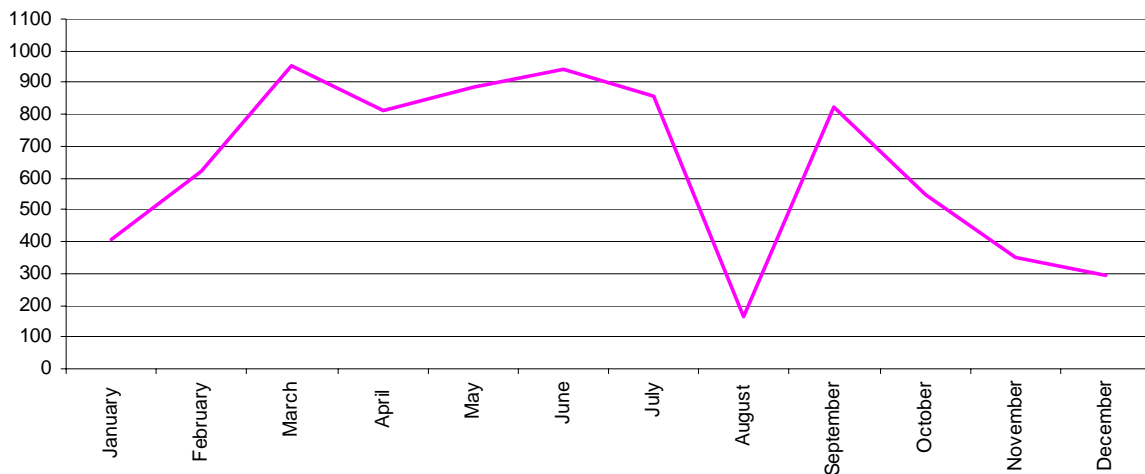


**Source:** Legislative Information System (LIS) of the U.S. Congress. Data compilation was conducted by Jennifer Manning, information research specialist, Knowledge Services Group, Congressional Research Service.

**Figure 2** shows the average number of electronic “Dear Colleague” letters sent per month between January 2003 and October 31, 2008.<sup>30</sup> On average, 637 electronic “Dear Colleague” letters were sent per month. An average of 782 electronic “Dear Colleague” letters were sent monthly between January and July.<sup>31</sup> In August, an average of 163 “Dear Colleague” letters were sent. Between September and December, an average of 502 electronic “Dear Colleague” letters were sent per month.<sup>32</sup>

A reduction in electronic “Dear Colleague” letters sent in August may occur because of the month-long district work period or recess that normally occurs in August. Following the August recess, especially in an election year, the number of “Dear Colleague” letters decreases. The decrease may occur as the result of Congress typically adjourning in the fall.

**Figure 2. Average Electronic Dear Colleague Letters per Month, 2003-2008**



**Source:** Legislative Information System (LIS) of the U.S. Congress. Data compilation was conducted by Jennifer Manning, information research specialist, Knowledge Services Group, Congressional Research Service.

**Note:** Data in **Figure 2** include “Dear Colleague” letters sent electronically between January 2003 and October 2008.

<sup>30</sup> The data for **Figure 2** end on October 31, 2008. The data do not include “Dear Colleague” letters sent on paper or electronic “Dear Colleague” letters that were not sent through the established email protocols of the House. Those “Dear Colleague” letters are not traceable and cannot be counted.

<sup>31</sup> The average monthly number of electronic “Dear Colleague” letters sent between January and July ranged from a low of 405 in January to a high of 953 in March.

<sup>32</sup> The average number of electronic “Dear Colleague” letters sent monthly between September and December ranged from a low of 291 in December to a high of 821 in September.

On August 12, 2008, the House introduced a web-based *e*-“Dear Colleague” distribution system. The *e*-“Dear Colleague” system replaced the email based system.<sup>33</sup> Under the *e*-“Dear Colleague” system, Members and staff “will be able to compose *e*-Dear Colleagues online, and associate them with up to three issue areas. Members and staff will be able to independently manage their subscription to various issue areas and receive *e*-Dear Colleagues according to individual interest.”<sup>34</sup>

To subscribe to use the new *e*-Dear Colleague system, individual staff members go to [<http://e-dearcolleague.house.gov>].<sup>35</sup> During the registration process, they may choose up to 32 issue areas on which they wish to receive “Dear Colleague” letters. The website also allows them to sign up for either the Republican or Democratic “Dear Colleague” distribution lists.<sup>36</sup> Additionally, the website enables individuals “to search all *e*-Dear Colleagues by session, date, issue area, and keyword or bill number.”<sup>37</sup> The *e*-Dear Colleague system did not alter the process for the delivery of paper “Dear Colleague” letters.

To send an *e*-“Dear Colleague” letter, an individual staff member views [<http://e-dearcolleague.house.gov>] and clicks on send. This action brings up the send screen, where the staff member takes the following actions:

- enters his or her email address, the type of office the staff member works in (i.e., Member, leadership, committee, or other), and the Member’s, committee’s, or office’s name;
- types in a title, selects whether it is a letter to be sent to either the Republican or Democratic distribution lists,<sup>38</sup> and chooses up to three issues to associate with the letter;
- types, or cuts and pastes, the letter into the text editor on the webpage, including uploading any graphics or attachments;
- associates the letter with a particular bill or resolution number (optional); and

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<sup>33</sup> Electronic Dear Colleague System Stakeholder Session briefing with John Clocker, Office of the Chief Administrative Officer of the House of Representatives, June 25, 2008.

<sup>34</sup> Dear Colleague Letter from Representative Robert A. Brady, chair, Committee on House Administration, “New Web-based *e*-Dear Colleague System went live today, August 12, 2008,” Aug. 12, 2008.

<sup>35</sup> The [<http://e-dearcolleague.house.gov>] website is only available to the House of Representatives.

<sup>36</sup> Subscription to the Republican and Democratic distribution lists is voluntary and is not verified for actual caucus affiliation.

<sup>37</sup> Dear Colleague Letter from Representative Robert A. Brady, chair, Committee on House Administration, “New Web-based *e*-Dear Colleague System went live today, August 12, 2008,” Aug. 12, 2008.

<sup>38</sup> Dear Colleague letters do not have to be associated with a party. The letters can just be associated with up to three issues.

- reviews the letter before sending.

Following the completion of this process, staff members receive an email asking them to confirm that they are sending the “Dear Colleague” letter. A final opportunity to edit the letter is also provided. Once the letter is completed, it is sent to all individuals who have selected to receive “Dear Colleague” letters in issue areas associated with the letter.

## Senate

Similar to the House paper system, “Dear Colleague” letters in the Senate are written on official letterhead and address official business, but there is not a central distribution policy. In general, when using the paper system, Senators and chamber officers create their own “Dear Colleague” letters and have them reproduced at the Senate Printing Graphics and Direct Mail Division. Once reproduced, letters are delivered to the Senate Mailroom by the sending office, accompanied by a distribution form or cover letter with specific distribution instructions.<sup>39</sup>

The current distribution numbers for “Dear Colleague” letters in the Senate are

- **100** for all Senators;
- **20** for standing, select, and special committees;
- **5** for the joint leadership; and
- **1** each for the officers of the Senate (total of 7).<sup>40</sup>

The choice to send “Dear Colleague” letters electronically is at the discretion of the individual Senate office. There is no central distribution system for electronic Senate “Dear Colleague” letters.<sup>41</sup>

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<sup>39</sup> “Dear Colleagues” webpage, Webster Senate Intranet, at [<http://webster.senate.gov/saa/services/subtemplate01.cfm?serviceid=107&subserved=396>], accessed Aug. 20, 2008. Webster is available only to Senators and their staff.

<sup>40</sup> Senate “Dear Colleague” distribution form is available at [<http://webster.senate.gov/uploads/dearcolleagueform.pdf>], accessed Aug. 20, 2008. Officers of the Senate include the President of the Senate, President pro tempore, secretary of the majority, secretary of the minority, secretary of the Senate, sergeant at arms, and chaplain.

<sup>41</sup> While no central distribution system for electronic “Dear Colleague” letters exists in the Senate, other organizations (i.e., party organizations and informal caucuses) may choose to distribute “Dear Colleague” letters to their membership.