

THE POLICY AND PUBLIC MANAGEMENT RESIDENCY PROGRAM: A PROPOSAL TO  
RESTORE STAFFING CAPACITY IN THE U.S. HOUSE, CBO, CRS, AND GAO

by  
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A capstone project submitted to Johns Hopkins University in conformity with the  
requirements for the degree of Master of Arts in Public Management

Baltimore, Maryland  
May, 2019

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## ABSTRACT

There is robust consensus among political scientists, congressional observers, and in Congress that the First Branch's internal staffing capacity is at historic, dangerous lows. This paper addresses staffing capacity in the U.S. House of Representatives and the three primary congressional support offices: Congressional Research Service (CRS), Congressional Budget Office (CBO), Governmental Accountability Office (GAO). In recent decades, political actors, penurious budgeting, and voter animosity have degraded needed expertise. Such actions include reduced or frozen staffing numbers and pay and poor working conditions. The result is frequent staff burnout and turnover. Bright but inexperienced staff struggle to manage an portfolio of policy issues in which they cannot possibly have a working proficiency. These staff turn to lobbyists inevitably join the "Influence Industry." The executive branch staffing, relatively, is substantial. Congress struggles to exercise oversight over federal agencies, in large part, due to a mismatch of resources. Lawmakers face legislative gridlock and the lawmaking they do undertake is often overly responsive to the wishes of K Street.

This capstone proposes a Residency Program to onboard an annual cohort of 300 staff into the U.S. House and three support agencies who are experienced, knowledgeable and credentialed in the fields of public policy and administration. It draws inspiration from similar and established programs. The program would annually onboard 150 recent graduates of masters programs and 150 recent graduates of doctoral programs. The programs must be accredited. The candidates must possess at minimum three years' executive branch experience. The Residents would be paid a living wage and work 12 months. The goal is to find the Residents a permanent job in Congress, hopefully the House or three offices. There would be no job guarantee. By the end of 2025, the annual cohorts of 300 Residents could represent as much as 19.11 percent of the House, or 13.6 percent of the House and three support offices combined.

Advisor: Paul Weinstein Jr., Johns Hopkins University. Reader: Nicole Cosey, JHU

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**TO:** Nancy Pelosi, Speaker of the U.S. House of Representatives  
**FROM:** Sara Buettner-Connelly  
**DATE:** January 1, 2019  
**SUBJECT:** The Policy and Public Management Residency Program - A Proposal to Restore Staffing Capacity in the U.S. House, CBO, CRS, and GAO

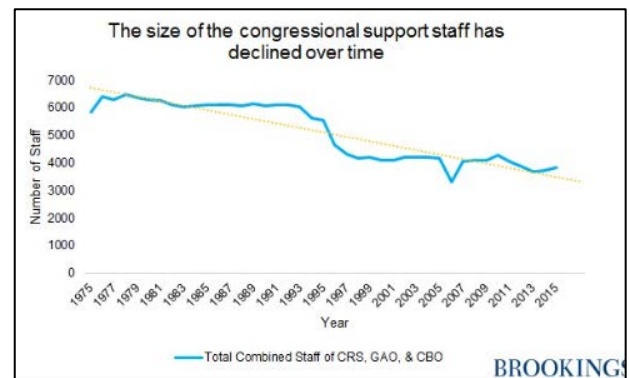
## ACTION-FORCING EVENT

The 116<sup>th</sup> Congress begins this week. As the anticipated Speaker of the new Democratic Majority in the U.S. House of Representatives, you will oversee all aspects of the political and legislative agenda, including staffing capacity.

## STATEMENT OF THE PROBLEM

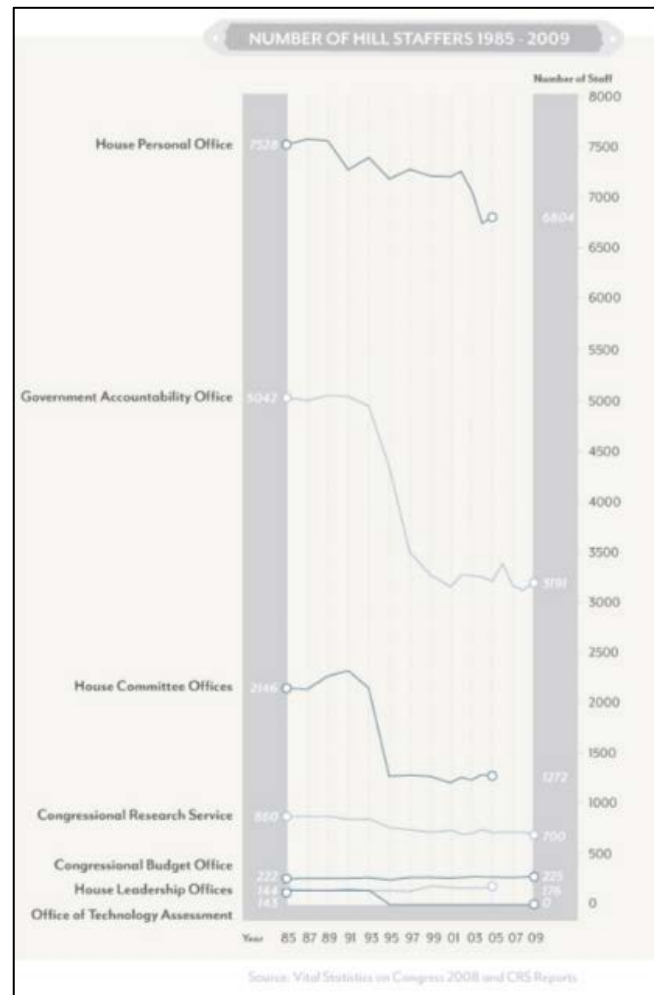
The U.S. House lacks staffing of sufficient levels, expertise, and experience. Inadequate staffing has resulted in a weak and dysfunctional chamber. This chamber is overly reliant on lobbyists, especially those representing business interests. The number and complexity of policy challenges have ballooned while the size and expertise of congressional staff have plateaued or shrank. Many rank-and-file Representatives feel unable to influence legislating other than merely implementing the agendas of the Majority party leadership.

From 1975 to 2015, staffing levels in the Congressional Budget Office (CBO), Government Accountability Office (GAO), and the



Congressional Research Service (CRS) declined by 45 percent.<sup>1</sup> The numbers of staff serving on House committees and personal offices have also fallen from 1977 to 2016.<sup>2</sup> This has transpired despite the growth in the U.S. population and growth in the number and complexity of policy challenges faced by lawmakers. By law, House personal offices are permitted to have no more than eighteen permanent staff. This statute has remained unchanged since 1975.<sup>3</sup> The Member Representational Allowance (MRA), which funds Member office expenses, including staff salaries, has stagnated or declined in recent decades.<sup>4</sup> The American public broadly dislikes Congress<sup>5</sup> and believes it is over-staffed and bloated, rendering lawmakers hesitant to increase funding.<sup>6</sup>

Overall, the total number of House staff



plateaued or shrank in recent decades, including in the House Member Offices. In the mid-90s, the number of committee staff dropped (and never recovered). Simultaneously, the number of staff working for Officers and Officials<sup>7</sup> increased.<sup>8</sup>

<sup>1</sup> Molly Reynolds, "Vital Statistics on Congress: Congressional staff and operating expenses," *Brookings Institution*, last modified March 4, 2019, <https://www.brookings.edu/multi-chapter-report/vital-statistics-on-congress/>.

<sup>2</sup> U.S. Library of Congress, Congressional Research Service, *House of Representatives Staff Levels in Member, Committee, Leadership, and Other Offices, 1977-2016*, by Eric R. Petersen, [R43947](https://www.congress.gov/legislation/house-reports/43947) (September 13, 2016).

<sup>3</sup> U.S. Library of Congress, Congressional Research Service, *Congressional Salaries and Allowances: In Brief*, by Ida A. Brudnick, [RL30064](https://www.congress.gov/legislation/house-reports/30064) (2018).

<sup>4</sup> *Ibid.*, 5.

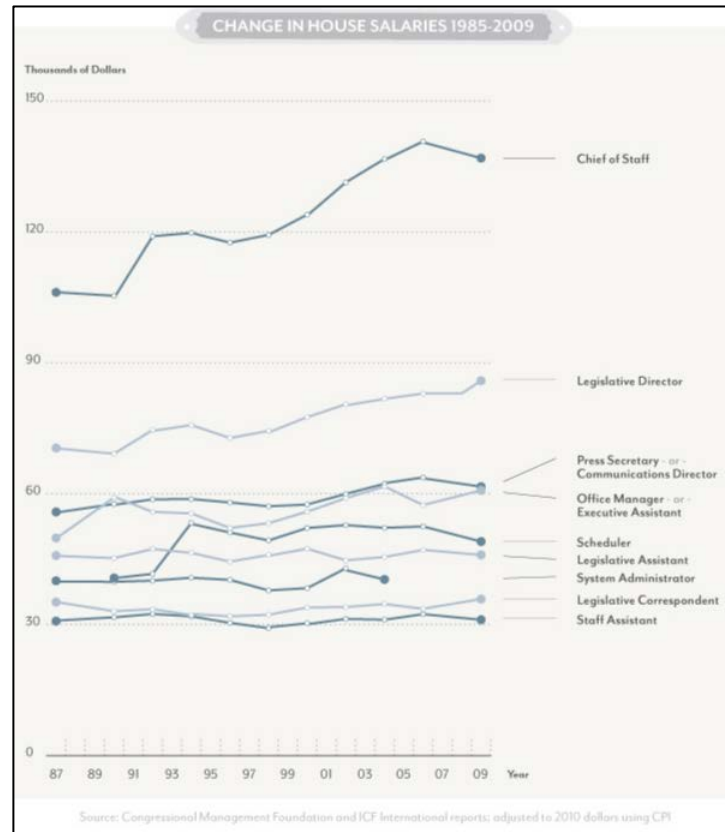
<sup>5</sup> "Congressional Job Approval: 1975-2019 Gallup Polling," *Gallup, Inc.*, Last modified 2019, <https://news.gallup.com/poll/1600/congress-public.aspx>.

<sup>6</sup> Lee Drutman, "People think Congress is increasing its staff. So Congress might as well actually do it," *Vox Media*, August 21, 2015, <https://www.vox.com/polyarchy/2015/8/21/9184197/congressional-staff-salaries>.

<sup>7</sup> In 2016, House officers included the Clerk, Sergeant at Arms, Chief Administrative Officer, and Chaplain. Officials included staff in the offices of Parliamentarian, Interparliamentary Affairs, Law Revision Counsel, Legislative Counsel, General Counsel, Inspector General, Emergency Preparedness and Planning Operations, and House Historian.

<sup>8</sup> CRS, *House of Representatives Staff Levels (R43947)*, 5.

A 2017 Congressional Management Foundation survey inquired of senior congressional staff their opinions on staffing. Respondents reported that 83 percent said that it is “important” that staff have sufficient knowledge, skills, and abilities, but that only 15 percent do.<sup>9</sup> A further 81 percent stated that access to high-quality, nonpartisan, policy expertise is ‘very important’ but only 24 percent were satisfied with the status quo. Only 11 percent were satisfied with the level of capacity, including staffing and expertise, so that Congress could “perform its role in democracy.”<sup>10</sup>



A 2010 Sunlight Foundation study examined Hill staffing trends since 1979. It concluded that during that time staff turnover grew significantly and tenure decreased. Among the likely principal causes was pay.<sup>11</sup> For example, there exists a significant pay gap between Hill salaries and incomes derived from equivalent jobs in the private sector. On average, House staffer salaries have remained stagnant during the period examined. In 2012, the median wage of a K Street lobbyist was \$179,667. Those with a background in government earned a median salary of \$300,000.<sup>12</sup> Congressional staff generally work very long and unpredictable hours in cramped

<sup>9</sup> Kathy Goldschmidt, “State of the Congress: Staff Perspectives on Institutional Capacity in the House and Senate,” *The Congressional Management Foundation*, 2017, [http://congressfoundation.org/storage/documents/CMF\\_Pubs/cmf-state-of-the-congress.pdf](http://congressfoundation.org/storage/documents/CMF_Pubs/cmf-state-of-the-congress.pdf).

<sup>10</sup> *Ibid.*, 9.

<sup>11</sup> Daniel Schuman, “Keeping Congress Competent: Staff Pay, Turnover, And What It Means for Democracy,” *Sunlight Foundation*, December 21, 2010, <https://sunlightfoundation.com/2010/12/21/keeping-congress-competent-staff-pay-turnover-and-what-it-means-for-democracy/>.

<sup>12</sup> Lee Drutman, *The Business of America is Lobbying: How Corporations Became Politicized and Politics Became More Corporate* (New York: Oxford University Press, 2015).

offices with minimal to nonexistent job security.<sup>13</sup> A 2010 study for the House Chief Administrative Office determined that only 20 percent of House Legislative Directors had their current role for more than six years, and less than half for more than three years.<sup>14</sup> The study further determined that less than half of Legislative Directors and Chiefs of Staff attained education above a bachelor's degree. Legislative Directors advise the Member on all policy areas, including the development of legislative initiatives and policy positions, and manages all congressional staff. The Chief of Staff is the Member's chief policy advisor who oversees all policy objectives and directs the operations and budget of the Member office.

The Sunlight Foundation also determined that fewer staffers serve in policymaking roles, with a shift toward constituent services. In 1985, 62 percent of personal office staff resided in the Capitol Office. In 2005 that number was 49 percent. Staffing has also shifted to communications positions. A 2018 R Street policy study noted that "communications aides on House panels has increased by about 40 percent since 2001, while the number of policy-focused aides has stagnated."<sup>15</sup> This similar trend has occurred among committee staff.<sup>16</sup> For lawmakers, committees constitute the locus of policymaking and where they develop policy expertise.<sup>17</sup> The shift toward constituent services is likely driven in part by the proliferation of correspondence reaching lawmakers. For example, in 2012, the American public communicated

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<sup>13</sup> Congressional Management Foundation, *Working in Congress: The Staff Perspective* (Washington, D.C.: CMF, 1994), [http://www.congressfoundation.org/storage/documents/CMF\\_Pubs/CMF-Working-in-Congress.pdf](http://www.congressfoundation.org/storage/documents/CMF_Pubs/CMF-Working-in-Congress.pdf).

<sup>14</sup> U.S. House of Representatives, Chief Administrative Office, *2010 House Compensation Study* (Washington, D.C.: The Sunlight Foundation, 2010), [http://assets.sunlightfoundation.com.s3.amazonaws.com/policy/staff%20salary/2010\\_house\\_compensation\\_study.pdf](http://assets.sunlightfoundation.com.s3.amazonaws.com/policy/staff%20salary/2010_house_compensation_study.pdf).

<sup>15</sup> Anthony Marcum, Casey Burgat, and C. Jarrett Dieterle, "Policy Study No. 155: How Young Lawyers Can Help Restore Congressional Capacity," *R Street Institute*, 2018, <https://www.rstreet.org/wp-content/uploads/2018/10/Final-No.-155.pdf>.

<sup>16</sup> Timothy LaPira and Herschel Thomas, *Revolving Door Lobbying: Public Service, Private Influence, and the Unequal Representation of Interests* (Lawrence: University Press of Kansas, 2017).

<sup>17</sup> Casey Burgat and Charles Hunt, "Why was the Peter Strzok hearing such a circus? Because Congress wanted it that way," *The Washington Post*, July 17, 2018, <https://www.washingtonpost.com/news/monkey-cage/wp/2018/07/17/why-was-the-peter-strzok-hearing-such-a-circus-because-congress-wanted-it-that-way/>.

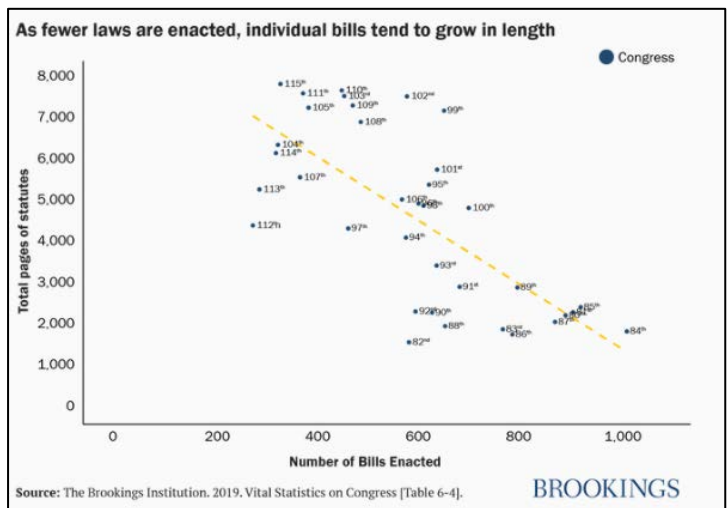


to Congress to express opposition to the Stop Online Piracy Act (SOPA) bill via 8 million calls and 4 million emails.<sup>18</sup>

Non-partisan congressional support offices like the CBO, CRS, and GAO have likewise endured shrinking budgets and staffing. In addition, their work products regularly face derision and threats from the lawmakers they seek to inform. In 2012, the CRS released a report which concluded that top tax rates do not correlate with economic growth. Lawmakers that disliked the report pressured the CRS to retract it, despite repeated protestations from the CRS economic team.<sup>19</sup> In the summer of 2017, the CBO concluded that repeal of Obamacare would cause 23 million people to be uninsured. House Freedom Caucus members responded by threatening to cut CBO staffing by 37 percent.<sup>20</sup>

Meanwhile, legal and policy challenges have grown in size and complexity in recent decades. The Code of Federal Regulations (CFR) in 1970 was 116 volumes comprised of 56,720 pages. By 2014, the CFR was 175,268 pages and 236 volumes.<sup>21</sup> The average number of pages per enacted law has also grown over six

times longer—a figure that understates the increasing length due to the recent proliferation of



<sup>18</sup> Berkeley Technology Law Journal, "When The Net Went Dark: SOPA, PROTECT IP and the Birth of an Internet Movement," *BTLJ* (blog), February 14, 2012, <http://btli.org/2012/02/when-the-net-went-dark-sopa-protect-ip-and-the-birth-of-an-Internet-movement/>.

<sup>19</sup> Jonathan Weisman, "Nonpartisan Tax Report Withdrawn After G.O.P. Protest," *The New York Times*, November 1, 2012, [https://www.nytimes.com/2012/11/02/business/questions-raised-on-withdrawal-of-congressional-research-services-report-on-tax-rates.html?ref=business&\\_r=1&\\_](https://www.nytimes.com/2012/11/02/business/questions-raised-on-withdrawal-of-congressional-research-services-report-on-tax-rates.html?ref=business&_r=1&_)

<sup>20</sup> Amanda Becker, "Republicans in House push for Congressional Budget Office cuts," *Reuters*, July 24, 2017, <https://www.reuters.com/article/us-usa-congress-cbo/republicans-in-house-push-for-congressional-budget-office-cuts-idUSKBN1A92KN>.

<sup>21</sup> U.S. Code of Federal Regulations, *Total Pages and Volumes 1938-2014*, (Washington, D.C.: The Federal Register, 2015), <https://www.federalregister.gov/uploads/2015/05/Code-of-Federal-Regulations-Total-Pages-and-Volumes-1938-2014.pdf>.

one or two-page bills intended to name a building or recognize achievement.<sup>22</sup> Congressional scholar Lee Drutman observed that “[t]o effectively make new law, one must understand existing law.” He concluded that Hill staff broadly lacked the necessary knowledge and expertise to address the growth and complexity of modern laws and policy issues.<sup>23</sup> The executive branch, which Congress must oversee, has also grown. In 1940 the Executive branch employed 699,000 personnel. However, in 2014, that number was 2.079 million.<sup>24</sup> A CRS report which included military and postal staffing reported over 4 million employees.<sup>25</sup> An additional study determined that with the inclusion of all contractors and grantees, up to 9 million people worked for the federal government.<sup>26</sup> However, there are only 17,272 professional staff in Congress to oversee this sprawling expanse of workers.<sup>27</sup> Federal expenditures have also increased. In 1976, federal outlays were \$1.3 trillion in today’s dollars. In 2017, outlays were \$3.3 trillion and expected to continue to grow annually.<sup>28</sup>

Additionally, as concluded by a 2018 study, each House Appropriations staff handles 52 percent more federal funding than they did sixteen years ago.<sup>29</sup> The study found that this lack of capacity has resulted in a Congress unable to oversee the \$4 trillion appropriated annually. The study found that a direct consequence is a proliferation in recent years of short-term and omnibus funding measures, which are projected to continue under the status quo.

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<sup>22</sup> Christopher Beam, “Paper Weight: The health care bill is more than 1,000 pages. Is that a lot?,” *The Slate Group*, August 20, 2009, <https://slate.com/news-and-politics/2009/08/is-1000-pages-long-for-a-piece-of-legislation.html>.

<sup>23</sup> Lee Drutman and Steven Teles, “Why Congress Relies on Lobbyists Instead of Thinking for Itself,” *The Atlantic*, March 10, 2015, <https://www.theatlantic.com/politics/archive/2015/03/when-congress-cant-think-for-itself-it-turns-to-lobbyists/387295/>.

<sup>24</sup> U.S. Office of Personnel Management, *Historical Federal Workforce Tables*, (Washington, D.C.: OPM, Last updated September 30, 2019), <https://www.opm.gov/policy-data-oversight/data-analysis-documentation/federal-employment-reports/historical-tables/executive-branch-civilian-employment-since-1940/>.

<sup>25</sup> U.S. Library of Congress, Congressional Research Service, *Federal Workforce Statistics Sources: OPM and OMB*, by Julie Jennings and Jared C. Nagel (March 25, 2019), <https://fas.org/sgp/crs/misc/R43590.pdf>.

<sup>26</sup> Paul C. Light, “The True Size of Government,” *The Volker Alliance*, October 2017, [https://www.volkeralliance.org/sites/default/files/attachments/Issue%20Paper\\_True%20Size%20of%20Government.pdf](https://www.volkeralliance.org/sites/default/files/attachments/Issue%20Paper_True%20Size%20of%20Government.pdf).

<sup>27</sup> Elaine C. Kamarck, “A Congressional Oversight Office: A proposed early warning system for the United States Congress,” *The Brookings Institution*, 2016, <https://www.brookings.edu/wp-content/uploads/2016/07/Congressional-Oversight.pdf>.

<sup>28</sup> U.S. Office of Management and Budget, *Historical Tables: Table 1.3—Summary of Receipts, Outlays, and Surpluses or Deficits (-) in Current Dollars, Constant (FY 2009) Dollars, and as Percentages of GDP: 1940–2023* (The White House), accessed March 3, 2019, <https://www.whitehouse.gov/omb/historical-tables/>.

<sup>29</sup> Casey Burgat and Ryan Dukeman, “Human capital and institutional decline in congressional appropriations committees,” *R Street Institute*, 2018, [https://www.rstreet.org/wp-content/uploads/2018/12/Rstreet-Human-Capital-Institutional-Divide\\_v2.pdf](https://www.rstreet.org/wp-content/uploads/2018/12/Rstreet-Human-Capital-Institutional-Divide_v2.pdf).

While legislative staff capacity has withered, lobbying and pressure group size and sophistication have flourished. In 1983, lobbying efforts expended \$200 million in today's dollars. That amount surged to \$1.82 billion in 2010 and \$3.31 billion in 2012.<sup>30</sup> In 2015, Ezra Klein and Lee Drutman announced a grim milestone. They stated that corporations spent more on congressional lobbying than taxpayers spent

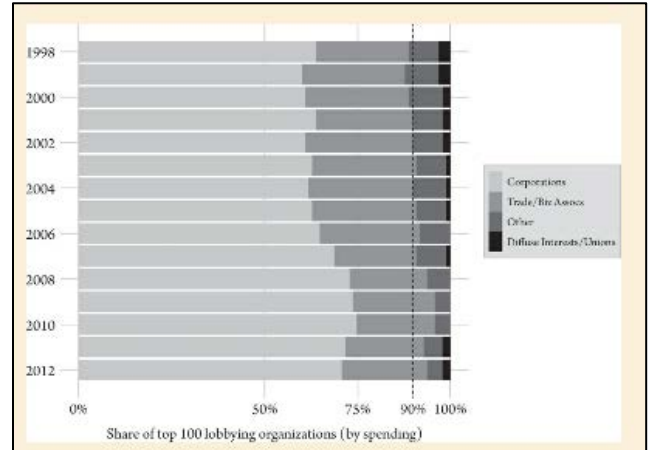


Figure 1.4. Breakdown of the top 100 lobbying organizations (by spending), 1998–2012.

Source: *The Business of America is Lobbying*, by Lee Drutman.

Source: Author's calculations from LDA reports.

funding Congress: “Corporations now spend about \$2.6 billion a year on reported lobbying expenditures – more than the \$2 billion we spend to fund the House (\$1.16 billion) and Senate (\$820 million)” in the article.<sup>31</sup> This influence industry mainly represents business rather than issues of “public interest.” In 2012, 78 percent of Washington, D.C. lobbyists served business interests.<sup>32</sup>

The broad conclusion among congressional observers and experts is that congressional offices –especially staffers–are ill-equipped to handle the volume and complexity of issues they face and resultingly turn to lobbyists for expertise.<sup>33</sup> Timothy LaPira, a professor at James Madison University, studied lobbying disclosure data and wrote the book, *Revolving Door Lobbying: Public Service, Private Influence, and the Unequal*

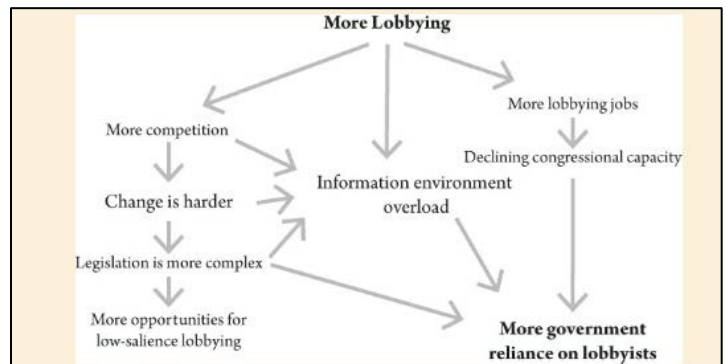


Figure 2.1 How the growth of lobbying changes the policymaking environment

Source: *The Business of America is Lobbying*, by Lee Drutman.

<sup>30</sup> Robert Reich, *Supercapitalism* (New York: Knopf, 2007), 134.

<sup>31</sup> Ezra Klein, “Corporations now spend more lobbying Congress than taxpayers spend funding Congress,” *Vox Media*, July 15, 2015, <https://www.vox.com/2015/4/20/8455235/congress-lobbying-money-statistic>.

<sup>32</sup> Timothy M. LaPira, “How Much Lobbying Is There in Washington? It’s DOUBLE What You Think,” *Sunlight Foundation*, November 25, 2013, <http://sunlightfoundation.com/blog/2013/11/25/how-much-lobbying-is-there-in-washington-its-double-what-you-think/>.

<sup>33</sup> Rollcall Staff, “Congress Needs More and Better-Paid Staff,” *CQ Roll Call*, March 21, 2016, <https://www.rollcall.com/news/opinion/congress-needs-better-paid-staff>.

*Representation of Interests*. He concluded that expertise that once existed in Congress has shifted to K Street. Resultantly, Congress is now heavily dependent on K Street. LaPira demonstrates that a fundamental cause for this shift was the reduction of congressional staff size and salaries.<sup>34</sup> He stated that “There is a vacuum in Congress right now for that expertise, and we see not only lobbyists but particularly revolving-door lobbyists filling that vacuum.”

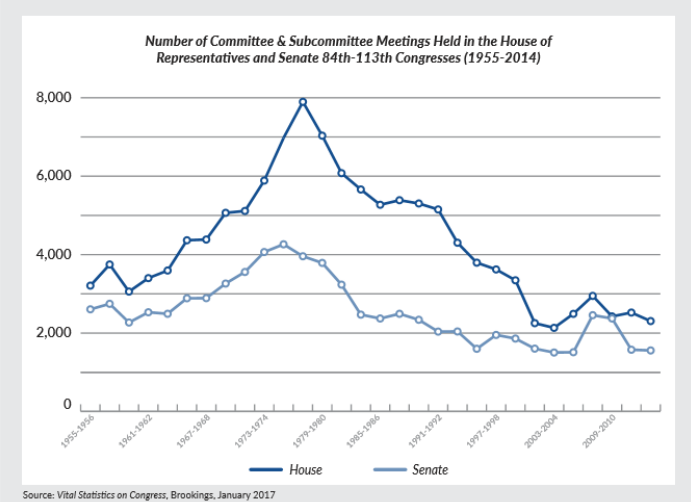
The consequences fall on the American public. LaPira concluded that revolving-door lobbyists primarily work to ensure their clients avoid congressional action that could harm profits.<sup>35</sup> A result is “policy drift.” When existing law is rarely updated, it is often considered a form of gridlock, namely, ‘policy drift.’ A frequent cause is intense lobbying, often by narrow interests, at key legislative veto points.<sup>36</sup> When staffers rely on lobbyists for policy expertise, they learn from an information source

with an agenda. Historically, this capacity existed within Congress. In a 2007 survey, two-thirds of staffers described lobbyists as “necessary to the process” and as either “collaborators” or “educators.”

Staffers also frequently referred to lobbyists as “partners.”<sup>37</sup> Lobbyists now

regularly provide policy analysis and reports,<sup>38</sup> write legislation<sup>39</sup>, speeches<sup>40</sup> and talking

**Figure 5 | Trends in Committee and Subcommittee Meetings**



<sup>34</sup> LaPira and Thomas, *Revolving Door Lobbying*, 14.

<sup>35</sup> *Ibid.*, 3.

<sup>36</sup> Jacob S. Hacker and Paul Pierson, *Winner-Take-All Politics: How Washington Made the Rich Richer—and Turned Its Back on the Middle Class* (New York, NY: Simon and Schuster, 2010).

<sup>37</sup> The Policy Council, “Changing Of The Guard: 2007 State Of The Industry For Lobbying And Advocacy,” 60-61 (2007).

<sup>38</sup> Kevin M. Esterling, *The Political Economy of Expertise* (Ann Arbor: University of Michigan Press, 2004).

<sup>39</sup> Eric Lipton and Ben Protess, “Banks’ Lobbyists Help in Drafting Financial Bills,” *The New York Times*, May 23, 2013, <https://dealbook.nytimes.com/2013/05/23/banks-lobbyists-help-in-drafting-financial-bills/>.

<sup>40</sup> Nicholas W. Allard, “Lobbying Is an Honorable Profession: The Right to Petition and the Competition to Be Right,” *Stanford Law and Policy Review* 23 (2008), <https://brooklynworks.brooklaw.edu/cgi/viewcontent.cgi?article=1042&context=faculty>.

points,<sup>41</sup><sup>42</sup> letters to Federal agencies;<sup>43</sup> they pretend to be average citizens writing their lawmakers<sup>44</sup> or letters to the editor,<sup>45</sup> produce whip counts and seek out cosponsors.<sup>46</sup>

Lobbyists provide this service to inform lawmakers but also to bolster an agenda. But they cannot completely replicate the work of earlier Congresses with strong internal capacity.

For instance, another consequence of low staffer capacity is that Representatives struggle to conduct thorough oversight, including regulating industries. In short, lawmakers lack preparation. Former Representative John Dingell stated that “In the old days, the member used to know more than any witness from the outside that came before the committee. Today they do not. Members do not even understand the issues. They do not even ask questions that are relevant.”<sup>47</sup> The Zuckerberg hearings in April 2018 showcased for the American public lawmakers unprepared with basic knowledge about the subject matter. Indeed, one lawmaker asked Zuckerberg for his suggestions for regulating his own company<sup>48</sup>. This exposed that expertise remains within business industries, rather than in legislative offices, as in times past. In fact, in recent times Congress regularly asks or permits the private sector to establish and conduct their own oversight.<sup>49</sup> Such self-regulating will inevitably favor profitability rather than the public interest.<sup>50</sup>

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<sup>41</sup> Lee Fang and Nick Surgery, “Cable Industry Lobbyists Write Republican Talking Points on Net Neutrality,” *The Intercept*, May 23, 2017, <https://theintercept.com/2017/05/23/net-neutrality-ncta/>.

<sup>42</sup> Robert Gates, *Duty: Memoirs of a Secretary at War*, (New York: Alfred A. Knopf, January 14, 2014).

<sup>43</sup> Aubree Eliza Weaver and Daniel Lippman, “United behind Illinois delegation’s ‘Open Skies’ letter,” *Politico Influence*, *Politico*, July 6, 2017, <https://www.politico.com/tipsheets/politico-influence/2017/07/06/united-behind-illinois-delegations-open-skies-letter-221195>.

<sup>44</sup> Rona Kobell, “Gas lobby campaign produces confusion,” *The Baltimore Sun*, June 6, 2013, <https://www.baltimoresun.com/news/bs-xpm-2003-06-06-0306060023-story.html>.

<sup>45</sup> Drutman, *The Business of America is Lobbying*, 40.

<sup>46</sup> Richard L. Hall and Alan V. Deardorff, “Lobbying as Legislative Subsidy,” *The American Political Science Review* 100, no. 1 (2006): 69-84, <https://www.jstor.org/stable/27644332>.

<sup>47</sup> Paul Glasstris and Haley Sweetland Edwards, “The Big Lobotomy: How Republicans Make Congress Stupid,” *Washington Monthly*, June-July 2014, <https://washingtonmonthly.com/magazine/junejulyaug-2014/the-big-lobotomy/>.

<sup>48</sup> Lee Drutman, “What the Facebook hearings reveal about corporate power in Washington,” *Vox Media*, April 4, 2018, <https://www.vox.com/polyarchy/2018/4/16/17244074/facebook-hearing-zuckerberg-corporate-power-washington>.

<sup>49</sup> Amit Narang, “Corporate self-regulation is failing,” *The Hill*, March 28, 2019, <https://thehill.com/blogs/congress-blog/the-administration/436328-corporate-self-regulation-is-failing>.

<sup>50</sup> *Ibid.*

In sum, staffing levels and salaries have plateaued or decreased in committees, personal offices and non-partisan offices (CRS, CBO, and GAO). Personal office staffing has shifted from policy to constituent services and communications. There has also been decline in the experience, education and expertise that congressional staff, especially leadership, possess. This is despite the growth in size and complexity of the challenges posed by the executive branch, pressure groups, and policy challenges of modern society. Meanwhile, the volume and complexity of legislative work have grown exponentially. Lobbyists have stepped in to fill the void, but they bring their agendas. Lawmakers and especially House Representatives do not have the needed staff to ensure they successfully carry out the demands of the American public.

## BACKGROUND AND HISTORY OF THE PROBLEM

Congress had scant staff until the end of World War II and in tandem with the Legislative Reorganization Act of 1946. The LRA of 1946 provided for committee staff. It also created the entity that would later be called the Congressional Research Service, which employed permanent, nonpartisan staff.<sup>51</sup> The year 1921 saw the establishment of the Government Accountability Office (GAO). It was not until after World War II that its jurisdiction expanded dramatically to monitor the executive branch.<sup>52</sup> Staff sizes across Congress again grew substantially in the 1970s. Both instances were responses to the belief on Capitol Hill that the executive branch had become too powerful and the legislative branch needed to build its capacity to serve as a proper check on executive power.<sup>53</sup> The Legislative Reorganization Act of 1970 mainly focused on shifting power among lawmakers but also grew staff capacity. The LRA added additional committee staff. The bill gave to CRS its name, greater autonomy from the

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<sup>51</sup> Roger H. Davidson, "The Advent of the Modern Congress: The Legislative Reorganization Act of 1946," *Legislative Studies Quarterly* 15, no. 3: 357-73 (1990), <http://www.jstor.org/stable/439768>.

<sup>52</sup> U.S. Government Accountability Office, "About GAO: History – At a Glance," <https://www.gao.gov/about/what-gao-is/history/>.

<sup>53</sup> Susan Webb Hammond, "Life and Work on the Hill: Careers, Norms, Staff, and Informal Caucuses" in *Congress Responds to the Twentieth Century*, eds. Sunil Ahuja and Robert E. Dewhirst (Columbus: Ohio State University Press, 2003), 73-96.

Library of Congress, expanded responsibilities, and tripled its staff size.<sup>54</sup> The Congressional Budget and Impoundment Control Act of 1974 established the CBO. This bill was also a response to executive power. Specifically, it was a backlash against President Nixon's refusal to spend congressionally appropriated funds.<sup>55</sup> The Office of Technology Assessment was also created in the 1970s, to provide expertise on technology. By the end of the 1970s and through the 1990s, congressional staffing levels plateaued and sometimes contracted. In this new era, different ideas about congressional capacity and staffing had begun to increase.

In the 1980s and early 1990s, then-Minority Whip Newt Gingrich leveraged emerging media platforms to propagate a messaging campaign attacking the Federal government, especially the elected members in the U.S. House of Representatives.<sup>56</sup> He successfully convinced voters that his compatriots were corrupt and to "Throw the bums out." His campaign was successful, and the 1994 midterm elections saw the Republicans retake control of the U.S. House for the first time in forty years, dubbed the 'Republican Revolution.'<sup>57</sup> Now the Speaker of the House, Gingrich quickly acted on his promises to reform the House and undertook efforts to reshape the chamber, including those that impacted staff. Although some conservatives disagree, there is a broad consensus that Gingrich changed the House to consolidate his power and reign in what he believed to be the excesses of government emanating from the First Branch. His actions caused lasting harm to the House by weakening its institutional capacity including the staff. He cut by a third the staff on House Committees, the GAO, and the CRS. In 1995 Speaker Gingrich consolidated issue areas in CRS.<sup>58</sup> He closed the OTA. Gingrich fired the

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<sup>54</sup> U.S. Congress, Joint Committee on the Organization of Congress, *Organization of the Congress United States House of Representatives: Final Report*, 103<sup>rd</sup> Cong., 1<sup>st</sup> sess., December 1993, <https://archives-democrats-rules.house.gov/Archives/jcoc2.htm>.

<sup>55</sup> PG Joyce, "The Congressional Budget Office: Honest Numbers, Power, and Policymaking," *Public Budgeting and Finance*, 32: 102-105 (2011): 18.

<sup>56</sup> Thomas E. Mann and Norman J. Ornstein, *It's Even Worse Than It Looks: How the American Constitutional System Collided with the New Politics of Extremism*, 2<sup>nd</sup> ed. (New York City: Basic Books, 2012).

<sup>57</sup> Jacob S. Hacker and Paul Pierson, *Off Center: The Republican Revolution and the Erosion of American Democracy*, (New Haven: Yale University Press, 2006).

<sup>58</sup> Lorelei Kelly, "Congress' Wicked Problem," *New America Organization*, December 2012, <https://newamerica.org/documents/1029/congress-wicked-problem>.

non-partisan House Historian and his four staff in 2005 and appointed the replacement who immediately resigned. Gingrich refused to select a new historian. The position remained vacant for a decade. Gingrich rearranged the committee structure to consolidate power and dissuaded Representatives and their staff from conducting policy research.<sup>59</sup> In 1995, House Resolution Six terminated the ability of House Caucuses to fund shared employees, another reservoir of issue expertise.<sup>60</sup> The new Majority began to hire lobbyists and others from the private sector to fill staff positions so they could write legislation, among other duties. Lobbyists also began to serve as expert witnesses and provide briefings and reports.<sup>61</sup> As a result of these actions, expertise and power shifted from Congress to the Influence Industry.

These capacity reductions have broadly remained to today and in many ways intensified. By 2014, both the GAO and CRS possessed about 80 percent capacity to that in 1979. By 2012, senior staff positions in CRS had remained vacant for 15 years.<sup>62</sup> By 2009, every House Standing Committee had less staff than it did in 1979. After the 2010 midterm elections, the GOP became the Majority party in the House. Incited by the Tea Party, the House GOP cut Congress's budget by 20 percent, resulting in staff layoffs and freezes on hiring and salaries. Congressional scholar Lorelei Kelly referred to these efforts, which began in the 1990s, as Congress's "self-lobotomy." She and other scholars have noted that lobbyists have increasingly filled Congress's gap in expertise.<sup>63</sup> She stated that previously "Congress operated one of the world's premier scientific advisory bodies..." and "maintained an extensive network of shared expert staff--individuals and entities that comprised deep pools of both subject matter and legislative process expertise." Now Congress's main source of information is from outside entities, often with profit motives or well-organized advocacy strategies. House Caucuses now

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<sup>59</sup> Glastris and Edwards, "The Big Lobotomy."

<sup>60</sup> Kelly, "Congress' Wicked Problem," 13.

<sup>61</sup> Glastris and Edwards, "The Big Lobotomy."

<sup>62</sup> Kelly, "Congress' Wicked Problem," 11.

<sup>63</sup> *Ibid.*, 21.



have minimal staff. Rather than providing “big picture” and specialized expertise as in times past, Caucuses now mainly provide information to boost short-term political goals.<sup>64</sup>

The Democrats successfully replicated Gingrich’s strategy in the 2006 midterms and ran against the “corrupt Majority” to win back control of the House. The GOP did the same in the 2010 midterms to retake the House.<sup>65</sup> The Democratic party successfully used the same strategy to win control of the House in November 2018.<sup>66</sup> It has become well-established that running *against* Washington, D.C. is a winning campaign strategy. Elected officials make efforts to demonstrate how they are attacking the D.C. “establishment,” cutting the bloat to save taxpayer dollars, and refusing to become intoxicated by “Potomac Fever.” Many lawmakers now proudly return tax dollars from their Member Representational Allowance (MRA)—the budget which funds their office operations—to the U.S. Treasury. Savings are sometimes accomplished by sleeping in their office and cutting staffing expenditures by paying low salaries or restricting hiring. As Congress grows more dysfunctional and inept voters only become more angry. This further incentivizes campaigners and politicians to channel Gingrich’s anti-government strategy to diminish Congress’s capacity further. It has become a cyclical, self-perpetuating feedback-loop and downward spiral. When in power, Democrats in the House failed to replenish the staffing capacity. While the American public has always had a healthy skepticism toward Congress, public opinion has continued a steady decline since the 2000s. Approval rates have hardly broken above 20 percent in the past decade.<sup>67</sup> The common American perception that

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<sup>64</sup> *Ibid.*, 14.

<sup>65</sup> Donald R. Wolfensberger, “A Brief History of Congressional Reform Efforts: A Paper Prepared for Use By the Bipartisan Policy Center and The Woodrow Wilson Center,” *The Woodrow Wilson Center*, February 22, 2013, [https://www.wilsoncenter.org/sites/default/files/brief\\_history\\_congressional\\_reform\\_efforts.pdf](https://www.wilsoncenter.org/sites/default/files/brief_history_congressional_reform_efforts.pdf).

<sup>66</sup> Fredreka Schouten and Eliza Collins, “Trump, Republican corruption issues give Democrats opening for midterm elections,” *USA Today*, August 2018, <https://www.usatoday.com/story/news/politics/elections/2018/08/22/democrats-seize-anti-corruption-message-ahead-midterm-elections/1061019002/>.

<sup>67</sup> “Congressional Job Approval,” *Gallup Polling*.

the federal government is “bloated” extends to the legislative branch and the belief that Congress spends too much money on itself, including its staff.<sup>68</sup>

Thus, Congress has struggled to counteract the inertia toward reducing or freezing congressional capacity. Nevertheless, Congress faces an increasing volume of issues that grow ever more complex. Notably, there is an exception to the trend toward small offices: The Speaker’s office staff has expanded in recent years.<sup>69</sup> This is in tandem with the continued consolidation of power in the House Speaker as initiated by Gingrich. However, there has been a growing effort among think tanks and members on Capitol Hill—including among Republicans—to restore congressional capacity, especially staffing.<sup>70</sup>

## POLICY PROPOSAL

The goal of the policy proposal is to rebuild policy staff capacity in the House and three congressional support offices. Under this proposal, the House Administration Committee will establish a hiring program that will serve as a pipeline to funnel policy talent and government Subject Matter Experts into the Legislative branch. Each year, the House Administration Committee will select 150 graduating students of Masters programs and 150 graduating students from Doctoral programs, a total of 300 people. These individuals will be deemed “Residents” will be graduates of accredited public policy or public administration programs. They will serve in a House Standing Committee, Member Personal Office, CBO, CRS, or GAO in a policy role. They will work on Capitol Hill and may not work in a district office. Residents must also have a professional background that includes at least three years of working experience in the federal executive branch. Applicants must have an expressed interest in long-term employment in Congress, especially the House or the three support offices. They each would

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<sup>68</sup> Kevin Kosar, “History of Congressional Staffing,” Lecture, Washington, D.C., C-SPAN, September 2018, <https://www.c-span.org/video/?451089-1/history-congressional-staffing>.

<sup>69</sup> Ibid.

<sup>70</sup> Senator Mike Lee (R-UT), *The Article I Project* (February 2016), <https://www.lee.senate.gov/public/index.cfm/article-one-project>.

serve for a 1-year residency in the House. By the end of the residency, they would have the opportunity to interview and work with any House personal or committee office, or one of the three congressional support offices, CRS, GAO, or CBO.

Policy and public administration graduates of master's programs would receive a salary equivalent to that of a GS-9, Step 1 federal job in the executive branch for that calendar year. In CY2019, this was \$57,510<sup>71</sup> for the Washington-Baltimore-Arlington area (DC Metro). GS-9 is the first grade level in which OPM recommends that applicants possess a Master's Degree. The total cost for 150 GS-9 positions is \$8,626,500. Candidates with a Ph.D. will earn a GS-11, Step 1. This was \$69,581 in CY19.<sup>72</sup> GS-11 is the first grade level in which OPM recommends that applicants possess a Doctorate. The total expenditure for 150 GS-11 positions for one year is \$10,437,150. The total cost for the 300 Residents in CY2019 would be \$19,063,650. The annual salary of the new cohort of Residents would increase in tandem with any inflation-adjusted pay raises received by federal employees. Such raises are administered by OPM when Congress provides needed appropriations. In the past decade (since 2009), the average inflation-based pay raise per year was 1.93 percent. This average excludes 2011 to 2013 which did not see raises. If we operate this Residency program from 2020 through 2025 and incorporate an annual 1.93 percent pay raise, the total program cost during that period will be \$122,361,786.

Across several years, the program will incorporate a more significant percentage of policy staff into the staffing at-large. Suppose that from 2020 through 2025, 100 percent of the annual cohorts of 300 Residents are then hired and retained as permanent staff in the House. This would total 1,800 staffers. Let us further suppose that professional House staff remains at CRS's latest count of 9,420<sup>73</sup>. In this case, former-Residents would constitute 19.11 percent of

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<sup>71</sup> U.S. Office of Personnel Management, *Salary Table 2019 – Incorporating the 1.4% General Schedule Increase: DC-MD-VA (2019)*, <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2019/DCB.pdf>.

<sup>72</sup> Ibid.

<sup>73</sup> CRS, *House of Representatives Staff Levels (R43947)*, 10.

the total House staff. Nearly one in five House staff would be a former Resident. This is a substantive shift. Further suppose that we incorporate the staffing of CBO (235), GAO (2,989), and CRS (609).<sup>74</sup> Adding this additional 3,833 staff to the 9,420 House staff totals 13,283—the 1,800 former-Residents would constitute 13.6 percent of this total. This is also a notable change.

The proposal draws inspiration from established congressional fellowship programs. The program title is a “Residency” for several reasons. One is to distinguish it from other similar programs. The title also indicates that the individual is in a post-training stage of ‘practice,’ that includes supervision, in preparation for unrestricted ability to work in the ‘field of policymaking’ after the Residency concludes. The title also suggests that the individual is meant to stay in Congress rather than move to another organization.

Leader Pelosi, you will encourage House offices to hire the candidates during and after their Residency. House Administration Committee staff will aid Residents in securing post-Residency placements. During their residency and subsequently, the Residents would not be permitted to conduct duties related to constituent services or communications. Instead, they would be strongly encouraged to work on policy, legislation, or oversight of the executive branch. The goal is that by January 2026, the program will have contributed at least a total of 1,800 staff—with expertise in policy and public management—to House committees and personal offices or the three support offices. This would result from an annual incoming class of 300 unique residents for each of the six years from CY 2020 through CY 2025.

### **Policy Authorization Tool**

The legislative branch Appropriations Act of 2020 would authorize the Residency program. While including authorizing language in appropriations measures is a non-traditional practice, it has become a common tactic to enact legislation in the face of perpetual congressional gridlock. You should request that the Chair of the House Appropriations Subcommittee on the legislative

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<sup>74</sup> Molly Reynolds, *Vital Statistics on Congress*.

branch incorporate the language into the base bill, rather than introduce it as an amendment. You should encourage lawmakers on the subcommittee and full committee to speak in favor of the program during the markup and during floor action. Ideally, a House Republican will also speak in favor of the proposal. The House Appropriations Committee often has moderate and bi-partisan-minded GOP Representatives so this panel may be the first and best place to seek out such support. That said, it may be impossible to find bipartisan support in such politically divisive times.

*See Appendix A for the proposed legislative language.*

### **Policy Implementation Tool**

Upon enactment of the language, the House Administration Committee would schedule a business meeting and markup to promulgate an interim rule to direct implementation of the program. Upon completion of the first year of the program, the House Administration Committee would promulgate a final rule. There would be no additional costs associated with the implementation of this program beyond that outlined in the previous section of this memo.

*See Appendix C for the proposed regulatory language.*

## **POLICY ANALYSIS**

The policy analysis section of this memo presumes the following conditions will persist for the foreseeable future: Fiscal constraints on federal appropriations; Voter distrust of the Federal executive and legislative branches; Key segments of House Republicans backing efforts that reduce or cap funding to Congress; Inter-party hostility.

### **Pros**

#### **One.**

Programs that have broadly similar dimensions, requirements, purposes, and funding levels show demonstrated success. This indicates that the Residency program could become a reality

and survive the test of time. Crucially, it appears that Congress has an appetite for funding in-house fellowships.

*Bill Emerson National Hunger Fellowship:* The Washington, D.C.-based Congressional Hunger Center (CHC), which “works to make ...hunger...a priority to policymakers in the U.S. government”<sup>75</sup> has maintained the Bill Emerson National Hunger Fellowship for nearly 26 years. Each year, the program places a new class of sixteen to twenty Fellows in U.S. Congress, among other governmental and not-for-profit organizations. Incumbents work on policy, program development, and research, according to the work plan they developed.<sup>76</sup> Congress authorizes and funds the program, mainly through the Farm Bill and the annual appropriations process, usually about \$2.5 million a year.<sup>77</sup> Congress appropriated \$3 million for fiscal years 2003 and 2004 for the sixteen to twenty Emerson Fellows and twelve to fifteen Mickey Leland Hunger Fellowship, a sister program which places incumbents oversees. Congress provided \$2.5 million for FY2006. CHC pays them a “living wage,” up to \$43,000. Applicants must have a bachelor’s degree and secure their own health insurance. The statute requires audits of the program.<sup>78</sup> A 2009 evaluation of the program determined that it had “stood the tests of time,” was “highly-regarded,” and a “sought-after leadership development opportunity.”<sup>79</sup> Fellows serve in the House or Senate.

*Wounded Warrior Fellowship:* The program places honorably discharged, combat-wounded veterans in the U.S. House for two years. Congress established the program in 2008<sup>80</sup>. The

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<sup>75</sup> “CHC: About Us,” *Congressional Hunger Center*, accessed April 19, 2019, <https://www.hungercenter.org/about/>.

<sup>76</sup> “Emerson National Hunger Fellows Program,” *Congressional Hunger Center*, accessed April 18, 2019, <https://www.hungercenter.org/fellowships/emerson/>.

<sup>77</sup> U.S. Library of Congress, Congressional Research Service, *The 2008 Farm Bill: Major Provisions and Legislative Action*, RL34696 (November 6, 2008), <https://www.everycrsreport.com/reports/RL34696.html>.

<sup>78</sup> 2 U.S. Code § 1161, Bill Emerson National Hunger Fellows and Mickey Leland International Hunger Fellows, accessed April 6, 2019, <https://www.law.cornell.edu/uscode/text/2/1161>.

<sup>79</sup> Innovation Network, Multiple Authors, *Evaluation of the Congressional Hunger Center’s Bill Emerson National Hunger Fellows Program* (Washington, D.C.: Congressional Hunger Center, Published in 2011), <https://www.hungercenter.org/publications/evaluation-of-the-congressional-hunger-center’s-bill-emerson-national-hunger-fellows-programexecutive-summary-recommendations/>.

<sup>80</sup> U.S. Congress, House of Representatives, Committee on House Administration, *Activities of the Committee on House Administration: Report*, 110<sup>th</sup> Cong., 2<sup>nd</sup> sess., 2008, H. Rept. 110-924, <https://www.congress.gov/110/crpt/hrpt924/CRPT-110hrpt924.pdf>.

program places Fellows in either Capitol Hill or district offices. They must have a high-school degree and, ideally, at least completed some college coursework. Candidates must have reached the military grade of E-5 or O-3. They may work on any number of projects, including constituent requests or policy and legislation. The stated purpose is to establish employment for veterans in the U.S. House. “Wherever possible, those selected for the program will be given the opportunity to transition into full-time employment,” although such employment is not a guarantee.<sup>81</sup> For at least a decade, Congress has regularly appropriated at least \$2.5 million annually to fund the program.<sup>82</sup><sup>83</sup> In Fall 2018, Congress enacted appropriations legislation with an amendment to increase funding from \$2.75 million to \$3 million<sup>84</sup>. At that time, there were about 50 active Fellows. The funding was intended to help the program get closer to reaching the ultimate goal of 110 paid positions.<sup>85</sup> We can deduce the average salary per Fellow. If \$2.75 million funds 50 positions, the average salary would be \$55,000. A search of USAJobs (online) yields job postings with consistently the same salary range of \$39,000 to \$52,000.<sup>86</sup> Salary levels depend on experience and the recommendation of the hiring office. If \$36,944 constitutes a living wage in the DC Metro Area<sup>87</sup>, then these salaries appear to be sufficient, particularly for new staffers.

The House Chief Administrative Office administers and oversees the program, which suggests that the House has the necessary capacity to maintain such a program across many years

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<sup>81</sup> U.S. House of Representatives, Chief Administration Officer, *Wounded Warrior Program: About the Program* (Washington, D.C.: Chief Administrative Officer of the House, accessed March 2019), <https://cao.house.gov/wounded-warrior/about-wounded-warrior-program>.

<sup>82</sup> U.S. Congress, U.S. Senate, Committee on Appropriations, *Legislative Branch Appropriations: Report (to Accompany H.R. 2250)*, 114<sup>th</sup> Cong., 1<sup>st</sup> sess., 2015, S. Rept. 114-64, <https://www.congress.gov/congressional-report/114th-congress/senate-report/64>.

<sup>83</sup> U.S. Congress, House, *Legislative Branch Appropriations Act of 2018, HR 3162*, 115<sup>th</sup> Cong., 1<sup>st</sup> sess., Introduced in House July 6, 2017, <https://www.congress.gov/bill/115th-congress/house-bill/3162/text>.

<sup>84</sup> Representative Stephanie Murphy, *Murphy Measure to Hire More Veterans Passes House; Set to Become Law* (Press Release, September 13, 2018), <https://murphy.house.gov/news/documentsingle.aspx?DocumentID=891>.

<sup>85</sup> Representative Brian Mast, *House Approves Bipartisan Mast-Murphy Measure to Help Hire More Disabled Veterans* (Press Release, June 8, 2019), <https://mast.house.gov/2018/6/house-approves-bipartisan-mast-murphy-measure-to-help-hire-more-disabled-veterans>.

<sup>86</sup> U.S. Office of Personnel Office, USAJOBS, *Wounded Warrior Fellowship Program: Various job postings* (accessed April 2019), <https://www.usajobs.gov/GetJob/ViewDetails/524675500>; <https://www.usajobs.gov/GetJob/ViewDetails/525077000>; <https://www.usajobs.gov/GetJob/ViewDetails/527969700>; <https://www.usajobs.gov/GetJob/ViewDetails/498817200>.

<sup>87</sup> “Living Wage Calculator for District of Columbia,” *Massachusetts Institute of Technology* (2019), <http://livingwage.mit.edu/counties/11001>.

successfully. Most incumbents work in district offices and commonly serve as a community liaison and conduct casework for current and former military personnel in the district.

*Brookings Institution LEGIS Congressional Fellowship:* This fellowship program places incumbents on Capitol Hill for seven or twelve month periods. Federal employees comprise the majority of Fellows. The LEGIS Fellowship has existed for over 20 years. A central purpose of the experience is to enable the Fellow to develop legislative skills and intimate knowledge of policymaking in Congress. This further suggests that policy-based fellowships on Capitol Hill can be successful over the long-term. Placements may be in committees or personal offices. Fellows serve in Capitol Hill offices only. Candidates must be at least a GS-13. The federal department or agency of origin continues to pay the incumbent's salary during the fellowship. Each participant must also pay a tuition of \$4,525 or \$6,135 for the 7 and 12-month stints, respectively. Like the Hunger Fellowship, the program includes training sessions and briefings.

In conclusion, these three programs are broadly similar to the Residency Program proposal in terms of purpose, scope, and cost. Crucially, they have endured for years. This suggests that the proposed Residency program could fair similarly.

## **Two.**

There is a high likelihood that improved staffing will yield improved legislative outcomes. There are two ways to draw such a conclusion:

*(A) An examination of U.S. Congress demonstrates the efficacy of robust staffing.*

After Gingrich dramatically cut committee staff, the number and quality of hearings dropped. This was especially notable in oversight and appropriations committees. It is reasonable to suppose that a reversal of those cuts would dramatically improve the number and quality of hearings.<sup>88</sup> In fact, in the 1960s there was a concerted effort to build congressional capacity and

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<sup>88</sup> Harry Stein and Ethan Gurwitz, "Congress Makes Itself Dysfunctional with legislative branch Cuts," *Center for American Progress*, June 15, 2015, <https://www.americanprogress.org/issues/economy/news/2015/06/15/114975/congress-makes-itself-dysfunctional-with-legislative-branch-cuts/>.



expertise by growing the number of staffers, especially at the CRS and CBO. The benefits were obvious: The number of committee meetings grew by 80 percent in the House and 50 percent in the Senate through the 1970s. The 1960s and 1970s were “the great eras of congressional oversight.” Most famous were the Watergate hearings, of course. Congress’s policy expertise blossomed during this time as lawmakers were able to cultivate mastery of both policy and process as a result of staffing capacity. They were able to enact precisely calibrated legislation to address convoluted and weighty societal problems from water pollution to Soviet Union human rights abuses<sup>89</sup>. Recently, researchers at the Center for Effective Lawmaking based at the University of Virginia conclusively determined that U.S. Representatives were able to “advance more (and more significant) legislation when they retain a more experienced legislative staff...”.<sup>90</sup> Finally, Joshua McCrain wrote a research paper that won a Malcolm Jewell Award in which he identified a positive correlation between a U.S. Representative’s legislative efficacy and the total experience of his or her staff.<sup>91</sup>

(B) *International legislative branches demonstrate the efficacy of robust staffing.*

International legislatures see positive outcomes from robust or expanded staff capacity.

Relatedly, researchers have repeatedly determined inadequate staffing to be a source of dysfunction in parliaments worldwide. These assertions are discussed below. There appears to be an international reckoning that legislative branches need professional staff to achieve successful lawmaking, placing the American efforts within the context of a broader, global shift.

A survey of legislative staff around the globe appears to indicate shifts toward more robust staffing, to positive effect. Parliaments across the world have made concerted efforts in recent

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<sup>89</sup> Glastris and Edwards, “The Big Lobotomy.”

<sup>90</sup> Jesse M. Grosson, Geoffrey M. Lorenz, Graig Volden, and Alan E. Wiseman, “How Experienced Legislative Staff Contribute to Effective Lawmaking,” *The Center for Effective Lawmaking* (September 2018), <https://thelawmakers.org/wp-content/uploads/2018/09/CEL-Working-Paper-2018-002-002-1.pdf>.

<sup>91</sup> Joshua M. McCrain, “Congressional Staff and Effective Legislating in the House of Representatives” (paper presented at the 89<sup>th</sup> Annual Conference of the Southern Political Science Association, New Orleans, LA, January 4-6 2018).

decades to “professionalize” their staff.<sup>92</sup> Over sixty-one percent of surveyed parliamentarians stated that problems with office resources and staffing hindered their effectiveness either a “Great Deal” (30.1 percent) or a “Fair Amount” (31.7 percent).<sup>93</sup>

Although still somewhat anecdotal, there may be a correlation between the economic development of a country and the amount of time the legislature spends on casework versus policymaking.<sup>94</sup> Lawmakers in both Lower Developed Countries (LDC’s) and newer democracies shared stories of personal phones ringing nonstop, spending entire days in back-to-back meetings with constituents regarding their individualized requests, and of lines of citizens queuing outside their private homes to discuss personal grievances.<sup>95</sup> In African and Arab countries, lawmakers told of converting their legal practices and staff into ad-hoc constituency offices to field the influx of requests.<sup>96</sup> Some LDC’s have created Constituency Development Funds (CDFs), which are pots of money intended to end the practice of lawmakers using their personal funds to respond to constituent entreaties.<sup>97</sup> While national parliamentarians across all democracies are facing growing casework demands, the picture of developed countries indicates a smaller volume and requests that are more often policy-based, like local infrastructure needs.<sup>98</sup> In high-poverty countries, “ most politicians regarded legislating as ‘an indulgence,’ something secondary to their main role of providing services to voters.”<sup>99</sup> However, lawmakers in such countries have begun to shift focus from casework to policymaking, often as a result establishing or strengthening offices of policy researchers.<sup>100</sup> OECD countries broadly have more staff and spend more on that staff than do Lesser Developed Countries (LCD).<sup>101</sup>

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<sup>92</sup> Greg Power, “Global Parliamentary Report: The changing nature of parliamentary representation,” *United Nations Publications*, April 2012 (Denmark, April 2012),

[https://www.undp.org/content/dam/undp/library/Democratic%20Governance/Global\\_Parliamentary\\_Report\\_English.pdf](https://www.undp.org/content/dam/undp/library/Democratic%20Governance/Global_Parliamentary_Report_English.pdf).

<sup>93</sup> *Ibid.*, 113.

<sup>94</sup> *Ibid.*, 49-62.

<sup>95</sup> *Ibid.*, 60.

<sup>96</sup> *Ibid.*, 50.

<sup>97</sup> *Ibid.*, 65.

<sup>98</sup> *Ibid.*, 101.

<sup>99</sup> *Ibid.*, 54.

<sup>100</sup> *Ibid.*

<sup>101</sup> *Ibid.*, 101-3.

A USAID study of various legislatures in LDC's concluded that a central reason for "ineffective" legislating is 'inadequately prepared' legislators and staff.<sup>102</sup> To the point, one principal cause of "legislative problems" was too few staff or existing staff without "knowledge needed to carry out duties." This conclusion extended to oversight duties and personnel tasked with monitoring the executive branch. A key recommendation was ensuring "adequacy in skill and number of legislative staff and administration."<sup>103</sup> In the early 1990s, Rep. Martin Frost (D-TX) partnered with the CRS to lead the Frost-Solomon Task Force to develop legislative branches in newly formed democracies in Eastern European countries. A key recommendation was building staffing for committees. In 2005, the U.S. House and USAID established a successor endeavor, the House Democracy Partnership. This project developed, among other strategies, training programs for legislative staff.<sup>104</sup>

A 2008 examination of the Ghanaian Parliament determined that inadequate staffing—defined by nepotism, lack of expertise, an overabundance of administrative staff, and short workdays--was a leading cause of poor lawmaking.<sup>105</sup> A 2006 review of the Australian and British Parliaments concluded there was a definite need for professional staff to achieve policy success.<sup>106</sup> In South Africa in 1994, a key impediment for the new President Nelson Mandela was a legislature with insufficient staffing capacity.<sup>107</sup> A 2012 analysis of the Hong Kong Legislative Council (a unicameral legislature) recommended that staffing capacity be improved to enhance

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<sup>102</sup> U.S. Agency for International Development, *USAID Handbook on Legislative Strengthening* (Washington, D.C.: Center for Democracy and Governance, February 2000), <https://www.usaid.gov/sites/default/files/documents/2496/200sbb.pdf>.

<sup>103</sup> Ibid.

<sup>104</sup> House Democracy Partnership, U.S. House of Representatives, *House Democracy Partnership at Ten Years: Findings and Considerations* (Washington, D.C.: House Democracy Partnership, 2016), <https://hdp.house.gov/sites/housedemocracypartnership.house.gov/files/HDP-Tenth-Anniversary-Full-Published-Version.pdf>

<sup>105</sup> Staffan I. Lindberg and Yongmei Zhou, "The rise and decline of parliament in Ghana," *Legislatures in Emerging Democracies* (October 2008), [http://users.clas.ufl.edu/sil/downloads/Lindberg\\_in\\_Barken\\_ed2008.pdf](http://users.clas.ufl.edu/sil/downloads/Lindberg_in_Barken_ed2008.pdf).

<sup>106</sup> Kate Jones, "One Step at a Time: Australian Parliamentarians, Professionalism and the Need for Staff," *Parliamentary Affairs* vol. 59, Issue 4 (October 2006): 638–653, <https://doi.org/10.1093/pa/gsl015>.

<sup>107</sup> Richard Calland and Mandy Taylor, "Parliament and the Socio-Economic Imperative - What Is the Role of the National Legislature, Law, Democracy and Development," *Law Democracy and Development* 1 (November 1997): 193-220, <https://heinonline.org/HOL/LandingPage?handle=hein.journals/laacydev1&div=15&id=&page=#heinonline>.

legislative performance.<sup>108</sup> Congressional expert Lee Drutman concludes that in U.S. Congress, current staffing conditions and their outcomes may soon be more akin to “Brazil and Mexico” than “Germany or Denmark, ” if not the case already.<sup>109</sup>

### **Three.**

The proposal implicitly includes an annual inflation-based or cost of living rise in the salary. The salary links to the OPM-determined salary for a GS-9, Step 1 and GS-11, Step 1 positions in the DC Metro Area<sup>110</sup> for the given year. This salary incorporates not only the high living expenses of the D.C. metro area but also the annual inflation-adjustments enjoyed by career federal employees. The Office of Personnel Management (OPM) publishes and administers the increases when Congress provides the needed yearly appropriations. The proposal also reflects the OPM guidance for applicant credentials: GS-9 and Gs-11 are the first grade levels in which new applicants are recommended to have a master’s or doctoral degree, respectively.<sup>111</sup> As discussed earlier, there is a shortage of staff on Capitol Hill with education beyond a bachelor’s degree, let alone a doctorate. This proposal would remediate this specific deficiency.

Beyond providing a living wage for the Residents, there is evidence suggesting that raising some wages may spur salaries to increase among additional workers not directly impacted. We should note that this body of evidence is not a direct correlate to the Residency proposal’s inflation-adjusted income. Nonetheless, it suggests some promising conclusions. For example, a rise in the minimum wage generally causes a “ripple effect” in that workers earning slightly more also see increased salaries. This effect is “generally well recognized in the

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<sup>108</sup> Percy Luen-tim Lui, “The Legislature,” in *Contemporary Hong Kong Government and Politics*, 2nd ed., eds. Lam Wai-man., Percy Luen-tim Liu, and Wilson Wong (Hong Kong: Hong Kong University Press, 2012), 45, <https://hkupress.hku.hk/pro/con/500.pdf>.

<sup>109</sup> Lee Drutman and Steven Teles, “A New Agenda for Political Reform,” *Washington Monthly*, March-April-May 2015, <https://washingtonmonthly.com/magazine/maraprmay-2015/a-new-agenda-for-political-reform/>.

<sup>110</sup> OPM, *Salary Table for DMV*.

<sup>111</sup> U.S. Office of Personnel Management, *Classification and Qualifications: General Schedule Qualification Standards* (OPM, Retrieved March 2019), <https://www.opm.gov/policy-data-oversight/classification-qualifications/general-schedule-qualification-standards/#url=Group-Standards>.

academic literature.”<sup>112</sup> This observation is most immediately apparent in states that raise the minimum wage beyond the national benchmark.<sup>113</sup> It is true that the Residency proposal does not establish a minimum salary across House staff, but instead annually inserts fifty new staff--with living wages--into the chamber. A central cause of the ripple effect is the need for employers to compete for talent.<sup>114</sup> Thus, Residents could contribute slightly to wage pressure via hiring competition. In sum, the proposal addresses multiple dimensions of the staffing problems: Increased salaries which may raise other staffers salaries, increased education levels among staff, and increased expertise and experience levels among staff.

#### **Four.**

This proposal is not a mandate. This fact bodes well for gathering support from lawmakers or at least averting their dissent. By contrast, there are requirements in the executive branch that certain federal positions provide minimum salaries and that candidates demonstrate specific credentials or background. In contrast, each congressional office establishes all requirements for hiring, managing, and firing staff<sup>115</sup>. Thus, a proposal that imposes requirements on congressional offices is unlikely to gain support. Instead, the plan creates a pipeline of employees with public policy and administration experience and academic training. Lawmakers would have the choice to hire the candidates during or after the Residency. Such a program is unlikely to confront the same resistance as would any proposals that would establish requirements for staff qualifications as currently exists in the executive branch.

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<sup>112</sup> Benjamin H. Harris and Melissa S. Kearney, “The ‘Ripple Effect’ of a Minimum Wage Increase on American Workers,” *The Brookings Institution*, January 10, 2014, <https://www.brookings.edu/blog/up-front/2014/01/10/the-ripple-effect-of-a-minimum-wage-increase-on-american-workers/>.

<sup>113</sup> Ibid.

<sup>114</sup> Ben Zipperer, “How raising the minimum wage ripples through the workforce,” *Washington Center for Equitable Growth*, April 28, 2015, <https://equitablegrowth.org/raising-minimum-wage-ripples-workforce/>.

<sup>115</sup> Kosar, *History of Congressional Staffing*.

## Cons

### **One.**

Attaining the additional \$20 million each year may be challenging. The challenge is due to decades-long federal fiscal constraints in the aftermath of repeated tax cuts and spending increases. In addition to ongoing budgetary problems, recent years have culminated in regular continuing resolutions, omnibus spending packages, government shutdowns, and showdowns over budget caps. These realities present challenging environments for new funding proposals. This year especially may be challenging as Budget Caps are again in play. The caps will apply to fiscal years 2020 and 2021.<sup>116</sup> It may be even more challenging for offices to hire the Residents as permanent staff. As a permanent staff, their salaries will draw from the same funding sources as any other staff. As staff to personal offices, they will count toward the eighteen-person limitation. It may be difficult to absorb a new cohort of staff every year, particularly those who may expect a decent salary and expect to work primarily on policy issues.

### **Two.**

The cost is considerable. As with most organizations, staffing disproportionately consumes the chamber's operating budget.<sup>117</sup> Indeed, it may be cheaper to train existing staff. Paul Ryan and Kevin McCarthy published a report entitled *A Better Way*. In the document, they proposed training to build staffing capacity. For example, under one proposal, "the Committee on House Administration should coordinate with the Office of Legislative Counsel and convene seminars for Member offices and, separately, for committee staff on bill drafting." Such in-house undertakings, in which costs are presumably absorbed under existing operations, may find more support among lawmakers wary of proposals that require new funding. A study mentioned above reached another, similarly lower-cost conclusion: "This finding suggests that a targeted

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<sup>116</sup> "Upcoming Congressional Fiscal Policy Deadlines," *Committee for a Responsible Federal Budget* (February 27, 2019), <http://www.crfb.org/blogs/upcoming-congressional-fiscal-policy-deadlines>.

<sup>117</sup> U.S. Library of Congress, Congressional Research Service, *Legislative Branch: FY2018 Appropriations*, R44899 (April 18, 2018), <https://www.everycrsreport.com/reports/R44899.html>.

strategy to retain the most experienced legislative staff in Congress may pay the greatest dividends in regard to lawmaking.”<sup>118</sup>

**Three.**

Current Hill staffers may personally feel affronted at the implication that they are ill-equipped for their jobs and believe this effort intends to put them out of a job. Therefore, they may work to undermine the proposal or at least not actively work to ensure its success. The proposal may lower morale among existing staff, who are already overworked and underpaid. Indeed, an R Street proposal to improving staffing on appropriations committees began by vigorously complimenting current appropriations staffers.<sup>119</sup> If messaging is any less disciplined, staff may feel insulted by the proposal. They may become demoralized or worry about losing their jobs. Such sentiments may cause them to leave Congress, thus exacerbating the staffing churn and exodus to K Street.

**Four.**

A solution that merely grows the number of staffers without regard to expertise is unlikely to replenish capacity. The U.S. Congress already has the largest number of staffs of any legislative branch throughout the world.<sup>120</sup> The staff is the largest in terms of raw count (15,907 in 2012) and the proportion of staff to Member (29.73 per “Parliamentarian”). Additionally, a study above from the Center for Effective Lawmaking which correlated staff experience to legislative outcomes, also concluded that legislators generally do not gain benefit from merely having a large number of staffers.

How many staff does each parliament have?		
Number of staff: 5 lowest and 5 highest		
Country	Total staff	Staff per parliamentarian
Tuvalu	5	0.33
Liechtenstein	7	0.28
St. Vincent and the Grenadines	8	0.38
Andorra	15	0.54
Nauru	18	1.00
India	3,691	4.67
Indonesia	3,734	6.67
Philippines	3,922	12.90
Mexico	7,257	11.56
United States of America	15,907	29.73
Global average	862	3.76

Source: *Global Parliamentary Report*, by Greg Power

<sup>118</sup> Lorenz M. Crosson, Geoffrey M. Lorenz, Craig Volden, and Alan E. Wiseman, “How Experienced Legislative Staff Contribute to Effective Lawmaking,” *Center for Effective Lawmaking* (September 2018), <https://thelawmakers.org/wp-content/uploads/2018/09/CEL-Working-Paper-2018-002-002-1.pdf>.

<sup>119</sup> Burgat and Dukeman, “Human Capital and Institutional Decline,” 4.

<sup>120</sup> Power, *Global Parliamentary Report*, 101.

## POLITICAL ANALYSIS

### Pros

#### One.

An increase in congressional capacity can help Congress enact the demands of the American people. As lawmaking improves, voters are likely to more readily trust in and approval of the federal government, including Congress. Voters that have greater trust in and approval for government tend to prefer Democrats over Republicans. This is demonstrated by the fact that Republicans tend to have markedly less trust in the federal government than do Democrats. A 2010 survey showed that 52 percent of Republicans stated they “never” trusted Washington to “do what is right.” Only about 13 percent of Democrats agreed.<sup>121</sup> A 2015 Pew Research Center poll found that people who are strong or ‘lean’ Republican are “angry” with government three times as much as Democrats: 32 percent versus 12 percent.<sup>122</sup> In sum, dissatisfaction appears to be a central impetus in driving voters to the GOP. As described earlier, Republicans played an active role in cultivating this voter base by stirring a distrust in government and thus persuading voters to choose GOP candidates.<sup>123</sup> Indeed, the GOP has become “the dominant practitioners of the ‘attack government’ strategy” to not only win office but also achieve policy goals, empower and win support from their network of institutions and organizations.<sup>124</sup> Paul Glastris and Haley Sweetland Edwards of the Washington Monthly plainly state that scandals involving government failings—like the launch of healthcare.gov—“wind up perversely advancing the conservative anti-government agenda—another reason why many Republicans do not worry much about the brain drain on the Hill.”<sup>125</sup>

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<sup>121</sup> Marc J. Hetherington and Thomas J. Rudolph, *Why Washington Won't Work: Polarization, Political Trust and the Governing Crisis* (Chicago : The University of Chicago Press, 2015 ), 6.

<sup>122</sup> Stephen Collinson and Tal Kopan, “Donald Trump taps into deep GOP anger at government,” *CNN Politics*, November 23, 2015, <https://www.cnn.com/2015/11/23/politics/voters-distrust-anger-government-pew-poll/index.html>.

<sup>123</sup> Hacker and Pierson, *Off Center*.

<sup>124</sup> Amy Fried and Doug Harris, “On Red Capes and Charging Bulls: How and Why Conservative Politicians and Interest Groups Promoted Public Anger,” in *What is It About Government that Americans Dislike?*, eds. John R. Hibbing and Elizabeth Theiss-Morse (New York: Cambridge University Press, 2001), 157-74.

<sup>125</sup> Glastris and Sweetland, “The Big Lobotomy.”



## **Two.**

There is possibly a straightforward message that resonates with skeptical voters, should the proposal be thrust into public debate: “Congress is broken,” “Congress is weak (vis a vis special interests and the White House),” and “Congress is stupid.” These messages have aligned with voter sentiment for years and, as previously discussed, have been a winning campaign strategy. Hence the message that Congress needs capacity growth to ‘be less stupid.’ This proposal may not be enacted in-full this year. However, an initial push for this proposal may allow for at least a pilot. Congress could enact the proposal in tandem with a rise in the national minimum wage should the Democrats take control of the White House and both chambers of Congress. Americans may be amenable to “a raise for Congress” if they are simultaneously getting a raise-- this message may be especially persuasive to voters that earn minimum wage and also think Congress is bloated.

Additionally, the program merely presents a *choice*. “Choice” is a popular buzzword in Republican circles, used to advance myriad proposals from those related to veterans’ health care to public education. Further, if a Resident does not perform at the level needed to secure long-term employment, she will no longer be in Congress after twelve months. The appropriations are provided on an annual basis, and there will be additional opportunities to review the program. Nothing about the program suggests an imposition.

## **Three.**

Democratic offices may hire Residents more readily than Republican offices. This will inevitably cause more staffing capacity to accrue to the House Democrats. While the program intends for Residents and post-Residents to split between the parties evenly, the GOP has indicated they do not appreciate the benefit of increased funding and expertise in the Legislative branch. We should note that the Residents program will provide the most significant benefit to Congress and policymaking outcomes when both parties hire Residents in equivalent numbers. This is

because both parties will have the technical expertise to hammer out particularized policy compromises that incorporate the myriad views of disparate lawmakers. However, the GOP may yet again reject an effort to build congressional capacity and therefore hire few Residents. In this instance, while such a rejection may make it harder to achieve policy compromises as frequently, it will likely improve political outcomes for House Democrats who will be better equipped during all political debates and policy compromises on Capitol Hill.

### Cons

#### **One.**

The Republican Party--and its extended network of think tanks, commentators, donors, and activists--would likely oppose the effort. They may leverage the proposal as a campaign issue should it suit a broader messaging strategy. This could be a hurdle to successfully advancing the proposal. Many voices on the Right have criticized congressional staff as constituting federal bloat: Executive Vice President of Cato Institute David Boaz has focused on "congressional bonuses" earned by Hill staff of both parties.<sup>126</sup> He argues that 'hidden bonuses' enable staff to surreptitiously earn salaries seventeen to fifty percent higher than generally believed.<sup>127</sup> A Former Cato Senior Fellow argued that more than being overpaid, the "real problem" is the excessive number of congressional staff.<sup>128</sup> In the mid-1990s, in tandem with Gingrich's attacks on the institution, the Heritage Foundation published works arguing for "Cutting Congress Down To Size"<sup>129</sup> or "Reforming the Imperial Congress."<sup>130</sup> These reports advocated for reduced capacity in Congress, including a reduced staff size: Congressional staffing was "huge" and earned "a plethora of perks." Voters were encouraged to demand that Congress "end the perks

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<sup>126</sup> David Boaz, "Congressional Bonuses," *The Cato Institute*, April 3, 2009, <https://www.cato.org/blog/congressional-bonuses>.

<sup>127</sup> David Boaz, "For staff bonuses, no dollar left behind," *The Hill*, September 5, 2007, <https://web.archive.org/web/20080906090114/http://thehill.com/op-eds/for-staff-bonuses-no-dollar-left-behind-2007-09-05.html>.

<sup>128</sup> Daniel Mitchell, "The Number of Congressional Staff Is the Real Problem," *The Cato Institute* (blog), March 30, 2010, <https://www.cato.org/blog/number-congressional-staff-real-problem>.

<sup>129</sup> Daryl Plunk, "Cutting Congress Down to Size: How a Part-Time Congress Would Work," *The Heritage Foundation: U.S. Congress Assessment Project*, November 2, 1994, <https://www.heritage.org/report/cutting-congress-down-size-how-part-time-congress-would-work>.

<sup>130</sup> David M. Mason, "Reforming the Imperial Congress," *The Heritage Foundation: U.S. Congress Assessment Project*, October 27, 1992), <https://www.heritage.org/political-process/report/reforming-the-imperial-congress>.

and cut the staff.” Staffers “generate their own agendas” and run Congress, rather than the Representatives “elected to do the job.” This excess was alleged to be particularly pronounced among committee staff.<sup>131</sup>

Indeed, Republicans may find the proposal useful in political messaging, including during campaigns. In building momentum for a presidential run in 2011, Rick Perry advanced his “Uproot and Overhaul Washington” plan.<sup>132</sup> He argued for fewer congressional staff. Beyond providing casework for constituents, they were of little use, Perry argued. He further asserted that because the Founders undertook the Declaration of Independence, the American Revolution, and the U.S. Constitution without “thousands of paid staffers,” then there was no need for staffers in today’s Congress. Republicans may find a resonant message in denouncing the Democrats as wanting to increase the size and pay for an already bloated congressional staff comprised of elitist, DC-insiders.

However, there are Republicans that have pushed against these tendencies. Senator Tom Coburn has heralded GAO for saving tax dollars by identifying “a mother lode of government waste and duplication.”<sup>133</sup> There is also a broader reckoning among many Republicans and their allies that Congress needs restored capacity. In early 2016, Conservative Mike Lee (R-UT) established the Article I Project focused on “congressional rehabilitation” to take back power from the executive branch. Joining him was a cadre of conservatives, including Senator Jeff Flake and Representatives Mia Love, Dave Brat, Barry Loudermilk, Mark Walker, Gary Palmer, Cynthia Lummis, and John Ratcliffe. Senator Lee adroitly couched the project within a conservative worldview and talking points.<sup>134</sup> As

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<sup>131</sup> Ibid.

<sup>132</sup> Rick Perry, “Governor Rick Perry’s 2020 Vision: Uproot and Overhaul Washington,” *Rick Perry for President*, November 15, 2011, <https://web.archive.org/web/20120105121729/http://www.rickperry.org/content/uploads/2011/11/Uproot-and-Overhaul-Washington.pdf>.

<sup>133</sup> Aaron Mehta, “GAO Cites Billions of Dollars in Duplication, From Military to Highways,” *The Center for Public Integrity*, March 1, 2011, updated 2014, <https://publicintegrity.org/accountability/gao-cites-billions-of-dollars-in-duplication-from-military-to-highways/>.

<sup>134</sup> Senator Mike Lee, “The Case for Congressional Empowerment,” *Mike Lee US Senator for Utah*, February 3, 2016, <https://www.lee.senate.gov/public/index.cfm/article1project>.

mentioned earlier, Paul Ryan's *A Better Way* recommended training staff. Even the Heritage Foundation has bemoaned the consequences of the Gingrich overhaul and hinted at the problems inherent to the resultant staff reductions.<sup>135</sup> Conservative commentator Luke Rosiak wrote an op-ed in the *Washington Times* that lamented the low pay and high turnover of congressional staff that results in a brain-drain.<sup>136</sup> He quoted a Republican former Senate staffer, a Heritage Fellow, and conservative commentator, each who derided shortsighted cuts to congressional staffing that ultimately produce waste. The R Street Institute is a conservative think tank that advocates for a "limited, effective government." Nonetheless, it is at the center of the effort to reform Congress and rebuild its capacity, including pushing for increased funding.<sup>137</sup> On balance, a minority of voices in the Republican party support growing congressional capacity. Efforts to rebuild staffing—like this Residents proposal—will need to withstand and counteract the opposition. However, such efforts will also need to adeptly leverage the smaller number of conservative and nonpartisan supporters.

## **Two.**

The Influence Industry will likely resist efforts to enhance Congressional staffing capacity. The existence of in-house expertise would undermine the monopoly held by lobbyists. The Influence Industry has previously resisted attempts to sideline their influence, including efforts to build congressional capacity.<sup>138</sup> For example, some argue that "Lobbying is an Honorable Profession" due to the expertise the industry brings to policymakers.<sup>139</sup> An additional argument is that

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<sup>135</sup> Ernest Istook, Michael Franc and Matthew Spalding, "Four Immediate Reforms to Change the Culture of Congress," *The Heritage Foundation*, October 25, 2010, <https://web.archive.org/web/20101218003651/http://www.heritage.org/research/reports/2010/10/four-immediate-reforms-to-change-the-culture-of-congress>.

<sup>136</sup> Luke Rosiak, "Congressional staffers, public shortchanged by high turnover, low pay," *The Washington Times*, June 6, 2012, <https://www.washingtontimes.com/news/2012/jun/6/congressional-staffers-public-shortchanged-by-high/>.

<sup>137</sup> Kevin Kosar, "Letter in Support of Increased Funding for the legislative branch in FY2020," *R Street Institute*, March 21, 2019, <https://www.rstreet.org/2019/03/21/letter-in-support-of-increased-funding-for-the-legislative-branch-in-fy2020/>.

<sup>138</sup> Drutman, *The Business of America is Lobbying*.; LaPira and Thomas, *Revolving Door*, 182.; Glastris and Edwards, *The Big Lobotomy*.

<sup>139</sup> Allard, *Lobbying Is an Honorable Profession*, 42.

lobbying is a “legislative subsidy” since private interests provide funding. Beyond moralistic arguments, lobbying is an over \$3 billion industry. Any industry of that magnitude is shown to vigorously defend its profit-making on Capitol Hill, particularly those same individuals whose trade is to make those very arguments. Indeed their very business model and reason for existence rely on the reality that overworked and underprepared staff have no choice but to turn to lobbyists for information.<sup>140</sup>

### **Three.**

The two concerns above lead to a more significant issue, which is that the American public largely disapproves of Congress and may punish lawmakers that vote to expand staffing capacity by voting them out. However, Lee Drutman—advocate for expanding capacity—points out that the public already thinks Congress is growing its staff and regularly providing salary raises.<sup>141</sup> He shows that 92 percent of respondents thought there were too many congressional staffers. Drutman argues that this justifies growing staff and paying them more because the public already thinks it is occurring. He further points out that despite the Republican messaging in support of cutting funding for Congress, public opinion remains unchanged rather than becoming more supportive of such cuts. Drutman concludes that messaging about funding for Congress does not pierce public consciousness, so perhaps neither will any legislators’ public criticism of increased funding for staff.

### **Four.**

The proposal may be politically intimidating to lawmakers due to the cost. The roughly \$20 million in annual funding may seem too expensive for many lawmakers of both parties. That funding would draw from other policy priorities, or it would increase by \$20 million the cost of the legislative branch appropriations. In an era of tight fiscal constraints like budget caps,

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<sup>140</sup> Alexis Goldstein, “To Disempower Lobbyists, Give Congressional Staff a Raise,” *Truthout*, February 27, 2019, <https://truthout.org/articles/to-disempower-lobbyists-give-congressional-staff-a-raise/>.

<sup>141</sup> Drutman, “People think Congress is increasing its staff.”

sequestration, perpetual continuing resolutions, shutdowns related to spending fights, and conservatives' salient messaging on government "waste," new funding may seem a near impossibility. However, even if the proposal becomes law without a requisite funding increase, the proposal is still impactful. This is because these credentialed and experienced staffers would likely *supplant* staffers that are less skilled or solely focused on casework or communications. As a result, the proposal would grow the proportion of policy staff relative to the whole even more quickly than if Residents received pay from a separate fund.

An effective strategy may be to emphasize that some staff will work in GAO, either during their Residency or as their permanent position afterward. Each GAO staffer will more than pay back their salary. This is because GAO works to eliminate waste, fraud, duplication, and inefficiencies.<sup>142</sup> A 2010 Center for American Progress (CAP) report found that every dollar of GAO funding saved \$15.20 in taxpayer dollars when "agencies acted on GAO information to improve services to the public" and up to \$80 in savings when GAO work was one of several factors for policy change.<sup>143</sup> Similarly, the CBO provides cost estimates for proposed legislation. This work is necessary to score bills properly. Thus, this program can save tax dollars by providing able staffing to these offices. Should the proposal prove especially politically challenging for anti-waste lawmakers, a successful compromise may be to dedicate a certain proportion of the Residents to GAO, say 5 percent or 10 percent. If--as asserted by CAP and Senator Coburn--money invested into GAO ultimately yields more significant long-term savings, dedicating Residents to the GAO can presumably build into the Residency program a certain measure of "self-funding."

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<sup>142</sup> U.S. Government Accountability Office, *About GAO: Overview*, <https://www.gao.gov/about/>.

<sup>143</sup> Harry Stein and Hilary Gelfond, "How Shortsighted Spending Cuts Increase Waste, Fraud, and Abuse," *Center for American Progress*, October 1, 2014, <https://www.americanprogress.org/issues/economy/reports/2014/10/01/98164/how-shortsighted-spending-cuts-increase-waste-fraud-and-abuse/>.

## RECOMMENDATION

This memo recommends that you pursue this policy. The problem and consequences are sufficiently dire to justify an immediate course of action. Little has been done to remedy the problem in recent years. The moment calls for bold, new steps. The current Congress has scarcely the capacity to undertake routine matters like passing a budget, never mind the sophisticated policymaking modernity requires. Without immediate intervention, the problem will continue to worsen. Meanwhile, the dependence on lobbyists will continue to grow, contributing to a further decline in American democracy.

There is scant political will to increase spending on Congress dramatically, and certainly not for a sustained number of years as would be necessary to rehabilitate even one of the two chambers comprehensively. Additionally, lawmakers—especially Republicans—similarly chafe at any imposed requirements on their personal offices or the committees they chair. Thus a requirement that staff be credentialed and experienced, as occurs in the executive branch, is a fantasy.

Therein lies the cleverness of the proposal. It is a backdoor for funneling into the House annual cohorts of staffing with both experience, expertise, and education. However, these individuals are early enough in their beltway careers that salaries below \$60,000 and \$70,000—a princely sum for most beginning Hill staffers—are not nonstarters. Very similar programs have been successfully sustained both financially and politically by Congress. Of course, veterans seemingly always get congressional support. Perhaps they especially do when they work to provide casework to this crucial voting bloc. The issue of hunger is certainly not a topic with an outsized set of advocates on K street. Nonetheless, there is a congressional fellowship that has lasted over two decades. So perhaps a Residency program to bring “policy and administration” expertise to Capitol Hill can likewise enjoy congressional support.

There may indeed be pushback from voters, Republicans, Hill staff, and the Influence Industry, the latter which seemingly could not be better equipped for just such a fight. They will likely struggle to portray an annual increase of 300 staff as a wholesale and radical undertaking. After all, hiring a Resident is entirely optional. It is a *choice*—that is the keyword to use when responding to GOP critiques. Regarding the cost, in all likelihood, hiring a former Resident as a permanent staffer will draw from existing funding. Moreover, a portion of the Residents can be assigned to GAO, where the investment is sure to reap savings. To be sure, Republicans may well be able also to make a campaign issue of Democrats “larding up” a bloated Congress with overpaid, elitist, beltway insiders. Some voting constituencies may respond to such messaging. The Democrats have an equally salient message that draws directly from the GOP messaging: Congress is stupid and needs expertise in order to fix these languishing societal problems the public wants Congress to address finally. Even if GOP lawmakers reverse tactics and claim that Congress is sufficiently talented, the public’s 12 percent approval rating will undoubtedly favor the Democrats’ assertion. The most robust messaging strategy is that articulated by Lee Drutman in an article headline, “People think Congress is increasing its staff. So Congress might as well actually do it.”<sup>144</sup> Caseworkers and press secretaries, in particular, may fail to grasp the merit of the endeavor. Current lobbyists that provide crucial expertise may work to undermine the effort. However, the potential political or policy harms of these immediate challenges will be far outweighed by improved policymaking that will weaken the salience of those very arguments.

The Residency provides a year in which a Resident can demonstrate her capabilities, produce deliverables and tangible policy outcomes, develop connections, solicit guidance, interview for openings, and gain expertise. It is difficult to imagine a better launchpad for a permanent posting. Additionally, there is likely to be fierce competition for Residents during

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<sup>144</sup> Drutman, “People think Congress is increasing its staff.”



their 1-year stint as they will cost nothing to the hosting office. It is quite likely that the hosting office will, in turn, hire the Resident at the end of the year. Indeed, this emulates the infamous Hill hiring culture of paying staff only after they have worked for free as interns. However, oppositional legislators may change their minds once they see the benefit accrued by other offices that permanently hire Residents. After all, there is a real and tangible correlation between the expertise of staff and legislative outcomes.

Ultimately, Democrats are more likely to see the benefit of hiring Residents. Thus, the party may gain more from the program and therefore develop a competitive edge. That said, most benefits will accrue if GOP offices get additional policy expertise. Additional expertise will enable them to realize nuanced policy solutions and engage Democratic offices to find political compromises, all which is needed to get votes from both parties to enact a law. If the GOP does not have the in-house knowledge needed to call the bluffs of K Street and support a bill despite lobbyist opposition, then it does not matter how brilliant a Democratic bill may be.

It may be challenging to find the additional annual funding needed to pay for the 300 Residents. The challenge may be political if talking point about “larding up congress” gain traction. The challenge may be of a policy nature if budget caps forestall any new funding for new programs whatsoever. If the program proceeds without funding, the 300 Residents may need to be funded from existing appropriations so they will compete for the same limited Hill positions as do others. In turn, it may be similarly challenging to place each annual cohort in permanent positions without additional funding. In either instance, if Residents are placed without additional funding, they may slowly replace less-qualified staff. Either way, this may be a blessing in disguise because the proposal would not merely grow the total number of staffs. The *proportion* of Hill staff with relevant education and experience will grow. Recall that a larger staffing size alone is unlikely to improve legislative outcomes. It is the *aggregate* expertise of the entire staff that matters most for producing quality policymaking. Assigning a certain proportion

of Residents to GAO is possibly a persuasive compromise in the face of opposition to the cost. In sum, no matter how the program may be shaped or restrained by political or pecuniary forces, the program brings benefit to Congress, and in some instances, to Democrats in particular. Indeed, it may be the only feasible course of action for a Congress that seemingly refusing to evolve.

Ultimately, the moment demands action. Our democracy is under strain. Time is running out. With an exploding national debt, a changing climate, historic inequality, and foreign intervention in our elections, there is an urgent need for a sophisticated Congress. Without action, Congress will continue to deteriorate. Something must be done now to restore the First Branch. This may be a solution.

Appendix A: Cost Per Annum; Total Cost Through 2025

Cost with Raise	Year
\$19,431,578	2020
\$19,806,608	2021
\$20,188,875	2022
\$20,578,521	2023
\$20,975,686	2024
\$21,380,517	2025
\$122,361,786	TOTAL

Appendix B: Policy Authorization Tool – Proposed Legislative Language

The authorization language is to be included in the FY2020 legislative branch Appropriations bill.

While traditionally unorthodox, it is now commonplace to see authorizing language in appropriations bills. The language would be added after the following text:

HOUSE OF REPRESENTATIVES; Salaries And Expenses; MEMBERS' REPRESENTATIONAL ALLOWANCES  
INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

*Insert the following,*

**Public Policy and Public Administration Residency** -- For payments from the allowance established under section \_\_\_ of this Act for the compensation of public policy and administration residents who serve in the offices of Members of the House of Representatives or Standing House Committees, \$19,431,578.

*Note: The Committee Report could include the recommendation that the House Administration Committee promulgate a rule to implement the program.*

## **H.R. XX – Policy and Public Administration Residency Act**

To establish a Policy and Public Administration Residency Program in the U.S. House of Representatives.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### **SECTION 1. Short title.**

This Act may be cited as the “Policy and Public Administration Residency Program of 2020”.

### **SEC. 2. Policy and Public Administration Residency Program.**

(a) ESTABLISHMENT OF PROGRAM.—There is established the Public Policy and Public Administration Residency Program for the appointment of individuals who are graduates of accredited Master’s Degree programs or Doctoral Degree programs in public policy or public administration to serve as Congressional Residents in the House of Representatives.

### **SEC. 3. Purposes**

- (a) In general, the purposes of the Residency Program is
- a. To encourage experienced and credentialed individuals to become congressional staff to
    - i. Bring crucial skills to the legislative process including, quantitative abilities, policy analysis, regulatory expertise;
    - ii. Apply extensive knowledge of policy issues, including but not limited to those examined in House standing committees;
    - iii. Apply practical experience in the federal executive branch to inform congressional oversight duties and advise on the executive branch on the implementation of laws passed by Congress.

### **SEC. 4. Administration**

(a) Selection of Residents.—The Selection Committees shall select Congressional Residents in the following manner:

- (1) The Committee on House Administration of the House of Representatives shall select not less than 150 Congressional Residents with master’s degrees and 150 with doctoral degrees, each year for a Residency with an office of the House of Representatives, a Standing House Committee, or one of three support offices (Congressional Research Service, Congressional Budget Office, Government Accountability Office) for a 1-year period.

(b) Selection criteria.—In carrying out subsection (c), the Selection Committees shall select Congressional Resident consistent with the following criteria:

(1) Each Congressional Resident selected shall be a graduate of an accredited master's degree or doctoral degree program in public policy or administration as of the starting date of his or her residency.

(2) Each Congressional Resident selected shall possess—

(A) a stellar academic record;

(B) a demonstrated commitment to public service; and

(C) an expressed interest in pursuing long-term employment in the House or the three cited congressional support offices.

(c) PLACEMENT REQUIREMENTS.—The Selection Committees shall, to the extent practicable, ensure that Congressional Residents selected and placed under this section are apportioned equally between majority party and minority party offices.

(d) Impact of Residency to Employee Count Limitation - The residency positions shall not count against the number of employees who may be employed by a Member of the House under 2 U.S.C. 5321.

#### **SEC. 5. Oversight**

Under terms stipulated above the Chief Administrative Officer shall

(A) conduct periodic reviews of the Residency Program;

(B) submit to the House Speaker a report that describes the activities and outcomes of the Residency program;

#### **SEC. 6. Guidance**

Under the terms stipulated above the House Administration Committee legislators and senior staff shall provide a certain degree of guidance and assistance to Residents through regularized communication.

#### **SEC. 7. Rules**

The Committee on House Administration shall develop and promulgate rules and regulations on the administration of the program unless previously undertaken pursuant to preceding legislative mandate.

## Appendix C: Policy Implementation Tool – Proposed Regulatory Language

### **A RESOLUTION**

#### **COMMITTEE RESOLUTION 116-X**

Resolution to Promulgate Interim Regulations Governing House Public Policy and Administration Residents

*Be it resolved*, that the Committee on House Administration promulgates the following interim regulations, pursuant to Section X of Public Law 116-XX.

#### **Sec. 1**

In the regulations referred to as the “Members’ Congressional Handbook” within “Categories of Staff,” insert the following as a new section after the “Temporary Employees” section:

##### **House Public Policy and Administration Residency Program**

Public Law 116-XX, Section X established an allowance apart from the MRA for reimbursement for regular staff. Under this section, a selected Committee or Member Office is authorized to expend a dollar amount equivalent to—

- (A) Grade 9, Step 1 Policy Analyst in the executive branch in Washington-Baltimore-Arlington locality. In CY2019 this was \$57,510.
- (B) Grade 11, Step 1 Policy Analyst in the executive branch in Washington-Baltimore-Arlington locality. In CY2019 this was \$69,581.

#### **Sec. 2**

The Residents should, to the extent practicable, represent a diverse selection of candidates. This diversity should reflect a variety of policy interests, academic/professional backgrounds, race and ethnic identity, geographic origins, sex/gender, and socioeconomic background. To the extent practicable, Residents should be equally divided between the two parties.

#### **Sec. 3**

The Residents should commit to working on policy or issues related to public management and oversight and have an expressed interest in pursuing long-term employment in the House or congressional support offices.

#### **Sec. 4**

The Committee directs the Chief Administrative Officer (CAO) to report annually on the outcome of the Residency Program and include feedback and suggestions from the offices of the Member and Committees in which the Residents are placed.

**Sec. 5**

The Residents shall meet quarterly with leadership staff to the House Administration Committee to discuss their work and problem-solve around work challenges. Such meetings may be subdivided by political party, at the discretion of Administration Committee staff. This shall constitute 'supervision' of Residents as they practice policymaking. House Administration Members and staff are encouraged to actively assist Residents in securing permanent congressional staff positions.

### Curriculum Vitae:

Sara Buettner-Connelly was born in Fairbanks, Alaska and grew up attending public school in the suburbs of Seattle, Washington. After graduation, she spent a gap year backpacking through several countries, including Ireland and Ghana where she worked on farms. She then earned a Bachelor of Arts degree at Fairhaven College (WWU). Her studies centered on societal inequality. By the time she graduated she had worked at several childcare centers and a domestic violence shelter. She joined the Barack Obama campaign in the summer of 2007 in eastern Iowa and stayed on to the historic win in November 2008. Sara worked at the U.S. Department of Agriculture for over six years in the Risk Management Agency, Rural Utilities Service, and the Rural Business-Cooperative Agency. Her main focus was on policy, congressional affairs, and communications. After over three years in the Congressional Affairs Office at the U.S. Census Bureau, she recently joined the Office of Legislation and Congressional Affairs at the Department of Education. She is indebted to so many people, but especially to both her grandmothers and, more than anyone, her mother.