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Interns and Institutions: Interactions Between Unpaid Interns and Public Policy

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INTERNS AND INSTITUTIONS:
INTERACTIONS BETWEEN UNPAID INTERNS AND PUBLIC POLICY

by

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Abstract

Political, and especially Congressional, internships are all but mandatory to launch a career in politics. This text examines the demographics of how these internships are dispersed, how they are paid, who is paid, and how this manifests in full-time Congressional staff demographics. Data shows that both paid and unpaid Congressional internships belong disproportionately to white students. Top staff in the House of Representatives is similarly disproportionately white. The text also examines the inherent danger of working in Congress and the broader case for paid internships.

Introduction

It is a well-known fact that there is money in politics, but just who has access to that money, and how does that financial power impact legislation? While some top staffers take home six-figure salaries, junior staff are paid as little as \$28,000 a year for their work¹. Up until 2018, interns were seldom paid at all for their work--only about 10% benefitted from any monetary compensation². In 2018 Congress passed a bill that allocated money for its members to pay their personal office interns. Each House of Representatives office received \$20,000 and Senate offices received an average of \$50,000 (Jones)³. Internships are an expectation in the broader professional world and impact crucial hiring decisions⁴. Dr. James R. Jones phrases Congressional internships as “a prerequisite for full-time employment in Congress”⁵. However, regardless of this expectation, internships are not accessible to all college and university students. Roughly 50% of all internships still remain unpaid, mostly impacting financially disadvantaged students⁶.

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1. “Compensation, Benefits, and Job Characteristics at the House of Representatives”. House Office of Diversity and Inclusion, 2021.
 2. Jones, Dr. James R., Win, Tiffany and Mark Vera, Carlos. “Who Congress Pays: Analysis of Lawmakers’ Use of Intern Allowances in the 116th Congress.” Pay Our Interns, 8 May 2022: 3
 3. Jones, “Who Congress Pays”, 3.
 4. Chrysler, Ashley G. “All Work, No Pay: The Crucial Need for the Supreme Court to Review Unpaid Internship Classifications Under the Fair Labor Standards Act”. Michigan State Law Review, no. 5 (2014): 1567.
 5. Jones, “Who Congress Pays”, 22.
 6. Chrysler, “All Work, No Pay”, 1564.

Congressional internships, specifically, require students to fly to Washington, D.C., find independent housing for two to five months, commute to and from the Capitol, purchase a professional wardrobe, buy groceries, and more--all in addition to regular college tuition and fees while they are in school. An internship's associated costs are significant and are a deterrent. Data suggests that there are disproportionate relationships between the racial and ethnic makeup of the national undergraduate population, Congressional interns, and paid Congressional interns (see Tables 1 and 2). Data also suggests that there is a disproportionate relationship between the United States general population and top House of Representatives staffers. This text investigates these discrepancies, examines broader Congressional labor dynamics, and recommends potential solutions.

Who Interns and Is Paid

The last typical internship summer in Congress was in 2019. Since then, Covid-19 has impacted which offices have interns, the format of those internships, how many interns each office has, and more. That summer, 67% of summer interns were white, compared to 52% of undergraduate students at the time⁷. Black and African American students comprised 13% of summer 2019 interns, as opposed to making up 15% of undergraduate students nationally⁸. Asian American and Pacific Islander students made up 11% of the intern class, a surprising overrepresentation when compared to their making up 8% of undergraduate students nationally⁹.

7. Jones, "Who Congress Pays", 12.

"Quick Facts" Census.gov. United States Census Bureau, 8 May 2022.

<https://www.census.gov/quickfacts/fact/table/US/PST045221>

8. Jones, "Who Congress Pays", 12.

9. Jones, "Who Congress Pays", 12.

The most glaring underrepresentation was among Hispanic and Latino students, who make up 20% of the national undergraduate population but only 5% interns¹⁰. There is a fundamental disconnect between who internships are open to and who receives the coveted positions¹¹. Table 1 compares these values alongside the proportion of interns that are paid.

Table 1: Racial makeup of 2019 Interns in Congress and United States Undergraduate Population¹²

	Undergraduate Population	Summer 2019 Intern Class	Summer 2019 Intern Class, Paid	Proportion of Undergraduate Population (Summer 2019 Intern Class/Undergraduate Population).
White (Not Hispanic or Latino)	52.6%	76.3%	76.1%	1.45
Black/African American	15.4%	6.7%	6.7%	0.44
Hispanic/Latino	20.2%	7.9%	8.0%	0.39
Asian American/Pacific Islander	7.6%	7.1%	7.2%	0.95
American Indian and Alaska Native, Alone	0.8%	0.3%	0.3%	0.38
Mixed/Other	3.4%	1.8%	1.7%	0.5

10. Jones, “Who Congress Pays”, 12.

11. Jones, “Who Congress Pays”, 12.

12. Jones, “Who Congress Pays”, 10-12.

The data show that white college students are overrepresented by nearly 50% in paid Congressional internships. Black and African American students were underrepresented by nearly 60%. Asian representation was roughly proportionate. American Indian and Alaska Native students were underrepresented by 60% as well. Mixed students were underrepresented by 50% in paid internships.

There is a stark correlation between average net worth by racial and ethnic group and representation in internships. White American families hold an average net worth of \$984,300. Black American families average \$142,500 in net worth. Hispanic and Latino families average \$165,500¹³. White Americans hold the most wealth in America as well as the most Congressional internships.

Few paid Congressional internships pay hourly. Most offices employ a stipend system. The average (per hour given 8-hour workdays) stipend during the Summer 2019 intern session was \$10.14 in the Senate (with a low of \$1.13 and a high of \$77.27)¹⁴. The House averaged \$4.62 (low: \$0.41, high: \$21.88)¹⁵. Even when internships are paid, House internship stipends fall below federal minimum wage requirements (set by Congress) and Senate stipends are just above the current minimum wage adjusted for inflation¹⁶. It is clear that even paid interns are still under compensated for their work, an especially egregious decision as many must support themselves in Washington, D.C. during an internship.

13. Bhutta et al. "Disparities in Wealth by Race and Ethnicity in the 2019 Survey of Consumer Finances." The Federal Reserve. 28 September 2020.
<https://www.federalreserve.gov/econres/notes/feds-notes/disparities-in-wealth-by-race-and-ethnicity-in-the-2019-survey-of-consumer-finances-20200928.htm>.

14. Jones, "Who Congress Pays", 19.

15. Jones, "Who Congress Pays", 19.

16. Jones, "Who Congress Pays", 19.

The United States Congress has a clear hierarchical organization¹⁷. The foundation comprises Staff Assistant, Legislative Correspondents, Mail Managers, and at the very bottom, interns¹⁸. Staffers can work their way up this hierarchy to Legislative Assistants, Legislative Directors, and Chiefs of Staff--though it is broadly recognized that apart from those transitioning from a campaign, most individuals on the Hill start in ‘Stage One’¹⁹. Ex-interns are often hired from other offices or promoted internally, and Congressional staffers have substantial influence over the policy-making process and legislation²⁰. Jessica Curiale writes that “the increasing prevalence of internships thus raises a stark class divide between entry-level job seekers who can afford the luxury of unpaid experience and those who cannot” (1534)²¹. This is reflected in who qualifies for entry-level positions in Congress (where previous Hill experience is expected, if not required) and therefore is able to ‘climb the ladder’ to more policy-centric positions. Curiale continues, noting that unpaid internships in Congress may be another manner of eliminating the working class out of policy debates²². In short, we see students that cannot afford to work for experience alone barred from Congress and the formal policy making process.

17. Romzek, Barbara S. and Utter, Jennifer A. “Career Dynamics of Congressional Legislative Staff: Preliminary Profile and Research Questions,” *Journal of Public Administration Research and Theory* 6, no. 3 (July 1996): 427.

18. Romzek, “Career Dynamics”, 427.

19. Romzek, “Career Dynamics”, 427.

20. Romzek, “Career Dynamics” 424.

21. Curiale, Jessica L. “America’s New Glass Ceiling: Unpaid Internships, the Fair Labor Standards Act, and the Urgent Need for Change.” *Hastings Law Journal* 61, no. 6 (2010): 1531-1560.

22. Curiale, “America’s New Glass Ceiling”, 1537.

Who Makes Policy

In September 2018 the Joint Center for Political and Economic Studies released a report on racial diversity among top United States House of Representatives Staff²³. ‘Top staff’ includes “chiefs of staff, legislative directors, and communications directors in the Washington, DC personal offices of the U.S. House Members; chiefs of staff, policy directors, and communications directors in the top four leadership offices of each political party; and staff directors assigned to full committees” (Scott et al 3)²⁴. They found that 86.3% of top House staff are white, as compared to 62% of the United States population at the time²⁵. Black and African American individuals made up only 6.7% of top positions, as compared to 12.3% of the population²⁶. Hispanic and Latino individuals comprised 3.8% of top staff but 17.3% of the general population²⁷. Asian American and Pacific Islanders made up 2.7% of top staffers and 5.4% of the United States²⁸. Native American/American Indians made up 0.1% of top positions and 0.7% of the population²⁹. Individuals that identify as mixed made up 0.3% of top staffers but 2.3% of the general population³⁰.

23. Scott, Elsie L., McCray, Karra W., Bell, Donald, and Overton, Spencer. “Racial Diversity Among Top U.S. House Staff”. September 2018. <https://jointcenter.org/wp-content/uploads/2019/11/Racial-Diversity-Among-Top-US-House-Staff-9-11-18-245pm-1.pdf>

24. Scott et al. “Racial Diversity”

25. Scott et al. “Racial Diversity”

26. Scott et al. “Racial Diversity”

27. Scott et al. “Racial Diversity”

28. Scott et al. “Racial Diversity”

29. Scott et al. “Racial Diversity”

30. Scott et al. “Racial Diversity”

	Percent of National Population	Percent of Paid Summer 2019 Interns	Percent of Top Staff
White (Not Hispanic/Latino)	62%	76.2%	86.3%
Black of African American	12.3%	6.8%	6.7%
Hispanic or Latino	17.3%	8.0%	3.8%
Asian American or Pacific Islander	5.4%	6.9%	2.7%
American Indian	0.7%	0.2%	0.1%
Mixed/Other	2.3%	1.6%	0.3%

The data demonstrates that the same groups who are underrepresented, even as paid interns, are underrepresented as top staff. In most cases, the underrepresentation was exacerbated. As the proportion of white individuals increased from the general population to intern to top staffer, the proportions of all other racial and ethnic groups decreased.

The House of Representatives Office of Diversity and Inclusion released a comprehensive report and data dashboard stratifying House staffers by a number of different categories³².

31. Scott, “Racial Diversity”

Jones, “Who Congress Pays”, 10.

32. “Compensation, Benefits, and Job Characteristics at the House of Representatives”.

House Office of Diversity and Inclusion, 2021. <https://diversity.house.gov/compensation-benefits>

Data comparing those that fall into the Joint Center for Political and Economic Studies’

definition of ‘top staff’ (as defined above) and 2020 census data is seen in Table 3.

Table 3: Comparison of Top Staff and National Population 2020-2021³³

	Percent of National Population (2020)	Percent of Top Staff (2021) ³⁴
White (Not Hispanic/Latino)	60.1%	80.2%
Black or African American	13.4%	8.2%
Hispanic or Latino	18.5%	8.1%
Asian American or Pacific Islander	6.1%	6.0%
American Indian	1.3%	0.7%
Mixed/Other	2.8%	3.4%

The data show that top policymakers in the United States House of Representatives are still much more white than the United States as a whole. Even as demographics shift and are redefined in the social imagination, white Americans are overrepresented by 33%. Black Americans are underrepresented by nearly 40%. Hispanic and Latino Americans are underrepresented by nearly 55%. Asian Americans are accurately represented among top staff--a 3.4% increase from 2018. Those who end up working for elected representatives are not truly representative of the United States population. This results in policymakers that represent the white American experience disproportionately.

33. "Compensation, Benefits"

"Quick Facts" Census.gov. United States Census Bureau, 8 May 2022.

<https://www.census.gov/quickfacts/fact/table/US/PST045221>

34. Race and ethnicity counted separately, total >100%

Work Conditions and Labor Dynamics

The United States Congress is a high-risk environment with very few workplace protections. This was seen most recently on January 6th, 2021, where a large group of protesters broke into the Capitol building to halt the count of electoral college votes³⁵. Staffers hid in conference rooms, not knowing if they would survive the day³⁶. In 2001, an intern opened a letter containing anthrax³⁷. A primary responsibility of most Congressional interns is to field constituent phone calls. Interns are often met with threats on the job. Romzek writes of a call where a staffer was told “I hope you’re raped and murdered”³⁸. The author recalls being told to kill herself, among other threats, during her own internship.

Because they lack employee status under the Fair Labor Standards Act, interns are not protected by typical workplace policies and have little motivation to report illicit behavior³⁹.

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35. Lonsdorf, Kat, Dorning, Courtney, Isackson, Amy, Kelly, Mary Louise and Chang, Ailsa. “A timeline of how the Jan. 6 attack unfolded--including who said what and when”. NPR, 5 January 2022. <https://www.npr.org/2022/01/05/1069977469/a-timeline-of-how-the-jan-6-attack-unfolded-including-who-said-what-and-when>.
 36. Ulloa, Jazmine. “‘I didn’t think I was going to go home that day’: Congressional staffers recall the lingering trauma of the Jan. 6 attack”. The Boston Globe, 4 January 2022. <https://www.bostonglobe.com/2022/01/04/nation/behind-scenes-scene-crime-congressional-staffers-recall-lingering-trauma-jan-6-attack/>.
 37. Moughtly, Sarah. “Exclusive: The Intern Who Opened an Anthrax Letter”. PBS, 10 October 2011. <https://www.pbs.org/wgbh/frontline/article/exclusive-the-intern-who-opened-an-anthrax-letter/>.
 38. Romzek, “Career Dynamics”, 417.
 39. Hughes, Sean and Lagomarsine, Jerry. “The Misfortune of the Unpaid Intern”. Hofstra Labor & Employment Law Journal 32, no. 2 (2015): 420.

The now infamous relationship between President Bill Clinton and Monica Lewinsky represents the extreme sexual harassment to which interns are subject⁴⁰. Incoming intern classes

have been referred to as ‘the flesh’ by D.C. residents eager to meet impressionable and eager-to-please young people⁴¹. These examples highlight just some of the ways that interns are in an especially vulnerable position, both in and out of the workplace.

Staff are constantly berated and expected to take blame for mistakes they are not at fault for⁴². Romzek writes that “congressional staffers are overworked and frustrated with the lack of control they have over their working conditions”⁴³. This is clearer now than ever. In early 2022, an Instagram account dubbed ‘Dear White Staffers’ (a riff on the Netflix series titled ‘Dear White People’) gained traction. The account posts anonymous statements from Congressional staff seeking support and information about Congress as a work environment and life in Washington, D.C.. Submissions document having to pay for their boss’ lunch out of pocket, living on as low as \$28,000 a year, and more⁴⁴. Congress was referred to as the “last plantation” by Senator John Glenn, as staffers (though paid) are overtime exempt, employed at-will, federally barred from unionizing, and Congress has no central Human Resources Department⁴⁵.

40. Grady, Constance. “Every version of the Monica Lewinsky story reveals America’s failure of empathy”. Vox, 5 October 2021.

<https://www.vox.com/culture/22672346/monica-lewinsky-bill-clinton-impeachment-american-crime-story>

41. Hughes, “Unpaid Intern”, 425.

42. Romzek, “Career Dynamics”, 418.

43. Romzek, “Career Dynamics”, 439.

44. All narratives are available @dear_white_staffers on Instagram saved as ‘stories’.

45. Romzek, “Career Dynamics” 417.

Currently, Representative Andy Levin is introducing legislation allowing Congressional staffers to organize. H.Res. 915, *Recognizing Congressional Workers' Right to Organize* would build on the Congressional Accountability Act of 1995 and rebalance power between employers and employees in Congress⁴⁶. Staffers and interns alike are constantly afraid that if they speak up about their mistreatment, their career will be ruined. It is easy to replace insubordinate employees with another eager young mind in such a prestigious workplace.

Congress is a tumultuous work environment at best. Paying interns would not only level the playing field in terms of allowing disadvantaged students into Congress but would also compensate interns for the sheer danger and instability of the environment and job expectations.

Recommendations and Conclusion

Pay Our Interns perhaps says it best: “Congressional employment should not be used to create a favored class of students”⁴⁷. Currently, unpaid and underpaid Congressional internships lay a foundation for disproportionate representation in top staff positions. In the rooms where policy is created, white Americans are overrepresented. White American interests, values, beliefs, and priorities carry an inflated importance in the United States Capitol Building. As the nation strives for equal protection under law and a more perfect union, policymakers must make the ground floor accessible.

46. “Levin, 130 Colleagues Introduce Resolution Recognizing Congressional Workers’ Right to Organize”. Andy Levin, United States House of Representatives. 9 February 2022. <https://andylevin.house.gov/media/press-releases/levin-130-colleagues-introduce-resolution-recognizing-congressional-workers>.

47. Jones, “Who Congress Pays”, 15.

Recommendations:

1. Pay interns a living wage according to Washington, D.C. standards so interns without access to family support can reap the benefits of a Congressional internship.
2. Expand the Fair Labor Standards Act to protect paid and unpaid interns, so they have formal legal protections against internal harassment.
3. Ensure Congressional staffers at large a living wage, overtime pay, human resources offices, the right to organize, and increased physical security.

In order to have policy that reflects the interest of every American, Congress has to be a viable workplace for every American.

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<https://www.federalreserve.gov/econres/notes/feds-notes/disparities-in-wealth-by-race-and-ethnicity-in-the-2019-survey-of-consumer-finances-20200928.htm>.

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Appendix
Speech from University Scholars Honors Symposium
May 21, 2022

It is a well-known fact that there is money in politics, but just who has access to that money, and how does that financial power impact legislation? While some top staffers take home six-figure salaries, junior staff are paid as little as \$28,000 a year for their work¹. Up until 2018, interns were seldom paid at all for their work--only about 10% benefitted from any monetary compensation². In 2018 Congress passed a bill that allocated money for its members to pay their personal office interns. Each House of Representatives office received \$20,000 and Senate offices received an average of \$50,000 (Jones)³. Internships are an expectation in the broader professional world and impact crucial hiring decisions⁴. Dr. James R. Jones phrases Congressional internships as “a prerequisite for full-time employment in Congress”⁵. However, regardless of this expectation, internships are not accessible to all college and university students. Roughly 50% of all internships still remain unpaid, mostly impacting financially disadvantaged students⁶.

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The United States Congress is a high-risk environment with very few workplace protections. This was seen most recently on January 6th, 2021, where a large group of protesters broke into the Capitol building to halt the count of electoral college votes³⁵. Staffers hid in conference rooms, not knowing if they would survive the day³⁶. In 2001, an intern opened a letter containing anthrax³⁷. A primary responsibility of most Congressional interns is to field constituent phone calls. Interns are often met with threats on the job. Romzek writes of a call where a staffer was told “I hope you’re raped and murdered”³⁸. The author recalls being told to kill herself, among other threats, during her own internship.

Because they lack employee status under the Fair Labor Standards Act, interns are not protected by typical workplace policies and have little motivation to report illicit behavior³⁹. The now infamous relationship between President Bill Clinton and Monica Lewinsky represents the extreme sexual harassment to which interns are subject⁴⁰. Incoming intern classes have been referred to as ‘the flesh’ by D.C. residents eager to meet impressionable and eager-to-please young people⁴¹. These examples highlight just some of the ways that interns are in an especially vulnerable position, both in and out of the workplace.

Staff are constantly berated and expected to take blame for mistakes they are not at fault for⁴². Romzek writes that “congressional staffers are overworked and frustrated with the lack of control they have over their working conditions”⁴³. This is clearer now than ever. In early 2022, an Instagram account dubbed ‘Dear White Staffers’ (a riff on the Netflix series titled ‘Dear White People’) gained traction. The account posts anonymous statements from Congressional staff seeking support and information about Congress as a work environment and life in Washington, D.C.. Submissions document having to pay for their boss’ lunch out of pocket, living on as low as \$28,000 a year, and more⁴⁴. Congress was referred to as the “last plantation” by Senator John Glenn, as staffers (though paid) are overtime exempt, employed at-will, federally barred from unionizing, and Congress has no central Human Resources Department⁴⁵. Currently, Representative Andy Levin is introducing legislation allowing Congressional staffers to organize. H.Res. 915, *Recognizing Congressional Workers' Right to Organize* would build on the Congressional Accountability Act of 1995 and rebalance power between employers and employees in Congress⁴⁶. Staffers and interns alike are constantly afraid that if they speak up about their mistreatment, their career will be ruined. It is easy to replace insubordinate employees with another eager young mind in such a prestigious workplace.

Congress is a tumultuous work environment at best. Paying interns would not only level the playing field in terms of allowing disadvantaged students into Congress but would also compensate interns for the sheer danger and instability of the environment and job expectations.

Pay Our Interns perhaps says it best: “Congressional employment should not be used to create a favored class of students”⁴⁷. Currently, unpaid and underpaid Congressional internships lay a foundation for disproportionate representation in top staff positions. In the rooms where policy is created, white Americans are overrepresented. White American interests, values,

beliefs, and priorities carry an inflated importance in the United States Capitol Building. As the nation strives for equal protection under law and a more perfect union, policymakers must make the ground floor accessible.

Recommendations:

4. Pay interns a living wage according to Washington, D.C. standards so interns without access to family support can reap the benefits of a Congressional internship.
5. Expand the Fair Labor Standards Act to protect paid and unpaid interns, so they have formal legal protections against internal harassment.
6. Ensure Congressional staffers at large a living wage, overtime pay, human resources offices, the right to organize, and increased physical security.

In order to have policy that reflects the interest of every American, Congress has to be a viable workplace for every American.

The United States Congress is an institution rooted in elitism, racism, and patriarchy and has successfully protected those interests for decades. It establishes structures that uphold one another and create the flawed country existing today. As we look to the future, we must undo the institutions that established our current structure. This means opening up previously closed doors, welcoming everyone into the chambers, providing truly equal opportunity, and opening dialogue. Yes, laws passed and enabled by humans led us to the dark and complex place we are now—but it is also humans that have the power to lead us in a brighter direction with new structures that can support the many, not just the few.