

**STATEMENT BEFORE THE HOUSE
APPROPRIATIONS SUBCOMMITTEE
ON THE LEGISLATIVE BRANCH
ON THE OFFICE OF THE CLERK, FY2021**

THE HONORABLE CHERYL L. JOHNSON
MARCH 3, 2020

Chairman Ryan and Ranking Member Herrera Beutler, Members of the Subcommittee:
Thank you for your ongoing support for the Office of the Clerk, and for the opportunity to testify about our office’s operations and FY2021 budget request.

HOUSE OPERATIONS

Since 1789 the Office of the Clerk has supported legislative functions of the U.S. House of Representatives. Over time the duties of the Office have expanded to include disseminating organizational information, preserving the history of the House, and supporting technological advancement across the legislative branch.

From the introduction of new bills on the House Floor to the delivery of enrolled bills to the White House for presentment to the President, our office is integral to the legislative process.

The Clerk’s Office is a nonpartisan organization that provides the procedural assistance and support necessary for the orderly conduct of official business of the House of Representatives, its Members, and Committees. We work to ensure the integrity of the legislative process and continually seek to improve public access to Floor and Committee proceedings.

Support for Legislative Proceedings

The Clerk’s Office supports the legislative process from introduction to engrossment and presentment. The bill clerks process all bills and resolutions when they are introduced. The tally clerks record all Floor votes cast through the Electronic Voting System (EVS) and manually in the Well of the House, maintain the House Calendar, and process all Committee reports filed with the House. The journal clerks produce the constitutionally mandated *Journal of the House of Representatives* and handle all Presidential Messages.

When bills and resolutions pass the House, the enrolling clerks prepare the official text for transmission to the Senate or the White House. Along with their more visible duties of announcing pending business on the Floor, the reading clerks deliver bills and messages to the Senate. Our staff is hard at work whenever the House is in session—day or night—supporting the work of the House of Representatives.

In addition to supporting Floor operations, the Clerk’s Office is responsible for making House proceedings easily accessible to the public and to Members alike. We host the publicly available website, *Bills to be Considered on the House Floor*, at <https://docs.house.gov>. This site is the central source for all legislation scheduled to be considered on the Floor each week.

Our staff maintains and updates the online summary of Floor proceedings, including information on pending legislation and votes taken, on our website at <http://clerk.house.gov>. The Clerk's Office also maintains live and archived video of all Floor proceedings on Live.House.gov at <http://live.house.gov> and provides closed-captioning services to ensure that House proceedings are accessible to all. Our official reporters transcribe Floor debate from gavel to gavel. We provide these transcripts and other legislative documents and data to the Government Publishing Office (GPO), which makes them available the next day online and in print in the *Congressional Record*. The Clerk's Office also makes daily data exchanges related to legislative information with Congress.gov.

Support for the 116th Congress and Transition

On January 3, 2019, the Clerk led Opening Day activities in the Chamber through the election of the new Speaker. To prepare for the new Congress, Clerk staff updated the Electronic Voting System (EVS) and all other systems as well as Floor materials, including Roll Call books, *House Journal* files, and manual tally sheets. The Office also worked with Secretaries of State and other state election officials to review all Certificates of Election.

During 2019 the Office of Legislative Operations processed 6,465 introduced measures (115,089 cosponsors) and supported 784 hours of Floor activity.

In even-numbered years, the Clerk's Office has significant post-election transition responsibilities. Before and after the November 2020 elections, we will work with states, territories, and the District of Columbia to ensure that we receive every elected Member's Certificate of Election in a timely manner.

We will ensure that all incoming Members are prepared to exercise their responsibilities on the first day of the new Congress, including by distributing voting cards and finalizing official lists. We will also oversee Opening Day activities until the Speaker is elected.

And, this being a presidential election year, the Clerk's Office and the Parliamentarian will work with Senate officials and others on the official counting of electoral votes.

Support for Committee Operations

In addition to supporting the legislative work of the House on the Floor, the Clerk's Office supports the work of House Committees. The official reporters provide reporting services for all Committee markups, hearings, and depositions as well as for many investigative interviews. These services remain subject to increased demand as a result of expanded deposition authority and oversight needs. For example, during 2019 our Office of Official Reporters (OOR) transcribed approximately 150,000 pages for 1,696 legislative activities—

such as Committee markups, hearings, depositions, and interviews—a 37 percent increase in the number of activities compared to 2018.

Also, Legislative Computer Systems (LCS) division maintains the Committee Repository, which is publicly available at <https://docs.house.gov>. Using an internal website, Committee staff upload meeting information and documents, per House Rules. In 2019 approximately 1,450 meetings and 10,200 documents were published on the site.

Several Clerk divisions worked with the Committee on House Administration to take on an expanded role planning the seventh annual Legislative Data and Transparency Conference on October 17, during which representatives from legislative branch agencies, transparency and civic tech organizations, and academia gathered to discuss the availability and use of legislative data.

The Immediate Office and LCS created presentations and crafted remarks for their participation during the conference, the theme of which was Vision of the Future. Our Office of Communications (OCOMM) produced programming and promotional materials, including the conference agenda, signage, and an introductory video, and compiled and managed presentation slides, coordinated information tables, facilitated breakout sessions, and wrote a post-conference report.

Support for Members

The Capitol Service Groups maintain the Lindy Claiborne Boggs Congressional Women’s Reading Room, the Members and Family Committee Room, and the Congressional Prayer Room, which are near the House Chamber and provide spaces for rest and reflection.

The Clerk’s Office worked with the Architect of the Capitol (AOC) to design, create, and install a permanent photographic display of current women Members in the Lindy Boggs Room. The Office also created a digital photographic display of all former women Members. These installations replaced 20 individual frames and several print posters, which hung in the space for more than 15 years, and allow for quick updates to accommodate the growing number of women Members.

The House Library provides research services for legislative staff of Members and Committees. The Library offers an online portal at <https://library.house.gov/site> with comprehensive guides to legislative research topics and regular training with our Congressional Staff Academy partners.

We have continued to develop courses and quick guides across a range of topics to better serve House staff. For example, we designed a curriculum and created multimedia presentations for Staffer’s Guide to the Clerk’s Office, a course that introduces House staff to

the diverse services our Office provides. We plan to launch this training in spring 2020 through the Congressional Staff Academy.

The Office of House Employment Counsel (OHEC) provides House employing offices with legal counsel and training on employment matters, including anti-harassment/anti-discrimination laws, family and medical leave, disabilities law, fair labor standards requirements, workplace safety, and other issues arising under the Congressional Accountability Act (CAA) and recent amendments to the statute and related reform measures.

For example, OHEC developed and presented the training for all Members, Delegates, and Resident Commissioners mandated by H.Res. 30, regarding workplace rights and responsibilities. OHEC presented the training in 37 sessions over the course of approximately seven weeks in 2019.

Operation of Vacant Offices

Per federal law and House Rules, the Clerk becomes the employing and certifying authority when a Member vacancy occurs, and we work with the remaining staff to continue the vacant office's operations and provide constituent services until a successor is elected.

The Clerk's Office has managed eight vacant offices during this Congress, and currently manages five. Clerk staff have assisted vacant offices' staff with continuing nonpartisan functions, including existing and new casework, tour and flag requests, and constituent inquiries. We have traveled to District offices to help vacant offices' employees wind down operations of the departed Members and reconcile accounts, inspect office equipment and furnishings, and inventory loaned artwork. We have offered assistance to departing Members and staff regarding the proper disposition of their files, papers, and personal effects. And, we have coordinated with state election officials and collaborated with the Chief Administrative Officer (CAO) to prepare the Washington, DC, and District offices for new occupancy. After new Members were elected to the vacant offices, we assisted them and their staff with transition tasks.

Website Redesign

We continued to add features to the new Clerk website at <https://clerkpreview.house.gov> and prepared for the transition from the beta version of the site to the full replacement of <https://clerk.house.gov/>, which we expect to take place during the second quarter of 2020. In 2019 we added a new search engine and deployed the following features: District maps on Member profile pages, Find Your Representative by address, Member demographics, Consensus Calendar motions, and Members' social media links.

In March 2019, we launched the beta version of our House Floor video streaming site, Live.House.gov. The updated version is mobile friendly and allows higher resolution video, closed-caption text search and the ability to rewind the live House feed. We continue to monitor and enhance the performance and stability of the site and recently deployed the production version. To accompany Live.House.gov, we released a new video clipping tool, FloorClips.House.gov, which enables House users to download video proceedings and create video clips from live and archived videos. The service has replaced the HouseLive clipping tool. In 2019 Member offices created more than 620 video clips.

BUDGET REQUEST FOR FISCAL YEAR 2021

We appreciate the Subcommittee's ongoing support for the operations of the Office of the Clerk. For Fiscal Year 2021, we respectfully request \$32,824,000 to carry out our existing and new responsibilities to the House. The request is \$2,058,000 (6.69 percent) above the FY2020 enacted funding level provided in the Consolidated Appropriations Act of 2020.

Approximately two-thirds of the requested increase (\$1,400,000) will cover mandatory personnel expenses, such as COLAs, the Personnel Base Adjustment, longevity increases, and anticipated overtime. Along with base funding, the remainder of the increase (\$640,000) will support

- Business Continuity Disaster Recovery (BCDR) activities;
- Contractor support for projects such as the Clerk's website, the Financial Disclosure System, and the Legislative Information Management System (LIMS);
- The Comparative Print Project; and
- Our new human resources management system.

Of our request, \$30,748,000 is for annual funding. Our No-Year Funding request is for \$2,076,000, \$251,000 of which will be expended under the nonpersonnel funding category to support BCDR. The remainder will be expended on the Comparative Print Project and contractor support associated with the Clerk's growing portfolio of applications and modernization projects, which include the Clerk's websites, Live.House.gov, the Financial Disclosure System, and the Member Information System (MIS).

During our internal budget formulation process for FY2021, we reviewed all programs and thoroughly scrubbed each one to exclude all nonrecurring costs. Throughout the Clerk's organization, we identified and mapped future services support and projects based on operational needs and stakeholder feedback. We reallocated the nonrecurring costs funding for anticipated costs and planned services, support, and projects.

Our FY2021 request also would support our efforts to carry out our many ongoing initiatives, including the following key priorities:

Information Technology (IT) is mission critical to the Office of the Clerk's work to support the orderly conduct of the official business of the House of Representatives, its Committees, and its Members. We support systems and applications that impact virtually every step of the legislative process and make much of it accessible to the general public. The two major initiatives currently in development are the Comparative Print Project and the next generation of LIMS.

Regarding the Comparative Print Project, the requested FY2021 funds (\$1,325,000) will be used to expand on work currently in progress and begin Phase IV (see below). We will request additional funding for the continuation of Phase III of LIMS in our FY2022 request.

Please note that our request does not include funding to implement H.Res. 756, "Moving Our Democracy and Congressional Operations Towards Modernization," the recommendations made by the House Select Committee on the Modernization of Congress. Should the House pass the resolution, we will ask the Subcommittee for supplemental funding to carry out whatever would be our resulting responsibilities.

Comparative Print Project

The Comparative Print Project was initiated at the request of House Leadership due to a House Rules change at the beginning of the 115th Congress. The Clerk's office and the House Office of Legislative Counsel (HOLC) are working closely to design and implement this application. When completed, the system will allow Members and staff to create on-demand static comparative prints that illustrate the changes between

- Two versions of a bill, resolution, or amendment (document-to-document comparison);
- Current law and current law as proposed to be changed by amendments contained in a bill, resolution, or amendment to current law; and
- A bill or resolution and the bill or resolution as proposed to be modified by amendments (amendment impact).

During Phase II of this project (August 2018 to August 2019), the project team

- Demonstrated that natural language processing technology was viable and can be used to read legislative proposals (bills, resolutions, and amendments); recognize amendatory language, retrieve current law provisions; and interpret and execute the instructions contained in the amendment;

- Built back-end architecture and related components, including a “current law database”; and
- Built an MVP (minimal viable product) illustrating changes to existing law to address clause 12(a) of House Rule XXI.

During Phase III (currently in progress), the project team is working on

- Adding the bill-to-bill differences to both the back end and front end of the application;
- Refining output and user interfaces for changes in existing law and bill-to-bill differences, including improving the natural language processors and automated notifications;
- Deploying the application to Clerk servers;
- Ensuring that the application is secure;
- Developing the log-in services that will control authorization and access to the application;
- Migrating the AIP (amendment impact program) from HOLC to Clerk servers and connect it to the front end of the application;
- Releasing the first alpha version to a small pilot group; and
- Continuing to analyze changes needed to the current law dataset to improve the comparisons.

Phase IV (included within the FY2021 Request under Modernization Projects) will include

- Deploying the application to a wider user base;
- Improving the current law repository that drives the accuracy of the Changes in Existing Law comparative print;
- Providing for refinement of the user interfaces through enterprise-wide customer experience interviews and workshops;
- Developing the back-end components as stand-alone features so comparisons can be done automatically and be made available to docs.house.gov, Congress.gov, and govinfo.gov);
- Production-ready infrastructure, maintenance, and support; and
- Trained application support team for house-wide support.

Legislative Information Management System Modernization and Redevelopment (LIMS)

The funding received for FY2020 is being used to partially fund the next phase of the multi-year redevelopment and modernization plan of LIMS, which is integral to the House's legislative operations. While the current LIMS system runs in a stable Linux environment, its outdated legacy platform makes it difficult to upgrade and maintain. Built more than 30 years ago, the system needs to be modernized for improved functionality, stability, and maintainability.

To date we have completed Phases I and II of this project. Phase III is anticipated to span FY2020 through the first quarter of FY2023. We will request additional funding for this project in FY2022 that will completely fund the remainder of Phase III and all of Phase IV.

During Phase III, the following work will continue to be executed: data modeling; data synchronization with the production LIMS system; data integrity testing; prototyping of some features and capabilities; testing and evaluation of technology to be used; data exchange with the Senate, GPO and LOC; and development of the Floor Action Reporting System (FARS), Committee Action Reporting System (CARS), Executive Action Reporting System (EARS), Reports Due to Congress and Senate Action Reporting System (SARS).

Phase IV, the final portion of this project, is expected to begin in December 2023 and cover quality assurance, user acceptance, training, and documentation for a full release in December 2024. The migration of LIMS to a new modern technology will allow the application to be more flexible, extensible, robust, and secure and ultimately enable it to better meet the needs of the legislative branch.

ARCHIVES, ART, AND HISTORY OF THE HOUSE

The Office of Art and Archives (OAA) within the Clerk's Office cares for the House Collection of fine art and artifacts, processes House and Committee records and oversees their eventual safe transfer to the National Archives, advises Members on their congressional papers, and provides informational services concerning the House's records, art, and history.

Archives

The Clerk's Office preserves the House's archived records. Our professional archivists help Committees to comply with their archival obligations and to research and retrieve records in their archives.

During 2019 the Clerk chaired two meetings of the Advisory Committee on the Records of Congress (ACRC). Created in 1990, the ACRC advises Congress and the Archivist of the United States on the management and preservation of congressional records.

Art and History

The curatorial staff of the Clerk's Office preserves the historical art and artifacts in the House Collection and makes them accessible to the public. Last year, OAA acquired and categorized 1,378 photographs and artifacts, including a 1940s witness timer, a Barbara Jordan bumper sticker, the earliest-known engraving of African-American Members of Congress, and a circa-2000 BlackBerry.

Our History, Art, & Archives website at <https://history.house.gov> continues to enhance our ability to bring the history of the House to the American people even if they are unable to visit the Capitol. With sections on the Institution, People, Exhibitions and Publications, Collections, Oral History, Education, and Records and Research, the website offers a broad selection of material about the history and collections of the House and is a tremendous resource for the public and educators. In addition to its public outreach efforts and ongoing work with the permanent collections, the curatorial staff also manages several exhibitions throughout the House.

OAA completed installation of the *How the House Works* exhibition in the Cannon basement rotunda in August, and the exhibition opened in September. The exhibition tells the history of the people and processes that keep the House running, with display cases focusing on the House Chamber, Committees, House staff who work behind the scenes, constituent services, and the legacy of former Speaker Joseph Cannon. The exhibition features 175 images and objects—the largest number ever in a House display—and benefited from the assistance of the House Historian, AOC, CAO, Sergeant at Arms, and the Capitol Police.

OAA released a companion digital exhibition on the History, Art & Archives website and a mobile app that features bonus videos and images; worked with the Capitol Visitor Center guides, who encourage visitors to view the exhibit; and developed a class for House staff through the Congressional Staff Academy to show Member offices how to use the exhibition with staff-led tours. OCOMM also promoted the exhibition using HouseNet and digital posters displayed throughout the Capitol Complex.

The Office of the House Historian (OHH) preserves the institutional history of the House and serve as a resource for Members, staff, and the general public. In 2021 the office will continue its mission to support the House by providing reference services, by research and writing congressional history, and by collecting oral histories with Members and staff.

In October 2019, OHH began research, writing, editing, and photo selection for a revised and expanded edition of *Women in Congress*. The previous edition covered the years 1917 to 2006, and this volume will bring content up to the present and include 366 Members, 137 more than the 2006 edition. OCOMM will be creating cover and interior design for the updated book and an accompanying eBook, scheduled for publication in December 2020.

To commemorate the 150th anniversary of the swearing-in of the first African-American Member of the House, Joseph Rainey of South Carolina, OHH is producing a booklet on Rainey's career and the context of his service during the Reconstruction era. OCOMM is designing the publication, which will be available in fall 2020. In addition, the oral history program is conducting a set of interviews with former Members and staff about African-American representation in the House.

To prepare for the congressional transition, OHH will be creating and updating content on its websites (<https://history.house.gov> and bioguide.congress.gov). In the first quarter of 2021, the office will be speaking at New Member Orientations as well as to staff.

PUBLIC DISCLOSURE SERVICES

By law and under House Rules, the Clerk's Office is charged with providing public disclosure information that helps preserve the integrity and increase the transparency of the legislative process. Our Legislative Resource Center (LRC) manages the filing and retention of this information and responds to public inquiries regarding the legislative activities of the current Congress.

Financial Disclosure

The Clerk's Office administers the filing of and public access to all financial disclosure forms and periodic transaction reports submitted by House Members, Officers, candidates, and senior House staff, as well as disclosures filed by employees of the Capitol Police, Library of Congress (LOC), GPO, Botanic Gardens, and the Congressional Budget Office. We maintain and support the online filing system for these reports and work closely with the Committee on Ethics to continue to improve both the filing system and public access to the records on our website. We have seen a steady increase in electronic filings since the system was implemented—from 68 percent of filings in 2013 to approximately 90 percent in 2019, with 7,762 total filings.

Lobbying Disclosure

The Clerk's Office maintains and supports the lobbying disclosure filing system in coordination with the Secretary of the Senate, who shares responsibility for administering the filing requirements of the Lobbying Disclosure Act (LDA). We make these filings available online in a searchable, sortable, and downloadable format. To assist filers, the Office also periodically reviews its guidance—issued jointly with the Secretary of the Senate's Office (<https://lobbyingdisclosure.house.gov>)—to filers and updates it as warranted. In 2019 we processed 84,040 lobbying disclosure submissions.

We also worked closely with the Secretary of the Senate's Office to update the online filing system to comply with the new Justice Against Corruption on K Street (JACK) Act. The JACK Act amended the LDA by requiring all registrations (form LD-1) and quarterly reports (form LD-2) filed after January 3, 2019, to include

for any listed lobbyist who was convicted in a Federal or State court of an offense involving bribery, extortion, embezzlement, an illegal kickback, tax evasion, fraud, a conflict of interest, making a false statement, perjury, or money laundering, the date of the conviction and a description of the offense.

Consensus Calendar

Section 102, Subsection (r), of H.Res. 6 provides for a Consensus Calendar in the 116th Congress House Rules and mandates that the Speaker must designate, and the House must consider, at least one measure on the Consensus Calendar during any week in which the House convenes (except before March 1 at the beginning of a Congress and after September 30 at the end of a Congress). This subsection also provides that to be eligible for placement on the Consensus Calendar a measure must accumulate 290 cosponsors and must not have been reported by its primary Committee of jurisdiction. When this cosponsorship threshold is reached, the sponsor of the measure may, while the House is in session, submit to the Clerk a written motion to place the measure on the Consensus Calendar. If these conditions have been met, the Clerk will note the motion's submission in the *Congressional Record* of that day and enter the motion on a comprehensive list of Consensus Calendar Motions, which will be available on the Clerk's website. After a measure has maintained at least 290 cosponsors for a cumulative period of 25 legislative days after the presentation of the motion, the measure will be placed on the Consensus Calendar, where it will remain until it is considered in the House or reported by the primary Committee.

During the 116th Congress, 11 motions have been made to place legislation on the Consensus Calendar.

Biographical Directory of the U.S. Congress

With the assistance of OHH, LCS completed upgrades to the *Biographical Directory of the U.S. Congress* website (bioguide.congress.gov). House and Senate Historians are using the new content management system to enter biographies. We released a retro public site for use while the Historians finish testing a new search engine. We expect to launch a more robust version of the website and search engine in the second quarter of 2020 and roll out additional features later in the year.

Electronic Voting System

The EVS has three main components: the EVS Server, vote stations, and the display subsystem. The display subsystem includes the Venus Display Server, the summary display panels, and the main display panels. We upgraded all vote stations on the House Floor during August 2018 and increased the total vote stations from 46 to 50 (we added four more vote stations in August 2019). We are planning to upgrade the Venus Display Servers and replace all workstations on the EVS network during the August 2020 District Work Period.

We remain in discussions with our vendor to develop a plan for ongoing support of the House Floor displays. The main and summary display panels, installed in 2009 and 2010, respectively, have a lifespan of 100,000 hours or 10 years. While the displays have not reached 100,000 hours of use, they have reached the 10-year lifespan. Along with our vendor, our staff is planning for the future replacement of these displays.

Personnel

Our aim is to keep exceptional employees motivated by strengthening their current skills and helping them acquire new ones. We have established a thorough training plan to further develop our workforce talent and expand our institutional memory, to be able to promote from within, and to ensure personnel transitions do not disrupt our operations. We have also begun to implement a cloud-based performance review system that will better allow us to standardize evaluation criteria, goal setting, and feedback across the Clerk's organization. We anticipate rollout in spring 2020. We will continue to recruit highly qualified employees and will reach out to a diverse pool of applicants. These efforts are especially important and challenging considering the increasing private-sector demand for technology workers in the Washington, DC, area.

Turner Redstone Data Center

During the April 2019 District Work Period, LCS prepared Clerk infrastructure for relocation from the Alternate Computer Facility to the Turner Redstone Data Center. LCS operations staff coordinated with the CAO and outside equipment vendors to carry out the relocation and installation of the Clerk IT assets at the new datacenter. LCS engineers planned and executed the migration with minimal downtime and impact on the House legislative operations.

Thank you again for your continued support and for the opportunity to testify.