



**Written Testimony of John D. Rackey, Ph.D.
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**Before the House Appropriations Subcommittee on the Legislative Branch:
Member Day and Public Witness Day**

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Chair Valadao, Ranking Member Espallat, and members of the subcommittee, thank you for the opportunity to provide testimony in support of the fiscal year 2026 (FY2026) legislative branch appropriations bill. My name is J.D. Rackey, and I am a senior policy analyst for the Structural Democracy Project at the Bipartisan Policy Center. I previously had the privilege of serving as professional staff with the Select Committee on the Modernization of Congress. My background as a political scientist and experience as a staffer has taught me that Congress can best execute its Article I responsibilities when it adequately invests in its own capacity. With that in mind, I request that funding for the House Modernization Initiatives Account (MIA) be appropriated at the \$10 million level in FY2026, which is a return to the funding level allocated in FY2025 prior to the passage of H.R.1968. Further, I request the inclusion of report language that would create reporting requirements for entities receiving funds from the account.

The American people rightly demand efficiency and effectiveness from their government. However, it is important to remember that efficiency can be gained in two ways: by reducing spending *and* through strategic investment. Strategic investment of MIA funds in projects that build the institution's capacity will yield workplace and workforce efficiencies in the legislative branch that will far outweigh the funds spent. Investments in congressional capacity move Congress into the modern, digital age and ensure that the institution can

adequately respond to an increasingly advanced world. The complex nature of public policy problems means that Congress must have the appropriate tools and technology in place to intake, process, understand, and evaluate an enormous volume of information to properly grapple with the pressing issues of the day. Since its creation, the MIA has helped move the institution forward and better position Congress to serve the American people by funding the development of tools that allow members and staff to work more effectively and efficiently.

Modernization Initiatives Account Successes

As the subcommittee will recall, the MIA was created in FY2021 to implement the work of the Select Committee on the Modernization of Congress. During its tenure, the MIA made numerous projects possible, including the initial development of *Deconflict* by the House Digital Service¹ and the scoping of important updates to the lobbying disclosure portal maintained by the Office of the Clerk. More recently, the Committee on House Administration's Modernization & Innovation Subcommittee, under the leadership of Rep. Stephanie Bice (R-OK), has continued to use the MIA to implement the Select Committee's recommendations. This includes but is not limited to projects such as: 1) the bulk purchasing of eDiscovery tools for committees, which allows for the better processing of oversight inquiry documents, ultimately making oversight efforts more substantive and policy oriented, 2) the development and piloting of CaseCompass, a tool that anonymously aggregates constituent casework data to help better inform congressional oversight efforts and better serve constituents, and 3) a study on the current state of the legislative drafting ecosystem within

¹ Deconflict is a scheduling tool designed to assist committees reduce the number of member scheduling conflicts during hearings and markups. As our previous research shows, this continues to be a major problem for the House, more information here: <https://bipartisanpolicy.org/blog/optimizing-the-u-s-congressional-calendar-to-boost-legislative-productivity/>



the House, a first step toward improving drafting tools to facilitate greater collaboration among staff and the Office of the Legislative Counsel.

It is credit to the work of this subcommittee and the Subcommittee on Modernization & Innovation that the administration of the MIA has been careful and deliberate. To date, the investments made possible by this account have been nothing but wins for the institution, all while maintaining the strictest level of fiscal responsibility and producing no known instances of waste or fraud—something that is a rarity when it comes to federal spending.

Continued Accountability

The members and staff of this subcommittee and the Committee on House Administration (CHA) are well aware of how MIA funds have been invested and the improvements those investments have brought to legislative branch operations. However, the people currently working on modernization issues won't always be here—as we know, turnover in the legislative branch is near an all-time high. Outside of this committee and within the House more broadly, there is a limited understanding of the improvements yielded by these investments. Therefore, it is crucial to continue building an ample official record of how modernization funds are used, as well as the ongoing status of those projects. I commend the subcommittee for including information in the FY2025 report about some of the projects that have been supported by MIA funds and urge you to continue to do so in a robust way.²

Requiring recipients of modernization funds to provide status updates to this subcommittee and the CHA serves the long-term success of the MIA by creating the infrastructure needed for evidence-based oversight and accountability checks to ensure

² Available here: <https://docs.house.gov/meetings/AP/AP00/20240613/117435/HMKP-118-AP00-20240613-SD004.pdf>



continued fiscal responsibility. Reporting requirements will also add to the historical record of current modernization efforts so future stewards of the institution will know more about the types of efforts currently underway, which may in turn inform their work.

The Time for Capacity Is Now

Ground-shifting developments have brought declining congressional capacity to the fore. Last summer's Supreme Court decision in *Loper Bright Enterprises v. Raimondo* has significant implications for the legislative branch that have not yet been addressed. As many scholars of Congress have written (and I agree), the decision now requires Congress to be much more active and detailed in its policymaking.³ However, Congress currently lacks the necessary expertise and staff capacity to do so. BPC's working group recently released a report identifying areas ripe for congressional action in response to this and other recent decisions.⁴

In addition to the steps recommended by the working group, there are still many select committee recommendations that need to be implemented or built upon where robust MIA funding would be useful. Significant efficiencies can be gained in two areas that currently consume considerable staff time and office resources while simultaneously improving the public's ability to interface with member offices: 1) the FlagTrack program, which allows constituents and staff to more efficiently handle flag requests, needs further refining, and 2) the development or bulk purchasing of software to help streamline Capitol, White House, and agency tour requests. Additionally, Congress needs many more tools to help make sense of the tidal wave of information flowing into each office daily. Despite public perception, research has

³ See, Kornberg, Maya and Martha Kinsella. "Whether the Supreme Court Rolls Back Agency Authority, Congress Needs More Expert Capabilities." *Brennan Center*, May 30, 2023; Kosar, Kevin. "Congress Should get ready for a post-Chevron America." *The Hill*, April 9, 2024, among others.

⁴ See, <https://bipartisanpolicy.org/report/final-report-and-recommendations/>



shown that Congress does not suffer from a lack of information, but instead one of sorting, filtering, and operationalizing the information it receives. One tool that could help is the new committee portal that has been in development and is being piloted with committees. Continuing to develop and expand the portal to look for ways to integrate it with additional sources of congressional data will improve efficiency in information processing, helping to free up staff time for other activities. The MIA and the projects it supports are key to helping Congress meet this moment.

Conclusion

Over the past six years, the modernization movement has made tremendous progress in making Congress more effective, efficient, and transparent on behalf of the American people. On a bipartisan basis, those inside and outside the institution have routinely praised House modernization efforts as an example of Congress functioning as it should: hearing from experts, debating and formulating policy solutions, and following through on implementation. This subcommittee's continued investment in the implementation of modernization initiatives is part of what has led to such success. The House Modernization Initiatives Account should continue to be funded at a robust level so that the House can continue to execute on the promise of the Modernization Committee's recommendations. Including reporting requirements will bring greater transparency and accountability into the modernization process, help ensure taxpayer dollars are spent responsibly, and help build a public record of the successes and advancements that the current modernization effort has brought to Congress, ultimately allowing it to better deliver for the American people.

Thank you for the opportunity to provide this testimony.

