

Representative Katherine Clark  
Statement before the Select Committee on  
Modernizing Congress

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Chairman Kilmer, Vice Chair Graves, and members of the Committee, thank you for the opportunity to come before you today to share my thoughts on how we can improve Congress as an institution.

I believe the task you are charged with is one of the most urgent facing our government today. Under our constitutional system, Congress represents the first branch of government, the branch from which all government power emanates. And yet, we have allowed ourselves to be reduced to an inferior, even occasionally subordinate, branch to the executive.

This is because for decades Congress has slowly but surely eroded our capacity to serve as a co-equal branch of government. We have intentionally transferred more and more power to the executive branch by passing laws that require administrative agencies to fill in the details. We have unintentionally given away our power by simply failing to pass laws to address the pressing issues of the day. And we have abdicated our power by refusing to make the decisions the Constitution requires of us.

While there are many factors that have contributed to this crisis, I believe that the first step in the solution is investing in the people who make Congress work. If we start there,

many of the other issues we face will be easier to tackle. The need to invest in ourselves is made obvious by some of the trends we have seen in recent years:

- We don't have enough staff: Google employs roughly 6.5 times as many staffers to run its company as the House and Senate *combined* have to oversee the entirety of the United States federal government.
- Overall staff numbers have declined: Between 1980 and 2014 the House actually lost staff. In fact, our Committees now employ *roughly half* as many staffers as they did in 1980.
- We pay our staff less: Between 2011 and 2015 the average, inflation adjusted salary for House professional staff went down 12%, the salary for House legislative directors went down 6%, and the salary for House legislative assistants went down 6%.
- We overburden our staff: Because House staffing has not kept pace with the growth in the size of government, an individual House Appropriations Committee staffer is now responsible for overseeing 52% more federal dollars than they did 16 years ago.
- We retain staff for shorter periods of time: A 2016 survey of House staff found that 50% of House legislative directors had been in their position for less than 2 years and only 12% stayed on the job for more than 5 years. Meanwhile the median tenure for a House legislative assistant is just over 1 year.

Simply put, we don't have enough staff to do our jobs, and the staff we do have are underpaid and don't stay very long.

### **Recommendations:**

To address this crisis, I urge the Committee explore the following recommendations:

#### **1. Invest in Committees:**

Between 1996 and 2017, Congressional Committee funding has increased less than 4 tenths of 1 percent in real dollars. Think about that. Since 1996 we've created Medicare Part D, went to war in Afghanistan, and passed the Affordable Care Act, yet to help our Committees oversee these massive government expenditures we've given them a .4% increase in funding.

In order to handle the complexities of overseeing the executive branch and ensure that the legislation we pass is fully vetted, we must make a significant investment in our committees and committee staff. I would encourage this committee to provide recommendations to increase committee staff pay, incentivize committee staff retention, and significantly increase the overall number of committee staff.

#### **2. Increase Member Staff Salaries:**

Including staff salaries in the Members' Representational Allowance (MRA) is a problem. The overall cap means that at some point members have

to make a decision between paying their experienced staff enough to retain them, or paying their junior staff a livable wage. Moreover, as long as there is a choice between investing in mail, social media, or other forms of constituent communication and paying member office staff, there will always be a temptation to sacrifice staff pay. And yet, I recognize that moving all staff salaries outside of the MRA to some sort of congressional staff pay scale similar to the executive branch would present its own difficulties.

If we maintain the current system, there are several things we can do to improve staff recruitment and retention:

1. At a minimum, funding for the Members' Representational Allowance (MRA) must be immediately returned to the FY2010 funding level of \$660 million. And the lifetime cap on the House student loan repayment assistance program must be restored to \$80,000.
2. I would urge this Committee to consider proposals that would divide MRAs into two separate line items with one account exclusively for staff salaries. The base line for this separate account should be set using the highest paying offices, and I would urge the incorporation of an automatic cost of living increase for this staff salary account.
3. To improve staff retention, I would recommend that the House provide longevity incentives directly to employees outside of the MRA. This

incentive could be something as simple as the House providing an additional \$100 a month to a staffer's salary for every year of service out of non-MRA funds. But whatever solution you come up with, it has to help members keep their experienced staffers without sacrificing other aspects of their MRA.

### 3. Offer More Family Benefits:

Staff retention is about far more than just pay. It also means enabling staffers to stay once they decide to start a family. The House took a significant step towards supporting our staffers with families with the expansion of the House Childcare Center and we should continue to expand the Childcare Center's capacity until demand is fully met. But we must also ensure that the House provides the resources and policies necessary to ensure that every member of staff can take paid family leave.

Today, whether a staffer can take paid family leave is entirely dependent on the policies in individual member offices. We should establish House-wide policies that guarantee the right of staff to take paid family leave. It is critical that these policies also come with the resources necessary for individual offices to pay for them, and that the House-wide policy does not implement the lowest common denominator. Offices that wish to provide generous paid leave should be allowed to do so.

In addition, we should make it easier for parents, whether they are members, staffers, or the public, to bring children into the Capitol complex by adding additional changing tables to both men's and women's bathrooms.

Finally, I would urge you to consider proposals that would enable members with children under the age 15 to utilize the government rate on flights to and from D.C. This change would help members more easily coordinate their flights with their children so that the children do not have to fly unaccompanied.

4. Adjust the District Office Rental Cost Formula in the MRA:

I would also encourage you to adjust the formula for determining how much money is provided in MRAs to rent district offices. For districts like mine that have no available federal government office space and an exceptionally high market rate for rental space, it can be a significant challenge to find district office space we can afford and that allows us to best serve our constituents. This insufficient funding is just one more factor in our inability to pay staff a sufficient wage.

5. Modernize Franking Rules to Accommodate Social Media Communication:

While I certainly appreciate that taxpayer resources should never be used to engage in political messaging, current franking rules make it difficult to efficiently communicate with our constituents via

social media. For instance, we are not allowed to use our official social media accounts to communicate political material, that means we have to maintain two separate accounts for Twitter, Facebook, Instagram, etc... I would urge this Committee to perform a comprehensive review of House franking rules as they relate to social media and consider reforms, like allowing members to communicate via a single social media account, that will enable members to more effectively communicate with our constituents while maintaining the prohibition against using official time for political purposes.

Finally, Think Big:

While there are a thousand reforms we could discuss to improve our institution, I want to leave you with one last recommendation: think big. We will never regain our status as a coequal branch of government until we start treating ourselves as a coequal branch. And that requires big ideas and big investments. I encourage you to think beyond minor tweaks to policy and procedures and explore major investments that help us truly regain our status as the first branch of government.