

**Testimony of
Carolyn J. Lukensmeyer, Ph.D.**

**Before
House Select Committee on the Modernization of Congress**

On Improving the Quality of Debate and Deliberation in Congress

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Thank you, Mr. Chairman and members of the committee for holding this hearing and inviting me to offer insights on this vitally important topic.

Over the last 30 years, my work has focused on improving the performance of government at all levels and strengthening the collective voice of the American public in crucial decisions about policy and resource allocation. I have held significant management positions in government at the local, state and federal levels, including Chief of Staff of the state of Ohio and consultant to the office of the White House Chief of Staff. After leaving my position in the White House, I founded [AmericaSpeaks](#), a non-profit dedicated to breathing life into the voice of “We the People” and influencing significant public policy issues, such as social security and debt and deficit. More recently, my work as the first Executive Director of the [National Institute for Civil Discourse](#) established best practices for engaging across our differences. Since 2016, more than 60-thousand members of the public have participated in NICD programs, as well as more a thousand elected officials. Given this experience and my deep commitment to the institutions of American democracy, I am encouraged to see the select committee working to improve Congress’ ability to carry out its constitutional duties.

Our democratic form of government only succeeds if the majority of Americans have trust and confidence that the government is working in their interest. Yet, according to the latest Pew survey, trust in government is [hovering near all-time lows](#), with only 17 percent of Americans saying they can trust the government in Washington to do what is right. Just 4 percent say they have “a great deal” of confidence in the legislative branch.

In 2019, just over 100 of the more than 10,000 bills and resolutions introduced into Congress were ultimately enacted. That [one percent success rate](#) puts the 116th Congress on pace for an historically low legislative output. All of which raises the question: what can be done to improve the quality of debate and deliberation in order to increase Congress’ ability to pass legislation on the big issues facing the country?

Much has been made about the need to change the tone of political discourse and restore civility. Indeed, this committee held a hearing last fall on promoting civility and building a more collaborative Congress that yielded excellent concrete recommendations. Without question, the behavior of members and the fostering of respect and relationships across party lines matter a great deal. Equally important is

improving the quality of debate and deliberation. To achieve this will require more than behavioral changes on the part of members.

In all spheres of human behavior--- whether in private sector corporations, the halls of government, non-profit entities, and even our families--- when people begin to behave badly toward one another, without exception there are underlying structural or systemic issues that must be addressed. In the case of Congress, commonly identified issues include the outsized influence of money, the preponderance of safe districts driven by gerrymandering, the insidious effects of our 24-7 news cycle, and an ever-accelerating technological revolution that has fundamentally changed the information ecosystem that we live and work in.

It is beyond the scope of this hearing or even this committee's mission to take on these macro-level forces. But in order to improve the quality of debate and deliberations in Congress, there are structural and systemic changes on a micro-level that can help lead to richer and more productive discourse. The reforms that I am proposing today have the potential to result in individual members feeling more empowered and accountable as they introduce, collaborate on, and pass legislation that reflects the collective will of the American public, not just the interests of their own constituents.

The measures I am recommending are focused on Congressional committees, the incubators and engines of legislative activity. Each of the proposed reforms is based on successes I have witnessed at the federal, state, local, and grassroots level in my 30 plus years at the forefront of the fields of deliberative democracy and civic engagement.

Recommendations:

1. Annual Off-Site Retreats:

Committees should go off-site for a day and a half to participate in an annual retreat/workshop that includes family members. These types of gatherings--- away from the committee rooms and the halls of Congress--- are free of the rigid constraints of "official business" and inevitably build camaraderie among participants. Given more time and experience with one another in a larger professional and more personal context, members are more likely to find common ground or at a minimum more understanding and mutual respect. These off-sites would also have a substantive goal: to identify a legislative initiative or initiatives that reflect some shared priority of members from both parties. The initiatives chosen would become a key part of the committee's agenda in the upcoming session.

2. Skill Training Included in Member Orientation:

Recognizing that a high quality of debate and deliberation requires exceptional speaking *and* listening skills, all incoming members of Congress should be given specialized training as part of their orientation. These training sessions, run by outside experts and conducted in a bipartisan setting, would be based on well-researched methodologies.

3. *Bipartisan Seating Charts:*

Committees should change the seating chart in both hearing and committee rooms to promote better discourse. In hearing rooms, instead of having all members from one party on one side of the dais and all members from the other on the opposite side, seats should alternate between Democrat and Republican. In committee rooms, rather than members of each party sitting on opposite sides of the table, they should take alternate seats around the table.

There is recent precedent demonstrating the impact of this change in seating. In 2019, the Maine state legislature created bipartisan seating charts for both its house and its senate, ending the decades-old practice of having lawmakers of opposing parties sit on opposite sides of the aisle. Members of both parties have acknowledged new relationships forming and an increased number of bipartisan bills being introduced.

4. *Roundtables at Hearings:*

To go one step further, there's another relatively simple physical change that should be made for selected committee hearings: instead of utilizing the elevated dais where members now sit and look down at tables reserved for witnesses giving testimony, hold hearings at a roundtable where everyone sits on the same level. This will spur more back and forth dialogue and engagement and should limit prosecutorial grandstanding. In short order, this will lead to a change in tone that will enable the hearings to be more substantive and productive.

5. *Pre-Hearing Goals Meetings:*

Committees should hold an all-hands pre-meeting in advance of scheduled hearings. The idea here is for members to come together *before* the gavel comes down to identify what is most crucial to come out of the upcoming session and how best to get at that information. The purpose of these sessions is to defuse partisanship in advance, create laser focus, and better inform how the upcoming hearing should be run.

6. *Showcase Reforms in Press, Social Media:*

As these changes are adopted, find ways to showcase them so that the public sees the fruits of the reforms. Americans have a somewhat fixed view of how Congress conducts its business based on how hearings have appeared for years on C-SPAN and on network news reports. A reconfigured hearing room with bipartisan seating is a powerful visual that needs to be shared well beyond traditional media outlets. Getting the press to report on the intent and impact of these changes can help reduce prevailing cynicism about politics and begin to rebuild public trust in government.

7. District Visits with Members of the Opposing Party:

As members from opposing parties work more closely together, they should demonstrate that bipartisan cooperation in public. At least once each session, Republican and Democratic members should visit each other's districts *together* and appear jointly at public events related to shared areas of legislative interest. While genuine policy differences would be on display at these events, this type of public showing sends a powerful signal to voters that elected representatives can indeed work together across the aisle, even if they have significant disagreements.

A prime example demonstrating the power of this recommendation is unfolding in Ohio, where Republican Steve Stivers and Democrat Joyce Beatty are continuing their "civility tour" which began in 2018. The two have been visiting schools and other sites together in their neighboring districts, highlighting their shared commitment on a range of issues from education to housing to foster care, while calling on the public to join them in re-establishing the social norms of civility and respect. This public showcase of bipartisanship obviously cannot be mandated for all members. Encouraging more of this activity will require buy-in from Congressional leadership in both parties. But the work of Representatives Stivers and Beatty in Ohio and other pairs of members who have done similar district visits suggest these joint appearances can help spur deeper working relationships across party lines and help restore faith that bipartisanship in Congress is possible.

All of these recommendations are aimed at creating the conditions needed to improve debate and deliberation and ultimately the quality and quantity of legislative output. Accomplishing this will begin to reverse gridlock in Congress, as well as decrease the public's disdain for the legislative branch and its members.

The Founding Fathers were sufficiently wary of factionalism and partisanship that they designed a system that required compromise, collaboration, and consensus-building. Those designs have been severely tested over the past few decades, as hyper-partisanship, stoked by a splintered media landscape and by self-sorting on social media, has rusted the gears of Congress. The result is a weakened first branch of government that throws our essential separation of powers out of balance, effectively giving more throw-weight to the executive and judicial branches.

For Congress to regain its footing, its members must improve their ability to debate and deliberate and embrace civility and collaboration. Equally important, the institution itself must take concrete steps that demonstrate a renewed commitment to support healthier discourse. These actions will help bring about the passage of laws that better reflect the will of the American people, thereby beginning to restore trust in the institution of government.