
**STATEMENT BEFORE THE HOUSE
APPROPRIATIONS SUBCOMMITTEE
ON THE LEGISLATIVE BRANCH
ON THE OFFICE OF THE CLERK, FY2020**

THE HONORABLE CHERYL L. JOHNSON
MARCH 12, 2019

Chairman Ryan and Ranking Member Herrera Beutler, Members of the Subcommittee:
Thank you for the opportunity to testify about the operations of the Office of the Clerk.

HOUSE OPERATIONS

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 House 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 the House's Floor operations, the Clerk's Office is responsible for making the proceedings of the House easily accessible to the public and Members alike. The Clerk's Office hosts 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 House Floor proceedings at <http://HouseLive.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 along with other legislative 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 updates to the bill summary information at [Congress.gov](https://www.congress.gov).

Support for the 116th Congress

On November 14, 2018, the Clerk, Deputy Clerk, and Senior Advisor to the Clerk welcomed Members-elect to the Capitol during New Member Orientation in the House Chamber. During the session, they provided an introduction to Office of the Clerk services, the EVS, and rostrum staff. On January 3, 2019, the Clerk led the Opening Day activities in the Chamber through the election of the new Speaker. In preparation for the new Congress, Clerk staff updated the EVS and all other systems as well as House 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.

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 the potential for increased demand as a result of expanded deposition authority or oversight needs.

In recent years, the Clerk's Office has made significant improvements to *Reports to be Made to Congress*, a document required to be published at the beginning of each session of Congress. This document lists all of the reports that any officer or Department is required to make to Congress. Most recently, we collaborated with the Library of Congress to make the Executive Communications and Requirements data sets available on [Congress.gov](https://www.congress.gov). This addition is a further enhancement to the interface and search capabilities of the system and follows earlier work to link reports received to their corresponding statutory requirements.

The Clerk's Office, following a directive in the Committee report accompanying the fiscal 2019 Legislative Branch Appropriations bill, researched language for a standardized electronic Truth in Testimony Form. With the help of the Committee on House Administration, our office held information sessions with Committee staff to solicit ideas and incorporate feedback. The Office finalized the form, received approval for its use in the 116th Congress, and made it available on HouseNet.

The Clerk's Office develops and maintains the Committee Repository website at <https://docs.house.gov>. This online portal enables the public to track hearing and markup schedules, meeting notices, testimony, truth-in-testimony disclosures, opening statements,

legislative text and amendments, and recorded votes. The House has made great progress in increasing the transparency of Committee proceedings, and the Clerk's Office is proud to support that effort.

As part of the Office of the Clerk's ongoing efforts to improve communications and strengthen relationships with the House staff we serve, our staff collaborated with the Parliamentarian's Office, the Congressional Research Service, and the Congressional Staff Academy to host a briefing in January for majority and minority Committee clerks. The briefing provided new and veteran clerks with the tools and information they need to do their jobs in the 116th Congress and included sessions on the legislative process, administrative services and resources, and technical training. Session topics included

- Filing Committee reports
- Completing the new Truth in Testimony Form
- Submitting remarks for the *Congressional Record*
- Archiving Committee records
- Reporting Committee actions to appear on Congress.gov
- Updating the Committee Repository

We plan to continue our training offerings throughout the year.

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 to design, produce, and install a permanent display of current women Member photographs 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 in the future 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.

The Office of House Employment Counsel provides House employing offices with legal counsel and training on employment matters, including anti-discrimination/anti-harassment 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.

Operation of Vacant Offices

Under the Rules of the House of Representatives, the Clerk becomes the employing and certifying authority when a vacancy occurs, and we work with the remaining staff to continue the Office's operations and provide constituent services until a successor is elected. The Clerk's Office has managed two vacant offices to date this Congress.

Website Redesign

The Clerk's Office will soon release the Beta version of our new redesigned website at <https://clerkpreview.house.gov>. The new homepage highlights House Floor activity and provides easy access to vital legislative information in a user-friendly, responsive, and modern design. We have added several features, including a public vote search page, updated Member and Committee profiles, and a new video streaming site (<https://live.house.gov>) that includes the ability to rewind the live feed and search closed-captioned text. The Clerk's Office also released an Alpha version of a new internal video clipping tool (<http://floorclips.house.gov>). The last major piece of the Clerk website redesign is a new site search tool, which is expected to be ready in June 2019.

ARCHIVES, ART, AND HISTORY OF THE HOUSE

The Office of Art and Archives 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.

Since 2016 the Clerk’s Office has showcased a searchable selection of official House records at <https://history.house.gov/Collection/Search/>. The Records Search collection illustrates the institution’s work, its responses to issues of the day, and its relationship with the public and other branches of government. Highlighted records include documents from all 50 states as well as the District of Columbia and the territories, petitions and memorials, correspondence with Members, certificates of election, hearing transcripts, and maps and charts. We pair each record with a brief description that provides context and links to related material. Most recently, we added materials from all standing Committees as well as material from special and select Committees.

During 2018 the Clerk chaired two meetings of the Advisory Committee on the Records of Congress. The Office of Art and Archives and the Office of Communications worked with the Senate and the National Archives and Records Administration (NARA) to publish the *Sixth Report* of the Advisory Committee on the Records of Congress. The mandated report details many Committee efforts from January 2013 through December 2018, including new storage spaces for congressional records at GPO buildings; preservation of Committee hearing videos, social media, and Member office correspondence management systems data; progress on the project to refine descriptions of congressional records; and advances in digital curation.

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. 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. We look forward to the opening of a significant new exhibition, with permanent displays of objects of interest to Members, staff, and constituents, in the Cannon basement rotunda, which is a major hub of the House campus. Development is underway on *The House at Work/Work in the House*, with images and artifacts—from 1800s Chamber desks to first-generation BlackBerrys—that tell the story of the work that has gone on here for more than 200 years.

The Office of Art and Archives and the Historian also participated in meetings and working groups with congressional partners to develop content for the upcoming redesign of exhibits

in the Capitol Visitor Center's galleries. We anticipate our involvement in the redesign efforts to continue through 2020.

The Historian published a book and an e-book edition of *Asian and Pacific Islander Americans in Congress, 1900–2017*, which completes the series of books about Congress that already included *Women in Congress*, *Black Americans in Congress*, and *Hispanic Americans in Congress*. The Office of the Historian collaborated with the Office of the Clerk to write, edit, and produce the 50-page booklet *The People's House: A Guide to Its History, Spaces, and Traditions*. The publication introduces readers to Opening Day ceremonies; Floor proceedings; Capitol rooms and House Office Buildings; art and artifacts in the House Chamber; and Leadership offices, political parties, and Officers. The Historian plans to make the content publically available on the History, Art & Archives website.

PUBLIC DISCLOSURE SERVICES

By law and under the Rules of the House of Representatives, 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 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, GPO, Botanic Gardens, and the Congressional Budget Office. We maintain the online filing system for these reports and work closely with the Ethics Committee 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 87 percent in 2018.

Lobbying Disclosure

The Clerk's Office continues to support 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 regularly reviews its Guidance to filers and updates it as warranted. The Guidance is available online at <https://lobbyingdisclosure.house.gov>.

Franking

The Clerk's Office worked with the Franking Commission and the House Information Resources group from the Office of the Chief Administrative Officer to install a dedicated computer kiosk in the Legislative Resource Center to help make franking filings available to the public electronically.

BUDGET REQUEST FOR FISCAL YEAR 2020

We appreciate the Subcommittee's ongoing support for the operations of the Office of the Clerk. For the upcoming fiscal year, we respectfully request \$32,826,000 to carry out our existing and new responsibilities to the House. The request is \$4,520,000 above the FY2019 enacted funding level provided in the Consolidated Appropriations Act of 2019. Of that request, \$29,706,000 is in annual funding. The increase will be used to fund four new requested positions, three for technology support and one to facilitate House employing office compliance with workplace rights issues following the recent amendments to the CAA and associated reform measures; training fees associated with the diverse professional specialty areas of legislative and technical support staff throughout the Clerk's organization; and the replacement of desktop telephones necessitated by a phase-out of our current phones in FY2020.

In addition, our No-Year Funding request is for \$3,120,000. These funds will be expended under the nonpersonnel funding category to support the Legislative Information Management System (LIMS) modernization and redevelopment project. LIMS is a critical part of the flow of legislative information. It brings in bill information, Floor activity, Member and Committee information, and Executive Communications from the House and Senate and distributes that information to GPO, the Library of Congress, Members, Committees, House Officers, and the public.

During our internal budget formulation process for FY2020, 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. The request also includes additional personnel funding for projected cost-of-living adjustments, anticipated longevities, and the filling of crucial vacant positions and new requirements. These amounts would fund the diverse ongoing activities of the Office of the Clerk I have described as well as the following special priorities and points of emphasis in the year ahead.

Justice Against Corruption on K Street Act of 2018

The Clerk's Office is implementing the Justice Against Corruption on K Street Act of 2018 passed on December 20, 2018, and signed into law by the President. The "JACK" Act became effective on January 3, 2019, and amends 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.”

This project was unplanned and has required us to reallocate resources to complete the work. The Clerk and the Secretary of the Senate have notified registrants that our offices are developing the technical changes necessary on the two relevant forms to meet this reporting requirement. We will have those changes, with additional guidance, available as soon as possible and will notify filers when the updates are available in the system. If the statutory timelines require them to file a registration or quarterly report before the amended forms are available, we have advised them to do so, and, if necessary, amend the filing to include the relevant information when it is possible to do so. Below are the project deliverables and estimated timeframes:

- February 8, 2019: Define additional fields, schema, and modified XML (complete)
- March 8, 2019: Complete updates to LD-1/LD-2 and data import modules and begin testing
- March 31, 2019: Complete updated forms and move to production
- May 2019: Complete new search/download site

Comparative Print Project

After the successful completion of Phase 1 of the Comparative Print project at the end of 2017, the Clerk's Office has continued to work with the Office of the Legislative Counsel and the Law Revision Counsel on the planning and development of subsequent phases.

In August 2018, the Clerk's Office awarded the contract for Phases 2 and 3 of the Comparative Print project. Phase 2 is anticipated to last from August 2018 to August 2019 with the following deliverables:

- Develop and build the backend framework to include security, user management, document repository, and document transformation—in progress, first quarter 2019

- Build natural language processor (NLP) to interpret amendatory language —initial design complete (fourth quarter 2018), in progress, first/second quarter 2019
- Implement base set of amendatory language and automated execution to create a stand-alone document that meets the provisions of clause 12(a) of House Rule XXI—second quarter 2019
- Implement an editor for those cases in which user intervention is needed—second/third quarter 2019
- Continuously improve the comparison document in HTML and PDF that meets the provisions of clause 12(b) of House Rule XXI—second/third quarter 2019
- Improve billcompare.house.gov user interface—second/third quarter 2019
- Develop outputs in HTML, PDF, and XML—second/third quarter 2019.

Phase 2 of the project is on track and we are holding weekly status meetings with the vendor. We expect Phase 3 of the project to begin later this year and anticipate it will last from August 2019 to August 2020. Below are the deliverables for Phase 3:

- Continue to build and refine NLP engine and implement an extended set of amendatory language—first/second quarter 2019
- Refine Phase 2 functionality: automation, editor, transformations, and user interface—third quarter 2020
- Migrate the current Amendment Impact Program (AIP) to the Posey Technology—fourth quarter 2019
- Deploy to larger user base—second quarter 2020
- Develop outputs in HTML, PDF, and XML—third quarter 2020.

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. The Clerk's Office is working on a process that will ensure it meets the Consensus Calendar requirements.

Biographical Directory of the U.S. Congress

We continued to redevelop the *Biographical Directory of the U.S. Congress* (BioGuide) website (<http://bioguide.congress.gov>). Upgrades include a robust search engine, responsive user interfaces, and a content management system that will enable House and Senate Historians to enter more extensive profile data and collaborate seamlessly. The Clerk's Office expects to launch the Alpha version of the website during the first half of 2019.

Legislative Information Management System (LIMS) Modernization and Redevelopment

The requested increase in No-Year money will fund the next phase of the multi-year redevelopment and modernization plan of the House Legislative Information Management System (LIMS). LIMS is integral to the House's legislative operations, but the system was built more than 30 years ago and operates with an outdated programming language on a legacy platform from the mainframe era. The platform has undergone multiple migrations and currently runs in the Linux environment. However, the legacy codebase has not been upgraded and poses significant challenges moving forward. The cost and technological risk of continuing on this legacy platform are very high as finding skilled developers who can work on legacy platforms is difficult and maintenance and changes to the current system demand significant resources.

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 House's needs. This phase of the modernization project will comprise LIMS data modeling, backend development, Floor Action Reporting System (FARS), Committee Action Reporting System (CARS), Executive Action Reporting System (EARS), Reports Due to Congress, Senate Action Reporting System (SARS), and Quality Assurance Testing.

Electronic Voting System

The EVS has three main components: the EVS Server, vote stations, and the display subsystems, which include the summary displays (updated in 2009) and the main displays (updated in 2010). We completed the vote station in August 2018. We are planning to upgrade the Venus Display Servers (part of the display system) and replace all the work stations on the House Floor

during the August 2019 District Work Period. We will continue to perform routine maintenance as needed.

We have also begun discussions with our vendor to develop a plan for ongoing support of the House Floor displays. When the summary displays (2009) and main displays (2010) were installed we anticipated a 100,000-hours or 10-year lifespan. We are not close to the 100,000 hours, but we are approaching the 10 years, so we want to plan for potential power supply and fan replacements.

Increased Storage for Congressional Records

The Center for Legislative Archives, part of NARA, maintains, preserves, and provides public access to archived House records pursuant to House Rules. In 2017 we secured storage space in two GPO buildings near the Capitol and obtained funding for the conversion of the first building, which we expect to occupy early in 2019. In 2018 we obtained funding for the conversion of the second building. With this additional space, the Center will have sufficient capacity to store House and Senate documents for decades to come.

High-Speed Printing

The Clerk's Office provides printed legislative materials for use on the House Floor and in Committee hearings and for distribution to congressional staff and the public. In December we completed the purchase and installation of a new high-production black and white printer, which increases printing speeds by 22 percent over the previous printer and includes a booklet maker. The new printer ensures that the Legislative Resource Center can continue to support legislative activities that require daily high-volume print jobs, such as House Committee hearings, bills, and reports, quickly and reliably. The Clerk's Office has also initiated a project to replace its older color printer this year to improve our production quality and speed.

Lobbying Disclosure Enhancements

We continue to consider an enhanced web-based lobbying disclosure system to improve submission of individual and bulk reports. We aim to improve the administrative functions of the system to ensure robust filing statistics and search capabilities and to enable direct approval of pending reports. By creating a unique lobbyist identifier, we will be able to synchronize House and Senate notification, approval, reporting, and referral efforts. The enhanced disclosure system is an item that remains on our priority list but has been pushed back because of the addition of unforeseen projects.

Personnel

The Clerk's Office is evaluating training opportunities for our staff to ensure they align with our mission and goals and to enhance cross-training as employees with specialized skills retire. This initiative gives current employees hands-on experience in highly specialized areas and opens the door for career growth within the organization. We are also requesting additional funds to fill positions essential to supporting legislative proceedings. The FY2020 requested personnel funding includes three newly created positions for Legislative Computer Systems, which are needed to meet increasing transparency, efficiency, LIMS, and cybersecurity project requests. The other position is in the Office of House Employment Counsel to support compliance with recent amendments to the CAA and related workplace rights reform measures.

Our goal 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, 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 allow us to standardize evaluation criteria, goal-setting, and feedback across the Clerk's organization. We are currently testing the system and plan to provide user training during the second quarter of 2019.

Cannon Renovation and Relocation

Our office supports the ongoing renovation of the Cannon House Office Building, both directly and as a building occupant. The curatorial team provides staff and equipment to preserve, relocate, and store historical artwork located in construction areas. As the Cannon Renewal Project progressed from Phase 1 to Phase 2, the Office of the Clerk continued to move operations, personnel, and materials to new locations while maintaining continuity of services. In December 2018, the Legislative Resource Center's Public Information, Requisitions and Document Production, and Executive Communications subdivisions and several House Library staffers moved to their new office locations in the Cannon building.

Turner Redstone Data Center

The Clerk's Office postponed our initial plans to migrate to the new Turner Redstone Data Center in December 2018 because of changing legislative priorities and problems at the current Alternate Computing Facility backup site. We have rescheduled our migration for April 2019.

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