



March 27, 2019

The Honorable Tim Ryan
Chairman
House Appropriations Subcommittee
on the Legislative Branch
Washington, D.C. 20515

The Honorable Jaime Herrera Beutler
Ranking Member
House Appropriations Subcommittee
on the Legislative Branch
Washington, D.C. 20515

Dear Chairman Ryan and Ranking Member Herrera Beutler:

Democracy Fund Voice is a nonpartisan organization established by eBay founder Pierre Omidyar to help America build a stronger, healthier democracy. Effective governance in Washington is critical to this mission, and our philanthropic efforts focus in part on ensuring that elected leaders have the tools and resources they need to represent and serve the American people.

In the last Congress, the House of Representatives started a serious effort to examine its challenges and determine how to invest resources to promote the proper functioning of the legislative branch. Members began a process of restoring Congress to its rightful place under the Constitution as the first branch of the federal government.

We urge you to build upon and expand efforts to restore Congress' capacity to fulfill its constitutional responsibilities by including adequate resources in the Fiscal Year 2020 Legislative Branch Appropriations bill.

Even though the framers of our Constitution elevated Congress to the prime branch of our federal system, the fact that the legislative branch currently receives only *one tenth of one percent* of all federal spending illustrates how much power Congress has abdicated to the executive branch. Last year, appropriators in a bipartisan fashion increased funds for the legislative functions of the federal government for the first time in a decade. In addition, they required the exploration of long-neglected issues, such as studies on staff pay and retention, strengthening the legislative branch's analytical capacity, and protecting whistleblowers. We commend these important steps. This subcommittee should build upon that accomplishment and provide more resources to office budgets in the form of staff salaries, legislative support agencies, technology systems to make constituent service more efficient and effective, and the cybersecurity of networks within the legislative branch. These areas still lack the resources necessary for Congress to craft informed public policy independently from the influence of special interests and perform adequate oversight of the 180 agencies of the executive branch.

Staff pay

The subcommittee should prioritize redressing stagnant funding levels for staffing congressional offices. As every member of Congress understands, staffers are both the brain and heart of the institution, providing tremendous support for members of Congress by mastering complex issues and providing important service to constituents in home districts.

Members of the House of Representatives employ fewer personal staff now than they did in the 1990s, when 200,000 fewer people lived in their districts. Legislative staff face an environment in which corporations annually spend more on lobbying than appropriations for the House and Senate combined.¹ The Congressional Research Service (CRS) has found that the average salaries for staff have declined by thousands of dollars in recent decades,² pushing many out the door and reducing the average tenure of staff to just a few years.³ The Legislative Branch Appropriations subcommittee should not wait for the final results of the staff pay and retention study it commissioned last year: instead, it should continue to increase the funds available for staffing member and committee offices drained by decades of reductions. In addition, the subcommittee should consider expanding mandated benefits for employees in all offices, such as paid parental leave and student loan repayments.

Diversity

Inadequate funding for staff is contributing to the lack of diversity among congressional employees, depriving Congress of the experiences and expertise that are so vital to successful constituent representation and policy formation. The Joint Center for Political and Economic Studies found last September that only 13.7 percent of top House staff positions are occupied by people of color, even though they make up more than a third of the U.S. population. Three quarters of House members had no top staff of color in their personal offices.⁴ Recent hires, particularly by freshmen members, have made up some ground, but much progress is still needed. To support a Congress that looks more like America, the subcommittee should expand its support for paid internships that it established in the 115th Congress. Expanding the paid internship program, which provides opportunity to young Americans who otherwise would not be able to begin careers in Congress, is a direct route to creating a more diverse congressional workforce. The committee also should ensure the newly created Office of Diversity and Inclusion has sufficient funding to execute its mission in supporting diverse hiring and inclusive workplace practices.

Congressional support offices

Insufficient investment in the legislative branch has far-reaching consequences for policy expertise within the Congress. Legislative support agencies have suffered significant staff decreases in the past 35 years, with CRS operating at 72 percent of the staff capacity it had in the late 1970s and the Government Accountability Office (GAO) even lower, at 56

¹ Vital Statistics on Congress," Table 5-1, Brookings Institution, September 7, 2017, accessed March 14, 2019; Ezra Klein, "Corporations now spend more lobbying Congress than taxpayers spend funding Congress," Vox, July 15, 2015. Available at: <https://www.vox.com/2015/4/20/8455235/congress-lobbying-money-statistic>

² Molly Reynolds, "The Decline in Congressional Capacity," Brookings Institution, February 23, 2018 (citing multiple CRS reports).

³ Eric R. Petersen and Sarah Eckman, "Staff Tenure in Selected Positions in Senate Committees, 2006-2016," Congressional Research Service, November 9, 2016, accessed March 14, 2019. Available at: <https://fas.org/sgp/crs/misc/R44685.pdf>.

⁴ Elsie L. Scott, Karra W. McCray, Donald Bell, and Spencer Overton, "Racial Diversity Among Top U.S. House Staff," September 2018. Available at: <https://jointcenter.org/sites/default/files/Racial%20Diversity%20Among%20Top%20US%20House%20Staff%209-11-18%20245pm.pdf>

percent.⁵ Congress has lacked dedicated in-house resources on science and technology policy since the shuttering of the Office of Technology Assessment in 1995, when only 3 percent of Americans had ever logged on to the World Wide Web.⁶ The subcommittee should continue the investments it made last fiscal year in CRS and GAO, particularly as the latter builds up its science and technology assessment capacity.

Technology-driven tools

This subcommittee also should consider providing greater resources for the technological infrastructure of Congress, which currently limits members and staffers' abilities to make data-driven decisions, impedes the efficient flow of information, and reduces responsiveness to constituents. Proper investment in offices focused on technological innovation can provide staff with the tools needed to use data effectively and save countless hours with better workflows. Most importantly, Congress needs to invest robustly in its cybersecurity capacity.

Conclusion

We at Democracy Fund Voice believe deeply in the primary role of the legislative branch in our federal system. A Congress hampered in its ability to formulate policy and exercise oversight cannot serve as a check on an overly powerful executive branch. We and our sister organization, Democracy Fund, support dedicated and resourceful nonprofits that train congressional staff in legislative procedure, educate members and staff on complex policy issues, strengthen committee staff's ability to perform rigorous oversight of executive branch agencies, and develop solutions to office communications and technology challenges. We are proud to support this work, but only Congress can solve the underlying problems.

We believe the bipartisan energy for congressional renewal and reform is very encouraging. This moment represents an opportunity to build a modern Congress that can serve the American people for decades to come. We look forward to supporting your role in that process.

Sincerely,

Joe Goldman, President
Democracy Fund Voice

⁵ Curtlyn Kramer, "Vital Stats: Congress Has a Staffing Problem, Too," Brookings Institution, May 24, 2017, accessed March 14, 2019. Available at: www.brookings.edu/blog/fixgov/2017/05/24/vital-stats-congress-has-a-staffing-problem-too/

⁶ Pew Research Center, "Americans Going Online...Explosive Growth, Uncertain Destinations," October 16, 1995. <https://www.people-press.org/1995/10/16/americans-going-online-explosive-growth-uncertain-destinations/> Accessed March 25, 2019.