

**Responses to Questions for the Record from the Committee on House  
Administration’s Subcommittee on Modernization**

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Please find below my answers to your questions, which came subsequent to my written statement and in-person testimony at the April 26, 2023 hearing, “Revitalizing the Congressional Research Service for the 21st Century.”

**1. In 2018, you published an article regarding the atrophying of CRS’s role in supporting committee oversight. In it you argue that much of CRS’s workload is devoted to legislative support activities with little nexus to oversight.**

- a. Do you believe this has remained the case?**
- b. If so, why is this a problem? In other words, what is lost when CRS is not engaged in oversight by congressional committees?**
- c. How do you recommend CRS and Congress address this issue?**

(a) Yes. To be sure, CRS staff help many committees each year. The majority of its responses are to individual legislators’ staffs, and frequently these requests are tied to constituent concerns. Additionally, CRS staff’s engagements with committees tend to be more ad hoc and limited than in the past. Rarely do CRS experts go on extended details to committees to provide nonpartisan research support.

That the portion of CRS’s workload is driven by requests from individual legislative offices is unsurprising. The breadth of federal government activities has expanded greatly since 1970, which means voters are increasingly likely to interface with federal agencies and programs and seek out their legislators with concerns. Additionally, the number of voters served by each senator and representative has skyrocketed in the past half century, adding to the demands on individual offices.

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<sup>1</sup> The observations expressed here are the author’s. The American Enterprise Institute takes no positions on policy issues.

(b) What is surprising and distressing is that CRS leadership has responded to this congressional demand by defunding its corps of senior specialists and discouraging its to experts from extended work engagements with committees.

The agency's handling of shifting congressional demand is problematic for a couple of reasons. First, it leads CRS away from its mission. Congress established CRS in 1970 to serve congressional committees first and individual legislators second.<sup>2</sup> This action came during a period when congressional committees dominated both policymaking and oversight. Congress sought to bolster the committees' power vis-a-vis the burgeoning executive branch by giving them a thinktank capable of producing analyses and identifying oversight issues.<sup>3</sup>

Second committees, though not quite as dominant as formerly, retain the authority for policymaking and oversight. CRS detailees supply additional staff power and expertise, and add rigorously nonpartisan voices to committee staff discussions. Not having CRS detailees deprives committees of these benefits.

Lastly, CRS staff benefit from extended collaborations with committees. Time spent within committees helps them better appreciate the mechanics and politics of committee operations, and the wants and needs of congressional staff.

(c) Congress should direct CRS to hire a corps of senior specialists sufficient to serve committees in high need areas. Congress should determine the number of senior specialists and the areas of coverage, and amend CRS's statute to: (1) remove anachronistic language specifying the areas of coverage; and (2) replace it with directive language instructing CRS to maintain a corps of senior specialists and to do so in direct consultation with its oversight committees.<sup>4</sup> Congress also should amend CRS's statute to more explicitly prioritize the agency's duty to serve committees --- especially through staff details.

## **2. In your opinion, what are the biggest challenges facing CRS generally?**

### **a. How do you recommend CRS address these challenges?**

The problems are many, but here I limit myself to two broad issues.

First, CRS's leadership lacks a vision for how the agency can be successful in the 21st century. As mentioned in my written statement, CRS's operating context has changed rapidly in the past

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<sup>2</sup> 2 U.S.C. 166, [https://uscode.house.gov/view.xhtml?req=\(title:2%20section:166%20edition:prelim\)](https://uscode.house.gov/view.xhtml?req=(title:2%20section:166%20edition:prelim)).

<sup>3</sup> During this era, Congress also expanded the Government Accountability Office's authority, and established a Congressional Budget Office and Office of Technology Assessment.

<sup>4</sup> 2 U.S.C. 166(e).

20 years and faces competition in the provision of information and analyses. The agency needs to better focus its work by leaning into its core competencies: nonpartisanship; long institutional memory; deep expertise; rapid response; customized responses; and the capacity to create ad hoc teams to respond to cross-cutting issues. CRS, as I mentioned in my testimony, is a publishing and consulting firm with one client--Congress. It must arrange its operations to focus on determining the wants of the Hill and satisfying them authoritatively and rapidly.

Second, CRS must decrease employee turnover, which is eroding its institutional memory and expertise. Staff mostly are departing due to poor leadership and mismanagement. Fixing this situation will require replacing the agency's leadership and some of the agency's other managers. Staunching the staff bleeding also necessitates fixing the agency's problems in technology procurement and operations, which beleaguer CRS staff and hamper their ability to serve Congress. This can be achieved by hiring a CRS deputy director or other official with deep expertise in federal government IT.

### **3. What are the biggest impediments to CRS's efforts to modernize?**

The biggest impediment is the current leadership. It has no vision for CRS in the 21st century, and it has little understanding of Congress, think-tankery, etc.

CRS needs a new leader with a vision for the agency who will realign the agency's internal structures and processes to achieve that vision.

### **4. How can CRS more effectively and efficiently serve Congress, its members, and staff?**

There are numerous ways to improve customer service, which include:

1. Improving the readability of CRS products by hiring professional editors.
2. Increasing the speed of the production of new products by retooling the product review process to reduce duplication of effort and ensure value-addition at each stage.
3. Upgrading the CRS website to improve its search results and to offer new products. (See 4.)
4. Expanding CRS products that meet the evolving needs of legislators and staff (data visualizations, instructional/informative podcasts, AMA live chats, etc.).
5. Improving the timely production of new CRS products by requiring CRS managers to conduct continuous analyses of congressional request data and media stories (much as the managers editors of news organizations do).
6. Retooling the hiring process to expedite hiring.

7. Adjusting the hiring process to encourage the hiring of staff with customer service skills.
8. Improving the quality of CRS educational programs by expanding the training of staff in presentation skills.
9. Working with its oversight committee to reimagine the new member sessions.
10. Having agency leadership regularly visit legislators and staff to assess their needs and to offer detailees.

## **5. How does an inefficient and ineffective CRS impact Congress?**

CRS staff support Congress by providing committee, legislators, and Hill staff: (1) data, information, and analysis; (2) trainings related to legislative duties;<sup>5</sup> and (3) advice and direct assistance at every stage of the policy enactment and oversight process.<sup>6</sup>

Congress' demands a great deal of assistance from CRS. As I noted in my testimony, In FY2021,<sup>7</sup> CRS staff provided to Hill staff and legislators 265 in-person briefings, 2,729 confidential memoranda, 24,044 telephone responses, and 34,844 email responses. The agency also wrote 1,073 reports and general distribution products for Congress and 13,348 bill summaries, which the Hill and all of America can find on Congress.gov.<sup>8</sup>

CRS is the sole nonpartisan entity that provides these services. Hence, CRS's present operational inefficiencies and sub-optimality negatively affect Congress, as illustrated by these examples, which are drawn from my interviews with CRS staff:

1. Congressional requesters experience delays when CRS staff cannot provide a video briefing because their laptop's software is malfunctioning.
2. Congressional requesters have difficulty locating the information they need when the searches they perform on CRS.gov produce ill-focused results.
3. Congressional requesters seeking data analyses face delays due to CRS management's refusal to add data functionalities to CRS.gov and forbidding CRS staff from providing data analyses worksheets and workbooks.<sup>9</sup>
4. Congressional committees are deprived of much needed help when CRS leadership discourages CRS experts from serving details to committees.

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<sup>5</sup> E.g., CRS staff teach training programs on how legislators can move bills through each chamber of Congress.

<sup>6</sup> E.g., CRS analysts and specialists advise legislators on possible policies to address public problems, and they advise committees on how to scope the subject of an oversight hearing.

<sup>7</sup> Why CRS's FY2022 is not yet posted online is unclear.

<sup>8</sup> Congressional Research Service, Annual Report, FY2021, pp. 8-11, [https://www.loc.gov/crsinfo/about/CRS\\_AnnualReportFY2021\\_Final.pdf](https://www.loc.gov/crsinfo/about/CRS_AnnualReportFY2021_Final.pdf).

<sup>9</sup> Management requires CRS staff to embed data sheets within memoranda and reports.

5. Congressional staff learn less than they should when CRS seminars present information in tired, rote formats presented by staff with weak presentation skills.
6. Delays in the production of bill summaries or CRS publications on high salient issues impose costs on Congress. Legislators and staff are left in the dark, and in some instances will find themselves swamped by the questions, accusations, and denunciations of confused media, interest group, and constituents.

With budgetary resources limited, it is all the more imperative for CRS leadership to scrub the inefficiencies from its operations.

I thank the subcommittee for the opportunity to respond to its questions for the record.