Chairman Kilmer, Vice-Chairman Timmons, and Members of the Select Committee: thank you for the opportunity to testify before the committee. My name is Kris Miler and I’m an associate professor of Government and Politics at the University of Maryland. In this role, I teach and study Congress, often with particular attention to constituency representation, congressional capacity, and the challenges of how members manage the many competing demands for their attention and efforts.

Today I would like to talk about the culture and norms in Congress, especially the organizational climate for cooperation and conflict both within parties and across parties. Although I am a political scientist, I believe there are many important aspects of Congress that benefit from an interdisciplinary approach, and congressional culture is one such topic. Towards this goal, I will offer a perspective that builds on political science and organizational psychology in order to better understand Congress as a unique workplace with institutional cultures and norms that are critical to the success of the important work that is conducted here. Organizations operate not only according to the strategies pursued by their leaders, but also according to the ingrained institutional norms, expectations, and patterns of behavior as understood by rank-and-file members. Therefore, I will focus on these organizational climates, or the “shared perceptions among employees concerning the procedures, practices and kinds of behaviors that get rewarded and supported” within an organization.

As has been cataloged by numerous scholars and journalists, there has been an erosion of civility and cooperation in Congress. To many, Congress seems less able to work together, more combative in tone, and more defined by partisanship. Yet the work of Congress still requires dialogue and negotiation between members in order to find policies that benefit the American people. The question, then, is how to foster and incentivize the types of behavior that will help Congress to fulfill its legislative and representative roles? This is not entirely dissimilar from the

1 This testimony draws on research that I conducted with Dr. Paul Hanges (Department of Psychology, University of Maryland), Dr. Frances Lee (Department of Politics, Princeton University) and Dr. Jennifer Wessel (Department of Psychology, University of Maryland) and our “Report on the Organizational Climates of Congress” (2020), which was conducted with funding from the Democracy Fund and the Hewlett Foundation’s Madison Initiative. The views expressed are my own, however, and do not necessarily reflect those of my coauthors, funders, or the University of Maryland.

challenge other organizations face in determining how to motivate their employees to act in keeping with the values of the company and work towards the organization’s goals.

I first will discuss what we know about climates for cooperation and conflict in workplaces generally, and the current climates of Congress within and across parties. I doing so, I will draw heavily on research I conducted with my colleagues, Dr. Paul Hanges (Department of Psychology, University of Maryland), Dr. Frances Lee (Department of Politics, Princeton University) and Dr. Jennifer Wessel (Department of Psychology, University of Maryland), where we interviewed sixty current and former members of Congress and staff from both parties to understand the organizational climate of Congress. Overall, there are not notable differences between the Democratic and Republican parties in terms of the climates for intraparty dissent. However, there are clearly different approaches to conflict and cooperation within parties than in Congress as a whole. The party subclimates in Congress allow for dissent to be expressed privately and are oriented toward building consensus. By contrast, Congress as a whole is much less collaborative. The prevalent congressional climate permits – but does not actively encourage – collaboration for smaller, non-controversial issues, and adopts a “winner-takes-all” mentality for more prominent issues.

Second, I will focus on three levels – member, committee, and leadership – and how the climates in Congress reflect the rewards and incentives perceived by members. Within organizations, people come to understand the reward structures through their own experiences and they observe the organization’s policies, practices and procedures to understand which behaviors are rewarded and expected. At each of these levels, then, it is important to understand what the current climate for cooperation and conflict is before discussing possible strategies for promoting a more collaborative conflict culture in Congress.

Workplace Climate

I begin with the simple observation that Congress is a workplace. It is, admittedly, a most unusual workplace, but in our attention to the unique features of the institution and the singularly important tasks it performs, it is easy to think of Congress as a unicorn where lessons can only be drawn from the institution’s own past. Today, I want to highlight the ways in which studies of workplaces (and organizational psychology more generally) can shed new light on how we think about Congress.

My testimony draws upon research conducted together with colleagues in political science and organizational psychology, where we spoke with sixty members and staff to gain a better understanding of the unique nature of Congress, as well as how the institution fits into broader typologies of organizations. One key feature mentioned as making Congress a unique workplace is that it is an extremely open system that is strongly influenced by environmental forces outside of the institution itself, including constituents, media, and other political forces. Congress also differs from other organizations on account of the unique mission and purpose of the institution.

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Congressional service is more than a job, and is widely seen as a calling with deeper personal meaning. Similarly, the work itself is seen as significant in its ability to influence public policy and affect constituents’ lives through constituency service. As one former member noted, working in Congress is distinguished by “the gratification that a true public servant gets accomplishing something for the good of the people to move the country forward.”

Other distinguishing features of Congress as a workplace are the high levels of autonomy\(^5\), and ambiguity\(^6\). Organizations with a high degree of autonomy give the position holder a great deal of discretion over how the work is carried out.\(^7\) In such organizations, outcomes are highly dependent on individuals’ own self-directed behaviors, rather than a supervising entity. Autonomous jobs and workplaces allow for substantial amounts of “job crafting,” in which employees are able to change what the job means to them in terms of both the tasks they undertake and with whom they chose to work.\(^8\) Consistent with these characteristics, members describe a work environment in which “there’s no right way and there’s no wrong way... there are an infinite number of possibilities to an infinite number of problems” and there are “so many different agendas” for any given member.

Congress as a workplace is also characterized by the importance of developing strong, positive relationships. This is due, at least in part, to the lack of clear structure and hierarchy in Congress as compared to more traditional workplaces in which one’s position and promotion are determined within the organization, and the chain of command and authority is clear to all. In contrast, Congress is described as “nobody works for anybody,” which means “you cannot be demoted,” but also means that “you cannot accomplish anything on your own,” “the process is based upon trying to build consensus.” Consequently, relationships are seen as key to the job of serving in Congress to an extent unlike other workplaces. Specifically, members and staff perceive the importance of developing relationships with a large number of colleagues over a long period of time. As one member said, “the stamina required and the persistence required, and the openness to relationships with a wide variety of personalities and competing interest are just unlike anything that I experienced” in other workplaces.

Nevertheless, many elements of Congress as a workplace have parallels in other organizations. Organizational climate scholars begin from the recognition that an organization’s formal rules and policies can differ from actual practices and internal perceptions. Along these lines, climate scholars often talk about organizational climates “for” particular activities. Here, we are interested in the congressional climate for cooperation and the climate for conflict. Put differently, to what extent do members and staff inside of Congress perceive that cooperation is valued, and how do they see conflict being handled and expressed?\(^9\)

\(^7\) Hackman and Oldham, 1976.
Organizational climates focused on conflict do not deny or attempt to reduce the conflict, but rather to manage it successfully. Two prevalent types of climates for congress are a “collaborative conflict culture” where individuals within the workplace are encouraged to use dialogue, negotiation and joint problem-solving, and a “dominating conflict culture” where conflict is promoted and the merits of winning are publicly emphasized.\(^\text{10}\) In a collaborative conflict culture, members of the organization are “empowered to actively manage conflicts” but “cooperative behavior and solving conflicts to serve the interests of the group is rewarded.”\(^\text{11}\) In contrast, a dominating conflict culture is marked by disagreeable, aggressive confrontation that is common, public and rewarded.

In the case of Congress, there is evidence of both cultures co-existing. When looking at the climate within parties, there is an expectation that members will express differences, there are established norms of how this is done, and a shared commitment to “get to yes.” However, when looking at the climate across the two parties, there is widespread perception within Congress that cooperation across the aisle is not valued, and in fact, on prominent legislation, it is strongly discouraged. In the following sections, I will detail the evidence of both collaborative and dominating conflict cultures as well as consider possible strategies for promoting a more collaborative climate in Congress.

**Member-level**

Personal relationships can contribute to a more cooperative climate in Congress by building norms that can serve as a foundation for legislative work to be done in a more collaborative way. As one member told my coauthors and I, “I don’t think there’s any substitute for personal contact and relationships.... If you get to know somebody and not just what they believe politically, but to know something about them personally...then you’re more likely to listen and not to dismiss whatever they’re saying off the top of your head.”

An emphasis on personal relationships is an important foundation for building a more cooperative climate in Congress, but it does not require any one specific reform, such as calls for members to bring their families back to Washington. As your witnesses spoke about at last week’s hearing, there are numerous reasons why nostalgia and efforts to make Congress more like it used to be are neither realistic nor necessarily desirable. But the underlying logic is sound — seeing other members as people, not a party label, is fundamental to dialogue and creating a civil and productive workplace.

The reasons to encourage personal relationships among members of Congress and staff members are numerous. Personal relationships help to humanize members of the other party and build trust, which is critical for collaborative work. Psychologists ground this dynamic in the intergroup contact theory, which argues that contact helps to reduce prejudice by seeing

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\(^{11}\) Gelfand, Leslie, and Keller 2008.
members of the other group as individuals.\textsuperscript{12} Notably, more personal contact allows us to better understand the perspective of others, which we would expect to promote a more collaborative conflict climate where differences can be voiced and heard civilly. Personal relationships can reveal common experiences and interests between legislators that can generate policy conversations and lead to collaborative proposals. In our research, members frequently described a shared experience that brought them together with a colleague, and that trust was built in that relationship. For example, one member noted that “we knew each other, and that military service was another very important shared experience.... We trusted each other and that gave you a starting place.”

Additionally, intergroup contact has been found to be more impactful when it is coupled with the creation of a superordinate categorization, or a common group identity. In the case of Congress, this could occur though a common identity as members of Congress, or as subset of members such as freshmen legislators, or as women in Congress, that is emphasized rather than partisanship. It is important to note, however, that intergroup contact theory is not a panacea, and scholars have shown that under some conditions, intergroup contact can heighten the prevalent “us vs. them” dynamics.

When thinking about the climate within each party, a member’s influence is seen as tied to their success in building relationships with colleagues and developing a reputation as knowledgeable, trustworthy, and a “team player.”\textsuperscript{13} Given the complexity of issues before Congress, members with expertise in policy or procedure and who are available to be consulted by their colleagues, are seen as making positive contributions to the workplace, as well as gaining influence in the process. Another key element of relationships is trust; and specifically, that conversations intended to be private are kept private. In fact, in order to create a cooperative workplace where members can disagree, brainstorm, and negotiate, it is essential that those conversations remain private. We sometimes think of this in terms of creating private spaces away from the cameras where members can have candid conversations, but another requirement for a real back-and-forth between members is trust. As one member succinctly said, “If people don’t trust you, they won’t work with you.”

The notion of being a “team player” came up repeatedly in talking about the culture within the party. At first glance, this underscores the notion of parties as teams, whereby partisanship is critical to members’ identity and the electoral competition to control the chamber is analogous to two sports teams fighting on the field.\textsuperscript{14} But a closer look reveals a more nuanced set of norms and expectations about what it means to be a team player, which reveals the value placed on disagreement and negotiation within parties. Members who are inflexible in their opinions and

\textsuperscript{12} Gordon W. Allport, \textit{The Nature of Prejudice}, (New York: Addison-Wesley, 1954). For a meta review of research on intergroup contact theory, see Thomas F. Pettigrew and Linda R. Tropp, “A meta-analytic test of intergroup contact theory,” \textit{Journal of Personality and Social Psychology}, 90(5, 2006), 751-783. It is important to note that intergroup contact theory is not a panacea and scholars have shown that under some conditions, intergroup contact can heighten the prevalent “us vs. them” dynamics.

\textsuperscript{13} Influence is also heightened by conventional congressional explanations such as seniority, experience in leadership positions, and fundraising skills.

unwilling to compromise are not seen as team players, nor as contributing to a collaborative conflict culture within the party. “Mavericks within the party, as you might expect, have a very difficult time of it because the legislature itself is an animal that really operates best when the whole herd is moving in the same direction.” Equally notable but less expected is that members who never disagree with their party, or who compromise too quickly are not seen more favorably than contrarian members. Rather, there is an expectation that within party conflict should be expressed strategically, and that members should be well-informed when they disagree and have clear objectives. Overall, the climate within parties has developed strong norms and expectations around how conflict is to be expressed, and the skill of consensus-building is valued within the party.

In contrast, the expectations and incentives that members face when working with members of the other party generally do not promote cooperation and consensus-building, but instead place value on winning conflicts. This is particularly true on high visibility issues that are important to the party brand or that party leaders anticipate being electorally salient. In these situations, personal relationships between members of different parties are unlikely to be enough to bridge the political differences. Here, dominating conflict culture prevails as members understand that their role is to disagree strongly and openly with the other party, and that confrontation whether through media appearances, social media, or fiery rhetoric on the House floor are all rewarded. As one member said, “It’s not about getting along. It’s not about trying to resolve disputes for the other party. It’s about beating the other party.”

The overall climate of Congress, however, also has a second side that falls somewhere between collaborative and dominating conflict cultures. Although Congress is highly polarized today, there also is a lot of legislation that passes Congress in a bipartisan fashion using expedited procedures like suspension of the rules. In a recent statement accompanying their bipartisanship index, the Lugar Center noted that, “individual members of Congress worked on legislation with their opposing party counterparts with surprising frequency.... usually below the radar of the national news cycle.” When members work across the aisle, then, where does that cross-party cooperation begin? It most frequently is rooted in personal relationships, shared policy interests, and committee membership.

Recommendations made by this committee and others have already taken important steps in promoting personal relationships among members, including through bipartisan retreats. Congress can ensure that existing events for members and staff ranging from congressional delegation travel (CODELS) to orientation and training sessions are designed as bipartisan events. Additionally, deliberate efforts to bring together groups of legislators defined by features other than partisanship (e.g., cohort, state delegation) can also be a valuable tool for building personal relationships and heightening legislators’ networks beyond party.

16 The Lugar Center, “House Democrats Outscore their Republican Counterparts, while Republicans Prevail in the Senate; Overall Cooperation Between Rank and File Members Remains above Historical Average Despite Extreme Partisanship on National Issues.” May 3, 2021.
Having discussed personal relationships, let me focus for a moment on shared policy interests. Shared district or regional interests serve as the foundation for a lot of the bipartisan outreach between members of Congress. They are an important pathway to collaboration in the legislative process, and so I want to call attention to the existing framework of congressional member organizations (CMOs), or caucuses, as a potential venue for promoting a more cooperative climate in Congress across the aisle.

My own research as well as that of other scholars has shown that there are more than 400 CMOs in the House, and the overwhelming majority are focused on an issue. Additionally, an increasing number of caucuses are defined by their moderate approach and highlight their deliberately bipartisan nature. These working groups serve as a tool for identifying whom to work with from the other party. Legislators described these caucuses as “institutions that historically encouraged working across the aisle” and explained that “just through that mechanism of regular meetings, you pick up opportunities for bipartisan cosponsorship on legislation.” Notably, “they are places [where] you’ve got staff, but there’s no press, they’re not recorded, there’s no spotlight – members can just talk.” Since members generally join caucuses that reflect the interests of their district, or their own personal interest in an issue, they are a promising setting for building relationships, generating bipartisan ideas, and fostering cooperative conflict climate on a smaller scale than the full chamber.

**Committee-level**

Committees can provide an important path to a more cooperative conflict culture, especially their role in facilitating working across the aisle and promoting bipartisan collaboration. One way that committees play this role for the chamber at large is that legislators who are not on the committee of jurisdiction may seek out partners from across the aisle who were on the committee, thus giving their proposals greater credibility. More common, however, is that the starting place for developing relationships across the aisle and collaborating on legislation is with committee colleagues. As one member noted, “Where you would go typically to build that bipartisan collaboration is to other people in the committee who know these issues. … You know these people, you’ve worked on these issues with these people and you can figure out how to do that.” Indeed, committees bring together two important factors discussed above – personal relationships and shared interests – so it is logical that they would plan an important role in establishing norms of behavior, especially across the aisle.

Committees, however, vary in the degree to which they foster cooperation among members of opposing parties. One important source of this variation according to our research are committee leaders, who are perceived as setting the tone for bipartisan cooperation among committee members. Committees where the chair and ranking minority member had a cooperative relationship themselves were seen as creating an expectation for individual members to resolve

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conflicts cooperatively. This was heard both from the rank and file, as well as from legislators who were committee leaders themselves: “When I was the chairman of the subcommittee, the full committee, we were able to get a lot of things done because I really did try to work with everyone on both sides. … So I would tell my ranking member, we’re the majority so we set the agenda, but there are certain bills we’ll be working on and you have an interest in it – you were elected, you represent as many people as I do, and my feeling was, why would you cut the other party out?” “I sat down at the beginning of every session of Congress with my [ranking minority member] Republican colleague and we developed the agenda and then we work in a bipartisan fashion through that process. ... It was a bipartisan effort from the beginning to the end.”

As one might expect, members and staff who serve on committees where leaders model collaborative behavior are more likely to perceive that such collaboration and civility across the aisle is valued. By contrast, committees where leaders themselves interact in a combative and aggressive way create a norm that confrontation is normal, and outcomes within the committee are zero-sum. In my current research, I find that these patterns are supported by early empirical evidence of just this type of variation - some committees are more bipartisan in their composition and leadership than others.

I hope that this committee will continue to make recommendations that promote a collaborative conflict culture within committees. As your committee has noted, experimenting with new formats and incentives is often easier done at the committee level, and the possibilities for innovations are many. One such experiment might focus on committee leaders by instituting a leadership training session for each pair of committee leaders at the start of the new congress to promote collaborative climates from the top. Additionally, committee leaders may seek to incentivize collaborative behavior among committee members more formally by considering the extent of cooperative behavior when determining subcommittee positions, scheduling of hearings, or other committee decisions.

**Leadership-level**

Against the backdrop of the centralization of power in Congress and the important role of party leaders in creating incentives and rewards for members, it is important to discuss the role of party leaders in determining the climates of Congress. When it comes to cooperation and conflict resolution, party leaders can be thought of as both part of the problem and part of the solution.

When looking at the climate for conflict within party dynamics in Congress, party leaders are skilled at building cooperative conflict cultures. They are active managers of conflict, they seek input from rank and file members, they accommodate members when possible, and they use pressure tactics sparingly. Members of Congress generally feel free to speak up when the disagree with their party leaders, “Members feel that they are able to let leaders know what they can and can’t do, and that’s just how it falls out.” Caucus meetings provide a formal outlet for venting concerns with party colleagues and leaders, and are seen as a safe setting for airing out the proverbial dirty laundry. In order to successfully resolve conflicts, conversations are expected to happen in private – whether beyond caucus doors or directly between members.
Although members affirm their freedom to voice disagreement, the members and staff we interviewed also made it clear that there are clear norms that govern the way that parties manage internal conflict. First, members should not surprise their leaders, and advance notice is expected if a member is going to oppose leadership. This norm is reinforced by leaders both allowing leeway to members who adhere to it, and sanctioning members who violate it.

A second norm is that members should not go public with their criticisms of their leaders. This does not always happen, but it remains an important expectation within the party and there is widespread understanding that the place to criticize is within caucus meetings, not on cable TV. “Disagreement is inevitable, but leaders prefer not to have those conversations in public and rather ‘keep it in the family.’” One member summarized their understanding of this norm as “praise publicly, challenge people privately.”

The third prevalent norm is that members who oppose their party leaders are expected to explain their objections and seek resolution of their issues if possible. This last point is notable as it calls attention to the expectation within parties that conflict is not just for conflict’s sake, but rather an expression of genuine disagreement rooted in policy or constituency considerations. This is a hallmark of collaborative conflict culture as applied to Congress because it distinguishes that conflict is part of the legislative and representative process, but conflict is not valued in itself.

The story, however, is quite different when we move to the role of party leaders in the overall climate of Congress. Here, party leaders’ role in addressing cooperation and conflict depends on the issue and especially the electoral context. On high salience issues, party leaders create a climate in which conflict is accentuated and rewarded, but they do not actively discourage bipartisan cooperation on minor or localized issues, where members have some discretion to work across the aisle.

Leaders contribute to a dominating conflict climate in the chamber overall because the conflicts here are between the parties, and on prominent issues, they create winners and losers in terms of policy outcomes and electoral consequences. Due to the increasing uncertainty about which party will hold the majority, leaders of both parties – and their members – are concerned about the electoral consequences of major legislative debates and want to avoid helping the other party, especially vulnerable members of the other party.19 As a result, party leaders adopt an “us vs. them” framework and the culture rewards conflict.

When party leaders do allow their members to work across the aisle, most of the time this takes the form of looking the other way rather than active encouragement of such cooperation. Illustrative of this point, many legislators and staff told us that party leaders “do not discourage” working across the aisle, while only a few said explicitly that it was “encouraged.”

What accounts for why leaders would allow for such cooperation? First, when the issue is relatively small and not on the party’s agenda, leaders are much less likely to sanction working across the aisle. One illustrative quote from a legislator notes: “I don’t think they really care. … It never rises to the point of being part of the leadership agenda. … They just let this go unless it presents a problem for a larger issue.” Additionally, on issues that are uniquely important to a

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19 See Lee 2018.
legislator’s district, party leaders generally defer to the member’s electoral needs. In this way, leaders understand that members need to do what it takes to win reelection, and indeed, this is also in the party leaders’ interest. “They didn’t typically discourage me from working with someone [in the other party] because ... they knew it was good politics for me.”

Conclusion

I have focused on how treating Congress as a workplace can help us to better understand how collaboration and conflict currently are handled in the House, and how to create a cooperative conflict climate where working together is constructive rather than combative. Cooperative climates are marked by the ability to express positions and disagree with colleagues and leadership. Thus, an important implication of efforts to improve the climate of Congress is likely to be a more participatory process where more legislators are more engaged with one another. This would significantly improve both legislative deliberation and congressional representation. Scholars have noted that participation in Congress is far from universal, with some legislators engaging in the daily work of legislating and others doing less of this.²⁰ Yet there are myriad issues before Congress that need a policy solution. One consequence of this overload is that there can be a shortage of new ideas, and debates often fall back on ideas familiar from previous iterations of policy debates.²¹ A more cooperative congressional climate, in tandem with an increasingly diverse Congress has the potential to bring new ideas and partnerships to existing policy debates by establishing norms and practices that value and reward engagement in the legislative process, rather than partisan warfare. In this way, the hard work being done by this committee and others in Congress to cultivate a more collaborative workplace culture could indirectly generate “outside the box” ideas, and meaningful new proposals to address the policy challenges we face.

²⁰ Richard L. Hall, Participation in Congress (New Haven, CT, Yale University Press, 1996).
²¹ For instance, see Frank Baumgartner and Bryan Jones, The Politics of Inattention (Chicago, University of Chicago Press, 2015), and Bryan Jones, Sean Theriault, and Michelle Whyman, The Great Broadening (Chicago, University of Chicago Press, 2019).