

## TO BE EFFECTIVE LEGISLATORS, MEMBERS OF CONGRESS NEED EXPERT RESOURCES OF THEIR OWN

*by James M. Curry, University of Utah*

Members of Congress used to enjoy support from legislative service organizations, taxpayer funded offices that provided policy analyses on many topics to members of Congress on both sides of the aisle. But after sweeping victories in the 1994 elections, Republican Congressional leaders cut these offices in the name of eliminating “waste” on Capitol Hill – but my research suggests this was penny wise and pound foolish. Developments since 1994 highlight the growing disconnect between the complexities individual members of Congress are asked to understand and the resources they have to analyze policy alternatives. What is more, the expert resources Congress now commands are increasingly centralized in the offices of party leaders.

### Hard Pressed to Do More with Less

Public calls are on the rise for members of Congress to “read the bill” before they vote, but reading a bill is far from enough. Even when they take time to read bills, most rank-and-file lawmakers lack the technical and policy-relevant knowledge needed to understand the implications of legislative proposals. In the contemporary Congress, lawmakers have to turn to their party leaders for information – and lawmakers in formal leadership posts control an increasingly disproportionate share of House and Senate staff resources. As a predictable result, deliberations on many bills are not as well informed as they could be, mired in partisan talking points rather than in well-articulated diverse perspectives from legislators and their constituents.

Many Americans imagine that members of Congress do little work, but actually Representatives and Senators are putting in longer hours and considering more legislation. Between the 1940s and the 2000s, the hours Congress was in session increased by 60%, and recorded votes increased by 4.9 times in the House and 2.7 times in the Senate. The average length of new laws expanded from 2.5 to over 16 pages. Arguably, policy issues have also become more complex, as lawmakers now often deal with specialized problems such as those related to high finance, health care, telecommunications policy, and the increasingly high-tech world of military intelligence.

Yet as issues and laws become more challenging, expert resources available to members of Congress have not kept pace. The total number of people employed by or in service of Congress has actually declined since the 1970s – mostly through shrinkage in legislative service offices, the Library of Congress, and the Congressional Research Service, bodies that have helped members analyze issues and understand policy alternatives. What is more, the typical member of the House of Representatives now has one less staff member in D.C. than in the 1970s, while the number of people working in Senate offices has not increased since the late 1980s.

## One-Sided Information

The changes just detailed have not affected all members of Congress equally, because the numbers of people employed in House and Senate leadership offices has grown tremendously since the 1970s. By 2009, House leadership staffs were almost nine times larger than they were in 1979, and Senate leadership staffs were four times larger. Increased funds have allowed congressional leaders to hire more staffers with higher levels of expertise, making it possible for leadership offices to conduct their own research and policy analyses, and develop and refine policy ideas. Filling the informational void created by intra-Congressional reductions elsewhere, leaders have become important sources of the information and knowledge needed as their rank-and-file members form opinions on bills and decide whether to support or oppose new proposals.

But of course Democratic and Republican leaders in the House and Senate are *partisan* leaders aiming to advance *partisan* goals. When they disseminate information, leaders take various steps to frame the way rank-and-file legislators view and understand emerging issues, and of course they present analyses of legislation in ways that encourage ordinary House and Senate members to side with the choices favored by their own party's leadership. My research shows that leadership efforts to frame information and choices are usually successful – and encourage action in committees and on the floor of Congress to become increasingly partisan and contentious.

In short, the ongoing concentration of information resources helps Congressional leaders persuade other members to support and pass favored party agendas. But this development comes at a cost. Ideas outside of party orthodoxies garner less institutional support and gain less traction. Options that may once have been raised by a wider range of well-informed legislators appear less often as policy debates converge on clashing partisan proposals and talking points.

## Towards Better Informed, More Inclusive Policymaking

If we want Congress to engage in informed and representative deliberations and develop well-considered solutions to policy problems, information and expertise needs to be more readily available to all members. History shows that party leaders do not have a monopoly on wisdom.

To spread expertise in support of creative diversity, new versions of the legislative service offices abolished after 1994 should be reinstated and existing agencies like the Congressional Research Service and the General Accountability Office could be bolstered and expanded. Rank-and-file lawmakers also need more staff resources. Right now, the money appropriated for expert offices and staffs equals a fraction of one percent of the federal budget. More funds would allow Congress people to hire expert staffers and retain those who otherwise routinely depart for greener pastures. Steps can also be taken to develop stronger ties between Congress and nonpartisan experts in academia and elsewhere. The country's many universities foster a wealth of policy-relevant expertise that could be tapped to improve our public policymaking.

The dangers of a poorly equipped legislature are well known. Half a century ago, reformers spurred many U.S. state legislatures to professionalize and increase legislators' access to information and policy analyses. Meanwhile, unfortunately, the U.S. Congress has moved in the opposite direction. That needs to change, because ensuring that elected lawmakers are informed and knowledgeable is fundamental to effective democratic government in America.

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Read more in James M. Curry, *Legislation in the Dark: Information and Power in the House of Representatives* (University of Chicago Press, forthcoming).