



**Recommendation for
The Future of Congressional Modernization**

**Submitted to the Committee on House Administration Subcommittee on
Modernization and Innovation by the American Governance Institute**

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Prepared by Chris Nehls and Daniel Schuman

Daniel@americalabs.org

The Future of Congressional Modernization Proposed Recommendations

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Introduction

In July 2026, the Committee on House Administration's Subcommittee on Modernization and Innovation (M&I) [announced a request](#) for ideas for new initiatives it could pursue in the 120th Congress and beyond. The call came as the subcommittee was reaching the end of its initial responsibility of guiding implementation of the 202 bipartisan recommendations issued by the Select Committee on the Modernization of Congress, which operated during the 116th and 117th congresses. The subcommittee has closed the vast majority of recommendations within the committee's jurisdiction and sought ideas either not considered by the Modernization Committee or related to issues that have emerged only after its disbandment.

We at the American Governance Institute were heavily engaged with the Select Modernization Committee as part of a civil society coalition and have forged a working partnership with the M&I Subcommittee. The following 21 recommendations reflect our vision for a Congress that has the capacity, independence, resources, and organization to be the people's voice in governing. More specifically, they build on our interest in ensuring that:

- Members of Congress and their staff have the access to the information and policy knowledge needed to make informed decisions in the interests of constituents. This includes tapping into the data resources of the legislative branch to have the informational awareness and context to make those decisions independently.
- The congressional workplace sustains and cultivates highly-skilled and knowledgeable professionals who serve as critical resources to members of Congress in fulfilling their representational duties.
- Congress can leverage technology to keep the public informed of its actions and form productive streams of engagement on important issues.
- Members of Congress are able to be active, engaged, and self-motivated participants in the legislative and oversight processes.
- Congress remains the premier branch in our federal system and retains its constitutional authorities from encroachment by the other two branches.

These recommendations are a combination of practicable reform ideas the next Congress could implement straightforwardly and grander institutional changes that solve for specific long-term institutional challenges we have observed during our careers. They are a mix of proposals we've advocated for before in some form [in other forums](#) and fresh ideas we think are worth exploring further.

We appreciate the M&I Subcommittee and the entire Committee's interest in civil society input and for this opportunity to contribute to this exciting endeavor.

Strengthening Knowledge Resources

Establish the Office of the House Science & Technology Advisor

Description

Committees and member offices regularly confront fast-moving scientific and technical questions. While Congress used to have support on S&T issues, its defunding in 1995 deprived Congress of a nonpartisan, expert resource to describe the state of expert consensus or forecast how a given technology may require future congressional action. There is significant support within the House for re-establishing the OTA or an office with a similar purpose even as the structure that formerly existed would be challenging to restore.

This proposal creates the Office of the House Science & Technology Advisor, headed by the Chief Scientist of the House of Representatives, for the purpose of scoping out what a modern Science and Technology Advise function would look like inside the House of Representatives, modeled in part after the recommendations made by the National Academy of Public Administration and civil society organizations. Its purpose would be to provide nonpartisan assessments of emerging science and technology developments' impact on the public and the federal government, reports on the consensus or prevailing expert findings on scientific or technical topics, and forecasts of how future developments may require congressional action.

Implementation Strategy

Revival of OTA is one of the most consistently recommended reforms in the congressional modernization space. We recommend a modest start with the establishment of the Office of the House Science & Technology Advisor, headed by a Chief Scientist. The House should establish the advisor position and provide for a small number of support staff to scope out how it could provide services to the House.

Feasibility Statement

This office can be created by resolution and its initial funding would be around \$600k. Salaries for the Advisor position and support staff should be competitive with executive branch equivalents and reflective of executive positions within GAO. The position should report to CHA.

Create Staff Designees for Committees

Description

This proposal addresses support for members of Congress in the work they do on the committees on which they sit. Specifically, it borrows from the model of the Senate Intelligence Committee, where senators hire a staffer with the approval of the committee who is paid for by the committee, has access to committee records, and serves the senator's interests on the committee. Historically there have been staff designees in the House as well.

A permanent full-time staffer dedicated to policy support on the member's assigned committee would have an immediate positive impact on member offices ability to engage in committee work and also broaden the expertise that is available to committees. This staffer would expand policy knowledge support significantly inside member offices as legislative staff are often stretched to cover issues across committee assignments or share non-legislative duties. A designee also would strengthen members' abilities to participate fully in committee work, improving the overall impact of committees on the House legislative process. Such a cadre of staff over time would also help with building long term expertise.

Implementation Strategy

The clearest precedent for this structure comes from the intelligence oversight context: HPSCI members have previously been proposed to be allowed to designate one staffer — hired and paid out of the committee's own budget, sitting in committee offices, with security clearances — as their personal representative on the committee, mirroring a practice the Senate Intelligence Committee already follows.

This proposal generalizes that model to any committee where a member office identifies a genuine need, funded through a dedicated allocation (rather than the member's existing MRA, to avoid trading off against other office functions.) Member offices' participation would be optional, and members serving on multiple committees would specify which committee the designee would serve. Member offices would hire the designee directly, not the committee. This aligns the staffer's incentives with that of the member.

Although designees would have access to committee information and records, the committee would have the option of including them in committee functions. When requested by committee staff, they could advise on potential hearing witnesses, conduct research, help develop legislation, and so on. While the role would bolster committee capacity, its purpose is to improve member office capacity directly to committee subject matter.

Feasibility Statement

The change in the structure of House committees is a function under the purview of the House Administration Committee, which could set rules and procedures for the hiring of the staff and how they interact with committees. Moreover, the House Administration Committee allots funding to committees from a general appropriation, which could be used to cover costs for

these staff. Designees should be senior-level employees with knowledge and experience in subject matter covered by the committee's jurisdiction. If hired at the equivalent GS-14 level, with 441 designees, the program would cost approximately \$65-\$70 million in base salary.

The House could adopt the program as a multi-year pilot before authorizing it permanently.

Contextualize Policy Information for Staff

Description

To track public policy issues effectively, congressional staff must gather information from a myriad of sources quickly. The volume of information contained within bills, resolutions, floor speeches, committee votes, press releases, statements of administrative policy, relevant court decisions, and news articles spread across a dozen different federal websites and information services can be overwhelming. It is extraordinarily time consuming for staff to monitor all these sources. Subscription services that cater to lobbyists claim to provide centralized access to these information sources, but they are priced beyond the reach of congressional offices and are not a good fit for congressional needs.

In order to help congressional staff stay on top of issues in a fast-paced environment, Congress should provide customized newsletters for policy staff. The newsletters should aggregate the information on policy-issues of interest to a particular staffer, drawn and synthesized from primary sources, and wrapped in an AI layer for easy organization and readability. The goal of this proposal is to bend the knowledge curve for legislative staff, saving them considerable time in gathering the information they need to do their jobs and allowing them to drill-down on issues and focus on the policy and political aspects.

Implementation Strategy

Existing structured legislative data feeds from congressional, governmental, and other sources can be used to develop this product internally. This is a perfect project for the House Digital Service because it is iterative, is driven by user needs, is scalable, draws from existing data sources, and uses an AI wrapper to provide information in formats users prefer. Subscription topical newsletters, as well as the project SCOUT from the now-defunct Sunlight Foundation, could serve as a model.

Internally-developed options could be made available first to a pilot group of stakeholders, then on a broader basis, then to the entire Congress.

Alternatively, the House could contract with emerging vendors like Apogee, founded by a House technology contractor, that provide this type of capability at a fraction of the cost to legacy subscription services.

Feasibility Statement

Current technology makes this an eminently feasible product. Appropriate user research and iterative design would help address scope and format. An in-house solution developed by HDS should be of the scope of a typical Modernization Initiatives Account project. Alternatively, House-wide subscriptions with Apogee would run approximately \$150,000.

Establish Legislative Staff Details to the Executive Branch

Description

Executive branch fellows and detailees come to House offices in meaningful numbers, but there is no comparable, formalized and funded program sending House staff into executive branch agencies. Executive branch officials gain valuable insight into House politics and policies, but not the other way around.

This proposal recommends establishing a formal legislative-to-executive branch exchange program allowing personal office and committee staff to detail at federal agencies. This would support legislative expertise and understanding of executive branch operations. It would also support durable relationships across the branches.

Implementation Strategy

Implementation would start with CAO developing criteria for program participation for House staff. The exchange program could be modeled on similar cross-agency programs within the executive branch that typically last a period of six months to a year. Participating agencies and committees would sign memoranda of understanding setting employment and performance expectations, parameters for duties and assignments, and length of tenure. Participants would be paid by their current employers. As staff and funds are limited in House personal and committee offices, a dedicated fund would be established for personal and committee offices to retain temporary staff replacements for when current staff go on detail.

If detailees were participating from other parts of the United States, their employing office would pay travel and housing.

Feasibility Statement

The House CAO could negotiate agreements with agencies or Congress could legislate to establish this interchange. The most significant challenge would be coverage for staff who would be on detail and unable to serve in a personal or committee office. Additional funds to provide for temporary staff could ameliorate some of these concerns.

Bolstering Congressional Operations

Expand Members' Historical Perspective

Description

House Members and staff possess widely varying levels of understanding of how the chamber has historically operated and organized itself. Such knowledge shapes how members interpret precedent, procedure, and their own institutional role, but is difficult to accrue with the resources currently available within the House. For new members and staff, the challenge of gathering this knowledge is more daunting. New member orientation only touches on chamber history briefly.

CHA shall request that the Office of the House Historian revise its mission and reassign staff to support educating members, staff, and the public on the ways the House has operated and organized itself throughout its history. If necessary, CHA will recommend that the office expand its member-facing capacity to provide on-demand research and reference support. The office also will develop specific learning modules for foundational aspects of House history, including procedural, organizational, factional, and communications precedents.

The goal of this proposal is to widen the historical perspective of members so they have a better appreciation of the malleability of the House as an institution and how different organizational and rule-setting arrangements determined how power was within the chamber. This awareness helps members contextualize the current organization of the House and reveals potential pathways to reform.

Implementation Strategy

CHA should begin by requesting a report from the Office of the House Historian on the resources currently available to members and staff. Upon completion, CHA should request the office develop proposals for expanding on-demand services and module-based programming, to include material ready for new member orientation, with existing resources and with expanded resources.

Based on these reports, the Legislative Branch Appropriations Subcommittee could add report language and additional funding to the House appropriations bill securing the added capacity.

Feasibility Statement

The Office of the House Historian has a small staff, so additional resources may be needed to hire additional employees to execute this mandate. CHA has authority to direct policy changes.

Address Personnel Shortages and Pay Gaps for House Staff

Description

The House of Representatives does not currently have a sufficient number of personal office or committee staff to support Members in conducting their representational duties. The personal office staff cap has not been substantively updated since the 1970s. The number of permitted committee staff is not publicly known, but the number of committee staff has not changed significantly despite a much larger workload; staff serving in those roles are much less experienced than their predecessors.

We propose raising personal office and committee staff caps and overall funding levels, with a mechanism to index future funding to inflation.

We also propose shifting intern pay from being sourced from a fixed fund to being commensurate with the hourly rate of an entry-level position. Interns are increasingly being used as a substitute for lower-level staff, an unwelcome development driven by constraints on the MRA.

These measures will bolster congressional policymaking, oversight, and constituent service, helping to rebuild public trust in the institution. They also will contribute to reversing staff turnover that has reached historic levels.

Implementation Strategy

For personal office staff, the staff cap and pay levels should be addressed through the House Administration Committee (for the cap on the number of staff) and through the Appropriations process (for funding levels available to the committees).

For committee staff, the House Administration Committee should consult with committees on their staffing needs and move forward with proposals to address the staff cap. In addition, appropriators should significantly increase the appropriation for committees, which would then be allotted by the House Administration Committee.

In both instances, the House Administration Committee should direct the CAO co-create an inflation-indexing mechanism, which would then be applied annually by Appropriators to the MRA formula and committee funding. In addition to an inflation indexing mechanism, the House should mirror the Senate's approach and increase funding for personal offices based on increases in populations in those districts. Since the member office staff cap was last adjusted in the late 1970s, the average member office has had a 50% increase in the number of constituents they represent, but no increase in the number of staff to handle constituent and policy matters. In that time, the average population per House seat has increased from 519,235 to 761,169.

Feasibility Statement

Investment in staff capacity will be expensive. A House Inspector General review found that MRA funding would need to increase by an average of roughly \$42,000 per Member office — about \$333 million House-wide — just to achieve pay parity with comparable positions, a gap that compounds every year funding levels remain static. Nevertheless, Legislative Branch funding is four-tenths of one percent of annual discretionary spending in the federal budget, and significant increases are long overdue. The only way for the House to be capable of performing its duties is to have the staff necessary to support Members in the conduct of their representational responsibilities.

Monitor Congressional Human Capital

Compared to most major employers, Congress does a poor job in recording and maintaining data about its workforce. As a result, it often lacks the information that can identify workforce trends impacting various workplace concerns.

From the 1980s to 2010s, it conducted studies on staff pay and retention. At the recommendation of the Modernization Committee, the House undertook an effort to conduct these studies and publish that information, with responsibilities split among the new centralized HR operation, the CAO, and ODI. With the dissolution of the ODI, however, the practice of gathering and publishing data on human capital stopped as well.

Employee data is essential to understand the underlying health of the institution. Lacking official sources of data, it is difficult to track staff pay and retention issues and contextualize congressional salary issues with the executive branch or private sector employers. Within the institution, a lack of data can obscure hiring and other challenges, promotion and advancement concerns, and turnover data that often signal challenges in human resources management.

We propose the House direct the CAO to restart collecting and publishing anonymized employment data for all member, committee, and legislative support staff to include job title, pay, demographic self-identification, and tenure of employment. CAO also should gather data on fellows working in congressional offices, including the sources of salaries. This information should be published as structured data to allow for independent analysis.

Implementation Strategy

The House Administration Committee should direct CAO to gather staff demographic data at the time of hire and develop a public-facing data tracking system tied into payroll disbursements for all House staff that updates every pay cycle to track tenure, pay rates, and related information.

Feasibility Statement

The House has conducted these kinds of studies in the past. If such data collection were built into the normal operations of the House, gathering and publishing this information would be of minimal cost but great benefit.

Conduct House-wide User Experience Research

Description

Member offices, committees, and House legislative support offices all report the same kind of friction — significant staff time is lost because of inefficiencies in the workflow. Currently, we do not know how staff allocate their time among tasks or how long they take to complete. The conducting of time and labor studies is an effective technique to help identify inefficiencies through analyzing the data to improve workflows.

This proposal encourages the Committee on House Administration to sanction a series of studies of various personal, committee, and support staff to measure how time is allocated, where friction occurs, and what work produces the highest value. Process mapping can yield valuable insights into how to optimize House support operations and tools that could address points of friction for staff. The results of that study would be used by the House to allocate resources to improve efficiency and reduce cognitive load.

A systematic approach to discovery, conducted within the House by experts for the purpose of improving House operations, would provide a useful roadmap for the House's modernization efforts.

Implementation Strategy

The House Administration Committee in concert with House Appropriators would direct the CAO to commission a series of studies, issuing a Statement of Work to qualified research firms. The study should be scoped in two phases: a broad survey instrument sent House-wide to understand internal perceptions, followed by targeted discovery sessions (interviews, workflow shadowing) with a representative sample of member, committee, and support-office staff. Findings should be published in a form usable both by House leadership and committees, in prioritizing future modernization investments, and for public consumption by outside entities (including vendors), to facilitate designing products that actually address documented gaps rather than assumed ones.

The nonprofit OpenGov Foundation pioneered this type of research by hiring a UX researcher to study the process member offices used to manage voicemail through the entire workflow. It developed a technological solution based on this research that it deployed through Leidos' IQ.

Feasibility Statement

House-wide user experience research, to include legislative support offices, would require a substantial contract with an outside firm to execute. Starting with a subset of employees would make this more manageable.

Contracted firms should be prohibited from direct access to constituent data and recording personally-attributable information during the research process. Researchers also shall not have access to workplace practices involving classified or highly-sensitive information nor report on details of security practices or safeguards in offices.

Keep the House Operational During Emergencies

Description

The House has never adequately addressed how it would function if a mass-casualty event killed or incapacitated a large share of its membership before special elections could be held. It also lacks a clear, tested mechanism for when a sufficient number of Members to form a quorum cannot physically reach the Capitol.

These deficiencies have been examined by legislative branch offices. A House Administration Committee hearing on mass-casualty scenarios found that CRS's own government-structure expert could not identify any official procedure for declaring Members "missing or incapacitated." GAO testimony flagged that most states could not administer snap special elections fast enough to fill vacancies on any reasonable timeline.

This proposal recommends a stopgap measure to allow the House to continue when members cannot convene in person, and directs the House to establish a method for rapidly replacing sitting Members after a mass-casualty event.

There is a specific legal reason this cannot wait for an actual emergency to design: former House Parliamentarian Thomas Wickham has warned that courts may only accept emergency House rule changes that were adopted before a disaster occurs — including any pre-set successor or quorum mechanism — meaning a replacement procedure improvised after a mass-casualty event could well be found legally unenforceable when it is needed most.

Implementation Strategy

The House has already built significant groundwork this proposal can build directly on: the House Administration Committee-commissioned staff report on the feasibility of remote voting, the temporary remote-committee and proxy-voting authority under H.Res. 965 in the 116th Congress. We are not a fan of proxy voting as it was implemented because of its implementation challenges; legislatures around the world have demonstrated that full remote deliberation is feasible, and such an approach preserves all the rights of individual members.

The House Administration Committee should prepare a set of suggested changes to House rules that address initiating, conducting, and concluding remote sessions in the case of an emergency

Proposed solutions to replacing members of Congress swiftly after a mass casualty event also exist. The House Select Committee on the Modernization of Congress held a hearing on the topic, and its co-chair Derek Kilmer introduced a constitutional amendment based on findings of this hearing in 2024. The House should advance a Constitutional amendment that addresses the rapid replacement of Members of Congress on a temporary basis until elections can be held.

Feasibility Statement

The two parts of this proposal have different degrees of feasibility. Some work on remote proceedings is complete, but needs authorization by House rules. Specifically, the House developed remote committee hearing capacity in 2021. For chamber remote deliberation and member remote participation, a number of countries have developed secure systems that allow alternatives to in-person voting. These could be adapted to the congressional context with minimal investment.

Changing the process for replacing members of Congress en masse in the event of a catastrophic event via constitutional amendment would be challenging given the high bar for ratification and the lack of attention on the issue politically. Nevertheless, it should be undertaken.

Address House Building Construction and Renovation

Description

Renovating and modernizing the House's aging office buildings is a long-deferred capital need. Doing so requires displacing the Members and staff. With no permanent swing space available, each renovation project effectively competes with every other House priority for scarce short-term relocation options, and this approach greatly increases both costs for the renovations and the time to completion.

The House Administration Committee should direct the Architect of the Capitol to develop a plan for building a permanent new office building to serve as permanent swing space for the ongoing renovation of House and Senate office buildings as part of a broader capital improvement project. This building will mitigate the complexity of relocating staff piecemeal during renovations and help ensure the safety of all those visiting the Capitol campus during construction. It also will provide much needed permanent office space once the cycle of renovations is complete.

If we assume that one major congressional building will need major renovation every decade, which is a more than reasonable assumption, we have decades of disruptions ahead of us. A permanent swing space will make it possible to stay on track, expedite the renovations, and mitigate their costs.

Implementation Strategy

The House Administration Committee should coordinate this plan with the Architect of the Capitol's existing long-range facilities planning, tying it into its pending campus master plan. A standalone swing-space building only makes sense as part of a sequenced, multi-decade renovation schedule rather than a one-off project. The AOC has evaluated and selected a swing space site as part of the Rayburn Building Renewal project, but requires funding authorization from appropriators to begin planning, and it will be a challenge for those working in the space and a cost sink.

Because this project affects the Senate as well, early coordination with the Senate Rules and Administration Committee is essential, as well as with appropriators in both chambers.

Feasibility Statement

The Architect of the Capitol's budget request for FY 2027 and subsequent testimony to House and Senate Appropriations subcommittees and the Committee on House Administration make clear the substantial costs involved with this project. Austin made clear, however, that deferred maintenance for congressional offices buildings over decades has contributed significantly to high budget estimates for near-term work. Congress cannot continue to repeat the pattern of deferring capital spending on its buildings. Work must begin now; we should build a new building to expedite that work, minimize disruptions, and save money.

Improve Congressional Child Care

The availability of child care for members and staff has major ramifications for staff retention and career advancement. The current shortages undermine the desirability of Congress as a workplace and contribute to staff turnover.

The House should commit to further developing child care resources adequate to meet staff demand, including within legislative support offices. The House should explore leasing or purchasing additional facility space, should budget for hiring sufficient day care staff to eliminate backlogs, and should consider providing subsidies until additional space is available.

Implementation Strategy

CAO should survey staff and examine the current enrollment waiting list to understand the demand signal from House staff. It also should project any future need through the expansion of House staff. It should report these findings to CHA and the House Appropriations Committee.

The Architect of the Capitol should explore leasing or purchasing options to expand child care center capacity and report to House Appropriations on projected costs. CAO should provide the committee projected costs of hiring sufficient staff. Appropriate subsidies for stop-gap support should also be considered. With this information, the Legislative Branch Appropriations Subcommittee can allocate the appropriate funds.

Feasibility Statement

Solving the congressional day care crisis will require significant financial resources, but is not an uncommon problem for American employers. Given the pressures on the care market within the DC area, hiring enough qualified staff may prove challenging.

Improving Public Engagement

Establish a Legislative Branch Data Coordination Officer

Description

The Congressional Data Task Force, created almost fifteen years ago, has been instrumental in transforming the legislative branch data environment. Established to answer the question of whether bill summary, status, and text information should be made available to the public as data, through quarterly meetings and behind-the-scenes collaboration, the CDTF grew to facilitate data publication and tool development across the legislative branch and beyond. This, in turn, has improved the work environment for congressional staff by automating manual processes, improving the context available for decision-makers, and aligning technology with the needs of users.

As the work of the group continues, its participants increasingly enter conversations about the future of legislative branch data management and the development of ambitious new tools built upon that data. Although these conversations remain collaborative, they lack a center. No office or officer is tasked with facilitating the development of branch-wide or chamber-wide strategy. Moreover, no staff has as their primary duty the support of the current workstream, which creates bottlenecks and slow-downs. If anything, managing legislative data as a strategic resource and building tools to support Congress's functions should be accelerated because they provide an outsized return on investment.

In order to sustain the progress in making the information the legislative branch produces maximally available and accessible, someone needs the responsibility of facilitating these conversations and acting as a catalyst to data improvement and technology development across silos. This must be their primary responsibility so that it is prioritized.

We propose the creation of a Data Coordination Officer in each chamber. These two officers will serve as coordinator of the Congressional Data Task Force and point of contact for congressional stakeholders and civil society on legislative branch data accessibility. The officer also will work with CDTF, congressional stakeholders, and the public to develop strategies for ensuring the continued evolution of legislative data accessibility and tool development. We recommend the House move first and create this position.

The benefit of this office will be in accelerating the development of the legislative data infrastructure that can support a new range of technologies. The Subcommittee on Modernization & Innovation provided a preview of these developments in its hearing on the future of legislative data, in which CDTF coordinator Kirsten Gullickson, who wears many hats, explained the limitation on progress is not from a lack of ideas but in insufficient resources, which the creation of this office would help provide.

The Data Coordinator would be charged with tracking datasets the legislative branch releases; advising, guiding, and encouraging offices on publishing information as data; supporting the execution of quarterly CDTF meetings, assisting the design of public-facing resources for finding and using legislative data; and convening internal stakeholders and outside experts as a

clearinghouse for technical questions and ideas. Ultimately, this position should pair with an equivalent role in the Senate.

Implementation Strategy

This position would be established through a House resolution, following the model of the House Whistleblower Ombuds. It also could be established through the Appropriations process, updating the report language that established the CDTF. Regardless, upon adoption by the chamber, the Committee on House Administration would develop a description of this position, in conjunction with internal stakeholders and civil society. It would publish the job description, and candidates would apply. House Admin would choose the inaugural person to fill the role, who would be expected to act on a non-partisan basis. That office would report to the House Admin Committee.

The Data Coordination Office would be complementary to existing legislative support offices and would not require changes to their authorities or management structures. It would require authority to support the work of the CDTF as described above, and would be empowered to convene stakeholders from across the legislative branch and beyond.

The House Administration Committee would encourage the Senate Rules Committee to create a parallel position.

Feasibility Statement

The organizational footprint for a Data Coordination Office would be small. It would be important for the role to attract top-level talent. Funding the office would take approximately \$400,000 with officers compensated at Executive Schedule Level II. The Data Coordinator Office would not require significant additional investment in computing hardware as that work would be performed elsewhere; but they would need some support capabilities.

Creating the position could be done through a House resolution, report language in the Legislative Branch Appropriations bill, or perhaps even by House Administration Committee resolution.

Facilitate Stakeholder Input on Draft Legislation

Description

In the course of drafting legislation, legislators and committees seek all kinds of stakeholder input—from other members of congress, other committees, leadership, business, civil society, academics, and more. The technology they use to synthesize this information, however, is inadequate to the task.

This proposal recommends the creation of a tool to facilitate stakeholder comments as legislation is being drafted, allowing for the bill owner to receive and synthesize comments from a variety of sources, to control which stakeholders can see which comments, and to allow for the bill owner to control outside visibility into the legislative draft.

The goal is to make it easier for legislative drafters to consult widely to obtain the best possible feedback while streamlining how comments are received and addressed and allowing the office to control communications about the legislation. This approach allows members and committees to present clear, open pathways for groups from which they want input in a structured way, supporting a more democratic process in ideating legislative action.

Implementation Strategy

The technology allowing for comments on pre-introduced legislation is well established, with versions existing for more than fifteen years. What is not yet available is a control system that allows congressional offices to pick and choose who can comment on a bill or section thereof and also permits different levels of visibility into the legislation

CAO could, through House Digital Service, conduct preliminary work to scope out the interest of member offices in having such a tool and the feasibility of developing it.

This proposal does not endorse a participatory process in drafting bill text, which is highly technical, but rather in adding ideas that should be included in legislation and identifying gaps therein.

Feasibility Statement

The technology to conduct this work already exists, but has not been applied to the congressional use-case of collaborative drafting by multiple stakeholders. It would be wise to find a pilot committee or member offices to assess how they would use such a tool. The House Administration Committee could task and provide funds for an initial evaluation of the project.

Draw Upon America's Expertise to Advise Congress

Description

Committees regularly need substantive, nonpartisan expertise on emerging public policy topics. No formal pathway currently exists, however, for committees to routinely draw upon the mass of universities and research institutes for advice on a variety of topics and for those experts to provide that information in ways that are most useful for Congress to process.

This proposal creates a House knowledge exchange program modeled on the UK Parliament's Parliamentary Office of Science and Technology (POST), giving subject-matter experts defined pathways to engage with House committees on matters of interest to those committees. Greater engagement by external experts can provide a wealth of informational resources to congressional committees, particularly on emergent topics or cutting-edge research, regarding which Congress would otherwise be unaware.

The POST model is straightforward. Committees inside Parliament identify topics they plan to address during the session and also certify questions for expert comment. The POST office gathers those questions and submits them to academics and research institutions across Britain. The office has trained academics around the country to provide answers to Parliament in a format that it can handle: short, direct, grounded in facts. Academics respond to the inquiry, the POST office reviews the comments and forwards relevant information on to the committee that put out the question.

Ideally, this program would enable regular engagement between experts and congressional staff in ways that are structured to fit the legislative process and to be on congressional timelines, making the information shared maximally valuable to that process. Experts participating in the program would be guided to understand what types of information are useful to committees, when in the legislative or oversight cycle information can be most impactful, and what formats best suit the pace of congressional work.

Implementation Strategy

The House should first explore implementation design for this program as a variety of examples of curated, structured engagement exist in other parliaments in addition to the UK Parliament. For example, the Federation of American Scientists and GovLab at Northeastern University piloted a smaller-scale project in recent years with member offices and can be referenced for insights.

The House Administration Committee could convene engagement experts, the House Digital Service, Congressional Research Service, and committee staff to explore how to make this work in the U.S. context, and to produce recommendations on how to implement. The project then could be scoped by HDS or outside advisors to develop a prototype of the engagement platform for piloting and testing with committees representing a few different jurisdictional domains.

Allowing an opt-in by member/committee offices would expand the scope of the project, but should be considered given the unique quality of subject matter engagement it would provide.

Feasibility Statement

Designing this program properly will require significant coordination and consultation between members of civil society with expertise in designing engagement platforms, House technical staff, and policy staff to determine the best design of the program. The House Administration Committee likely will play a leading role in that coordination.

The initial costs involved would be modest as it would focus on feasibility. We've spoken with the POST office, and they have only a few staff to manage this process. Even underway, the costs would be under \$1 million annually.

Entities like the House Clerk will need to be engaged if inputs like statements or documents for the record, written testimony, or data are submitted to committees, or whether/how documents might be made publicly available (such as in a hearing record). The Clerk's Office has considered these matters in previous and ongoing projects with civil society.

Improve Scheduling of Outside Meetings

Description

Congressional staff routinely schedule a blizzard of meetings with constituents and outside stakeholders through time intensive tools like the telephone and email. Setting up a meeting can require multiple communications and can require even more work to reschedule. By contrast, staff can use Outlook to automate scheduling meetings with stakeholders inside the House of Representatives. It shows when staff are available for meetings and allows for self-scheduling. Similar tools exist for the private sector, allowing scheduling meetings for internal and external stakeholders, polling for times when everyone is available, and adding on tools such as video-conferencing when appropriate.

The House should develop or purchase a scheduling tool, modeled on consumer scheduling applications, that allows member office staff the option of providing external entities a means of scheduling meetings that minimize the friction for staff and those stakeholders to find a time and reschedule meetings.

Implementation Strategy

The Chief Administrative Office could source and approve an off-the-shelf product for external calendaring. Or, the House Digital Service could build a tool integrating with the same underlying calendar infrastructure behind HouseCal and the Committee Deconflict Tool so the House is not building duplicative scheduling systems.

The features available in commercial off-the-shelf software should be considered for inclusion or modification for congressional purposes.

Adoption should mirror other House-wide projects like LegiDex, CaseCompass, and HouseCal through a pilot with a small bipartisan group of offices before a House-wide release. Offices should opt-in to use the service.

Feasibility Statement

Off-the-shelf multi-party calendaring tools are widely available and affordable. However, there may be confidentiality concerns that suggest the House should develop its own in-house tool. COTS should be evaluated for the security concerns of Congress and for functional applicability in the congressional workplace environment. An in-house solution developed by HDS should be of the scope of a typical Modernization Initiatives Account project. Cybersecurity and abuse risks would be evaluated before rollout of either a vendor-contracted or internally-developed product. Individual offices would be wholly responsible for the decision to enable the platform.

Protecting Article I Prerogatives

Secure House Classified Communications

Description

Members and staff who have access to a SCIF are unable to securely email members and staff who use a different SCIF. Several House committees have dedicated SCIFs and there is a general purpose SCIF for all members. If a staffer working for the House Intelligence Committee wishes to securely email another staffer who works for the House Intelligence Committee, that communication is handled by a server in the SCIF and is not subject to interception. But if a staffer for the House Intelligence Committee wishes to send a classified email to a staffer who works for the Armed Services Committee, that communication goes through channels managed by the Executive branch, creating the possibility of interception.

The House should direct the CAO/Sergeant at Arms to securely connect the servers from the different classified committee email systems so that staffers from one committee can email another. In addition, consideration should be given to connecting servers in House SCIFs to servers in Senate SCIFs, so that the House and Senate can directly communicate classified information to authorized personnel. As this will all take place on the Capitol campus, appropriate physical and technological safeguards should be employed.

In addition, it is possible for staff working in a SCIF to email members of the executive branch using their classified network. However, unlike for members of the Executive branch, it's my understanding that staff can only email the agency liaison, and not connect with the larger classified networks. This structure should be changed so that congressional staff have access to email the larger network.

Implementation Strategy

First, the House Administration Committee should direct the CAO, the Sergeant at Arms, and the Architect of the Capitol, in concert with the relevant committees, to explore what in the way of wiring, servers, and physical security would be necessary to provide an email bridge between users of the various SCIFs. Appropriate consultation should be made with the Senate, including the Senate Sergeant at Arms, and perhaps the GAO / Library of Congress as well. A plan should be put together to assess the requirements and costs for wiring up just the House, as well as the House with the other offices. Depending on the results, appropriated funds should be sought or made available from already available funding to establish these connections.

Second, the House Administration should provide support to leadership in urging the limitation on email to the Executive branch be removed. Should this be unsuccessful, questions should be raised in the appropriate committee on jurisdiction. If that fails, the matter should be legislated.

Feasibility Statement

These proposals should add some modest costs to House operations. They also would expand the cybersecurity burden of CAO in securing additional lines of communication. Given the existing communications networks, this would be reasonable to accomplish.

Promote Cooperation of Recalcitrant Executive Branch Witnesses

Description

Congress currently has two methods for compelling executive branch cooperation with oversight. It can pursue statutory contempt, which depends on the U.S. Attorney willing to prosecute a sitting or former administration official, a practice that is generally disfavored. Or it can utilize its inherent contempt powers, which the House has not exercised in nearly a century. Both have proven functionally unreliable regardless of which party controls the House or the executive branch.

This proposal directs the House to revisit its statutory contempt power authority and consider new processes for holding executive branch officials in inherent contempt when they refuse to cooperate with congressional oversight. The Bipartisan Legal Advisory Group should direct the Office of General Counsel to provide advice and guidance to the House Administration Committee and the House Rules Committee on appropriate options, as well as consult with the American Law Division at the Congressional Research Service and outside experts on the topic.

Implementation Strategy

Several concrete models exist to address the House's ability to obtain documents and information from witnesses.

The House Rules Committee in conjunction with the House Administration Committee should convene a working group to evaluate the following: an expedited civil-enforcement process authorizing House Counsel to bring federal enforcement actions directly in court; a structured inherent-contempt trial process, complete with due-process procedures and a defined penalty schedule, that the House could exercise on its own floor without relying on the Justice Department; and appropriate reforms to the contempt statutes that provide for an independent special prosecutor to bring contempt charges and an expedited court review process.

The House does not need to design this from scratch: a 2020 Congressional Inherent Contempt Resolution — introduced by Reps. Lieu, Cicilline, Demings, Raskin, and Neguse — already provides a template for direct chamber enforcement without relying on the Justice Department or the courts, an approach unused since 1935 but one cannot be blocked by an uncooperative executive branch.

The working group should also examine the Benghazi Select Committee's prior recommendations for mandatory salary reductions and a special-counsel requirement for contempt referrals, and should weigh the historical case against overuse — inherent contempt's association with McCarthy-era and HUAC abuses is a legitimate caution, not just a historical footnote — pairing any revived enforcement mechanism with clear due-process procedures and a defined penalty schedule to guard against those risks.

Feasibility Statement

The inherent contempt process requires only a House rules change to implement from a legal perspective, although there are significant questions about how it would be effectuated. A statutory contempt process would require changing the law.

Modernization Through Reorganization

Establish a House Secretary General

Description

The House's administrative functions are currently distributed across multiple officers. We propose the creation of a Secretary General, the senior civil servant in the House of Representatives who is the point of contact between the support offices and the political leadership.

A Secretary General addresses a number of issues. It would provide for better coordination across the support offices. It would allow for the Clerk, CAO, and other offices to transition to being fully non-political, thus avoiding the long gaps that can arise in appointment. (We envision the SG recommending to the House the appointment of those officers.) It would provide a management structure for the many coordinating groups and independent bodies that have been created to support the work of the House. They would also be able to sign off on some of the routine matters, such as the promotion of staff, that currently require the signature of the Chair of the House Administration Committee.

Perhaps most importantly, the Secretary General would be responsible for looking over the horizon and creating a vision, goals, and metrics for House support functions that serve the chamber of the long term.

Implementation Strategy

Because this proposal touches the authority of existing House Officers, it should proceed deliberately: the House Administration Committee should first commission a study comparing the House's current distributed-officer model to comparable legislatures that use a single nonpolitical administrative head (several foreign parliaments, including the UK House of Commons' Clerk model, offer relevant comparators), specifically evaluating what authority would need to move from existing Officers to a new Secretary General role and what would not.

Implementation would require a House rules change establishing the position, defining its role, providing its staff, and granting it appropriate authorities.

Establish a Permanent Modernization Committee Elected By House Membership

Description

Establish a 15-member House Committee on Modernization and Procedure, elected by the Members of the House, to advance institutional modernization and oversee specific matters of chamber-wide governance. The committee would be empowered to report qualifying measures directly to the House for consideration.

The Committee would study and report proposals concerning House rules, procedures, administration, technology, and internal governance. It could report those proposals directly to the House floor. The committee may establish subcommittees, task forces, and commissions to study issues. It would conduct a comprehensive review of House rules each Congress and recommend appropriate revisions for adoption by the House.

The Committee would adopt policies regarding governance of the House as a political body and as an institution, including establishing the number of personal and committee office staff and their pay levels, HR policies, and the annual schedule of legislative days and district work periods after consultation with the Speaker and floor leaders.

Implementation Strategy

Establishing this new committee would require consultation between House leadership, the House Administration Committee, the Rules Committee, and legislative support offices to structure a change to House rules authorizing its creation. It would assume powers for the benefit of greater member agency in the legislative process and more coordinated long-term planning capacity for the chamber. House members would approve the rules change via a floor vote.

Feasibility Statement

Creation of this committee would require changes to the House rules and accompanying policy changes to comport with authorities granted the Modernization and Procedure Committee.

Strengthen Congressional Security

Congressional security is of paramount importance, but it is operating under a much older, decentralized model when risks to member safety were significantly less. We propose an overhaul of congressional security offices so that they can better fulfill their roles.

The goal of the process should be to ensure offices are structured to fulfill their missions, clarify missions among security offices, identify redundancies or gaps in responsibilities, and strengthen oversight and accountability mechanisms. It also should include longstanding issues like reforming the USCP Board for greater accountability and creating an independent USCP Inspector General position. Relevant congressional committees also should be granted additional resources to understand security-related issues better.

Implementation Strategy

The Committee on House Administration should establish a task force to study the current state of congressional security, including office responsibilities, jurisdiction, and capacity. The Senate Rules Committee and Appropriators should be invited to participate as well.

The task force should identify how best to centralize authority for security and appropriate oversight structures and mechanisms. In addition, it should consider dedicated funds to provide expert staff for House Administration and Senate Rules committees to oversee congressional security.

The task force should then develop plans through their respective committees to operationalize reforms and reorganizations identified in their work.

Feasibility Statement

The work will take coordination across committees and chambers to develop plans and implementation vehicles. The House Administration Committee need not wait on the other entities, however, and could direct reforms of the security apparatus in the House of Representatives.

Make the House Digital Service an Independent Office

Description

The House Digital Service (HDS) was originally conceived as a legislative branch-wide entity in the mode of the U.S. Digital Service, itself modeled after the UK's Government Digital Service's mission to "drive service delivery to digital across government and provide support, advice and technical expertise for departments as they develop new digital delivery models." In other words, its purposes included building brilliant, user-centric services and providing support and frameworks for other IT offices in doing so.

The House Digital Service was created to build technology tools that improve House operations. It prototypes innovative tools and breaks down information silos to address user needs surfaced through engagement with congressional staff and blessed for resolution by the House Administration Committee and Appropriators. Its projects are funded out of the Modernization Initiatives Account. Over time, the HDS's ability to act rapidly and innovatively is coming under pressure, as increasing layers of bureaucracy and increasingly complicated approval structures threaten its ability to deliver on its mission.

In addition, the promise of the House Digital Service is to provide support House-wide. The CAO handles House operational matters, but that does not extend to the Clerk's management of legislative information, or the bespoke needs that exist elsewhere in the House. It should be able to operate easily across the various IT departments and datasets, especially as developing user-centric solutions to problems require a cross-cutting approach.

The House Digital Service should be moving towards this original vision. Accordingly, we recommend it be refounded as an independent entity that reports directly to the Committee on House Administration, and is funded directly through Legislative Branch Appropriations with its own line item, hiring authority, and charter. This reorganization would establish HDS more along the lines of an independent Congressional Digital Service. The long term aspirational goal would be to move towards the establishment of a Congressional Digital Service.

Establishing HDS as an independent office would allow HDS to develop its own workplace culture and management best suited to react nimbly to member and committee needs. Moreover, the USDS was intended to rethink traditional legal technology vendor-government contracts, and the HDS should be encouraged to move along those lines as well. CAO has a long history of managing procurements and maintaining back-end operations that are essential for House operations and also engender a certain kind of organizational culture. This culture is able to succeed in its mission, but HDS would be more successful if it has a collaborative role with the CAO, but not in a subordinate position.

Implementation Strategy

Providing for a stand-alone HDS will take coordination between CHA and the Appropriations Committee in adequately resourcing the office while revising authorization for its major projects. Ideally, HDS would have as much independence to execute projects as possible and managerial

discretion to allocate funds on projects as it finds appropriate to client needs. CHA would retain oversight authorization over an independent HDS, while appropriators would evaluate budget allocation requests.

If the Modernization Initiatives Account model is retained, CHA should develop a plan to greatly streamline the approval process in conversation with House Appropriations.

Because CAO manages technology procurement and software licensing for the entire House, the practical impact of the transition should be minimal. CAO also should retain authority to review HDS's products for cybersecurity compliance before they are deployed House-wide.

Feasibility Statement

This could be accomplished in part through a letter from the House Administration Committee to the CAO, adoption of a resolution, and for certain aspects, enactment of legislation. In addition, it would be valuable to have a memorandum of understanding between CHA, CAO, the Clerk, and HDS setting out how they would relate to one another; and a one-time inventory of pending HDS projects to transition to the new cybersecurity approval structure without disrupting work already underway, such as the Committee Portal and CaseCompass pilots.

Congressional Research Service Independence

Description

The Congressional Research Service currently sits inside the Library of Congress, an arrangement that ties CRS's functions, personnel systems, and leadership structure to an institution whose primary mission is much broader than its primary mission of delivering nonpartisan research and analysis directly to member offices and committees. One illustration of this mismatch is CRS's routine (and inaccurate) declarations that it has no public mission, when the Library of Congress clearly does.

This proposal establishes refounding CRS as a separate entity outside the Library of Congress, with leadership chosen by and accountable to Congress, re-focused entirely on research and analytical support to Congress. The Library of Congress would take over responsibility for all aspects of Congress.gov, including writing bill summaries, managing the Constitution Annotated, and publishing CRS products online.

While the Acting Librarian of Congress is successfully managing CRS, this has not been the case under the prior two Librarians, and CRS has suffered from decades of uncorrected drift. CRS leaders grossly mismanaged its divisions, and that mismanagement suffered from malign neglect from the Librarian who had to be strongly pushed by Congress to push the CRS Director to act. Moreover, CRS has been a constant drag on the Library of Congress's efforts to better serve the public, arguing against making analytical information publicly available, the release of which has strong support inside Congress and out.

Full independence would allow CRS leadership and the Library of Congress to focus on their missions. It would also allow for a reset inside CRS so that the organization is better aligned with serving the needs of Congress.

Implementation Strategy

Separating CRS from the Library would require legislation, notably in the selection and removal of the CRS Director. There is precedent for moving the appointment process into the hands of Congress. In addition, a separate Inspector General position would need to be created, and several functions, such as generating bill summaries, would need to be moved to the Library.

A challenge may arise with back-end HR, financial management, and technology support. With respect to HR and financial management, the Library of Congress already provides this support to non-Library legislative branch agencies, and could do the same for CRS. Moving CRS out of the Library's hiring process may actually be a benefit to the service and to the Library. With respect to technology, CRS's technology functions were centralized in the 2010s at the Library's technology office. Historically, CRS was maladroit with technology. Even now, integrating CRS technology functions into the Library is quite challenging, with some of the drag coming from select legacy staff.

The Library and CRS would develop memoranda of understanding to manage the transfer or sharing of technology, subscriptions, office space, and other resources for the maintenance of Congress.gov and the operations of CRS. As CRS has operated separately from other Library departments and functions, it can retain its current management structure, although Congress may wish to take this opportunity to provide term limits for the CRS Director and Deputy Director, update CRS's organic statute, and encourage the transition of select senior staff.

Feasibility Statement

Because CRS has its own line item in the Library annual budget, there should not be additional operational costs for Congress after the transition period. It is likely that CRS, once independent from a legislative branch office that has close to a \$1 billion budget, will successfully address funding levels to better meet its mission.

Congress would need to approve legislation to create the CRS director selection process and making other changes to CRS's organic statute. Agency independence can be created through Legislative Branch Appropriations bills, with report language structuring the transition process.

For more information about these proposals or our congressional reform work, contact

Daniel Schuman, Executive Director

daniel@americallabs.org

