MODERNIZING
CONGRESS

**Bringing
Democracy into
the 21st Century**

BY LORELEI KELLY
2019

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social impact **+** innovation

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ACKNOWLEDGEMENTS

MODERNIZING CONGRESS: EXECUTIVE SUMMARY

Congress represents a national cross section of civic voice. It is potentially the most diverse market for ideas in government and should be reaping the benefits of America's creativity and knowledge. During our transition into the 21st century, this civic information asset — from lived experience to structured data — should fuel the digital infrastructure of a modern representative system. Yet Congress has thus far failed to tap this resource on behalf of its legislative and deliberative functions.

Today's Congress can't compete on digital infrastructure or modern data methods with the executive branch, the media or the private sector. To be sure, information weaponization, antique technology and Congress' stubborn refusal to fund itself has arrested its development of a digital infrastructure. Congress is knowledge incapacitated, physically disconnected and technologically obsolete. In this condition, it cannot fulfill its First Branch duties as laid out in Article I of the U.S. Constitution.

Fortunately, changing the direction of Congress is now in sight. Before the end of January 2019, (1) the Foundations for Evidence-Based Policymaking Act became law, (2) the House created a Select Committee on Modernization, and (3) Congress began to restore its internal science and technology capacity.

Modernizing Congress lays out a plan to accelerate this institutional progress. It scopes out the challenge of including civic voice in the legislative and deliberative process. It then identifies trusted local information intermediaries who could act as key components of a modern knowledge commons in Congress. With three case studies, the report illustrates how members and staff are finding new ways to build connection and gather useful constituent input at the district level. The report explores an urban, rural and suburban district. It concludes that while individual members are leveraging technology to connect and use new forms of civic voice from constituents, what Congress needs most is a systemwide digital infrastructure and updated institutional standards for data collection.

INTRODUCTION

> **ALL LEGISLATIVE POWERS HEREIN GRANTED SHALL BE VESTED IN A CONGRESS OF THE UNITED STATES, WHICH SHALL CONSIST OF A SENATE AND HOUSE OF REPRESENTATIVES.**
>
> — ARTICLE I, U.S. CONSTITUTION, DESCRIBING THE FIRST BRANCH OF GOVERNMENT

With 541 elected officials from every corner of the country and with a diversity of views, the U.S. Congress should be a market for ideas. With these ideas, the deliberations and actions of lawmakers should lead to results for our society and a more accountable, effective government *"of, by and for the people."* In the 21st century, data is quickly becoming the currency for decision-making power; yet the infrastructure of government too often fails to tap the rich information endowment it possesses. From the experiences and perspectives of citizens to the data produced through government-funded research, transactions and programs, Congress has access to the raw materials for a modern system of effective data-driven representation. To realize this potential, however, it must realign its processes and prioritize new data and technology infrastructure. Fortunately, Congress is aware of the challenge and preparing to harness the immense asset that is fundamental to American democracy.
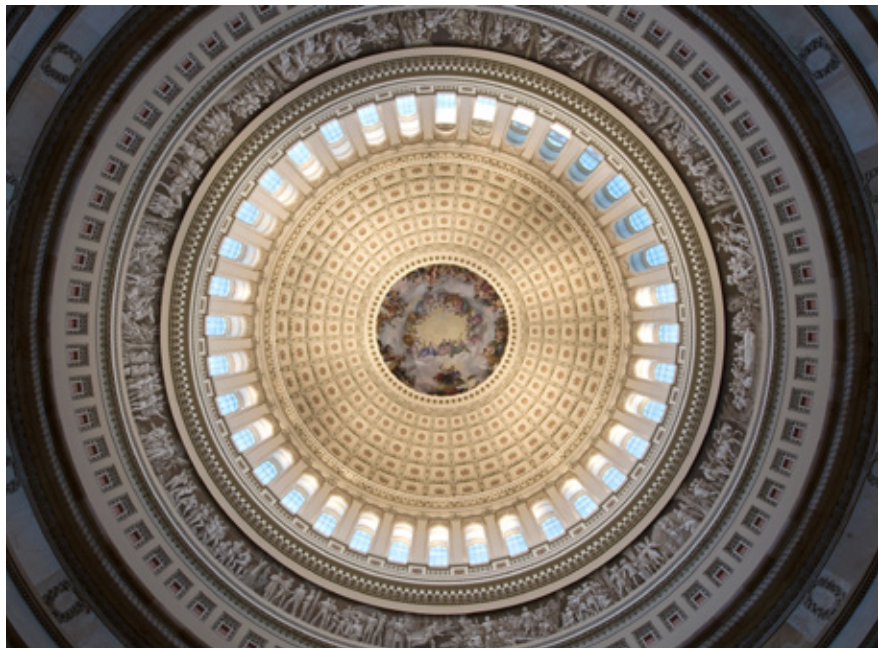
" PROCESSES AND CUSTOMS—CRAFTED OVER CENTURIES OF CAREFUL DEBATE—ARE IMPORTANT FOR THE STABILITY AND CONTINUITY OF OUR GREAT COUNTRY. AT THE SAME TIME [...] THIS CONGRESS MUST ADAPT TO EFFECTIVELY DO ITS WORK. "

—REP. KATIE PORTER OF CALIFORNIA[1]

The U.S. Constitution originally provided for the House of Representatives to be directly elected by the people while senators were appointed by state legislatures. Members of "the People's House" represented districts limited by population size and faced reelection every two years—a structure designed to make House members directly and frequently accountable to the people and the priorities of the district. In contrast, senators had more independence to compromise, consider the national interest and take a longer view. With extremely small districts by today's standards (33,000 constituents in 1790 v. 700,000+ today), House members brought the perspectives and the needs of their constituents to Washington—reports of conflicts, results of harvests, the price of goods —essentially the "data" of early American life. In many ways, the U.S. House of the 18th century was "crowdsourcing" 1.0.

" THE BEST-INFORMED INHABITANTS OF EACH DISTRICT CONSTANTLY USE THEIR INFORMATION TO DISCOVER NEW TRUTHS WHICH MAY AUGMENT THE GENERAL PROSPERITY; AND IF THEY HAVE MADE ANY SUCH DISCOVERIES, THEY EAGERLY SURRENDER THEM TO THE MASS OF THE PEOPLE. " [2]

—ALEXIS DE TOCQUEVILLE

Of course, with population growth, legal and process changes, and technological advancement, the job of a member of Congress has evolved considerably since then (including direct election of senators, starting in 1913). That momentum has been exponential since the 1900s, with a sea change brought about by the internet.

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1 House Select Committee on the Modernization of Congress, Member Day testimony, March 12, 2019.
2 Alexis de Tocqueville, *Democracy in America* (New York: D. Appleton and Co., 1899), 591.

" WHAT WE'RE SEEING IS A 19TH-CENTURY INSTITUTION OFTEN USING 20TH-CENTURY TECHNOLOGY TO RESPOND TO 21ST-CENTURY PROBLEMS. WE NEED TO CHANGE THAT. "

—REP. CATHY MCMORRIS RODGERS OF WASHINGTON STATE[3]

Though the U.S. Congress is often perceived as the most powerful national assembly in the world, its infrastructure is crumbling. As a system it is knowledge incapacitated, physically disconnected and technologically obsolete. This modernity gap is not just a challenge for governing; it is a threat to the cohesion of our society and the ability of Congress to respond to today's challenges. In its present state, Congress cannot meet the needs of a truly participatory democracy in the 21st century, nor can it fulfill the aspirations set out in Article I of the Constitution.[4]

Congress can seem in the dark on digital.

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3   "Imagining the Congress of the Future" (speech at the Personal Democracy Forum, New York, June 5, 2015).
4   It is worth noting that the physical infrastructure of Congress is crumbling so much so that building rehabilitation (along with police security) consumes a huge amount of the funding available for systemwide upgrades, including knowledge capacity, digital modernization and cyber security.

" RESILIENT SYSTEMS ARE INDOMITABLE. THEY ENDURE BECAUSE THEY OFFER BETTER ALTERNATIVES THAN THE EXTREMISTS. CONGRESS MUST BE THIS PERMANENT SOURCE OF INFORMATION IN OUR DEMOCRACY. "

—HOUSE LEADERSHIP STAFF

This paper identifies the pain points and inefficiencies of the current system through an overview of recent scholarship, independent research with staff, and conversations with congressional offices. We provide examples of innovative solutions that have been tried in individual congressional offices that could be adopted more widely. We also identify several areas of opportunity for leveraging existing resources to augment and improve the policymaking process. Finally, this paper offers recommendations for next steps.

The project started with the expectation of discovering ways to implement standard crowdsourcing methods for policy deliberation, especially approaches that have succeeded in other democracies.[5] We soon found that there is no one-size-fits-all solution for the distinct and diverse districts represented in the U.S. Congress. After exploring an urban, rural and suburban district, we learned that a systemwide digital infrastructure[6] and updated institutional standards for data collection would have an even greater impact.[7]

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5   See www.crowd.law from the GovLab at New York University for an extensive overview of participatory lawmaking. Also see Lorelei Kelly, *How Do They Know?* (New America, 2013, accessed April 11, 2019).

6   A Congressional Digital Service to lead on technology and data, modeled on the UK Parliament is one promising idea.

7   Unlike agencies in the Executive Branch, Congress has neither a Chief Technology Officer nor a Chief Data Officer.

THE PROBLEMS:

KNOWLEDGE INCAPACITY

PHYSICAL DISCONNECTION

TECHNOLOGICAL OBSOLESCENCE

KNOWLEDGE INCAPACITY

> ❝ THE PERCEPTION THAT CONGRESS IS BROKEN CREATES A SENSE OF CYNICISM AND PESSIMISM AMONG OUR YOUNG PEOPLE. ❞
>
> —REP. STEPHANIE MURPHY OF FLORIDA[8]

Congress once had a premier scientific advisory body. Before 1995, it maintained an extensive network of shared expert staff—individuals and entities with deep pools of knowledge in both subject matter and legislative process. This network has been greatly diminished. Today, Congress' staff capacity is trending down to 1970 levels.[9] At the same time, the U.S. population has increased by over 120 million since 1970.[10] Importantly, the government lost public servants who worked for Congress as a whole and provided equal access and assistance to staff and members tasked with complex decision-making on policy.[11] The staff were the knowledge foundation of the institution, the ones whose job description included pursuit of the common good of a well-informed democracy.

In 1995, a rule change by the incoming leadership of the 104th Congress eliminated the ability of members to share subject matter experts in nonpartisan "study" groups and caucuses.[12] The loss of policy staff in Congress is a key part of the institutional decay that has left elected leaders without a modern knowledge commons.[13]

> ❝ WE HAVE IN EFFECT DISARMED OURSELVES IN RELATION TO OUR RESPONSIBILITIES. ❞
>
> —HOUSE MAJORITY LEADER STENY HOYER OF MARYLAND[14]

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8   Committee on Modernization, Member Day testimony.
9   Graph courtesy of Casey Burgat, R Street Institute, using raw data from Brookings Institution *Vital Statistics on Congress,* led by Molly Reynolds, March 2019. Congress' support agencies include Congressional Budget Office, Congressional Research Service, Government Accountability Office and the defunct Office of Technology Assessment.
10 See www.census.gov for details.
11 One example is the Arms Control and Foreign Policy Caucus, which covered nuclear security. It was bicameral and bipartisan. Even the Democratic Study Group, at its peak, had dozens of Republican dues-paying members. For background, please see Lorelei Kelly, *Congress' Wicked Problem* (New America, 2012).
12 Lorelei Kelly, "Dumb by Design: Gingrich's Lobotomy of Congress and Today's Dysfunction," *The Blog*, HuffPost, November 29, 2011. In contrast to the other entities, that disappeared, the Republican Study Committee immediately found another way to fund its own staff, thus preserving its continuity.
13 The Executive Branch has 4 million employees and 180 expert agencies vs. Congress with 30,000 employees and far fewer experts on hand. See The Constitution Project, 2017.
14 Committee on Modernization, Member Day hearing testimony. Majority Leader Hoyer and his staff have long been supporters of tech for information sharing inside Congress. See the Dome Watch app.

8,000

House Staff

6,000

Support Agency Staff

4,000

Senate Staff

2,000

House Commitee Staff

Senate Committee Staff

0

1920   1940   1960   1980   2000   2020

Year

Source: Casey Burgat, R Street Institute, using raw data from Brookings Institution "Vital Statistics on Congress," March 2019.
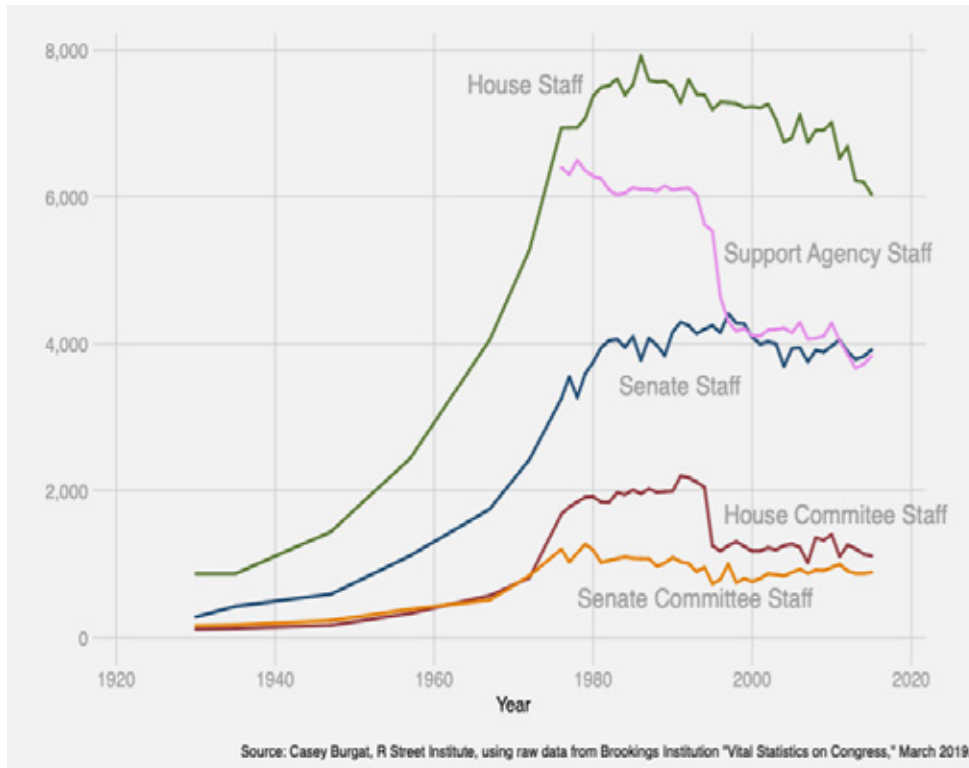
Professional staff in Congress are paid much less than people with similar expertise in the private sector. Long-term staff members are prized, because retaining or accessing the institutional memory of lawmaking is difficult.

" STAFF WANT TO STAY HERE, BUT THEY CAN'T AFFORD TO. "

—REP. ZOE LOFGREN OF CALIFORNIA[15]

The lack of independent resources for individual congressional offices or committees has led to a centralization of power in party leadership. Top-down, leadership-driven communications strategies make legislators feel left out of their own lawmaking duties and cut off from policy discourse.[16]

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15   Committee on Modernization, Member Day hearing testimony. Congress does not offer competitive salaries or even cost-of-living adjustments to members or staff, affecting both diversity and retention.

16   In dozens of off-the-record interviews with staff between 2012 and 2019, multiple staff members remarked that talking points issued from leadership were not helpful in message framing for constituents.

PHYSICAL DISCONNECTION

> " THERE AREN'T MANY SPACES HERE THAT ENCOURAGE COLLABORATIVE AND INNOVATIVE OUTCOMES. "
>
> —REP. DEAN PHILLIPS OF MINNESOTA[17]

As the culture of Congress has shifted to shorter work weeks and less time together in Washington, members find little intentionally scheduled time as colleagues to share information on mutually beneficial policy ideas.[18] To the contrary, the "socialization of division"[19] begins almost immediately after each new class of members is elected.

Since the early 1970s, the number of congressional staff members based outside of Washington has more than doubled. Indeed, 22.5% of staff members were located in districts in 1972, compared with 47.3% in 2016. This means that significantly more of Congress' human capacity for connection is scattered across the 50 states, in approximately 900 district offices. This consistent dispersion outward has not yet been followed by policy support staffing or a system of modern data-gathering and information-sharing methods.[20]

> " IT ALWAYS SEEMED DISCONNECTED TO ME. ALL THE POLICY HAPPENS IN D.C., BUT THE CONSTITUENT SERVICES HAPPEN IN THE DISTRICT. IN ORDER TO GET THE ATTENTION OF THE MEMBERS, THE POLICY NEEDS TO BE PART OF CONSTITUENT SERVICE. "
>
> —FORMER CAPITOL HILL STAFF MEMBER

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17   Committee on Modernization, Member Day hearing testimony.
18   See New America's Lee Drutman, R Street Institute's Kevin Kosar and colleagues on reform issues in Congress, Legbranch.org.
19   Rep. Jodey Arrington of Texas, Member Day testimony before the Select Committee on Modernization, March 13, 2019. Examples of this intentional division are party-exclusive travel delegations or party-segregated email lists that are ostensibly for common workflow functions i.e. legislative correspondent or casework.
20   See House CAO Philip G. Kiko's testimony to the Legislative Branch Appropriations Subcommittee where he includes a strategy to begin to address this challenge. April 25, 2018.

TECHNOLOGICAL OBSOLESCENCE

> **" [THE INNOVATIONS] TO HELP MEMBERS OF CONGRESS DO THEIR JOBS BETTER HAVE TO COME FROM US "**
>
> —REP. TOM GRAVES OF GEORGIA[21]

Like many institutions in the digital century, today's Congress is overwhelmed with incoming information. Offices receive millions more pieces of input from the outside world than ever.[22] In addition to the top-down structure and antique predisposition of Congress, information weaponization and technical deficits drive two kinds of institutional knowledge gaps: expert knowledge provision and expert knowledge sharing.[23]

Adjusted for inflation, in 2019 Congress is spending 25% less on systemwide capacity maintenance than it did in 2009.[24]
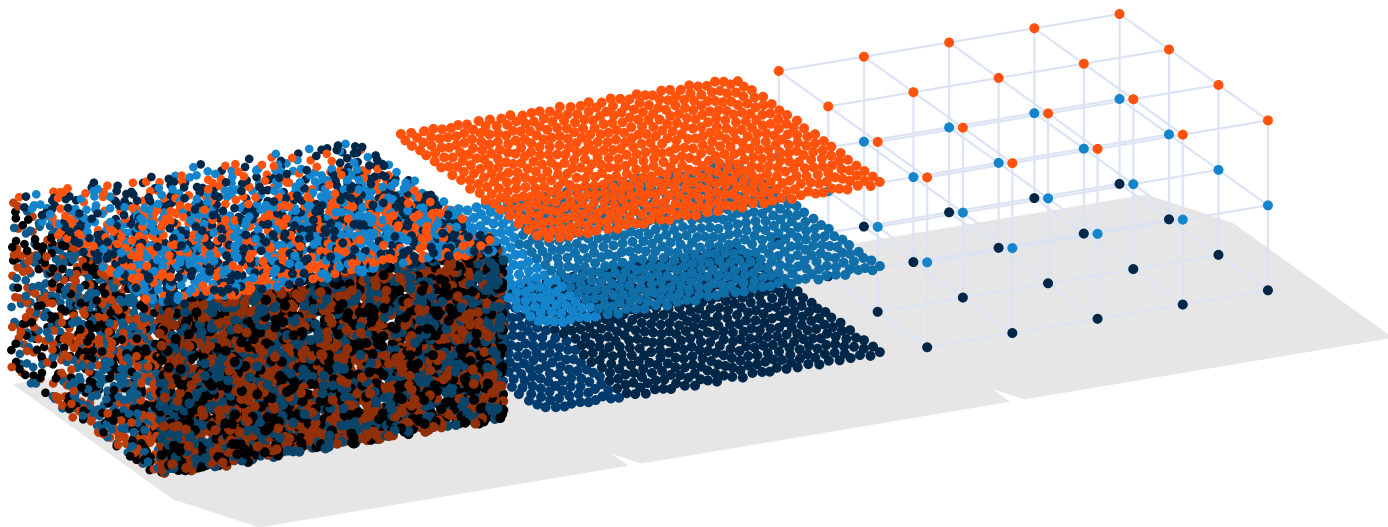
Today, civic voice input to Congress often looks like an unstructured data mob. As Congress moves into the future, it will have the option to structure this input for use inside the legislative and deliberative workflow.

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21 Vice Chair Graves in discourse with witness Deputy House Clerk Robert Reeves on—lacking a Chief Technology Officer or centralized authority— how innovation happens in the workflow of Congress. See CSPAN 1:26. Committee on Modernization hearing Opening up the Process; Making Legislative Information more Transparent. May 10, 2019.

22 The nonprofit Congressional Management Foundation is a top resource on how Congress communicates. Please also see From Voicemails to Votes from OpenGov Foundation.

23 For the purposes of this paper, we define expertise broadly to include lived experience.

24 "Forecast for March 18, 2019. The seven-per-cent solution," First Branch Forecast, compiled by Daniel Schuman and Amelia Strauss, March 18, 2019.
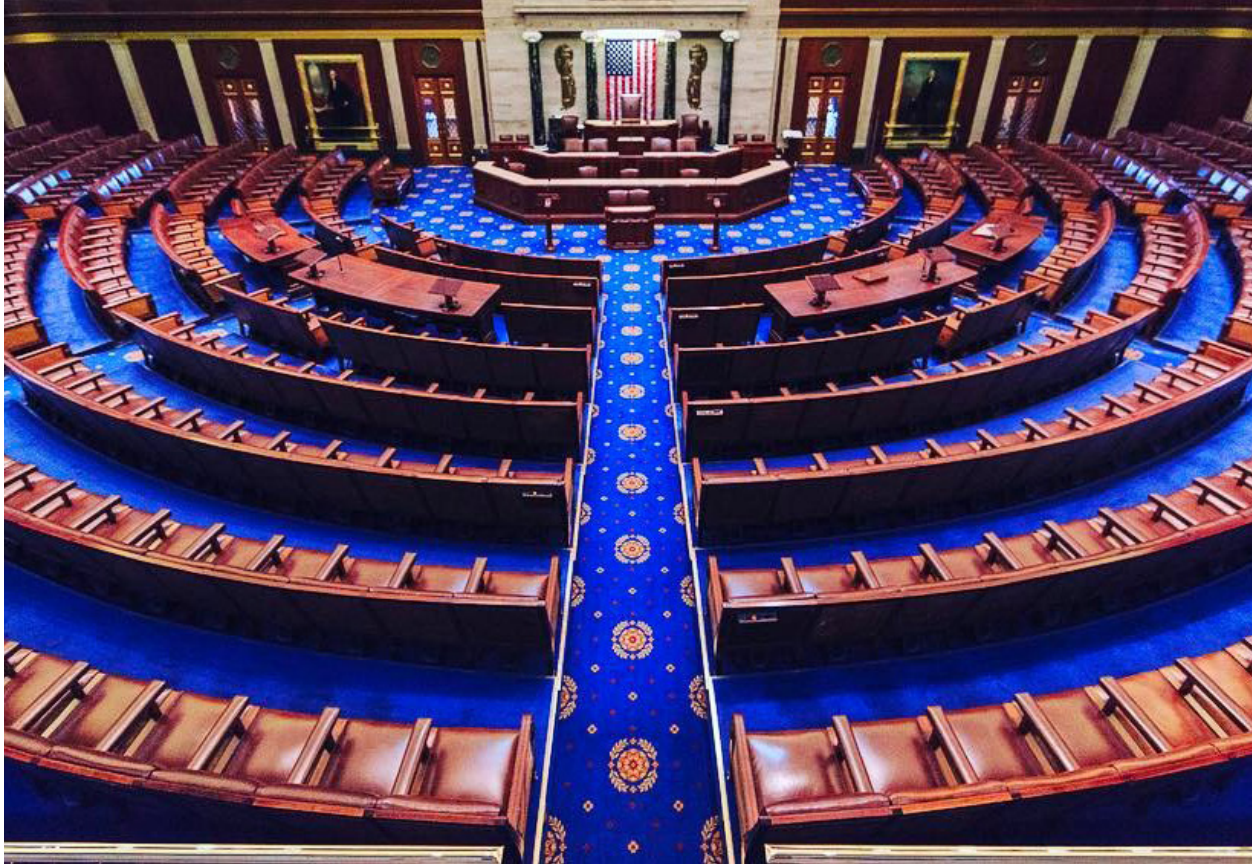
❝ HOW AM I SUPPOSED TO MAKE A POLICY ARGUMENT TO TRY TO CHANGE THEIR MIND WHEN THEY ARE NOT THERE? ❞

—REP. WILLIAM TIMMONS OF SOUTH CAROLINA[25]

Between chambers and across the United States, congressional staff and members have inadequate systemwide capacity to discover or share information from constituents or from one another. Many public venues, from social media to town halls, are not tailored for policymaking input. Congress' own deliberative process is considerably diminished as well.[26] Statistics on Congress show that between 1980 and 2016, committee hearings declined by 50%.[27] Public discourse is squeezed further because

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25 House Committee on Modernization Former Members Day Hearing: Speaking from Experience, May 1, 2019. Rep. Timmons remarked on the scarce attendance of his colleagues at hearings because of calendar conflicts.

26 Staff appreciate attempts by social media companies to promote civility. Yet credible participation remains a problem. One staffer remarked on Facebook's Townhall option, "If one crazy group links it, then all the crazy people come in." In all districts, staff curate their own Twitter feed for news.

27 Brookings Institution, *Vital Statistics on Congress,* led by Molly Reynolds, *Table 5-1.*

Rep. Lauren Underwood of Illinois testifies before the Modernization Committee with Rep. Katherine Clark of Massachusetts in the queue and Rep. Mary Gay Scanlon of Pennsylvania looking on.

members' time is used so inefficiently. Committee assignments are often double-booked—and votes on the floor occur during hearings, disrupting the dialogue process.[28] Strategic thinking takes time, but the average time per hearing topic has declined from several days to just one. This scheduling and limited timeframe means members can't fully assess or scope the problem, offer possible solutions, or bring the public into the conversation.[29]

" I'M NOT SURE THAT WE'RE NOT JUST REFLECTIONS OF A RUSH DOWNHILL BY THE AMERICAN PUBLIC. "

— REP. EMANUEL CLEAVER OF MISSOURI[30]

While lawmakers initially embraced social media as a means for communicating with constituents, its ad-based revenue model risks commodifying civic voice. Town halls have become unproductive and

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28   Members also spend significant time "dialing for dollars," diminishing informed deliberation further.
29   Linda Fowler writing in Foreign Affairs on the decline of congressional oversight. Please also see her longitudinal study of the Senate in *Watchdogs on the Hill* (Princeton, NJ: Princeton University Press, 2015).
30   See the Select Committee on Modernization hearing on "Congressional Reforms of the Past and Their Effect on Today's Congress," March 27, 2019, youtube.com/watch?v=WnAR1vXyL5s.

potentially unsafe for members. [31] Moreover, the laissez-faire model for data monetization in civic engagement is making our representative system increasingly fragile as we "substitute communicating for legislating."[32] Until we have an alternative that protects this information for common good purposes, the prevailing business models that rely on selling social connection will continue to degrade our deliberative democracy. What little trust remains will wither and Congress will be more vulnerable to automated gaming and purchased information distortions.[33] If we continue on this path —relying on the corporate profit model to "optimize" Americans' civic data—we will create an increasingly coarse and volatile public life.[34]

❝ HOW DO THE DISCUSSIONS AND THE DELIBERATIONS HAPPEN IN THE PEOPLES' HOUSE SO THAT WE CAN ACTUALLY LEGISLATE IN A THOUGHTFUL WAY? ❞

—REP. DEREK KILMER OF WASHINGTON[35]

Indeed, specialized knowledge about Congress is already extremely valuable for lobbyists and is increasingly privatized. Taxpayer-financed open data about lawmaking that Congress does provide is scooped up by venture-capital-funded corporate entities, repackaged and resold to increase lobbying influence.[36] This "progress" threatens to exacerbate the gap between elected leaders and their constituents, because expensive subscription services are out of reach for most individuals and even for many member offices.[37]

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31 An alarming indicator of today's downtrodden public square is violence against public officials. Public spaces are increasingly dangerous. Members of the House and Senate received 950 threats in the first half of 2017.
32 Committee on Modernization, "Congressional Reforms of the Past," expert testimony by Congressional Institute's Mark Strand.
33 The practice of issue capture through paid audience "voice" is often known as an "astroturf campaign." Digital tools have taken these information dissemination methods to an unprecedented magnitude. See Renee DiResta's work on computational propaganda. According to the House CAO, Congress is targeted 300-500 million times a month by cyberattack. Also see Rep. Anna Eshoo of California's Member Day testimony on the cyber-vulnerability of Congress.
34 For alternative data governance ideas, see the work of Sean McDonald on Data Trusts and the public interest. This model is gaining ground for many complex public policy issues.
35 Chair's closing statement Committee on Modernization hearing on Opening up the Process; Making Legislative Information more Transparent. May 10, 2019. Submitted copies of testimony here.
36 The privatization of the supply chain of information into policy is a formidable challenge. During this research, only 2 staff at the district level used a pricey, "data-driven" subscription service, indicating that they aren't that helpful for basic representative duties. It should be noted that these services require payment for information that used to be provided for free by Congress.
37 Important public mission exceptions to the trend of commodifying congressional data are Govtrack.us and Popvox.com.

THE POTENTIAL:

" A CORE GOAL OF PUBLIC POLICY SHOULD BE TO FACILITATE THE DEVELOPMENT OF INSTITUTIONS THAT BRING OUT THE BEST IN HUMANS. **"**

—ELINOR OSTROM, NOBEL PRIZE-WINNING ECONOMIST[38]

TAPPING THE GENIUS OF AMERICA

As 19th-century democracy explorer Alexis de Tocqueville noted, Americans like to share. Civic voice is always important, but it has most potential for influence in the formative stages of policymaking—where ideas flow more freely and the stakes for trying something new are lower. However, citizens have few ways to find out what is being discussed at these early stages, much less to share their ideas before the "cake is already baked" in the form of a committee hearing or legislative language.[39]

Perhaps the most exciting aspect of modernizing American democracy is the benefit that can come from including a broader range of civic voice in the policy process. If configured with democratic values in mind, new types of connecting technology will play a vital role in leveling the playing field between insiders with access and citizens who are mostly shut out of the process of lawmaking.[40]

Is Congress ready for the modern world?

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38   Elinor Ostrom, "Beyond Markets and States: Polycentric Governance of Complex Economic Systems," *Les Prix Nobel 2009*, The Nobel Foundation (Västerås, Sweden: Edita Västra Aros, 2010), 435–36.
39   In dozens of interviews since 2012, Capitol Hill staff expressed concern that hearings had become just another form of messaging propaganda and had abandoned their contemplative, discovery role. This is especially true because of the decline of the authorization process, the workaday hearings where local issues come up and where members have agency over policy.
40   See Kay Lehman Schlozman, Henry E. Brady and Sidney Verba, *Unequal and Unrepresented,* (Princeton, NJ: Princeton University Press, 2018).

MAKING BETTER USE OF DATA

" WE HAVE NEW TECHNOLOGIES, NEW ISSUES THAT NO ONE ANTICIPATED. "

—REP. SUZAN DELBENE OF WASHINGTON STATE[41]

Congress must be able to identify unique emerging information where patterns are becoming evident, when problems are beginning to be defined and where nimble or risk-taking ideas have the most potential for traction. This is especially timely now; at least one committee in the 116th Congress has brought forecasting back into its oversight plan,[42] and the funding committees are inviting the public to submit witness testimony.[43] Individual members are ready to take action,[44] but today's Congress cannot yet deploy fresh, authoritative data in real time in its workflow or use visualized data to examine the implications of policy.[45] Unlike other government sectors and the private sector, Congress does not yet have the resources to adjust or course-correct, because members lack a decision support system that would allow them to surge or pivot based on credible new information.

BUILDING A MODERN KNOWLEDGE COMMONS

" OUR JOB IS THAT OF GOVERNANCE, NOT OF POLITICS. "

—REP. CHRISSY HOULAHAN OF PENNSYLVANIA[46]

Our research indicates that a common theme among congressional staff members emerges regardless of political party or location: a desire for a modern and trustworthy knowledge-sharing system. During this research, staff members gladly discussed what this dream resource would look like. Unsurprisingly, their responses had little to do with partisan point scoring,

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41   Committee on Modernization, "Congressional Reforms of the Past."
42   See House Committee on Oversight and Reform, "Committee Jurisdiction."
43   See the House Appropriations website for the 116th Congress, accessed March 20, 2019.
44   The first Member Day hearing of the Select Committee on Modernization heard from 32 members about their ideas to update and improve the institution.
45   See how Arizona State University's Decision Theater helps policymakers understand complex issues. The military has long used this sort of situational awareness tool for scenario planning.
46   Committee on Modernization, Member Day hearing testimony.

favoritism or leadership talking points. They had to do with creating a responsive, effective democratic platform to connect with the public. It makes sense. Because of their location, district staff are more able to meet people where they are. They often know their constituents personally or through local networks. Their day-to-day workflow is embedded in community.

Congress self-reflects.

ANTICIPATING A TIPPING POINT ON TECH

When Congress first convened in 1789, a single member represented 29,000 people. Today, that number has increased to 755,000. Members of Congress need modern methods to serve this huge expansion of constituents and to tap this reservoir of citizen expertise. The timing is right; even though it lags behind other sectors, the past two decades have seen a slow and steady climb up the learning curve of technology in Congress. In the 1990s, offices still used WordPerfect. Today, Congress is webcasting 90% of hearings on YouTube. Context is important. In 2017, Americans on average were 20 years younger than their representatives in Congress. With an average age of 58, Congress is still a place where, for a significant number of members, three-ring binders and cumbersome desktop conference phones remain vital. Capitol Hill adapts slowly, but it will hit a tipping point in the coming years. The 2018 election brought 26 millennials to Congress, for example. As the institution closes the demographic gap, technology fluency will increase and it will be easier to use technology at scale for more inclusive participation. Now is a time for mapping resources, building confidence, gathering ideas and experimenting.

❝ WE NEED AN INTERNET-LIKE NETWORK—BUT IT WILL ONLY BE TRUSTED BECAUSE WE ARE INVOLVED IN CREATING IT; OTHERWISE WE WON'T USE IT. EVERYONE ON THE NETWORK NEEDS TO KNOW THAT THEIR INVOLVEMENT IS ABOUT HONEST SHARING AND THAT THERE IS A WAY TO GET IN AND OUT.❞

—CONGRESSIONAL CHIEF OF STAFF

To benefit from the wealth of citizen expertise across the country, Congress requires a network of trusted methods for input. Models exist. Commercial platforms like Amazon use a recommendation engine to sort, filter and queue product suggestions for customers. Question-and-answer sites like StackExchange curate advice with the votes of site members. Congress requires something similar, built to serve the public. Congress needs a "trust engine" that sorts and filters information according to members' workflow and in line with its rules.[47]

❝ I WANT A WIKIPEDIA THAT WOULD SEND ME THE BASICS, THAT WAS TRUSTWORTHY, THAT NOT EVERYBODY COULD EDIT AND THAT WAS PUT TOGETHER BY SUBJECT MATTER EXPERTS. IT WOULD SEND ME UPDATES TO MY EMAIL, TO MY PHONE.❞

—COMMITTEE STAFF MEMBER

PREPARING FOR THE "FUTURE OF WORK" FOR CONGRESSIONAL STAFF

While members of Congress have begun to discuss the impending impacts of automation and machine learning on their constituents and industries in their districts, very little attention has been paid to how these technical innovations will or should change the workflow within Congress.

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47   Specifically, Congress must update its ethics and franking (mailing) rules for digital. They are as important as robust cybersecurity to protect against information weaponization and conflicts of interest. Think of these two curation methods as the Terms of Use and Content Moderation regulations of Congress. Members are currently using an Ethics manual from 2008 and Franking Rules last adapted in 1998. For background, see Marci Harris, "Staying Connected Now that You're Elected," PopVox, December 5, 2018. A possible model is "Reddiquette" Code of Conduct — co-created rules for engagement by Reddit users i.e. "Moderate based on quality not opinion"

The work of a congressional staff is largely to sort, filter and select content. They assess the trustworthiness or potential conflicts of sources, relying on their personal networks and an informal "gut check." They consider the member's areas of interest and how topics will affect the district or state. Constituent or leadership priorities consistently influence the agenda at both the individual and institutional levels.

While the Government Publishing Office is one of only two organizations in the world to be certified as a trustworthy digital repository, no standard currently exists to ensure that the data stored there is trustworthy.

MAKING THE MOST OF EXISTING RESOURCES

Public access to information and accountability are fundamental responsibilities of Congress. What began with the printed Congressional Record has expanded to include committee reports and other publicly accessible information.[48] Most recently, Congress passed a law to make Congressional Research Service reports available to the public. And of fundamental importance, the U.S. Code is now online in an interactive format.[49]

How might we enrich this public "journal of proceedings" with more civic voice? How might we integrate participation into the creation of a credible and expansive knowledge commons for Congress? Even more, how do we bolster the First Branch of Government while striking a compromise between demands for direct participation[50] and the constraints of an indirect, rule-bound institution? "Even hearings on the Hill are now flash mobs," said one longtime chief of staff.[51] Paid stakeholders and organized protesters often fill committee rooms, making hearings seem more like theater than contemplation. Adapting these old marble buildings to compete on substance and representative participation in the 21st century is a difficult but not impossible task. Indeed, it is a uniquely possible challenge in the digital era.

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48 Congress' existing tech staff over-performs despite being under-resourced. Please see the Technology Timeline of Congress for an overview. The central document repository for House committees is creating the formal, internal knowledge commons.
49 U.S. Code is provided by Congress in USLM, a global markup extension language for legislatures. Also please see Cornell Legal Information Institute for an excellent example of a public serving knowledge commons for digital.
50 The National Institute for Civil Discourse looks at incivility and the demise of civic norms. See also Public Agenda's Rewiring Democracy report on the behavioral science implications of digital, accessed March 20, 2019.
51 The impact of transparency changes on Congress is a lively topic of discussion— including the unintended consequences. See Professor Frances Lee Testimony before the House Select Committee on Modernization. See Q & A with witnesses for an important discourse about limits and tradeoffs. May 10, 2019.

EXISTING RESOURCES IN THE DISTRICT:
INFORMATION INTERMEDIARIES

Civic voice is the foundation of American democracy. The original columns of the US Capitol.

Ideally, the policy advising component of a modern knowledge commons for policymaking will be configured to allow members of Congress to draw upon the deep reservoirs of substantive information held by constituents. Trust and proximity are the core characteristics of this research design.[52] Who can be the modern information intermediaries, gatekeepers for informed deliberation in Congress? This research started with district-based organizations and entities that are civic in nature and accountable to the public. To begin, we mapped the following categories:

★ **1. District Staff**

Members of the House are allowed a staff of 18, and they may choose how to allocate it between Washington and their district. District staff are the vital bridge between American citizens and their national government. Staff not only work on behalf of constituents to solve issues, but also help identify and apply for federal grant monies, and act as a resource for information. District staff are the face of the member in the district. They plan and attend events, hold office hours and make themselves available in innumerable ways to improve communication. In our research, we interviewed 18 staff members in three district offices.[53]

> **❝ OUR DISTRICT STAFF ARE DEEP GENERALISTS […] MOST IMPORTANT IS A STRUCTURED AND INTENTIONAL WAY TO COMMUNICATE AND GET ALONG. ❞**
>
> —CONGRESSIONAL STAFFER

Beeck Center's Austin Seaborn at the sculpture gallery at Arkansas State Mt. Home — his hometown!

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52 In person opportunities to build critical thinking skills are vital to preserve a legitimate deliberative democracy in today's volatile, disruptive information environment. See Jennifer Kavanagh and Michael D. Rich "Truth Decay" RAND Corporation, 2018.

53 This research report also draws on more than 80 interviews with Hill staff from 2012 to 2019.

★ **Land Grant and Public Universities**

By any measure, America's public and land grant universities are a national treasure. With a founding mission to provide knowledge to serve the public, the system educates over 6 million students and confers 1.3 million degrees annually. How do we integrate this service mission into our evolving digital democracy? Shared knowledge is their founding premise, after all. The land grant system was created by Congress (the Morrill Act in 1862) to help rural Americans succeed through the Industrial Revolution.[54] In the early 20th century, Congress' deployment of resources to this public higher education network helped heal the social divides created by the Civil War. America's historically black colleges and universities resulted. Another broadly distributed network that should be tapped is America's 1,047 public community colleges. They enroll 47% of students who attend public institutions.

Given the overwhelming amount of targeted input received by Congress, it is clear that Congress' modern information architecture will require a trusted and auditable supply chain for data. The public higher education system is a network of local information intermediaries. They are like a scatter plot of valuable information nodes—unorganized, but already in place for a data-driven knowledge commons.[55]

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54 The cooperative extension program run by the Department of Agriculture is a local federal resource of the land grant schools. Why not a digital extension program?

55 The Gift Rules in the House and Senate help members and staff prevent conflicts of interest and unaccountable influence-seeking. As public entities, land grant and public universities/colleges can connect and collaborate with Congress more readily than any private entity.
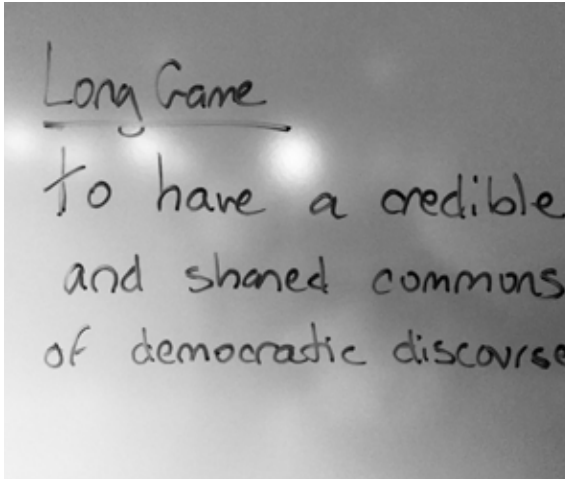
Design lab at Arkansas State Mountain Home campus

★ **Civic Innovation Accelerators:
Maker Spaces, Technology Hubs, Design Labs**

Building modern democratic infrastructure requires creative momentum. Who is intentionally supporting new ideas in a community? The "maker" movement is a global do-it-yourself community of innovators. Best known for garage-tinkering, this network of entrepreneurs and inventors is motivated by curiosity and creative design. Today's marquee product serving makers is 3-D printing. It makes sense: Today's makers need a decentralized fabrication method that is customized to meet local needs. Our field research asks, What if the maker movement created an equally creative and enthusiastic effort on civics? What is democracy anyway but a never-ending remix of new prototypes for self-rule?

New collaborative design rules are already being developed in communities, where civics and technology have generated a front line of maker cities. [56]Developing local solutions to big problems is a maker specialty. Congress could use this kind of bright new thinking as it designs a knowledge commons.

For the purposes of this research, we view tech hubs and design labs in this same domain of community-connection. Would it be possible to build a civic component for informed deliberation in these new spaces?

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56   You can find Code for America brigades—local civic technologists— across the USA.

Civic tech entrepreneur Marci Harris in front of Rep. Cooper's office, which is located in the Nashville Public Library building (left). Congress' trusted knowledge resource is the Library of Congress (right).

★ Local Government

Since [ancient times](#), human settlements have nurtured the heartbeat of interaction that has created civilization. In our digital world, cities large and small are at the forefront of social and demographic change, aware of the need to attract and keep young people, [integrate ideas](#) and create a magnet for entrepreneurs who also [revitalize and modernize](#) local economies. Cities often [test new ideas](#) and drive innovations that spread regionally and even nationally.[57] Mayors work close to the ground, and their offices often initiate or collaborate in new [community-connecting methods.](#)

★ Public Libraries

Libraries are commonly known as the cornerstone of a free society and thus of democracy itself. Thomas Jefferson wanted to see a circulating library in every county. Today's libraries not only maintain documented history, but also provide a neutral space for deliberating alternative ideas. They provide a free and open space for sharing, [building social cohesion](#) in the process. Maintaining open and equal access to information in the digital era puts libraries at the center of how modern democracy evolves. How are libraries reimagining neutral civic space? Some libraries ["check out" real people](#) with stories, others offer [speed-repping](#) to connect citizens to lawmakers. What other resources are libraries providing to bolster modern democracy? Do they have a special role in informed deliberation as Congress devolves outward into states and districts?

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57   See the [work of](#) [Hollie Russon Gilman](#) and colleagues on [civic innovation,](#) in rural areas, cities and elsewhere.

★ Local News Media

If democracy has DNA, it is found in local news coverage. Freedom of speech is enshrined in the First Amendment to the U.S. Constitution. "The Fourth Estate" moniker came from revolutionary France and refers to the crucial role that journalism and a free press play in maintaining democracy. Indeed, journalism is a civic-serving profession with a robust code of ethics.[58]

While the internet revolution has disrupted many information-sharing models, it has had a dramatic negative effect on local media. Across the nation, journalists are losing their jobs and local print papers are going out of business. Not only is this absence detrimental for community building, but it also creates an accountability vacuum for government that raises the financial costs of local borrowing.[59]

A vital part of regenerating civic voice in Congress will include local journalism embedded in a shared knowledge commons. And there's good news. 2018 was a record-breaking year for community support of nonprofit news. Much of the content for these modern news sources is generated by audience participation in the reporting process. It's not completely unfamiliar. Since 1979, members of Congress have participated directly in creating news about lawmaking through C-SPAN's nonprofit public affairs channels that broadcast the workday from Congress and other policy-relevant venues. During our interviews we asked, What would the platform look like if the mic was reversed? Voice and video are ascendant, after all. "Podcasts are the new blogs," said one district staffer. Could the next C-SPAN channel be a civic voice platform?

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58 See the Society of Professional Journalists Code of Ethics, https://www.spj.org/ethicscode.asp, accessed March 20, 2019.
59 Pengjie Gao, Chang Lee and Dermot Murphy, "Financing Dies in Darkness? The Impact of Newspaper Closures on Public Finance" (October 18, 2018), *Journal of Financial Economics (JFE)*, forthcoming. Available at SSRN: https://ssrn.com/abstract=3175555 or http://dx.doi.org/10.2139/ssrn.3175555.

★ **Civic Tech and Deliberative Democracy Community**
Recent decades have produced a cohort of Americans with analytical skills in group decision-making.[60] This realm of human-designed collaboration has different names: conflict resolution, mediation, negotiation, peacebuilding, and citizen engagement, for example. Civic technology arrived on the scene with the onset of the internet. It provides tools to scale public participation.[61] How do these local collaboration assets figure in to new methods for community discourse? Now with nationwide reach, could individuals with process skills work with elected leaders to help create a modern, inclusive form of digital federalism in Congress?

❝ ALL OVER THE UNITED STATES, COMMUNITIES ARE HOSTING CONVERSATIONS SO NEIGHBORS AND FORMAL AND INFORMAL LEADERS CAN WORK TOGETHER TO SOLVE PROBLEMS, EVEN WHEN THEY PASSIONATELY DISAGREE. WE BELIEVE MORE OF THAT LOCAL SPIRIT CAN APPLY TO STATE AND FEDERAL POLICY DELIBERATIONS. ❞

—MICHELE HOLT-SHANNON DIRECTOR, NEW HAMPSHIRE LISTENS[62]

Rep. Moulton speaking at a town hall meeting at Northshore Community College in Lynne, MA.

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60 See National Coalition on Dialogue and Deliberation and International Association for Public Participation. The Open Government Partnership has many resources, and a track for parliaments.

61 See directly representative methods for town halls by Michael Neblo and Amy Lee at the Institute for Democratic Engagement and Accountability at the Ohio State University. See also Neblo with Kevin M. Esterling and David M. J. Lazer, *Politics With the People* (Cambridge: Cambridge University Press, 2018).

62 New Hampshire Listens is part of the Carsey School of Public Policy at the University of New Hampshire, a public land-grant and sea-grant school.

THE EXAMPLES:
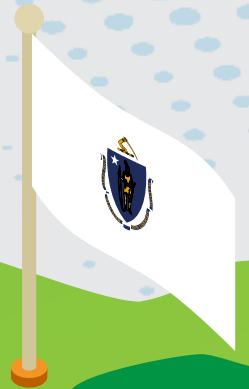
Rep. Crawford's district office in Cabot, Arkansas

REPRESENTATIVE RICK CRAWFORD (AR, 1)

" OUR CONSTITUTION PROTECTS FREEDOM OF SPEECH (INCLUDING ANGRY CITIZENS PROTESTING ON SOCIAL MEDIA). ... HOWEVER, POLITICAL ADVERTISING DOESN'T LEAVE MUCH ROOM FOR OFFICIAL COMMUNICATION WITH OUR CONSTITUENTS, COMMUNICATION THAT COULD INFORM THE POLICY-MAKING PROCESS AND MOVE US FORWARD AS A NATION. "

—REP. RICK CRAWFORD OF ARKANSAS[63]

In March, 2018, Rep. Rick Crawford of Arkansas deleted his Facebook account. Uncomfortable with privacy violations and dismayed by the unproductive discourse on the platform, he decided to forge an alternative path on his own. Crawford and his staff desired genuine informative connection with constituents. Lacking conventional options, they innovated new methods.

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63   Rick Crawford, "The US Needs to Create Civic Social Networks," TechCrunch, accessed March 18, 2019.

The challenge Crawford faces is familiar to most Congress members from rural America: how to achieve responsive and authentic communication with constituents across a vast geographic area. Crawford has four district offices, a mobile office, and 12 hours of drive time between them. Every one of his district staff constantly interacts with constituents. "We're never off the clock, even at the grocery store" said a staffer in the Jonesboro office. Moreover, as in much of rural America, internet coverage is uneven and often unreliable. A former journalist and a military veteran, Crawford has considerable experience with communicating complex ideas concisely and with operational planning in mind. He's also a musician, happy to perform for crowds. As one staffer put it, "He communicates to connect."

Solving the problem: Crawford replaced Facebook with access to his cellphone number. Now constituents are encouraged to text him directly. Crawford and his staff have experimented with other methods of discourse as well. His "On the Radar" is a weekly wrap-up on Crawford's Youtube channel, created through a district and D.C. staff collaboration and directed to his Arkansas district. It is filmed with a green screen and basic video equipment in his Capitol Hill office. Crawford shares this innovation spirit with his staff. He allowed his chief of staff to create a podcast

Rep. Crawford encourages constituents to text him on his cell phone.

for fellow staffers. He also takes advantage of modern tablet and video methods for improving communications between Washington and his district.[64] More recently, he hired a data specialist to begin thinking about how to retain office memory and enrich internal knowledge. Crawford also recognized the importance of data for oversight purposes. As a subcommittee chair, he convened a hearing on big data and agriculture.

A member's committee assignments create categories where he or she requires special subject matter expertise. At home in Arkansas' 1st District, Crawford built a citizen advisory system based on his assignments:

ORACLE, Ozark Region Advisory Council for Legislative Excellence

ARMAC, Arkansas Rivers and Maritime Advisory Council

DREAM, Delta Region Economic Advisors

Opioid Council (pending)

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64 Allowable technology is complicated for technical and legal reasons in Congress. The House and Senate are distinct. The vendor approval process is mysterious and uneven. See Zach Graves and Ken Ward for background, "Doing Business with Congress," the Lincoln Network.

Crawford does not convene town halls, but his staff is available to meet with all those who show up at his offices. The staff receive a broad cross section of local perspectives using this technique, which they supplement with a variety of local information sources like trade journals and the occasional topical blog. "Constituents across the board have far more information these days" said one staffer. The Arkansas Democrat-Gazette, a long-standing locally owned paper in Little Rock, is a constant reference point for national and state news. The staff, especially in the more remote offices, maintain good relationships with federal agencies and are in frequent contact on issue-specific policy implementation.

REPRESENTATIVE SETH MOULTON (MA, 6)

" COMING TO THE HOUSE OF REPRESENTATIVES FROM SILICON VALLEY IS LIKE GOING INTO A TIME MACHINE. "

—ROGER DEAN HUFFSTETLER, FORMER CHIEF OF STAFF TO REP. SETH MOULTON OF MASSACHUSETTS[65]

Rep.Seth Moulton came to Capitol Hill in 2015 prepared for digital democracy. Then 36, he was a millennial brand ambassador for 21st-century technology. His first chief of staff hailed from Silicon Valley, with reasonable digital expectations of modern communications technology. Like many newcomers, both were confounded by obsolete systems and rules created for the last century. Moulton's staff soon realized that it would have to come up with creative solutions. The office applied for a waiver from the House authorities to use Slack, a popular collaboration platform that allows the district and Washington staffs to communicate as a team. Because they demonstrated that this tool was essential to the representational duties of their office, the waiver was granted.

The challenge that Moulton faced in his suburban district has deep roots. Expectations for civic voice are high throughout New England, but especially in Massachusetts. The democratic instincts born in the state created the nation, after all.[66] The Mayflower Compact—the first document establishing self-government—was signed in Provincetown, and the Boston Tea Party was the result of a series of town gatherings. Citizen participation is a cornerstone in the 6th District, and Moulton's district headquarters sits in downtown Salem, across from the Old Town Hall, one of the earliest public squares in the country.

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65 Andrew Zaleski, "*Coming to the House of Representatives from Silicon Valley Is Like Going into a Time Machine,*" Politico magazine, September 13, 2015.

66 Massachusetts towns have extensive resources on community process. See this Town Meeting guide from Swampscott, MA, courtesy of Town Moderator Michael McClung.

The old Town Hall dominates the view out of Moulton's Salem office.

Moulton's embrace of the modern world is obvious immediately at his Salem office. A digital LCD scrolls information in the foyer of an office full of light, with a staff greeter, an open floor plan and standing desks. Due to a carefully cultivated pipeline of talent provided by the co-op program of a nearby university,[67] Moulton's office is abuzz with staff looking after the needs of constituents. To maintain continuity between Washington and Salem, the staff have more than online collaboration tools. The office has a morning "stand-up" video conference where all available staff in each location gather around, see each other, share information and discuss the day. Discreetly hanging on the wall is an old-fashioned bell. Whenever a staff member solves a case work challenge, someone rings the bell and everyone assembles to hear the success story. This kind of seamless and intentional integration of analog and digital engagement is the hallmark of the Moulton staff. Starting a group text thread to manage logistics and questions at a town hall gathering is another simple example. Communicating with each other and seeking new ways to connect to constituents are the constant conversations at the heart of their workflow.

This holistic communication model means that all staff are policy staff. Two vital ingredients for policy input are timing and trusted expertise. The constituent-facing staff are routinely interacting with local residents whose experience has policy implications. Staff look for patterns and trends, then cross-synch what they are finding in the daily stand-up. The

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67   This co-op program belongs to Northeastern University in Boston. In winter, 2018, students began serving in Rep. Moulton's DC office.

office collects data through a case work survey, and a staffer with coding skills has built a basic, functional database. This information has relevance locally and sometimes nationally. When local veterans remarked about receiving long, convoluted letters that buried vital information, Moulton introduced the TL;DR Act. It would require federal agencies to clearly mark and prominently place action items within correspondence.[68] The office even enlisted the veterans to create a video explaining the problem and the intent of the bill.

Moulton, himself a Marine veteran, has been trained to provide after-action reporting in service to a larger goal. To this end, he wrote about lessons from his first term as a "Welcome to Congress" handbook for new members. This year, his staff compiled a casework handbook for all incoming staff.[69] In the interest of public discourse, the congressman and his staff also developed a Veterans Town Hall model where local veterans engage in community dialogue about their war experience. Military and veterans issues feature prominently in the 6th District, but the entire state of Massachusetts is remarkably connected when it comes to policy communication. Moulton is a member of the House Veterans Caucus, for example, which communicates through a Slack channel.[70] Veterans in Massachusetts communicate on a statewide Slack channel. Even more, the state facilitates collaboration with a military task force. A caseworker roundtable for all staff and issues is organized in Boston at the statehouse as well.

Moulton's office is young, but what they lack in institutional memory, they make up for in entrepreneurial momentum. In fact, the congressman encourages his staff to innovate and take risks. His Salem staff asked Code for Boston to build a web app that will help walk people through a complex benefits formula so that they can better plan for retirement and advocate for themselves with the Social Security Administration.

" THE ORIGINAL—AND ONLY PROVEN—ANTIDOTE TO CIVIC MISINFORMATION IS DIRECT, SECURE AND AUTHENTIC INDIVIDUAL-TO-GOVERNMENT AND CITIZEN-TO-CITIZEN COMMUNICATION. "

—SEAMUS KRAFT, FORMER 6TH DISTRICT RESIDENT[71]

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68   All staff in all interviews indicated they rely on the federal agencies as information sources. The agencies are uneven in accessibility and information sharing. Staff remarked they would like more trend data for preventive action or "alarm" notices. Agency newsletters are important, especially when regionally specific. The IRS is "off the charts" on constituent satisfaction, for example. The FEMA app is "so helpful." Other agencies don't even reply to staff emails.
69   House staff may email the author to obtain this handbook.
70   The office is aware of the risks and benefits that come with new technology. Re: specific policy channels on Slack. There is no confidential information in the content, and they do not share personal constituent data on the platform.
71   Seamus Kraft is a former Hill staff member and co-founder of the OpenGov Foundation. His team organized congressional hackathons, created the collaborative editing platform for policymakers MyMadison, and a voice to text tool for voicemail.

The Parthenon is just down the road from Rep. Cooper's district headquarters.

REPRESENTATIVE JIM COOPER (TN, 5)

Starting late in 2016—the end of a contentious election year—Rep. Jim Cooper's district staff noticed a surge of communication coming into the office. "We sensed that people had a need to talk in person," said one staff member. This uptick in constituent unrest was not completely new, however. As in many congressional offices, public discontent had become more evident several years prior. Since 2009, congressional town hall meetings across the nation had become more agitated, and public discourse became a far greater moderation challenge. Cooper's staff took note. "What came out of that was a sense that people needed a real relationship that was face to face and locally established in the community" said another staffer. Instead of open-mic town halls, Cooper began holding smaller, more closely moderated community conversations in the public library.

The Nashville Public Library is in the heart of Tennessee's 5th District, and Cooper's district office shares the historic building with stacks of books and helpful librarians. It is a fitting place for this member, who has been described as someone who reads so much he is a "nexus for information sharing." Cooper is a policy lover's wonk, an intellectually curious member who reads five newspapers a day. "He's a great explainer, especially for

Tennessee," said another staffer about his ability to take complex policy issues and make them not only relatable, but relevant to his district. The office receives several hard copy papers because "all the good stuff is in the margins."

Indeed, everyone in Nashville might well have Cooper's cellphone number, which he gives out at events. Open sharing also defines the communications workflow within his staff. The organizing principle in the Cooper office is based on human beings. "If you optimize office culture first, then you can optimize the technology for it," said one staffer. The D.C. and district office staff make themselves available and accessible to each other. The comms team deploys a pickup method so that anyone who has specific knowledge can weigh in on an issue. Policy calls are often daily, and routine memo writing is also standard for all staff. This default-to-open method is a key way that the district and Washington offices keep tabs on the flow of important information. It has the added benefit of helping every staffer practice and learn Cooper's voice. The office shares outwardly as well, with a staff-curated daily "Top Ten at Ten" newsletter and a twice weekly, in-depth "Issue Watch" newsletter.

Most staff members remarked that the district office is more of a constituent base service hub and the D.C. office is more for legislation. Yet, as in many institutions facing the modern effects of globalization, the two functions combine in practice. Nashville has the largest population of Kurds outside of Iraq, for example. Immigration issues are constantly part of office discourse as refugees settle in Nashville.[72] Probably the most important thread of continuity on the functions between the district and D.C. offices, however, is that the member and the chief of staff continually travel back and forth between the district and Capitol Hill.

The institutional memory of the Cooper office is considerable. "It helps to have a member and a chief of staff who are big thinkers," noted one staffer. With decades of knowledge and work experience in the room, technology assistance is generally not viewed as an obvious or urgent need.[73] The holistic approach to team building is informed by years of learning from different workplaces. More than one staffer remarked on the detrimental effects of "stay in your own lane" office politics. On the policy front, the long tenure (since 2003) means that the collective office networks offer a deep directory of local subject matter expertise. The district also has several universities. If an issue comes up, staff members track down the local expert on campus or through a personal connection. That's not to say the staff doesn't use the World Wide Web. If they need advice on a new topic, they'll go right ahead and cold call them on social media. "We've never had an experience when a researcher would not open up everything they could," said a staffer.

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72   It's worth noting that translating local constituent input into data that could possibly inform policy making is recognized and— like unstructured data everywhere —is also a considerable challenge.

73   The staff did note, however, that lacking human institutional memory, they would need a platform to "remind ourselves what he has said on the issue, which bills he's on, what he has done, other bills introduced and by whom, who were the legislative staff. Then this could be matched with how many calls we are getting about it so we could adjust accordingly."

Sharing representative duties has been a delegation-wide characteristic in Tennessee. At the tactical level, the bitter polarization of national politics is not as evident. "The caseworkers work marvelously together," said a staffer. Case in point: The state's US Senate offices once took over the constituent service responsibilities for a Cooper caseworker on medical leave. One staffer only half-jokingly attributed this statewide comity to "airplane time," noting that "they all fly out of Nashville together."

Tennessee has one of the lowest rates of voter turnout in the country. Civic institutions, including Cooper's office, are working to remedy this deficit. His office created Project Register to facilitate voting in the state. Aware of increasing political polarization, the Tennessean newspaper created a civility project, and the nonprofit Tennessee Humanities regularly convenes public educational events on topics vital to American democracy. Cooper's office also works to make congressional service accessible to more young people. As this report went to press, his office was creating new internship positions in the district office that are more affordable for individuals who would struggle to pay the hefty price tag of travel and work in Washington, DC.[74]
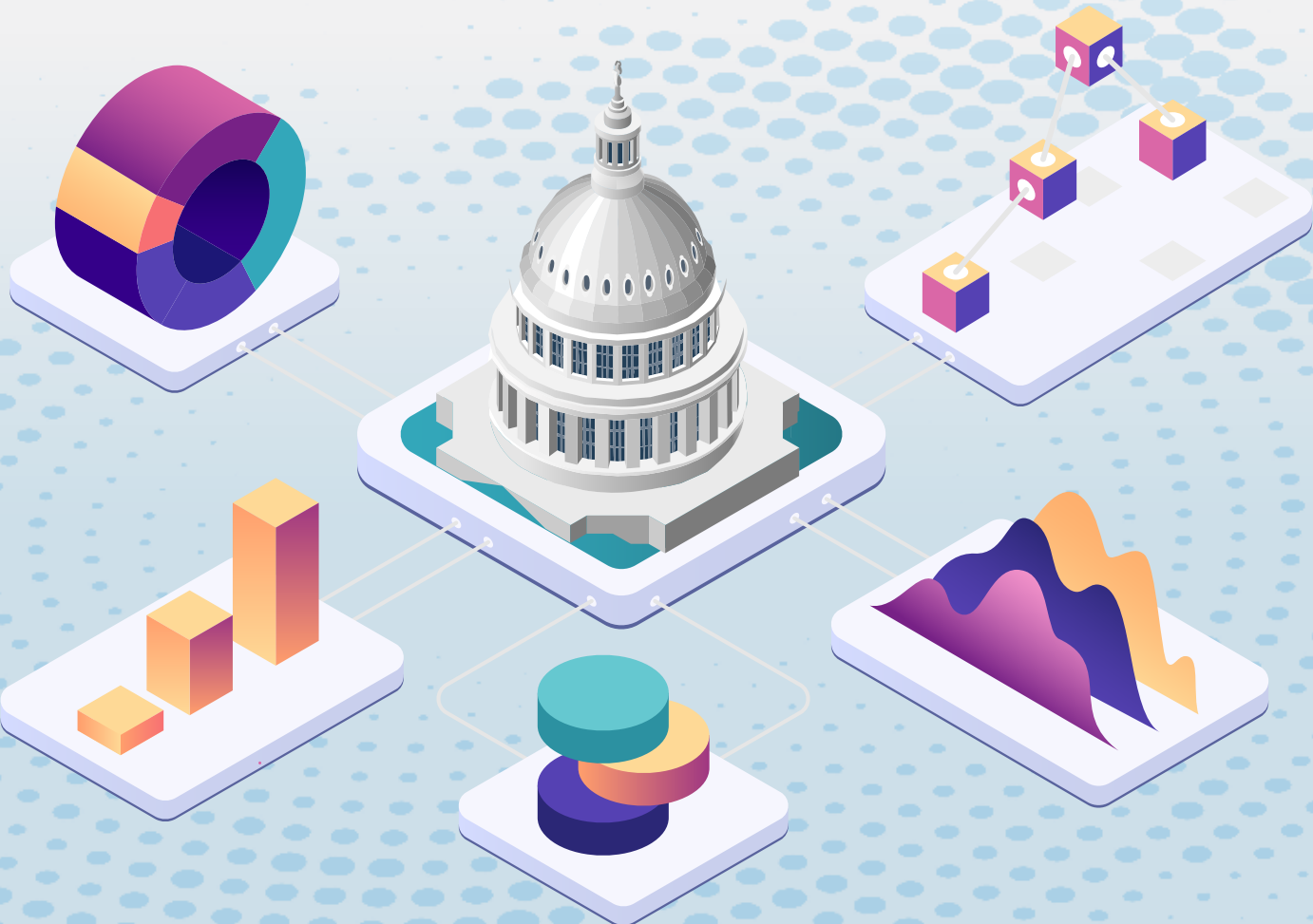

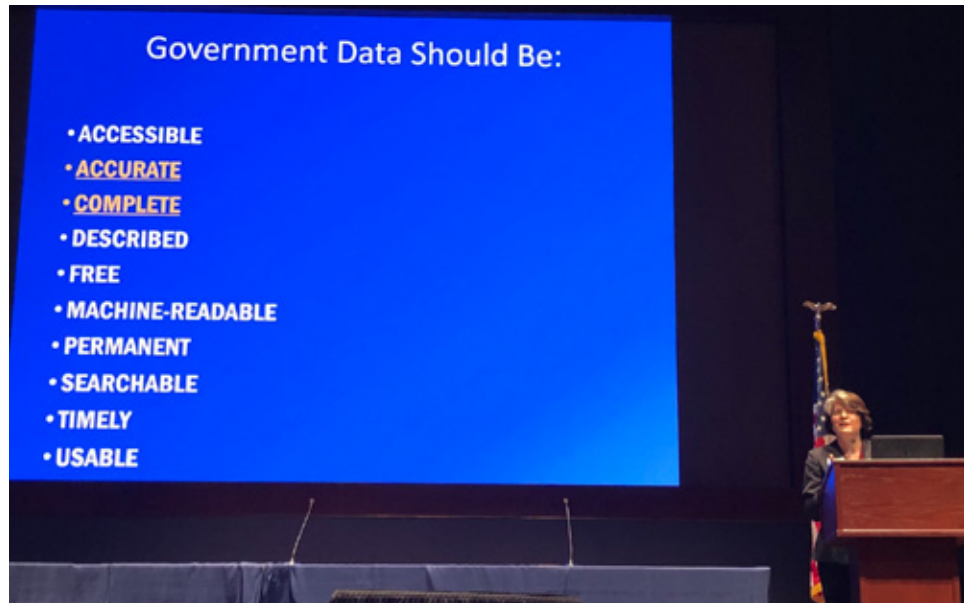*Tennessee's statewide mobile innovation labs are hosted at the Co workspace in Jackson.*

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74   The fiscal 2020 Legislative Branch Appropriations request includes funding for interns, language to allow DACA recipients to work, plus other line items to strengthen and modernize Congress.

THE PATH FORWARD:
CONGRESS DECIDES TO MODERNIZE

Congress is continually renewing itself on the outside. On the inside, an under resourced, over performing technology staff is dedicated to build anew. Legislative Data and Transparency Conference 2018

CONGRESS RECENTLY ACHIEVED THREE MILESTONES:

1

In January 2019, the bipartisan Foundations for Evidence-Based Policymaking Act was signed into law by President Donald Trump.[75]

2

The House created a Select Committee on the Modernization of Congress.[76]

3

Congress is replenishing part of its science and technology assessment capacity within the Government Accountability Office.[77]

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75 See "Evidence Law Enacted, What Next?," interview with Nick Hart of the Bipartisan Policy Center's Evidence Project, February 21, 2019.
76 Please see the committee's official website and Legbranch.org for articles and details.
77 There's a lively debate about the new Science, Technology, Assessment and Analytics team the Office of Technology Assessment was funded in the 2020 appropriations bill. See this coalition support letter.

Speaker Pelosi testifies before the Modernization Committee at the Member Day Hearing. ©LK photo

CONGRESS OF THE FUTURE

The Select Committee on the Modernization of Congress jumped into action in January 2019, convening regular hearings and staffing up for its yearlong mandate. The committee issued its first set of recommendations in May.

An additional list of recommendations from civil society to modernize Congress is available here in a letter to Rep. Derek Kilmer of Washington and Rep. Tom Graves of Georgia, the chair and vice chair, respectively, of the Select Committee.

© Issue One

RECOMMENDATIONS

At the Beeck Center, our research has focused on district staff and Congress' evolving activities in congressional districts. We looked specifically at how staff gather trustworthy information for the policymaking process. To that end, here are ways for members, staff and "information intermediaries" to get started. First, pay close attention to the recommendations of the [Select Committee on Modernization.](#) Ask, should the committee continue past its one-year mandate? Should it be a standing presence? What would that look like? Then:
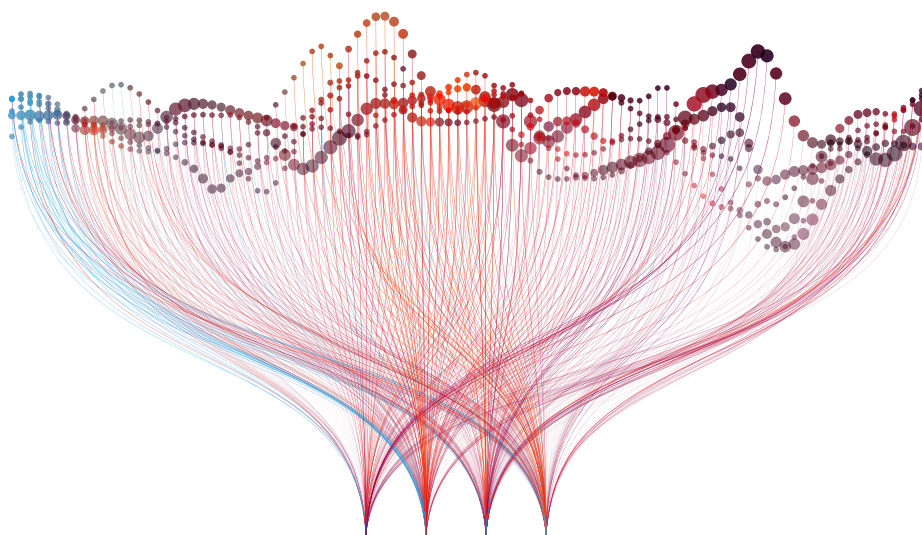
If it stays true to its democratic values, Congress can become a trusted and public-serving data fusion center, integrating many data sources into policymaking.

MEMBERS AND STAFF:

1. Develop and implement a "whole of office" vision including methods to systematically include district staff in policy discussions. Think about ways to record district constituent input as structured data.[78] Narrow down the data collection by your committee assignments and most common constituent service issues. Let your staff experiment. Share ideas/prototypes with your colleagues in Congress.[79]

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78 Congress' incoming, outgoing and internal data is almost all ["unstructured,"](#) i.e., text like handwriting, e-mail messages, bills, drafts, speeches, summaries, documents, or videos, photos, audio files, slide presentations, webpages. [Start by indexing](#) your priority categories so the data can be found and used. [Attend a local data scien](#)ce event!
79 Make sure both parties are included in any tech and data innovation ideas. Systemwide improvement is a mutual benefit. Do a demo with a caucus: Transparency, [Future,](#) Blockchain, Tech Staff Association etc.

2. Assess your district using our knowledge commons research categories. Discuss with trusted information intermediaries what a modern information sharing system might look like. How will the decisions be made about what to include? What technology for participation is already in use? Explore possibilities for technology and data use in your office and in your committees.
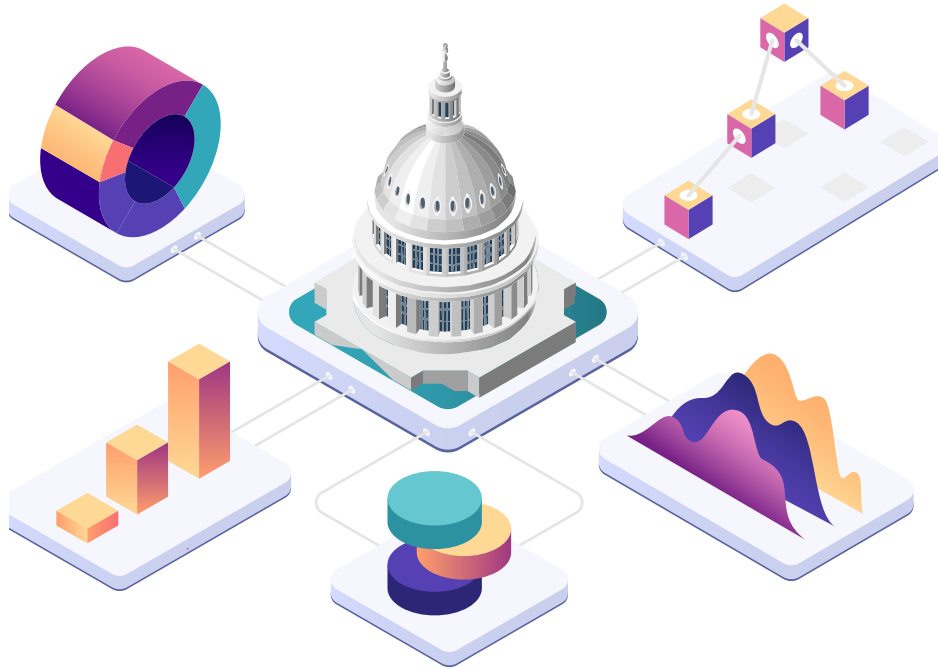
3. Educate the public about the First Branch. It contains the institutional memory of American democracy and has a vital role to play in the digital era. Become a trusted information intermediary about the national policymaking process. Help your constituents understand Congress in context. Tell them what you're learning. Use your social media channels to compete on substance: explain how deliberation and compromise work. Take time to discover and explain the process. Interview colleagues and visiting constituents about Congress on your channels. Produce a weekly wrap-up on YouTube or Instagram.[80] Create a hashtag for constituent input or a quick survey on Twitter. Experiment with two-way conversation methods, offline and online. Remember to share.

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80 While all members still have newsletters, Rep. Sylvia Garcia of Texas provides a wrap up on her Facebook page. Rep. Markwayne Mullin of Oklahoma uses his YouTube channel. Members increasingly use social media as an issue reaction-explainer channel like Rep. Mike Gallagher of Wisconsin. Or, tweet a vote and link to an explanatory Medium article. Rep. Alexandria Ocasio-Cortez of New York uses Twitter and Instagram to share her workday. What would a credible, productive district feedback channel look like?

INFORMATION INTERMEDIARIES IN THE DISTRICT:

1. Public educational entities, create opportunities for local congressional staff to know one another and to meet other civic-minded individuals. Build on what Congress already has.[81] For example, maker spaces should be venues for staff to collaborate with young civic technologists like the students who enter the Congressional App Challenge. Issue a tech challenge in your district for specific needs of Congress. Have a "data jam" or a hackathon. Provide technology/engagement fellows to district congressional offices.

2. Showcase your legislator. Communities should help the member work on the topics that he or she loves, but don't have within their official assignments. Cuba, foster care, public transportation, health care, nuclear security, Peace Corps — these are all issues that came up during this research. You can also help your member organize an educational event for all staff back in Washington. Members' YouTube channels are underutilized as a two-way information exchange. Could you produce timely, topical issue-explainer videos? Podcasts?

3. Be a trusted information intermediary. Become a policy advisory resource, a curator of participation or a local convenor and help build an informed constituency for a modern Congress. Disclose possible conflicts of interest so that we develop new digital norms for integrity in the process. Create a surge capacity for rapid response knowledge assistance and issue framing, both online and off. Don't stray into partisanship and vet information for polarizing memes, labels and words.

Here is a "Future Congress" spreadsheet of technology and data ideas.

Modernization Committee hears from former Members of Congress about lessons learned.

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81 Tech and data are cross-cutting issues: check committee oversight plans for policy topics. For Congress' own tech, the Bulk Data Task Force, the tech staff association, TechCongress Fellows, House Administration, House Clerk, Government Publishing Office, Congress.gov and Congressional Research Service, several caucuses. Search #LDTC18

CONCLUSION: LET'S KEEP THIS CONVERSATION GOING!

HERE ARE SOME EXTRA QUOTATIONS TO HELP YOU THINK ABOUT THE FUTURE:

"Two small rules tweaks for committees could have a profound impact on how Congress operates: (1) requiring committee and subcommittee rules to include approval of a (short!) mission statement; and (2) requiring committee oversight plans to include a list of key metrics. These metrics could be displayed in a publicly available dashboard and used as a shared, apolitical, fact-based point of reference for committee members and the public."
— Marci Harris, civic tech entrepreneur

"Funding and elevating the technology talent that already exists in the House will pay in dividends as other parts of the legislative branch learn how to do technology and transparency better."
— Josh Tauberer, civic tech entrepreneur[82]

"Congress needs some kind of chief technology officer or chief data officer."
— multiple staff members

"The House of Representatives should revitalize committees as the engines for policymaking. This can be fostered by empowering committee chairs to manage legislation on the floor of the House."
— Kevin Kosar, R Street Institute, former Congressional Research Service staff member

"It will be of little avail to the people that the laws are made by men of their own choice if the laws be so voluminous that they cannot be read, or so incoherent that they cannot be understood."
— James Madison, 4th U.S. President

"Congress must spend more on itself."
— Daniel Schuman, civic technologist, former Congressional Research Service staff member

"I would love to know more from peers in my position in other offices."
— District staff member

"Public education at every opportunity. People need to know what is available and how they can use it."
— Robert Reeves, Deputy Clerk, U.S. House of Representatives,[83] speaking on the data and new technology capabilities of Congress

"I look forward to the day that Congress has a staff as knowledgeable and experienced as the well-heeled lobbyists who are in their offices every day."
— Meredith McGehee, executive director of Issue One, former Hill staffer

"Most of us see that you gain strength by engagement with the other side of the aisle … sharing drafts, sharing in general. … Colleagues will point out things to you, and you will have a better final product, you get intelligence out of that. … It is a choice, how much to share, but better decisions are made when the information is more inclusive."
— House committee staffer

"Congress is an 18th-century institution, and it should not change some things. It demands that humans show up. This is not a bad thing."
— Former congressional staffer

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82 Witness testimony for Committee on Modernization hearing on "Opening Up the Process: Making Legislative Information More Transparent," May 10, 2019. See witness Q and A.
83 Witness testimony for Committee on Modernization hearing on "Opening Up the Process: Making Legislative Information More Transparent," May 10, 2019. Submitted copies of testimony here.