



A town in New Hampshire
Photo courtesy of Rep. Annie Kuster

Civic Voice and Congressional COVID-19 Response: How Members of Congress can lead SIDE hearings in their districts (Stakeholders, Individuals, Data and Evidence)

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On May 15, 2020 the House of Representatives passed [H.R. 965](#), an emergency measure in response to COVID-19 that allows for Congressional deliberations to occur at a distance, with remote committee procedures and proxy voting.

This resolution takes a significant step forward on Congress' path toward [modern digital capacity](#), specifically calling for the maintenance of a digital repository for committee information in [Section E - Committee Process](#).

The Georgetown University Beeck Center for Social Impact + Innovation has compiled information in response to the new measure, and in broader support of the use of digital, searchable Congressional repositories, to which we refer herein as Civic Voice Archives. Beeck Center Fellow Lorelei Kelly has been working on congressional knowledge capacity for decades, including 10 years working on Capitol Hill. This report spotlights the SIDE Hearing — a practice for building Civic Voice Archives that is available for House Members and their staff to activate in their districts right away. This information also includes a case study of a SIDE Hearing pilot.

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Problem Statement: Why we need SIDE Hearings

Members of Congress and their staffs have important roles to play in ensuring that constituent input is included in the legislative process, especially during the disruption brought about during the COVID-19 pandemic. Indeed, members consistently need diverse options for constituent engagement on policy topics, new digital methods for archiving community input, and more agile mechanisms that compromise between open mic town halls and rule-restrictive committee hearings.

The legacy systems of Congress have restricted and constrained the use of valuable civic feedback in the deliberative process of policymaking. Three-ring binders and old metal file cabinets symbolize this paper-based tradition, but in this digital age, Members and their staffs can collect and maintain civic input in digital archives. SIDE hearings are an efficient and effective way to collect such input. Archivists and historians work in the [House](#) and the [Senate](#) and may provide useful advice in how to build modern digital data infrastructure. The U.S. National Archives — part of the First Branch of Government — also has a [Legislative Advisory Committee](#); contact them! The first step in creating this repository is structuring this input for the record so that it can be readily located and accessed. The case study below can serve as a model to help you get started.

SIDE Hearings are not official committee hearings. Rather, they are vital supplements to the regular information-gathering processes of Congress because they make productive use of community input for policy considerations.

Solution: The SIDE Hearing engagement model

While the COVID-19 pandemic has disrupted the in-person, hard-copy status-quo, it has also opened the opportunity to build a more modern, inclusive system.

A SIDE Hearing allows Members and their staffs to effectively use the record of Congress in two ways: To ensure constituent input is included as Congress deliberates, and to offer a way to include more data from wider geographic areas into the subject matter memory of lawmaking.

Key Resource: [A guide to pitching your Member on leading a SIDE Hearing.](#)

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Background: SIDE Hearings

Committees in the House and Senate rely on hearing from knowledgeable individuals. Panels of expert witnesses inform Congress and the public about policy and issues of the day. The House and the Senate share three types of hearings: [legislative, oversight, and investigative](#). These convenings can happen either on Capitol Hill, or in states and districts as field hearings. Over recent decades, hearings have diminished to around [50% of previous levels](#). As hearings are the main public touchpoint for topical subject matter expertise in our legislative institutions, their decline diminishes the representative nature of our governing system.

A SIDE Hearing is a Member-led public event that brings Stakeholders, Individuals, Data, and Evidence together on a topic of local concern.

The SIDE hearing began in response to those concerns as a research effort on how Congress can be more inclusive during the [congressional field hearing process](#). Specifically, a network of individuals who consider themselves friends of Congress began to regularly discuss how to assist Members and staff after the establishment of the [Select Committee on the Modernization of Congress](#). The SIDE framework was originally conceived of by a technology working group organized by the [American Political Science Association](#).¹ Currently, the SIDE hearing process is designed for use within the U.S. House of Representatives,² primarily because in our system of government, House Members are the elected leaders that live and work the closest to the American people. An individual Member represents approximately 750,000 Americans, and nearly half of all congressional staff reside in states and districts.



The U.S. Capitol dome as seen out a window of the Rayburn House Office Building
Photo Lorelei Kelly.

¹ As Congress becomes more technologically advanced, the submission of data and evidence as machine readable, structured documents will become normal. Please see our [sample template](#).

² Every committee has its own [rules & requirements](#),

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A view out the window of the Congressional District Office in NH-02.
Photo courtesy of Rep. Annie Kuster staff

The SIDE Hearing is especially useful amid the COVID-19 disruption of regular operations in Congress. It can address the need to hear directly from communities on how they are coping, making use of relief funds, and organizing themselves to respond.

The original goal of this SIDE hearing pilot³ was to reveal new ways for individuals and communities to input expertise and lived experience into the formative deliberations around policy and to maintain the input as part of Congress' digital data repository. A secondary goal was to find ways to structure the information from these gatherings so that civic voice data can be entered into automated systems in Congress, and stored as a policy resource. Finally, here at the Beeck Center we are continuing to explore how this demonstration method could become standard practice across 50 states, 435 congressional districts and six territories, **SIDE frameworks might offer a way to improve representative government, build legitimacy, and enrich the knowledge base for lawmaking.**

³ The SIDE Framework was developed by a [Technology Task Force](#) of the American Political Science Association after Congress created the [Select Committee on the Modernization of Congress](#).

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How-to Guide: SIDE Hearings

1. Members lead a SIDE hearing so civic participants can submit local, contextual information to be included in the official Congressional Record.

Identifying a SIDE Hearing Topic

While any issue could be the subject of a SIDE hearing, an ideal topic is one that is either:

- of both local and national concern, but has not yet defined as a national policy issue (e.g., COVID19 response, local land use on public lands)
- covering a new topic (e.g., digital workforce development, infrastructure plan)
- a national or global issue that has local implications (e.g., options for building local resilience to climate change)

Within these guidelines, your topic will best allow the input of the civic voice of those most impacted, who are historically underrepresented in the Congressional Record if they are not able to organize as paid stakeholders or don't have lobbyists to raise visibility on their local concerns.

Key Resource: [How to Identify a SIDE Hearing Topic](#)

“People were interested in seeing their Members of Congress hold a hearing or hearing-style event in their districts, sit down with constituents and activists, and discuss the stories and solutions of a certain topic that strikes a balance of education and emotion.” –District Staffer

Key Resource: Establish a social media presence to invite people to your SIDE hearing. Use hashtags for #SIDEHearing, your topic (ie. #COVIDCivicVoice), and your district (i.e., #NH1 or #NH2). Also, add photos from your district!

2. Leading the SIDE Hearing

Members can use something like the following to address participants at the beginning of the SIDE Hearing:

My staff and I organized this event so that I can hear your voices about [TOPIC], which is an issue that is significant for all of us. I'm piloting this process to better represent you and so that I can work with my colleagues in the House of Representatives while informed by the timely priorities of our community.

On May 15, Congress passed an emergency measure that allows the deliberative process of committees to occur at a distance. While this is not an official committee

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hearing, it is a vital supplement to the regular information-gathering process of Congress.

It is my hope and intention to help this community and our nation come through the COVID-19 pandemic better than ever. To that end, this SIDE hearing is an innovative and new way to prioritize data in federal legislation. When I say “data” I do not mean a pile of spreadsheets and pie charts. Although those are useful and a welcome part of the process, this SIDE hearing is more about you. I want to hear from you about your lived experience in relation to [TOPIC]. I am interested in knowing what is working and where our challenges lie. By better understanding outcomes, lawmakers like me can make informed decisions in context and in the daily process of our lawmaking duties both here and back on Capitol Hill.

You can use this form ([template](#)) to submit your information, and round rules for public witness and audience participation apply. If you would, please take a few minutes to read them ([template](#)) before the hearing commences.

Finally, this SIDE hearing is an opportunity to move away from the politics of issues—the screaming headlines that we all see that often seem to have little relevance to our local concerns. This setting is a way to reap the best intentions of our community, to inform ourselves, to contribute, to listen and for me, to act on your civic voice.

Thank you for attending today.

Key Resource: Members can use this [Ground Rules Template](#) as a hand out to participants or to read during opening remarks.

3. Members format testimony with keywords for the official, searchable record of Congress.

Key Resource: Participants can use this [SIDE Hearing Testimony Template](#) to submit information.

House Members typically enter information into the official Congressional Record using a formatted document. They do this while attending committee hearings or on the House Floor. Entering SIDE hearing information is similar, but requires its own searchable keywords (also called tags). District constituent service and constituent engagement staff should “tag” the submitted information in a digital format so that it can be found amidst the vast trove of data entered into Congress’ official repositories.

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We have created a [sample template](#) to get you started. Creating standard data is an ongoing challenge as legacy government systems upgrade to digital platforms (think about the Healthcare.gov website rollout debacle in 2013). For this reason, COVID-19 may have a silver lining for modernization. Remember that experts on Congress' institutional memory exist to help you! The National Archives' [Legislative Advisory Committee](#) for example. The SIDE Hearing method offers promising practices for data formatting so that, in the future, locally generated information will be discoverable, searchable and a useful tool to inform policy. Tagged information can be added in one of two ways, listed here in order of preference, as discovered in the pilot: 1) Members through their committees enter into committee repositories, and 2) Members enter the information into the record as extensions of remarks on the floor. This information then shows up in the Daily Digest of Congress in the Congressional Record.

Pilot partner Rep. Annie Kuster entered her SIDE hearing testimony into the record during a House Energy and Commerce [Environment and Climate Change Subcommittee markup session](#). Here she is on C-SPAN [speaking about the successful PFAS bill](#) on the House Floor.

Case Study: SIDE Hearing Pilot on the [PFAS Bill](#) on Groundwater Contamination in New Hampshire



Image courtesy of Town of Litchfield, NH

Pilot Location: Litchfield Town Hall, Litchfield, New Hampshire. This is a community that experienced [per- and polyfluoroalkyl substances \(PFAS\) contamination](#) from nearby industrial and military facilities.

Topic for Deliberation: PFAS, a family of toxic compounds with commercial and military uses, has contaminated groundwater and drinking water in communities across the state. The issue had already garnered a broad swath of interest, and was one that required Congressional involvement since it could not be addressed exclusively at the local level. The topic spurred a grassroots effort to pressure state and national-level policymakers to regulate PFAS and clean up contaminated sites. Public outcry and local-level organizing in states throughout the country resulted in a number of high-profile hearings and a [bipartisan bill](#) that was working its way through Congress.

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Who was involved in organizing the SIDE Hearing?

The Institution of Congress: Congress is the nation’s lawmaking body. It makes rules that have far reaching implications for the entire United States. For example, in our case study [The PFAS Action Act of 2019](#) had already generated widespread discussion because PFAS is a national issue, and both members of the NH delegation signed on to support. A SIDE hearing is informed by organizations inside the institution including committees and must adhere to Congressional and committee rules.

Institutional Intermediaries: Members of Congress. The New Hampshire congressional delegation consists of Representative Annie Kuster (NH 2) and Representative Chris Pappas (NH 1), both of whom led the pilot SIDE hearing.

Local Pathfinder: A civil society organization with deep roots in community deliberation. In our pilot, [New Hampshire Listens](#) played this role. The university was represented by two faculty members at the Carsey Center for Public Policy; Michele Holt-Shannon and Daniel Bromberg. Their civic initiative has deep experience working with communities across the state.



Carsey School at the University of New Hampshire houses New Hampshire Listens, a civic engagement initiative. Images courtesy of University of NH and NH Listens

District Staff: In this pilot, Charlotte Harris and Tom Giancola were instrumental. Both work on Constituent Service and Outreach for Rep. Ann McLane Kuster (NH, 2)

Civic Design Innovation: Lorelei Kelly, [Beeck Center for Social Impact + Innovation](#), Georgetown University

Gov Tech Expertise: Marci Harris, [Popvox](#)

Civic Setting: New Hampshire is a state with a rich history of participation in self-government. With over 420 members, New Hampshire’s state legislature is the

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largest in the U.S. The robust representation and low barrier to entry are sources of civic pride for Granite Staters. [State law in New Hampshire](#) requires specific instruction in the privileges, duties, and responsibilities of citizenship and in the history, government, and constitutions of both the state and the nation. Indeed, New Hampshire scores a [healthy civic ranking](#) among the 50 United States. Because it is the first presidential primary state, residents of New Hampshire experience regular and in depth opportunities for deep public discourse and deliberation with national significance.

Outcome: The PFAS bipartisan bill [passed the House](#) in January 2020, informed by the New Hampshire SIDE hearing.

Key Resource: [Identifying a Local Support Network for Planning the SIDE hearing](#)

Who participates as primary witnesses?

When selecting witnesses for the SIDE hearing, think about a cross-section of voices. Who has context, memory and a unique perspective? Try to build a panel that mixes lived experience and academic knowledge. State and local officials provide important insights. This reflection from a district staffer offers a helpful perspective:

“For participants, we had a mix of activists, grassroots community activists, academics/scientists, municipal advocates, state regulators, and state representatives. One interesting success of this SIDE hearing was that we involved different levels of government by having State Representatives both at the table and in the audience.” –District Staffer

See the [Run of Show document](#) for details about participants in the New Hampshire pilot.

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This photo shows the room arrangement for the SIDE hearing pilot in Litchfield, New Hampshire. Photo courtesy of Rep. Annie Kuster staff

Looking Ahead: Future Implications of SIDE Hearings

With the SIDE Hearing model, we envision Members of Congress and congressional staff will be able to:

- a) Ensure that a cross section of the community is represented when a Member of Congress organizes a gathering
- b) Ensure that input to gatherings is accessible to all Members of the community — especially those impacted by an issue
- c) Ensure collected data provides an accurate representation of community information shared at the gathering
- d) Ensure the collected data is tagged in a way that it can be discovered in the congressional record
- e) Renew civic connection to elected leaders

Key Resources for SIDE Hearings

- [Identifying a SIDE Hearing local support network](#)
- [HOW TO: Identify SIDE Hearing Topic](#)
- [HOW TO: Pitch a SIDE Hearing To your Member](#)
- [HOW TO: Plan SIDE Hearing](#)
 - [Run of Show](#)
 - [SIDE Hearing Testimony Template](#)
- [Ground Rules for a SIDE Hearing](#)

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A wetland in New Hampshire. Photo by Lorelei Kelly

Final Notes

This is a continuing research document and we welcome feedback to improve this SIDE hearing model, so please let us know if you are willing to be interviewed about your experience. If you would like additional information about bringing SIDE Hearings to your district, you can contact the Beeck Center via email at beeckcenter@georgetown.edu, or tweet [@beeckcenter](https://twitter.com/beeckcenter) with the hashtag #CivicVoice.

The Beeck Center works alongside a number of partners in this work, including New York University's [GovLab](#) which has compiled a [catalog of models](#) for additional ways of convening with communities. Their list includes those of democratic legislatures around the world who have moved to remote platforms to conduct their deliberative functions, some of whom have recently begun remote operations in response to COVID-19, and others who have been operating remotely for years.

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Acknowledgements

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