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PREPARED FOR THE

COMMISSION ON THE OPERATION OF THE SENATE

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NOTE

The conclusions and recommendations of the Commission on the Operation of the Senate are contained in the report *Toward a Modern Senate* (94th Congress, Sen. Doc. No. 94–278). The views and suggestions contained in the papers in this volume are those of the authors and are not necessarily those of the Commission or any member.

PREFACE

In this and companion volumes, the Commission on the Operation of the Senate is publishing studies prepared for the use of its members by a variety of specialists drawn from universities, congressional support agencies, Federal agencies, State government, and the Senate itself.

We extend thanks to these individual authors for the many contributions they have made to the Commission's work.

In addition, the Commission wishes to thank those members of its own staff who provided special assistance in this endeavor.

Samuel V. Merrick, a professional staff member on loan from the Joint Committee on Congressional Operations, coordinated the work of specialists who studied the congressional support agencies and wrote the introduction for the present volume.

Charles E. Bosley coordinated copy editing and printing preparations, assisted by Barbara Puls, Allan Hall, and Phillip Sawicki.

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INTRODUCTION

Five studies were commissioned on the four agencies that have been created by the Congress over the years for the purpose of responding to its information needs. The four agencies are the Congressional Research Service (a part of the Library of Congress), the General Accounting Office, the Office of Technology Assessment, and the Congressional Budget Office. One of the five studies provides an overview of all four agencies, while the others deal separately with each agency. Thus there are in effect two examinations of each agency, though from different perspectives.

Of the four agencies, CBO is the youngest, dating from 1974. OTA was instituted in 1972. So to some extent these two are still in their formative stages. CRS and GAO are veterans (from 1914 and 1921, respectively, CRS having been the Legislative Reference Service until its name was changed in 1970), and both have been assigned increased duties in this decade.

Each of the studies analyzes to some extent the "overlap" problem, and each of the four studies on the separate agencies attempts to determine what the unique mission of the agency under scrutiny should be.

A recurrent theme of the studies is the problem of supplying information within a political context, particularly when that information bears on matters of current legislative concern. The authors stress the need for the support agencies to be able to handle political pressures—a problem invariably faced by a nonpolitical agency subordinate to a political body. Supplying research material is a nonpolitical activity, but the interpretation of this material and its use to support certain conclusions are political activities. Policy analysis that is truly useful to the Senate will be subject to the desires of legislators seeking support for their own preferred solutions. As the papers make clear, this problem will not go away and will continue to test the professionalism of the research agencies.

The study by Professor James D. Carroll of the Maxwell School of Syracuse University focuses on the ability of CRS to provide first-class policy analysis for the Congress. Carroll's paper concentrates on CRS activities since the Legislative Reorganization Act of 1970, when the agency had an annual budget of $4.5 million and 320 budgeted positions. Carroll outlines the new demands imposed on CRS by the 1970 Act for increased policy analysis and the congressional need for such material, which stems from some nine trends taking place in the Congress and elsewhere that are described in detail.

Carroll's view is that CRS performs with outstanding success the task of providing information to Congress quickly. He suspects, however, that this function (which constitutes an ever-increasing part of the agency's workload) tends to reduce the agency's attention to

long-term research, Carroll sees in CRS the potential for becoming an outstanding policy research organization, but understands the many conditions which have prevented that from happening so far. He concludes with a number of recommendations which can help bring this about.

The study on GAO was prepared by Professor Joseph Pois of the University of Pittsburgh. Pois describes briefly the various activities performed by GAO, one-third of whose professional staff is concerned with tasks requested by congressional committees or individual Members. He also points out the increased evaluation responsibilities mandated to GAO under the Legislative Reorganization Act of 1970 and the Budget Control Act of 1974 and the problems that have ensued as GAO has attempted to fulfill these responsibilities.

Pois identifies as an underlying problem the reconciliation of the agency's independence and its need to be responsive to the Congress. GAO's nonpartisan objectivity in analyzing the programs and expenditures of the executive branch is in potential conflict with Congress's assumption that GAO is an agent of the legislative branch. GAO's position is therefore unique among the congressional support agencies. A specific example of this conflict is the reluctance of the Comptroller General (GAO's chief officer) to carry out program evaluations, an activity frequently requested by Congress. GAO prefers to provide Federal agencies with guidance in carrying out their own evaluations.

One of Pois's many key recommendations is that the Comptroller General should intensify efforts to reduce the dominance of professional accountants at GAO, not only in terms of numbers but also in terms of leadership positions held in the agency. On this, Pois reports progress, but not enough.

Professor Eugene B. Skolnikoff of the Massachusetts Institute of Technology prepared the study of the Office of Technology Assessment. OTA was created by Congress in 1972 but began operations in 1973. While three years is too short a time to make a definitive assessment of OTA's accomplishments, it is long enough to identify problems that can and should be corrected before it is too late. Skolnikoff believes corrections are in order, for reasons he describes in some detail. It is Skolnikoff's view that OTA's unique mission is to provide the Congress with long-term analysis on "subjects with substantial relationship to science and technology." Such studies should, in part, be responsive to congressional requests, while in part they should be on the initiative of OTA itself. OTA, Skolnikoff says, should place less emphasis on quick responses to committee requests for information to meet immediate legislative needs. He also develops the obvious point that OTA will not survive unless it gains the respect of the outside scientific community by producing honest, objective, and high-quality work. Indeed, given the peril of espousing views which may conflict with the goals of political majorities, OTA's only defense will be the unassailable quality of its work.

Skolnikoff also reviews the bureaucratic structure of OTA and finds it less than adequate. Specifically, the Advisory Council has not developed a productive role, and congressional members of the OTA board (especially Senators) are too prone to allow their interests to be determined by staff members.

Professor William M. Capron of Harvard University prepared the study on the Congressional Budget Office. Although CBO was created in 1974, it did not acquire a director until 1975, so it is too early to make a definite assessment.

Clear definitions of CBO's mission are still in considerable dispute. While its director is formally appointed by the President Pro Tem of the Senate and the Speaker of the House, de facto appointive power rests with the House and Senate Budget Committees. Still unresolved are certain questions, such as where its allegiance lies, who determines its priorities, and whether CBO is an independent agency with congressional connections or an agency subject to the dictates of the Budget Committees. Its most easily understood function is to supply information to the Senate and House Budget Committees in their work in implementing the new budget process—so-called "scorekeeping" (on expenditures) and assessment of the economic outlook.

Capron concludes that CBO's staff is a high caliber one, both young and highly trained, though somewhat short on congressional experience. Thus, CBO staff relationships with other "players" on the Hill are still in an evolutionary stage. Nonetheless, Capron believes that since CBO's major concerns cut across a wide spectrum of public policy questions, the agency is in a unique position to provide insights and first-class analysis transcending committee jurisdictional boundaries.

The paper by Ernest Griffith, who was the Director of CRS when it was still called the Legislative Reference Service, is a study of all four support agencies. It is crammed with facts and figures which are interesting in themselves and which also permit the making of comparisons among the four agencies. For example, what each considers a "major inquiry" and what each spends for such an inquiry varies considerably. Griffith's paper contains numerous recommendations, perhaps the most significant of which would be the establishment of a new position, coordinator of research, whose occupant would be appointed by a group composed of the majority and minority leaders of each House. Griffith points out that much has been done to eliminate duplication among the agencies by the relatively new mechanism of a coordinating committee, but that the committee has not attempted to assure utilization of the best resources of each agency or to correct gaps in their performance. Griffith clarifies the capabilities of each agency, providing in effect a guide to users seeking to determine which agency to select for a particular task. Griffith also provides much evaluative material based on the answers to a questionnaire sent to all Senators and committee staff directors. He believes that OTA may ultimately be absorbed by CRS, particularly if CRS enlarges its research program by letting more contracts for long-range studies, particularly studies with technological aspects. It is his view that CBO should not attempt to compete with the Joint Committee on Internal Revenue Taxation or the Joint Economic Committee in estimating revenues or assessing the state of the economy.

POLICY ANALYSIS FOR CONGRESS: A REVIEW OF THE CONGRESSIONAL RESEARCH SERVICE

By James D. Carroll

Preface

This review of the Congressional Research Service was conducted in June and July of 1976 in aproximately 20 working days. It included (1) 2 days of hearings with 17 members of the leadership of CRS, (2) interviews with some 30 individuals within CRS, including several staff in the Congress; and interviews with Daniel Boorstin, the Librarian of Congress; Norman Beckman, the acting director of CRS; Lester Jayson, the previous director of CRS; and Walter Kravitz, a senior member of CRS, (3) an examination of various CRS products, (4) an examination of appropriations hearings and related documents relating to CRS.

This review was informed to some extent by my experience as a member of the staff of CRS in the late 1960's. It is not, and was not intended to be, a systematic evaluation using the various methodologies that have become current in evaluation research. What was wanted and what is set forth is a judgmental analysis based upon experience and observations of a limited nature.

I thank the many people who spent time with me in this effort, particularly Messrs. Boorstin, Beckman, Jayson, and Kravitz, and Donald Tacheron, the previous deputy director of CRS. Finally, I must sound a word of praise for the many individuals in CRS who do a good job in a very demanding, complicated, and sometimes harried situation. They give more than they receive in recognition and remuneration.

THE CONGRESSIONAL RESEARCH SERVICE: AN ORGANIZATION IN TRANSITION

The Congressional Research Service is in transition from being an organization preoccupied with legislative reference services to becoming a policy analysis and research arm of the Congress. This transition poses many questions for the Senate concerning the future structure and role of CRS. The purpose of this report is to identify and to analyze the major questions.

The predecessor to CRS, the Legislative Reference Service, was established by an administrative order of the Librarian of Congress on July 18, 1914. This action was taken pursuant to an act of Congress of July 16, 1914, which provided: "Legislative reference. To enable the Librarian of Congress to employ competent persons to prepare such indexes, digests, and compilations of law as may be required for Congress and other official use pursuant to the act approved June 30, 1906, $25,000." A later act of March 4, 1915, authorized and directed the

Librarian of Congress to employ competent persons to gather data for or bearing upon legislation, and to render such data serviceable to Congress and committees and members thereof. That language was repeated annually in appropriations acts until 1946. The Legislative Reorganization Act of August 2, 1946, in section 203, provides as follows:

> It shall be the duty of the legislative reference service—(1) Upon request to advise and assist any committee of either house or any joint committee in the analysis, appraisal, and evaluation of legislative proposals pending before it, or a recommendation to Congress, by the president or any executive agency, and otherwise to assist in furnishing a basis for the proper determination of measures before the committee; (2) upon request, or upon its own initiative in anticipation of requests, to gather, classify, analyze, and make available, in translations, indexes, digests, compilations and bulletins, and otherwise, data for or bearing upon legislation, and to render such data serviceable to Congress, and committees and members thereof, without partisan bias in selection or presentation; (3) to prepare summaries and digests of public hearings before committees of the Congress, and of bills and resolutions of a general nature introduced in either house.

The Legislative Reorganization Act of October 26, 1970, changed the name of the 56-year-old Legislative Reference Service to the Congressional Research Service, while also expanding and somewhat changing the nature of its responsibilities. The act sets forth an impressive list of responsibilities for the Congressional Research Service. It declares it to be the policy of Congress that the Librarian of Congress shall in every way possible promote the effectiveness of the Congressional Research Service. It directs the Librarian to grant the CRS complete research independence and the maximum practicable administrative independence. The act upgrades the basic pay of the director of CRS to the rate provided for level five of the executive schedule. It then declares that it is the duty of the Congressional Research Service, without partisan bias, to advise and assist any committee of the Senate or House and any joint committee of Congress in the analysis, appraisal, and evaluation of legislative proposals. The act directs CRS to make available to each committee of the Senate and House and each joint committee, at the opening of a new Congress, a list of programs and activities, carried on under existing laws but scheduled to terminate during the convening Congress. CRS is also directed to make available to each committee at this time a list of subjects and policy areas that the committee might profitably analyze.

The act directs CRS, upon request or upon its own initiative, to undertake a broad range of informational, research, and reference activities, stressing that CRS is to increase its research and analysis activities and to undertake more extensive work than it had done in the past for committees. The act also enumerates 22 subject areas in which appointments are to be made of specialists and senior specialists. It gives the director of CRS broad authority to organize and reorganize the Service. It also authorizes him to prepare budget estimates separately from the Library of Congress, directing the Librarian to submit the budget estimates of the Congressional Research Service to the Congress. The act authorizes CRS to procure the services of individual experts or consultants, either by nonpersonnel service contract or by temporary employment, and it also authorizes the director of CRS to procure by contract, research and other services. Finally, the act

directs CRS to prepare and file with the Joint Committee on the Library, at the beginning of each regular session of Congress, a separate report on its activities for the immediately preceding fiscal year.

In its 1970 report [1] the House Rules Committee made it clear that the legislative intent of the 1970 act was to "provide massive policy aid in policy analysis" to Congress. The report indicated that the following guidelines should prevail in the implementation of the act. First, CRS is to place increased emphasis upon research and analysis. Second, CRS is to undertake more extensive work for committees. Third, CRS is to provide committees and individual members with improved services in legislative matters, such as legislative histories of measures upon which committee hearings are to be held. Finally, the report states that CRS is to continue to provide its traditional services of reference materials, bill digests, and the like.

The Rules Commitee indicated that the staff and budget of CRS should be substantially increased to carry out these objectives, which has been done to a considerable extent. In fiscal year 1970, CRS had 323 budgeted positions, but this number increased to 778 for fiscal year 1976. In fiscal year 1970, the CRS budget was $4,683,000, while in fiscal year 1976 the budget grew to $17,180,000. In 1970 personnel costs constituted 95.4 percent of the CRS budget; in 1976 these costs dropped to 89.6 percent of the CRS budget. This slight decline was accounted for partially by the increase in outside professional and consultant services costs from $3,000 in fiscal year 1970 to $425,500 in fiscal year 1976.

The following table presents the categories of program activities used by CRS to indicate the allocations of budget amounts and of personnel in fiscal year 1975:

TABLE 1

Program activity	Budget allocation (in thousands)	Personnel allocation
Policy analysis and research	$9,506	443
Documentation and status of legislation	799	51
Information and reference services	2,451	169
Administration	589	40
Total	13,345	703

Services

These figures include a wide range of services provided by CRS, some of which tend to be coextensive in nature with functions that Congress performs. CRS provides services for congressional constituencies, for individual members, and for committees. The services range from the provision of a specific piece of information to an individual Congressman to the conduct of analyses for oversight, appropriations, and authorization purposes.

There is one significant exception to the duplication. CRS is not authorized to, and does not, directly assist in the reelection of Members. While the staff of CRS recognizes the supremacy of the "electoral connection" [2] in the operations of Congress, members of CRS do not get directly involved in reelection matters.

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[1] House Report No. 91–1215, 91st Cong., 2d sess., June 17, 1970.

[2] David R. Mayhew, *Congress: The Electoral Connection* (New Haven, Yale University Press, 1974).

A list of the major types of services provided by CRS follows. This list is set forth here because it was discovered, in the course of my inquiry, that very few people in Congress, and indeed in CRS itself, are fully aware of the range of services provided by CRS.

1. *Analysis of Issues Before Congress.*—This service provides analytical studies, general background reports, and arguments, pro and con, for specific legislative solutions to different problems. These analyses are presented through personal briefings of Members and of staff by CRS specialists, conferences between CRS staff and congressional staff, short telephone briefings, committee prints, multilithed CRS studies, personalized memoranda, and the provision of published materials. In fiscal year 1974 CRS reports that it prepared 65 committee prints, wrote 136 multilithed briefing reports, and prepared 22,934 personalized memoranda in the area of issue analysis.

2. *Assistance to Congressional Committees.*—The 1970 act directed CRS to increase its contributions to congressional committee operations. CRS provides such services through background reports, analytical policy studies, evaluation of testimony and information gathered in congressional hearings, personal briefings on public policy issues before a committee or subcommittee, evaluation of reports by Federal agencies, critiques of interest group positions and policy reports, review and appraisal of budgetary recommendations, and synthesis of technical information in particular legislative areas. The 1970 act also directed CRS to prepare a list of subjects in policy areas that a committee might wish to pursue in that session of Congress. This is now being done by CRS. CRS also provides each committee with a list of programs scheduled to expire during a particular session of Congress. In fiscal year 1974, CRS reports, it responded to 26,929 inquiries received directly from committee staffs.

3. *Legal Research and Analysis.*—CRS examines the constitutionality of existing and proposed legislation, provides summaries and analyses of court decisions, makes surveys of Federal and State legislation on given subjects, and prepares legislative histories and provides legal research on legislatively related subjects. In fiscal year 1974 the American Law Division of CRS answered 14,604 requests for this type of service.

4. *Consultation With Members and Their Staffs.*—Many congressional offices and committees discuss particular legislative issues and proposals directly with CRS subject specialists. The specialists help the individuals to evaluate studies, polls, and statistics received from other sources, and to formulate policy positions concerning various subject areas. CRS reports that in 1974 it conducted 16,189 conferences with Members or their staffs, and provided 71,151 telephone briefings or verbal information reports.

5. *CRS Automated Data Bases.*—CRS now has 12 computerized data bases available to Members. Some of these bases can be queried directly by congressional staff. They are: the bill digest file, which reports through typewriter terminals or cathode ray tubes—video screens—on the content of proposed legislation and its current status, and what actions have been taken on it; the bibliographic data base, which contains citations to thousands of governmental and other publications, adding approximately 3,000 new citations a week; the major legislative issues data base, which includes briefs written by CRS

analysts on approximately 140 to 200 major issues of current congressional interest—these can be retrieved on cathode ray tube terminals and or hard copy on typewriter terminals—the automated editorial system, which has a capacity to correlate such information as all members of corporate governing boards in the United States; the national referral center data base, which contains descriptions of organizations that are able to provide scientific and technical information; the machine-readable, cataloging data base, which consists of a catalog card for all English language books and documents received by the Library of Congress since 1969; the New York Times information bank, which is an on-line abstract service covering the New York Times and 60 other journals since 1969; the justice retrieval and inquiry system, an information service of the Department of Justice, which includes public laws, Supreme Court decisions, solicitor general briefs, and other legal material; MEDLINE, an automated bibliographic source from the National Library of Medicine at the National Institutes of Health; the economic model of the U.S. economy data base, developed by Data Resources, Inc.; the social programs model, developed by Applied Urbanetics, Inc., in conjunction with the Education and Public Welfare Division of CRS, to analyze the distribution of effects of proposed Federal aid formulas; and the EDSTAT data base, which consists of data collected by the National Center for Education Statistics of HEW in its annual higher education general information survey. In addition, CRS maintains a United Press International news ticker and a foreign broadcast information teletype service. It also uses several other specialized information service products.

6. *General Information and Reference Assistance.*—CRS maintains an extensive reference division and operates reference centers in both the Rayburn and Russell office buildings and the Congressional Reading Room in the main building of the Library. These reference centers usually provide factual information quickly. In 1974, CRS reports, it responded to 160,808 requests for factual and statistical information.

7. *Preparation of Legislative Handbooks and Status Reports.*—CRS distributes a weekly scorecard on the current status of some 200 to 300 major pieces of legislation before Congress at any given time. It also distributes a periodically updated directory of legislative liaison officers in the executive branch, provides a directory of information sources in executive agencies, and distributes several similar catalogs and publications.

8. *Special Services.*—CRS offers a number of special services, such as translation of congressional correspondence from or into 22 foreign languages, graphic work, information and advice on television presentations, and other matters.

The products of all these and other related services can be classified into five major categories: (1) Information on the legislative process and on the status of congressional operations, which includes such products as The Digest of Public General Bills and Resolutions; (2) information and analysis of issues before Congress in succinct and elementary form, which includes the product entitled Major Legislation of the Congress; (3) specific factual information or prepared materials transmitted in response to phone call requests or through

brief memoranda; (4) consultations on the development and progress of legislation; and (5) more sustained analyses of policy topics.

These products are frequently utilized throughout the entire legislative process—discussions prior to the introduction of a bill, the formulation of a bill, its introductions, it referral to committee, its consideration by the committee or subcommittee, hearings on a bill, changes and mark-ups in a bill, discussions of the bill and voting on the bill in committee or subcommittee, debates on the bill and amendments to it, reference to either house and changes that may occur there, conference committee deliberations, and the like. All these different legislative stages call for varieties and types of information and advice, depending upon the particular subject and stage of progress of a bill.

CRS products are frequently important in one stage of a bill and unimportant in another. A specific piece of factual information, at a given time in relation to a specific legislative action, can be as significant as a sustained policy analysis of the subject matter at a different stage and time. Over the years, CRS functions have been well adapted to the very diverse nature of congressional operations.

The following figures indicate some major trends in CRS functions since the enactment of the Legislative Reorganization Act of 1970. Although the Reorganization Act directed CRS to experiment with different ways of meeting Congress' information and research needs, CRS for the most part acts directly in response to inquiries and requests from Congress. Except in unusual instances, CRS does not initiate studies or the provision of services. The latter most frequently occurs when senior researchers develop close working relationships with Members or committees and anticipate their needs.

In 1970, CRS received 171,202 inquiries and requests of all kinds from or through congressional offices. The number received in 1975 was 244,498. In 1970, inquiries from Members themselves and committees constituted only 58 percent of the total, whereas in 1975 this figure had risen to 72 percent. Accordingly, constituent-related requests declined from 42 percent in 1970 to 28 percent in 1975. According to CRS data, 89 percent of the time of CRS reference and research workers in 1975 was spent on member and committee requests, the balance of time on constituent requests.

The Congressional Reference Division, composed primarily of reference librarians and other individuals skilled in handling information sources, responded in 1975 to 88 percent of all requests referred from constituents and to 52.2 percent of all member requests. The remainder of those processed were spread throughout other divisions as follows: American Law, 7.3 percent; Economics, 8.3 percent; Education and Public Welfare, 6 percent; Environmental Policy, 3 percent; Foreign Affairs, 3.3 percent; Government Research, 4.9 percent; and Science Policy, 2.8 percent.

Of the committee requests 55 percent were answered by the Congressional Reference Division. The rest of those processed were answered as follows: American Law, 7.9 percent; Economics, 6.3 percent; Education and Public Welfare, 5.4 percent; Environmental Policy, 2.5 percent; Foreign Affairs, 3.7 percent; Government Research, 4.3 percent; and Science Policy, 4.5 percent.

Of all member and committee requests, 12.6 percent were answered by means of reports, memos, and conferences. The rest were answered by Xerox material, multiliths produced by CRS, issue briefs, other pre-prepared and reproduced material, and brief telephone responses.

Xerox copies made by CRS increased from 2,100,000 in 1970 to 5,408,000 in 1975. The number of reports and long memos increased from 9,000 in 1970 to approximately 20,000 in 1975. CRS reports that the number of CRS papers appearing in or as congressional publications increased from 47 in 1970 to 207 in 1974.

There are substantial variations in the use of CRS by House and Senate Members and committees. On the average, in 1975, each Senator's office used CRS 14 times a week. Nine of these inquiries concerned Member information and five constituent information. Each Congressman's office used CRS six times a week on the average. Four of these inquiries were for member information, two for constituents.

There are also wide variations in the use of CRS by House and Senate committees. The uses of CRS vary so greatly that it is hard to generalize. Appropriations Committees, for example, have tended not to make extensive use of CRS services. General committee use seems to vary with the nature and staffing pattern of the particular unit, and with the strength of CRS capabilities in the subject area. Use also seems to vary in relation to different traditions and capabilities within CRS divisions. Some CRS divisions—particularly Science Policy Research, and Education and Public Welfare—have traditionally had close relationships with particular committees. To some extent, this is also true of the Foreign Affairs Division.

Certain trends characterize CRS in its transition from being primarily a legislative reference group to more of a policy research organization. Constituent service has declined substantially, while service to Members and to committees has increased. The volume of demands has continued to grow, with requests for information of an essentially referential nature continuing to be much of CRS' business. CRS has developed excellent access to data bases and is making effective use of new information technologies. While CRS is placing greater emphasis on research and analysis, this trend is uneven across the divisions. To some extent, it is inhibited by elements in the environment in which CRS functions, as well as by several traditions and organizational characteristics of CRS.

The growth of CRS and the mandates given it under the Reorganization Act of 1970 have simultaneously increased the productivity of CRS and the problems facing it. To some extent, the growth has enabled CRS to avoid some difficult problems. These will intensify as the rate of growth declines. Many of these problems are related to trends in Congress and to intellectual and analytical developments. The next section reviews several of these trends.

Trends Affecting CRS

The first trend affecting CRS is the apparent breakdown of committee and subcommittee jurisdictions, and a decline in specialization on the part of Members of Congress, particularly Senators. An analysis by Rohde, Ornstein, and Peabody [3] questions whether specializa-

[3] Norman Ornstein, Robert L. Peabody, and David Rohde, "Political Change and Legislative Norms in the U.S. Senate," paper prepared for delivery at the annual meeting of the American Political Science Association, 1974.

tion in the Senate was ever as strong as it has sometimes been said to be. Whatever the case in the past, the analysis of policymaking in the Senate done by Allen Shick for the Commission on the Operation of the Senate[4] strongly suggests that specialization has declined and that the committee and subcommittee system frequently is ineffective as a policymaking and decisionmaking method. While there are apparently many reasons for this, the consequence is an inability to form an integrated view of issues in any particular place in the Senate organization. Schick cites a study that indicates that the Energy Research and Development Administration is subject to the jurisdiction of 15 standing committees in the Senate, as well as two select committees and the Joint Committee on Atomic Energy. ERDA falls within the scope of approximately 30 Senate subcommittees. The result of the breakdown of committee jurisdictions and the decline of specialization is a fragmentation of attention that makes coherent policymaking very difficult.

A second trend, closely related to the first, is an apparent shift in the role of Senate leadership from the promotion of legislation to the maintenance of institutional procedures. The increasing preoccupation of the leadership with procedural matters has led to a decline in its capacity to address substantive matters of policymaking.

A third trend is the increase in congressional staff. A report in the National Journal of July 10, 1976, asserts that total congressional employment increased from 5,635 in 1954 to 19,467 in May of 1976.[5] The 19,467 individuals on the congressional payroll were employed as follows: House, 10,749; Senate, 6,410; Architect of the Capitol, 2,021; Congressional Budget Office, 185; and Office of Technology Assessment, 102. The figure of 19,467 does not include the following: General Accounting Office, 5,142; Library of Congress, 4,816; and Government Printing Office, 8,224.

These and related trends have several implications for CRS. The increase in staff is of course apt to increase the number of demands made upon CRS, since staff are often the users of CRS services. The decline of specialization, as Schick argues, places an increasing importance upon the need for some integrative analytical and policymaking system. CRS has some potential for integrative policy research, but this is not the dominant mode of CRS operation today.

A fourth trend is the increasing congressional demand for analysis and research—a demand expressed in the creation of the Office of Technology Assessment and the Congressional Budget Office in recent years—and in the new responsibilities given to CRS by the 1970 Reorganization Act and the General Accounting Office, by the 1970 act as well as by subsequent acts. CRS has been increasing its policy research activities since the 1970 act. The evidence suggests, however, that the demand for more policy research—and perhaps for different forms of policy research—than is usually provided by CRS is increasing faster than CRS' capacity to meet it. The survey of the Senate, conducted for the Commission by Albert Cantril and Susan Hammond in February 1976,[6] clearly indicates that this is the case. This study indicates that the second highest priority of Senators, after scheduling

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[4] Allen Schick, "Complex Policymaking in the U.S. Senate," Commission on the Operation of the Senate, June 1976.

[5] Michael Malbin, "Congressional Staffs—Growing Fast, but in Different Directions," National Journal, July 10, 1976, pp. 958–965.

[6] "Problems in the Operation of the Senate: The Views of Senators," the Commission on the Operation of the Senate, March 1976.

problems, is improving access to, and the usability of, information available to the Senate in its oversight of the executive branch. The third priority, relating to oversight, is the need for improved research and analytical support available to committees and the Senate as a whole in the development of legislation.

A fifth trend centers on changes in information technologies. The growth of computerized information systems has made possible the integration of vast amounts of information on a real-time basis. The availability of information generates its own demands for analysis and use. The problem confronting the Senate often is not simply the availability of information, but rather the need for analysis of the information and for its presentation and analysis in timely and usable form. As noted above, CRS has taken advantage of evolving information technologies; however, it is questionable whether CRS has yet developed the analytical capacities needed to render the increasing amounts of information useful to Congress.

A sixth trend is the concern with, and the growth of, policy analysis and policy research in the last decade or so. The term "policy analysis" has many meanings to different people. Daniel Lerner and Harold Lasswell initiated the current concern with policy and policy analysis in 1951 in their book "The Policy Sciences." [7] To James Coleman [8] policy analysis means a distinctive set of methodologies. To Thomas Dye [9] it means the description and explanation of the causes and consequences of governmental activity. To Yehezkel Dror,[10] policy analysis is the production of instrumental knowledge that has utility in immediate situations. To still others policy analysis essentially means cost-benefit analysis or some variant of economic analysis.[11] Policy analysis is also construed as meaning such efforts as social experimentation (e.g., the New Jersey income tax experiments), planned variations in the implementation of programs to determine what difference changes in approach may make, evaluation research, and the like.

Despite these variations in interpretation, the policy analysis movement, overall, has certain common characteristics. First, there is a concerted effort to develop analytical techniques and methodologies that can be applied to current governmental problems. Perhaps the most significant feature of this effort is the process of search and development, which applies to analysis of the formation, the implementation, and the evaluation of public policies. This search is often based upon variants of economic analysis, but is not limited to that.

The second characteristic is the attempt to combine concepts, methods, and concerns from diverse fields—particularly politics, economics, and law—in coherent analyses. Policy analysis embodies efforts to bring together individuals of diverse intellectual and practical backgrounds, cooperating to improve the understanding of public policies, their formulation, and their effects.

A third characteristic of the policy analysis movement is concern for the needs of the client, particularly the client in government. (It

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[7] Harold Lasswell and D. Lerner (eds.), The Policy Sciences (Stanford, Stanford University Press, 1951).

[8] James S. Coleman, Policy Research in the Social Sciences (Morristown, General Learning Corp., 1972).

[9] Thomas R. Dye, Understanding Public Policy (Englewood Cliffs, Prentice Hall, 1972).

[10] Yehezkel Dror, "Public Policymaking Reexamined" (Scranton, Chandler, 1968).

[11] Ryan C. Amacher, R. Tollison, and T. Willett (eds.), "The Economic Approach to Public Policy" (Ithaca, Cornell University Press, 1976).

should be noted in passing that the evaluation research movement is primarily a variant of the policy analysis movement, centered upon efforts to analyze and measure the outputs and outcomes of governmental programs and actions.)

The policy analysis movement is actually a new label for some old approaches and old concerns. At the same time, it is a distinctive effort to combine different methodologies and concerns, derived from various sources, into distinctive approaches to public policy problems. This movement offers some potential for the improvement of public policy processes, to the extent that they can be improved through study and analysis. The policy analysis movement challenges CRS to undertake interdisciplinary analysis of a sustained nature that cuts across subject matter divisions and traditions; it also challenges CRS to undertake integrative analyses and perhaps empirical analyses as well.

Finally, the public policy movement challenges CRS to develop and maintain contact—through contracting, guest scholars, and other means—with the creative centers in research organizations and universities now engaged in the development and conduct of policy analysis. As discussed below, CRS has been moving toward interdisciplinary research and greater concern with research organization and methodology. However, these efforts have been quite limited in nature and scope.

A seventh trend affecting CRS is an apparent increase in the sense of the complexity of public policy problems. This may be a change in perception, as Allen Schick notes in the article cited above. Some public policy problems may be somewhat more complex today than in the past. This may be another way of saying that the relationships among certain problems, for example, energy and environment, are difficult to identify and to understand. The increase in the sense of complexity may also be related to the increase over the past two decades of the size and scope of governmental activities. All governmental activity—Federal, State, and local—now absorbs 32 to 34 percent of the total gross national product. Twenty years ago the percent was 24 or 25. Technological developments also have contributed to this increase in the sense of complexity.

This increase in sense relates intellectually to the growth of the public policy movement as an attempt to perceive the various dimensions of public policies and their relationships. This trend, and perhaps the real increase in the complexities, challenges CRS to attempt to identify and to analyze relationships among and between seemingly disparate concerns, for example, defense and agriculture.

An eighth trend is concern with the concepts of zero-base budgeting and "sunset" review of programs. Expressing a demand for thorough, periodic reviews from the ground up of spending and programmatic activities and objectives, it challenges the notion of incrementalism as a political practice, necessity, and ideology. This trend confronts the conventional wisdom of "a little more of the same," while maximizing concern for systematic "rational" assessment and choice. It challenges a generation of thinkers and doers who think that small changes, small steps, and small thoughts are a necessity; or, in any case, it challenges the reality of conventional public policy.

A final trend is an apparent increase in congressional concern with and intent to influence public policy vis-a-vis the executive branch. The

increase in congressional staffs, the establishment of the Office of Technology Assessment and the Congressional Budget Office, and related factors, may signify a long-range attempt by Congress to increase its influence over public policy in relationship to the executive branch. If this turns out to be so, it could have significant implications for CRS, including, but not limited to, efforts to obtain and analyze information concerning the operation of executive programs.

Questions About the Future

The transition in which CRS is engaged under the Reorganization Act of 1970, described in Part 1, and the various trends discussed in Part 2, raise several kinds of questions about the future of CRS. These areas of inquiry are:

1. The appropriate role of CRS in relation to Congress, particularly who should be served and with what kind of services.
2. The appropriate relationships among CRS and the other congressional support agencies.
3. The appropriate role of CRS in relation to the knowledge and research community beyond Congress.
4. The appropriate role of CRS in relation to the Library of Congress.
5. The internal organization and administration of CRS.

There is one further question of a more far-ranging nature: Should a new organization such as an institute for Congress be established and should CRS be part of such an organization?

1. *Who Is Served and with What Services*

CRS provides a great range of services directed to three primary constituencies. First, the constituents of Members of Congress, who request assistance from the Members, often of an informational type; second, Members of Congress themselves in their development of their understanding of Congress, of information for speeches and public policy positions, of their understanding of governmental policies, and a range of other matters; and third, committees of Congress in the performance of their legislative functions. Based upon this review, I conclude that CRS does a superlative job in the provision of information for constituents, Members, and committees. The evaluations of CRS conducted by CRS and my own observations confirm that CRS is probably without peer in the performance of the reference and information function. This includes the provision of information to Members and committees concerning the operations of Congress and the status of current legislation.

Two major areas of concern relate to the reference function. First, CRS attempts to respond to all requests. It is in that sense a free good, and, like any free good, the products of CRS are perhaps not fully appreciated by its clients. The problem is probably a psychological one affecting the perceptions and attitudes of Congress towards CRS, but it does not detract from the quality of the products provided. The second concern with the reference function is that it tends to drive out the performance of the research function. A unit in the Library of Congress throughout its life, CRS tends to emphasize somewhat the provision of reference information over the development of in-depth research capabilities. This is not entirely a matter of choice.

The availability of vast amounts of information has a paradoxical effect upon CRS in its relationships to Congress. On the one hand, the availability of this information makes it possible for CRS to conduct extensive analyses based upon one of the finest collections of information in the world. On the other hand, the availability of vast amounts of information in CRS induces Congress to regard and use CRS primarily as a reference service. As far as I can determine, very few Members of Congress or its staffs fully understand the range of services available from CRS. As a result, when consideration is given to the creation of such an organization as OTA, CRS is not regarded as the appropriate place for a contemporaneous in-depth research activity. However, the problem is not entirely one of perception. CRS does have a number of opportunities to extend the depth and range of its policy research. Before discussing these opportunities, however, it is necessary to discuss some of the factors in the congressional environment affecting the nature of policy research. Some of the questions center on the possibility and the desirability of conducting in-depth and long-range policy research in the congressional context.

First, there are three kinds of information and research sought by Congress, depending upon the situation and the purpose. These are: (1) decision-conditioning information and research, (2) decision-making information and research, and (3) decision-justifying information and research. The first is useful in exploring problems and defining issues; the second in making judgments on positions; the third in justifying and defending positions arrived at, for whatever reasons. Congressional research is always research in a particular context, which can influence what is relevant and what is important. An understanding of this, and of the type of research involved in a particular project, requires an unusual contextual understanding from a researcher. Political considerations—"Will it help or hurt me?"—often do prevail.

The second factor is the highly personal nature of congressional operations. This factor leads to the placement of a premium upon trust. Trust applies to the nature of the relationship between a researcher and a Member or a committee. It usually must be developed through experience. While the reliability, verifiability, logic, and form of presentation of the research are very important, what is often involved is a relationship in which a researcher, in effect, vouches for the accuracy and soundness of information and analysis. The product is only one part of the relationship, in many situations the less important part.

The third factor is the political nature of congressional operations. Congress is an advocacy rather than an analytical body. Even when Congressmen and Senators seek a dispassionate, objective analysis, they are apt to be influenced by the syndrome of "objective on our side." If members have political, ideological predispositions, or leanings on particular issues toward one particular position, they often tend to perceive as "objective" and "sound" information and analyses that substantiate and support their predispositions.

In addition, personal and political factors tend to mix and lead to another syndrome, "Whose man are you?" Because congressional operations are personal and political, there is a tendency to divide people into those with us and against us. In such situations, "objective

analysis" tends to be colored by the perception of where loyalties lie. Even the most dispassionate, nonideological, and nonpolitical researcher, if he performs service for one party in a political/personal situation, may be perceived as being biased, not only in his attitudes, but also in the information and analyses he provides. The notion that there are objective facts in many question areas and issues areas is itself subject to this syndrome. In many congressional situations "facts are negotiable." [12]

These observations also apply to the notion of research for committees. The pertinent question often is: "Who is the committee?" In some instances, the committee is, in effect, the chairman, but this is increasingly untrue. Research for the committee increasingly seems to be research for different members of committees, who may have their own interests and aspirations.

A fourth factor is the syndrome of "inherent disappointment." There is a tendency on the part of consumers of information and analysis to expect the process to answer many if not all of their particular concerns. While this is sometimes possible, limitations of knowledge, of methods, and of understanding on the part of researchers can lead to frustrations and disappointments. Often there are no clear or certain answers to questions posed by Members or committees. In any event, the answers arrived at by the individual or group making a decision may reflect many considerations, factors, and compromises not amenable to resolution through information or analysis.

A fifth factor may be called the de minimus factor. Like most decisionmaking bodies, Congress resolves matters of both a micro and a macro nature. Of the totality of congressional decisions in any given period many more micro decisions are made than macro ones. Micro decisions involve adjustments to policies and the like, which are often assigned to subcommittees and deliberated over in the subcommittees. Sometimes these decisions are quite small and incremental in nature and do not call for extensive policy analyses. Macro decisions on the other hand may require extensive analysis. However, many macro decisions are political, ideological, and judgmental in nature and involve matters not susceptible to resolution by information and analysis. They often involve speculative value judgments of probable impact, rather than judgments that can be guided by information and knowledge.

The sixth factor concerns Congress as a consumer of analysis. While Congress often needs information and analysis, there are many diverse sources that it can receive analysis from, including research institutions, universities, interest groups, the media, constituents, and, perhaps most importantly, other Members of Congress. It can well be argued that, in most public policy areas, sufficient information is generated and sufficient analyses are done by a variety of individuals and organizations to enable a Congressman, if he is able to do so within the constraints of time, to come to an informed judgment.

The seventh factor concerns the pressure of time. Individuals engaged in congressional operations stress that they are unable to deal with the masses of information presently available and cannot read

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[12] This is a paraphrase of an observation made by Abe Lavine, former Commissioner of Social Services, New York State, in a speech at the Maxwell School, Syracuse University, in May 1974: "In politics, facts are negotiable."

the analyses that usually are available on major issues from whatever source. More information and more analyses could compound what is already perceived as an insoluble problem.

Finally, there is what I will call the Dreyfus position, which means, in essence, that the circumstances of the congressional role in public policy make a more extensive and rigorous application of policy research nearly impossible and, in any event, undesirable. This position—which is well thought out and probably held in some form by many individuals engaged in congressional processes—is based upon the following reasoning. Problems are seldom actively sought out by the Congress. They are raised by the executive branch, the media, and interest groups. The options to be considered by the Congress and the arguments concerning the options are usually provided by the same sources. Thus, the vital contribution of Congress is its selection among policy options and the legitimization of the final choice. Congressional decisionmaking is often based upon nebulous criteria and has an instinctive quality. Furthermore, the whole process is often enveloped in rhetoric designed to rationalize positions rather than to explain them.

Congress is often concerned with small decisions not requiring extensive analysis. In the case of major decisions, information and analyses usually have been developed by the different interests to be affected by a decision. Even political positions may have become well-defined by the time an issue becomes a major one before Congress. In a case of major technical decisions, it is apparent when there is controversy, there is technical uncertainty. This, in turn, leads decisionmakers back to value judgments and related considerations. "The challenge to Congress in such issues is not to discover new factual knowledge or previously overlooked alternatives. Indeed the likelihood of anything really new emerging at that stage of issue development would be remote even with the most exhaustive search and the nature of congressional decisionmaking severely limits the search which is possible." [13]

In addition to these considerations, Dreyfus emphasizes that congressional decisionmaking is open:

> An open congressional process, a vigilant press, and active interest groups will guarantee abundant information to feed debate. The Congress should weigh the final contentions, remain sensitive to the tastes and demands of society, and act upon its collective political instincts. Then it will provide responsive and responsible decisions. We should not, and fortunately we probably cannot, overwhelm the political judgment of the Congress with masses of factual data and technical analysis.

One other factor concerning the context of congressional research should be mentioned, a factor that relates to several of the factors discussed above. This is the factor of staff rivalry. If staff members believe they gain position and influence, based upon their access to Members, they may be suspicious of outside researchers and perceive them as threats to their own usefulness to their Member.

Within this context, CRS conducts policy analysis for both Members and committees. Much of the policy analysis of a sustained nature is conducted for committees. In 1975, CRS received 12,875 requests for research and analytical work from committees. Of these, 6,062 requests were from Senate committees, 6,255 from House committees, and 558

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[13] Daniel A. Dreyfus, "The Limitations of Policy Research in Congressional Decisionmaking," published in short form in Policy Studies Journal, 4 (Spring), pp. 269–274.

from joint committees. Substantial research and analytical reports were undertaken for 78 percent of all congressional committees, and 30 percent of all subcommittees. The extent and nature of CRS research reports can be indicated in part by a consideration of how long it took to prepare them, and in part by an examination of selected reports and the methodologies through which they were developed. In 1975, 927 of the CRS reports required over 40 professional man-hours for preparation; 1,866 required from 17 to 40 hours for preparation; 9,542 required from 5 to 16 hours. (Admittedly, the measurement of the time to prepare the report is a very questionable measure of the depth of the report.)

The following are selected examples of CRS policy research reports chosen at random:

1. A study of Federal formula, grant-in-aid programs that use population as a factor in allocating funds. This became a 150-page committee print for the Subcommittee on Census and Population of the House Post Office and Civil Service Committee.

2. A study of price stability and economic growth. This became a committee print of 101 pages for the Joint Economic Committee.

3. A study of all provisions enacted by Congress since 1932 that authorized advance review, referral, approval, or disapproval, by either the Senate or the House of Representatives or both, or by congressional committees, of actions by the President or executive agencies to implement statutory powers.

4. A study for the Senate Subcommittee on Oversight Procedures of the techniques, research sources, and procedures available to congressional committees in carrying out their oversight of executive branch agencies' operations and programs.

5. A study of the applicability of simulated techniques to the study of national growth performed for a subcommittee of the House Merchant Marine and Fisheries Committee.

6. The development for the House Interstate and Foreign Commerce Committee of a committee print entitled "An Overview of Medical Malpractice."

7. The development for the House Interstate and Foreign Commerce Committee of a committee report entitled "Health Manpower Act of 1975."

8. The development for the House Interstate and Foreign Commerce Committee of a committee print entitled "Health Insurance and the Unemployed."

9. The development for the Senate Government Operations Committee of a committee print entitled "Facts on Nuclear Proliferation."

10. The development for the House Science and Technology Committee of a committee print entitled "Agriculture R. & D."

11. The development for the House Science and Technology Committee of a committee print entitled "Effects of Chronic Exposure to Low Level Pollutants."

12. The development for Senator Edward M. Kennedy of an extensive report entitled "Federal Management of Scientific and Technical Information Activities: The Role of the National Science Foundation."

13. The development for the Senate Government Operations Committee of a study of congressional oversight of U.S. participation in international organizations.

The following are the major characteristics of most of these and similar studies. Most of them are of a "translation" nature in that the basic methodology involved is a collection of existing data, presentation of the data, and analysis with essentially factual conclusions. Most of the studies are based upon concepts of a particular discipline such as economics, law, and organizational analysis. For the most part the studies do not incorporate perspectives from various disciplines, although there are some exceptions.

Most of these studies were developed by CRS researchers without the assistance of others secured through contracts. Most of the studies are directed to a particular facet of a given problem area. Very few studies are integrative in the sense that they attempt to identify and to relate most of the major dimensions of a problem. In general, the studies do not contain speculative judgments on the meaning of the data and analysis; nor do they set forth policy recommendations, in keeping with the CRS policy of neutrality. Most of the studies had not been subjected to peer review by researchers outside of CRS, but rather had been reviewed within CRS.

Based upon my review of CRS studies, as well as CRS organization and policies, I conclude that there is substantial room for the improvement of CRS policy research processes in the following areas:

1. There is substantial potential for the further development of interdisciplinary and integrative work in CRS. This would benefit the leadership of the Senate and for Senate committees interested in analyses of issues from varying disciplinary perspectives that may cut across the jurisdictional lines of committees and subcommittees. The present organization of CRS into subject matter divisions, essentially disciplinary in nature, severely inhibits the capacity of the organization to combine disciplinary approaches in one project; for example, legal, economic, organizational, and managerial. The existing divisions are Office of the Director, American Law, Congressional Reference, Economics, Education and Public Welfare, Environmental Policy, Foreign Affairs, Government and General Research, Library Services, Science Policy Research, Senior Specialists. Several of the divisions, such as Education and Public Welfare, Foreign Affairs, and Science Policy Research, have researchers with different disciplinary backgrounds. However, this fact does not seem to facilitate the development of analyses that incorporate different disciplinary concepts, methodologies, and perspectives.

The problem of facilitating interdisciplinary research in the CRS has been addressed by the Director, who has organized teams of members from the various divisions and assigned them to projects ranging from one to three months in duration. While this has facilitated interdisciplinary analysis, it has not really succeeded in the development of interdisciplinary teams, which work in close collaboration with each other and intermingle their different approaches. One problem is that CRS research traditions do not emphasize collaborative work across subject matters and divisions. Another prob-

lem is the reluctance of the division directors to assign senior researchers to collaborative projects that will divert them from the regular work of the division. Yet another problem is the reluctance of researchers to participate in interdisciplinary projects, both because of the difficulties inherent in such projects and because the researchers are dependent upon the division chiefs for pay increases and advancement in grade.

The development of project teams by CRS for the conduct of interdisciplinary research would seem to be an important objective for CRS in the immediate future. In order to accomplish this it may be necessary for CRS to assign researchers from the divisions to common working space, set up for the purpose of interdisciplinary projects, and to develop a core of project leaders who would answer to the Director of CRS and not be attached to any division. The question of pay and grade incentives might be resolved by placing responsibility for such matters in the office of the interdisciplinary team organization, answerable to the Director.

Most of the researchers in CRS to whom I talked were willing to participate in interdisciplinary work and recognize the need for such work. Their reluctance seems to stem from the potential difficulties of such work and the lack of an organizational way within CRS to facilitate it. CRS might also rotate researchers among the divisions in order to build multidisciplinary viewpoints into the daily operations of the divisions.

Part of the problem of interdisciplinary research in CRS relates to the role of the "front office" of CRS in relation to the divisions. For a variety of reasons, including the very substantial growth in the divisions in the last five years, the front office does not have the substantive capability it needs to integrate the work of the divisions and to facilitate collaborative work among the divisions. This problem is discussed later in the section addressed to the organization and administration of CRS. At the same time it must be recognized that interdisciplinary and multidisciplinary research is very difficult in any setting.

2. I conclude that CRS should make a much more substantial effort than it has done so far to develop the methodologies and approaches to policy analysis. Relatively few of the studies that I was able to examine relied upon what have come to be regarded as standard research methods in policy analysis—survey research, participant observation, correlation analyses, simulation, and the like—although CRS has made some limited use of such methodologies. For example, last year it hired a survey research specialist for the Government division, and it plans to hire another one in the near future. The experience of the survey researcher is suggestive of the dynamics of the congressional research process. Supply often creates demand, and demand often increases supply. The survey researcher has been in very extensive demand.

If CRS is to become and remain the leading policy research organization for Congress, it should invest a portion of its resources in research and development on the art of policy research in the congressional context. Most industries, service organizations, and research organizations undertake systematic research and development activities directed to the improvement of the performance of their func-

tions and products. To some extent, such efforts are made within CRS, but these occur on a very sporadic, ad hoc basis. CRS, through the use of its own resources and through contracting procedures, is in a position to place itself in the lead in the development of policy analysis concepts, methods, and organizational devices. It should take such steps.[14]

In addition, CRS should attempt to develop methodologies for tracing the effects of its work and for evaluating the effects of different approaches to congressional research problems. To date, CRS has conducted a few reviews and surveys of congressional clients. For the most part, however, CRS has not attempted to follow and to analyze the effectiveness or ineffectiveness of different approaches to congressional information and research needs. To a very considerable extent, CRS products leave the organization and relatively little is known about their subsequent usefulness. This is not always so, particularly in the case of senior researchers, but it seems to be true in general.

There are obviously many difficulties in implementing this recommendation. The utility and value of a particular research product depends upon a great number of factors other than the inherent validity and quality of the product. Situational variables often control, but are themselves susceptible to identification and analysis. At the present time, it would seem that little is genuinely known about the general effectiveness of CRS research and analytical products, except on an ad hoc, individualized basis. This makes it very difficult for CRS to adjust its policies and procedures. CRS tends to react to complaints, but this seems to be the extent of any systematic organizational effort. Better feedback systems are needed.

3. CRS should carefully consider the development of original empirical data, particularly that concerning the operations of the executive branch. At the present time very few researchers in CRS attempt to develop original data through interviews, participant observations, surveys, or the like. A survey of the Senate conducted for the Commission on the Operation of the Senate indicates that Senators are concerned about their inability to secure information from, and pertaining to, the operations of the executive branch and of Federal programs. CRS, for the most part, has not attempted to develop its capacities to obtain such information on an original basis.

4. CRS should attempt to make greater use of its contracting powers to further its own understanding of methodologies of policy research, to obtain original empirical information when needed by a congressional committee, and to secure the expertise that may be necessary to carry out studies that CRS personnel do not now have the expertise or time to carry out. This point is elaborated upon below.

5. CRS should attempt to open its doors and windows to the broader knowledge community located in research organizations, universities, and management organizations. CRS tends to have an insular policy toward parts of the knowledge community, which seems to inhibit interchange between CRS researchers and those in other research organizations around the country. Part of the insular policy of CRS

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[14] For an empirical study indicating that policy research does have an impact on policy decisions in some instances, see Nathan Caplan, Andrea Morrison, and Russell J. Stambaugh, "The Use of Social Science Knowledge in Policy Decisions at the National Level" (Ann Arbor, Institute for Social Research, the University of Michigan, 1975).

is attributable to congressional attitudes, particularly restrictions upon travel and perhaps fear of the development of an elite set of researchers in CRS, who might become more visible than congressional personnel. While these appear to be legitimate concerns, the development of knowledge and understanding depends to a considerable extent upon interchange among analysts and scholars, wherever located. CRS policies, as well as congressional mandates, seem to inhibit interchange unnecessarily. CRS could subject some of its major research to peer review by outside reviewers, although in some instances this is not practical because of time constraints. Furthermore, peer reviewers in appropriate instances might be available for immediate reviews, if given advance notice. CRS should also consider publishing some of its major studies for the purpose of inducing interaction between CRS researchers and other analysts throughout the country. While this also has some dangers, the benefits would seem to outweigh the potential costs.

6. CRS should consider ways of making speculative judgments by researchers available to Congress, when asked. In general, the norm of neutrality that prevails in CRS research is an excellent one and necessary to the well-being of the organization. However, this norm tends to inhibit the expression of views and judgments by CRS researchers when such views and judgments are asked for. The danger is that a researcher who states his convictions on a given issue will thereby render himself unacceptable to anyone who does not share his views. CRS should consider using the contracting device to secure the partisan opinions of known advocates of particular positions for Congress, when requested. This use of the contracting device would not necessarily jeopardize the norm of neutrality on the part of CRS researchers, if the policy of making such advice from outside experts available were clearly enunciated and adhered to in a balanced fashion. It is often stated that congressional personnel do not want people to tell them what to do. In general, this may be true. However, if such people request advice from outside experts, CRS should consider ways of making such advice available to them, especially if the conventional means such as hearings are not appropriate in the particular situation.

The relationships of CRS to other congressional support agencies

CRS has a number of formal and informal relationships with the Office of Technology Assessment, the Congressional Budget Office, and the General Accounting Office. The major formal relationships have three forms. Under the Technology Assessment Act of 1972, the Director of CRS is appointed as a member of the Technology Assessment Advisory Council. CRS is directed to make available to the Office of Technology Assessment all of the services and assistance that the CRS is authorized to provide to the Congress. In 1974, CRS responded to over 350 requests from OTA, entailing about 200 hours of research.

Second, under the Congressional Budget and Impoundment Control Act of 1974, the director of the Congressional Budget Office is authorized to obtain information, data, estimates, and statistics developed by CRS and to utilize the services, facilities, and personnel of the Library of Congress, with or without reimbursement. CRS is cur-

rently providing a variety of research and information services for the Congressional Budget Office and the House and Senate Budget Committees.

Third, at the suggestion of the House Appropriations Committee, CRS is now issuing a research notification system. This system lists on a weekly basis all major research projects underway in CRS, GAO, CBO, and OTA.

In addition to these formal relationships, many CRS researchers and several CRS research divisions maintain close, almost daily, working relationships with their counterparts in GAO, and to some extent in CBO and OTA. These relationships involve the exchange of information, discussions of projects underway, and explorations of potential collaboration on developing projects. In the past two years CRS researchers have collaborated with GAO researchers in the development of several projects.

The review upon which this report is based did not include a systematic study of GAO, CBO, and OTA. However, it is my understanding and judgment that CRS is the most inclusive research and information organization available to Congress. I recommend that in the future CRS be made the central general information and policy research unit of an institute for Congress, which would be directed by a committee chaired by the leadership of the Senate and the House. There seems to be a logical division of labor between these service organizations as presently constituted. The governing board or committee would be responsible for monitoring the development of this division of labor in the future, and for assigning new responsibilities to the different units of the institute for Congress as new responsibilities are deemed necessary.

CRS and the outside knowledge, research, and judgmental communities

Sociologists, as well as other analysts of the development of knowledge in the contemporary world, have frequently pointed out that the norms of science, including social science, embrace publicness, peer judgment, and exchange of information. While these norms are somewhat idealized at times, they seem to be central to the development of knowledge and understanding in the various parts of the scientific community, broadly defined. These norms are not adornments, but are considered essential to the development of research methodologies and substantive knowledge. While they are not uniformly followed, particularly in such areas as security research, they do seem to be important in the advancement of knowledge.

To a considerable extent, CRS norms conflict with these norms of science. CRS products, for the most part, are not public documents, although some become public through the actions of committees as well as through the development by CRS of standardized responses to particular questions. CRS products are not usually subjected to peer review by researchers outside of CRS, in good part because of the pressures of time. While some CRS researchers are deeply involved in interchanges of information with others in their segment of the research and knowledge communities, the prevailing norms of CRS somewhat inhibit such interchanges. Limitations on travel to conferences and to consult with other researchers—as well as narrow contracting policies

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which make it somewhat difficult to bring researchers to CRS—contribute to somewhat insular attitudes and practices of CRS researchers. In addition, Congress is not particularly disposed to make available to CRS moneys for travel and for consultation with researchers in other parts of the United States and the world. CRS does not publish any journal or monographs based upon CRS research.

As a result of this situation, CRS research is not seen by many other researchers throughout the country or the world. This fact inhibits the exchange of criticism and of ideas and data among CRS researchers and other researchers.

Aware of this situation, the leadership of CRS has requested funds for a visiting scholar program, but these requests have been denied by the appropriations committees. It has also requested funds for travel, but it has not been successful in obtaining the amount of funds necessary to permit travel by its sizable staff.

In my judgment, CRS should be authorized and directed to (1) develop and publish a journal of its major nonsensitive policy research products, (2) develop a system of peer review, when feasible, (3) encourage continuing education on the part of researchers and new research concepts, methods, and technologies, (4) encourage the attendance of CRS researchers at professional conferences, (5) encourage the use by CRS of its contracting powers to facilitate interaction between CRS researchers and other research organizations (6) encourage the development of the visiting scholars program (7) encourage the dissemination by CRS of nonsensitive information to other researchers in appropriate forms, and (8) encourage CRS systematically to explore—with professional organizations such as the American Association for the Advancement of Science, the American Political Science Association, and other organizations of professionals—relationships which might benefit Congress.

The present situation of CRS researchers is somewhat anomalous. On the one hand, Congress has allocated funds to hire a large number of researchers, many of whom have excellent qualifications, but, on the other hand, Congress has not allocated funds for the purpose of enabling those researchers to interact with other researchers and to keep current in their fields. The original investment of funds and salaries would be considerably enhanced if an additional investment were made to continuously improve capabilities of the researchers. The failure to allocate funds for this purpose is the equivalent of failing to spend money to keep up an expensive machine or repair an expensive property.

The role of CRS in relationship to the Library of Congress

There are many advantages and disadvantages to the location of CRS within the Library of Congress. The advantages include access to a wealth of information and related services in the Library, the existence of a buffer between CRS and the Congress, and the attitudes and intentions of present Librarian Daniel Boorstin, who is highly supportive of CRS and of the role of the Library as a service to Congress. The disadvantages include the image problem of CRS, which continues to be thought of by many, if not most, congressional actors, as a librarian reference organization; the lack of a visible, prominent spokesman for CRS in the congressional environment; and perhaps the lack of an authoritative set of protectors and advocates in the Con-

gress. While the subcommittees on legislative appropriations of the Congress and the Joint Committee on the Library have been generally supportive of CRS in recent years, CRS is only one unit of the Library. Policies and actions toward it are necessarily developed in that context.

The Reorganization Act of 1970 granted CRS substantial budgetary and research policy autonomy; there is little evidence that CRS suffers in terms of budget or policy from its location in the Library. On the other hand, CRS's access to space is somewhat limited by its competition with other units of the Library. A more serious problem centers on the recruitment and promotion of personnel, in that CRS is obligated to follow the procedures of the Library. These procedures are intricate and often are marked by excessive formality and delay. CRS now has its own union, which is agitating for changes in CRS personnel practices.

The Librarian of Congress indicated to me that he hopes to increase substantially the role of the Library in its provision of services to Congress. The competing roles for the Library are as a national institution available to the general public and as a central resource organization for the extensive network of libraries throughout the country. The Librarian hopes to develop the Library as a center for scholarship that would directly and indirectly service Congress, including an enhanced role for CRS in the provision of information and research to Congress.

It would be extremely costly to attempt to duplicate many of the resources available to CRS from the Library. While CRS might continue to use the resources of the Library without being an administrative unit within the Library, administrative relationships between the Library and CRS are generally good, despite resentment within certain units of the Library of what is perceived to be the preferred treatment given CRS. I think that CRS can continue to be a unit of the Library without undue costs; however, a careful review should be made of the personnel practices of the Library as they impact upon CRS. It would appear that CRS has been able to attract highly qualified people in recent years. About 100 CRS researchers have earned a doctorate or the equivalent; many of them have extensive experience in research organizations, such as the Rand Corp. On the other hand, I was told by some people that the personnel practices of the Library do make it difficult to attract and to promote well-qualified people, a matter which I am unable to judge.

The internal organization and administration of CRS

In the past 5 years the leadership of CRS has guided the organization through a period of extraordinary growth in money, people, and functions, accomplished without any obvious disruption in the performance of existing services or any apparent deterioration of the quality of the services. The CRS leadership has been extraordinarily effective in guiding the growth that has occurred. It is apparent, however, that the time has come for the reexamination by CRS of the consequences of growth. To a considerable extent, CRS is experiencing the classic syndromes of the effects of growth upon small organizations. Growth has strained the management capacities of the Director's Office and the internal communications systems in the organization. Prior to 1970, CRS was not a heavily bureaucratized organization.

The division chiefs, in consultation with the director and assistant director, could meet periodically and discuss general policies of the organization. Communication flowed from the director and assistant director to the division chiefs, and from them to the researchers. Formal memorandums and reports, for the most part, were not required.

This is no longer the case. The increase in the size of the divisions and in the duties and responsibilities of the division chiefs, as well as the increase in the responsibilities of the director and his office, have created a situation in which conventional, more bureaucratic devices are being used. These include forms for reports of various kinds and formal, written directives from the director to the division chiefs, from the division chiefs to units within the divisions, and from the unit heads to individual researchers.

In general, the Office of the Director is no longer able to know what is going on within the organization through informal verbal means. Nor can the Office establish and carry out policy through informal means. The result has been the proliferation of standard bureaucratic devices such as forms, which are somewhat resented in an organization founded upon research, collaboration, and informal association. More seriously, the Office of the Director does not have substantive policy experts who are able to follow developments in the divisions and to relate these developments in an integrative fashion to each other.

The situation of the Office of the Director in relation to the divisions is to some extent being replicated within the divisions themselves. Under the impact of growth, the administrative and procedural responsibilities of the division chiefs have proliferated, resulting in new units springing up within their divisions. In some instances, the division chiefs find it difficult to know what is going on within their divisions and to provide substantive guidance for their activities.

It has become very difficult for the director of CRS to establish policies with the assurance that they will be carried out by the division chiefs and unit heads within divisions, as well as by the individual researchers. Because of the growth in personnel, many CRS researchers are not familiar with CRS policies and thus do not follow them. An effort has been made by CRS to conduct orientation seminars for new researchers with some success. Perhaps the most serious problem is the question of quality control of CRS products. All products are supposed to be reviewed in the divisions and the Director's Office. While the reviews are usually made, they often are cursory because of the volume of CRS products. Furthermore, it is impossible to replicate the substantive expertise possessed by researchers both at the divisional review level and at the Director's review level. While products can be reviewed for conformance to general policy directives, it is very difficult to review them for substantive soundness.

Some of these problems may be temporary in nature and may be attributable to the fact that the Director and his assistants all have been serving in an acting capacity since September 1975. This situation has created considerable uncertainty throughout the organization and should be rectified as soon as possible. Yet, while this situation is temporary, the conditions and problems created by growth are not. The Office of the Director should be expanded to include substantive

research specialists, who can review research products, set policies for research in different policy areas, and develop an integrative, interdisciplinary capability within CRS.

A second problem concerns the organization of the various units within CRS. I recommend that three different kinds of units be refined and developed. The first unit is the Congressional Reference Service, as presently constituted, which provides information of a factual nature. The second kind of unit is the disciplinary division, such as American law, economics, and general government, which should be organized around the concepts and skills of particular disciplines. These divisions could be similar to the present ones, with some modifications organized along disciplinary lines.

A third set of units would be organized according to major policy areas, such as human resources, natural resources, fiscal and economic policies, national security, and international affairs. These units would be project-oriented and integrative in nature. They would be under the general direction of the Director, but would have permanent project directors and be composed of information specialists and disciplinary specialists on a rotational basis. The Director's Office would be responsible for devising a system of incentives for the researchers to participate in these project units. These units would be encouraged to make extensive use of CRS contracting powers in order to obtain the necessary expertise, wherever located, to conduct policy analyses.

A third matter of concern is the image of the CRS and the related question of the role of the Director. Like more organizations, CRS needs an outside and an inside man. Because of the enormous pressures of growth and related factors, the Director of CRS in the last 5 years has been preoccupied with the internal policies and procedures of CRS. CRS needs an effective spokesman in Congress, and a referent group created through either informal or formal means to which he can relate. While there are many possibilities, the best one seems to be the development of a referent group centered in the leadership of the Senate and the House. There are many policy questions that cannot be answered by the director or by the Librarian of Congress. These policy questions concern such matters as the appropriate division of labor among CRS, OTA, GAO, and CBO or the extent to which CRS should engage in experimental efforts to improve the availability of information and research to Congress. The question arises of whether CRS should undertake empirical experiments at the request of congressional committees. CRS is severely handicapped by the diffuse nature of its clientele and the multiplicity of demands made upon it from diverse sources. It would be considerably strengthened by the development of clear priorities by an authoritative body within the Congress. This body should be willing to protect it from some of the risks inherent in experimentation with research processes.

This observation leads to a consideration of the concept of an institute for Congress, a notion most closely associated with Alton Fyre and the group he represents. Whatever the virtues of the notion as expounded by Alton Fyre, there is merit in the idea of an information and research policy committee centered in the leadership of the Senate and of the House. While extensive analyses and debates and actions are taken concerning the appropriate structures for decisionmaking in the Congress, at the present time there is only cursory

attention directed to the attendant question of the structure of the information and research processes that necessarily accompany decisionmaking processes. More systematic attention from congressional leadership to the questions of information and research policies is needed. While some attention has been paid to these questions by the Joint Committee on Congressional Operations and other committees in recent years, the questions are of sufficient importance and complexity to be considered on a systematic basis by the leadership of the Senate and of the House.

Many of the components of an institute for Congress potentially exist in CRS, OTA, GAO, and CBO. This is true of both subject matter coverage and a methodological point of view. CRS is well equipped to organize and to analyze data and could be extended in its capabilities, as I have suggested above. OTA is developing particular expertise in the analysis of technology. GAO is developing evaluation research capabilities, while CBO is developing fiscal analysis capabilities. The existence of different constituencies for these different organizational units, as well as their different governing boards, may be as much an asset as a liability. One objective of the institute of Congress should be pluralism in the formation, as well as in the execution, of research agendas. Another objective should be the facilitation of access by analytical and information constituencies and communities to Congress.

Pluralism characterizes congressional operations as well as American society. A multiplicity of access points for information and knowledge communities to the Congress is essential. One way this can be enhanced is through the diversification of information and policy research units in Congress.

There is an inherent tension between specialization and integration. Knowledge and information communities tend to be specialized in nature. They tend to seek out organizational units and individuals with interests similar to their own. Such communities need counterparts in the Congress to facilitate the exchange of information and analysis. On the other hand, an overarching, integrative organizational structure, both to facilitate access and to integrate what is received, is also necessary. The institute could be a broker among different elements of the information and knowledge communities and Congress. At the same time, it could allocate responsibilities and integrate what is received into the different analytical units.

The institute would also be an initiatory body, originating studies across subject area and committee jurisdiction boundaries in the pursuit of better understanding of the interrelationships of broad areas of public policy, such as health care or income maintenance.

The leadership of the institute, which would consist of the leadership of the Senate and House, would (1) allocate responsibilities among organizational units, (2) set an integrative policy research agenda, (3) assess the adequacy of information and research for Congress on a regular basis, (4) promote the development of the art of policy research in a congressional context, with particular reference to the development of new technologies and methodologies, and (5) protect the fragile nature of inquiry in a politically charged environment.

A Concluding Observation

Information and analysis are often thought of as the refuge and hope of those who do not understand the calculations of passion, position, and power seeming to characterize congressional activities and decisionmaking. In the congressional context, analysis is the continuation of politics by other means. Unfortunately, empirical skepticism often inhibits the test of possibilities that might become highly prized realities.

Congress should be the vibrant center of what is widely regarded as an information and knowledge intensive society. What is needed is a "willing suspension of disbelief" to test new possibilities of congressional leadership in a knowledge society. An improved CRS and an institute for Congress are two such possibilities.

Summary

The Congressional Research Service is an organization in transition from being concerned with legislative reference to becoming an organization concerned with policy research. It is both helped and hurt by its past. Its location in the Library of Congress, plus its ability to master contemporaneous technologies, make it one of the most sophisticated information gatherers in the world. Its location and its tradition of concern for information simultaneously inhibit its ability to move outward to the cutting edges of policy research. Its traditions of neutrality and dispassionate presentation of information make CRS very effective in a charged political environment as a reliable source of information, but these same traditions seem to reduce its willingness to experiment with ways of improving policy analysis for Congress.

In the congressional environment, analysis often is the continuation of politics by other means. CRS is acutely aware of the political dangers inherent in policy analysis. While it has extensive capabilities for policy analysis, it is often hesitant to develop them further, or to make full use of the capabilities available to it through contracting and other means.

CRS has the potential and, to some extent. the congressional charge to become the leading policy research organization in the United States, if not in the world. In order to do this, it will have to undergo some risks. While the risks are real, support and protection from congressional leadership probably would enable it to stand some setbacks in the interests of increasing and improving the ranges of information and analyses available to Congress.

The idea of an institute of Congress is an idea whose time has come. To some extent, the components of such an institute already exist in CRS, GAO, CBO, and OTA. What is needed is an exercise of will by the leadership of the Senate to bring order to the different capabilities that presently exist, as well as to add capabilities not now existing in these organizations. Perhaps the most crucial need here is for the development of an integrative viewpoint and of an integrative capacity. Many current policy issues cut across the jurisdictions of congressional committees as well as the concerns, methodologies, and capabilities of analytic disciplines. Congress, because of its distinctive, integrative

role in the policymaking process, could become the center for integrative policy analysis and research as well as for policymaking. If it is to do so, the leadership of both Houses must assume a central role in the determination of policies for the gathering, analysis, and use of information for Congress.

Recommendations

1. CRS should improve its capabilities to conduct interdisciplinary research that addresses policies as a whole.
2. Such research should be directed to the interests and needs of the leadership of the Senate.
3. In order to produce such research, CRS should organize project teams on a permanent basis.
4. CRS should direct a substantial amount of its resources to the development of methodologies and approaches to policy analysis.
5. CRS should undertake original, empirical research concerning the operations of executive agencies and programs for Congress.
6. CRS should make greater use of its contracting powers to further its own understanding of the methodologies of policy research, to obtain original information when needed by congressional committees, and to secure the expertise that may be necessary to carry out studies that CRS personnel do not now have the expertise or time to conduct.
7. CRS should institute policies to increase its interaction with other elements of the national research community.
8. CRS should use its contracting powers to make speculative judgments available to Congress, when called upon to do so.
9. CRS should be authorized to make a more substantial investment in the development of its researchers and their capabilities than it has been allowed to in the past.
10. CRS should remain as a unit in the Library of Congress.
11. Concurrently, CRS should become an element in an institute for Congress.
12. The leadership of the Senate should establish an institute for Congress that would encompass CRS, OTA, CBO, and elements of GAO.
13. The leadership should establish an office that would be responsible for the development of the information and research policies of these congressional support units as well as such other units as may be necessary to develop information and policy analysis for the Senate.

THE GENERAL ACCOUNTING OFFICE AS A CONGRESSIONAL RESOURCE

By Joseph Pois

This analysis was undertaken at the behest of the Commission on the Operation of the Senate in order to ascertain how effectively the General Accounting Office serves the Senate in a supportive capacity and what measures might be taken to strengthen its contribution. It soon became apparent that little purpose would be served by treating the GAO's assistance to the Senate separately and apart from that which it renders the House. Hence, the paper deals with the GAO as a resource for the Congress as a whole.

Ever since it was established by the Budget and Accounting Act of 1921, GAO has had a multifaceted role that encompasses far more than assistance to the Congress, vital as that responsibility may be. The fact that so much GAO activity takes the form of audits reflects the emphasis that the Comptroller General places upon this responsibility. Coupled with the audit role is an imposing aggregate of responsibilities, which places the Comptroller General in a position of power that is distinctly atypical for other governmental auditors.

Hence, the General Accounting Office contrasts sharply with the three other agencies—Congressional Budget Office, Congressional Research Service, and Office of Technology Assessment—that also serve the Congress in a supportive or informational capacity. They essentially have this single mission. In fact, as the subsequent discussion brings out, an issue that transcends the exploration of the part GAO should play as a resource for the Congress is how this task can be fitted in with the other responsibilities of the agency, not only from the standpoint of appropriate balance, but also to avoid militating against the independence that is a sine qua non of an audit agency. While recognizing that one of the GAO's major objectives is to render maximum assistance to Congress, its committees, and Members, the Comptroller General has stipulated that this is subject to consistency "with our responsibilities as an independent, nonpolitical agency." The Comptroller General identifies GAO's other functions as: auditing the programs, activities, and financial operations of Federal departments and agencies; helping to improve Federal agency financial management systems; settling claims and collecting debts; and providing legal services.[1]

The Mix of GAO's Responsibilities

The assistance that GAO renders Congress must be viewed in the context of the variegated nature of the totality of activities performed by the agency. The Comptroller General has appropriately observed

[1] Comptroller General of the United States, 1975 Annual Report, p. 1.

that the GAO "has the biggest audit, monitoring and oversight job in the world." As impressive as it is, this statement does not convey the diversity of tasks performed. The agency's spectrum is seen in a listing of estimated staff year requirements for fiscal 1977 as presented in the House Appropriation Committee hearings for that year:[2]

Special work mandated by statute	108
Direct assistance to committees and Members of Congress	1,306
Reviews of programs, under current statutes, for economy, efficiency, and effectiveness	2,305
Examination of agencies' financial systems, transactions, accounts, and reports	239
Financial management improvement	198
Claims settlement and debt collection activities	136
Legal services and decisions	209
Executive direction and management services	574
Energy Policy and Conservation Act work	100
Total estimated staff years for fiscal 1977	5,175

This enumeration conveys something of the heterogeneity of the GAO activities, but not the far-reaching implications of these different elements. For example, "legal services and decisions" embraces the tasks that the Comptroller General performs in an adjudicative capacity when he rules on questions as to availability of appropriations, and when he disposes of protests on the part of unsuccessful bidders.

GAO's direct assistance to the Congress is discussed separately, but such categorization of activities should not obscure the fact that the other functions performed by the GAO reinforce its supportive role for the Congress. For example, the self-initiated reviews of economy, efficiency and program effectiveness, which are central in the functioning of the GAO, are indispensable in underpinning GAO's capability to be of service to the Congress. These reviews, for which the GAO also uses the rubric "auditing," goes far beyond what had, at least in the past, been understood by the term "audit." As the Comptroller General points out, GAO auditing "includes not only examining accounting records and financial transactions and reports, but also checking for compliance with applicable laws and regulations; examining the efficiency and economy of operations; and reviewing the results of operations to evaluate whether the desired results, including legislatively prescribed objectives, have been effectively achieved."[3] Although some audit assignments may not cover all of the aspects to which the Comptroller General has referred, it is highly significant, especially from the standpoint of Congressional oversight, that the GAO audit can be so all embracing.

The significance of the GAO audit effort is underlined by the fact that, during the fiscal year 1975, GAO made 836 surveys and 1,376 reviews of Government programs and activities in the United States and in 78 other countries.[4] A survey consists of obtaining working information and analyzing it to identify matters deserving a detailed examination in a review.

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[2] House Committee on Appropriations, hearings before a subcommittee, "Legislative Branch Appropriations for 1977," p. 313.
[3] 1975 Annual Report, op. cit., p. 5.
[4] *Ibid.*

Although the reviews are self-initiated, the Comptroller General stresses the fact that, in planning such work, the GAO looks first to the needs and interests of Congress and, in that connection, maintains contacts with committees. Other considerations entering into the GAO's planning of self-initiated work are:

(*a*) The importance of programs and activities, judged by such yardsticks as public impact, amount of expenditures, investment in assets, and amount of revenues.

(*b*) The newness of programs and activities.

(*c*) Public criticism, indicating the need for corrective action.

(*d*) The extent and recency of prior work by GAO or by agency internal review and evaluation groups.[5]

In order to facilitate the systematic channeling of its audit activities, the GAO has identified 29 major Federal program or issue areas that are to receive priority attention in deciding which self-initiated reviews to undertake.

These areas include such spheres of inquiry as automatic data processing, health, energy, military preparedness, law enforcement and crime prevention, tax policy, and water. The areas are used not only for planning purposes but also in keeping the GAO's top management apprised as to the status of its current operations. Of equal, and perhaps even greater, import is the perspective reflected in the Comptroller General's statement as to the underlying thrust of this approach to the programming of GAO's operations: "We have an opportunity second to none in Government—to look beyond individual agencies and programs to the broader problems and issues facing the Nation."[6] Such a broad frame of reference is the antithesis of the parochialism that some might attribute to an audit agency.

It is apparent that, while seeking to have its audits responsive to congressional needs, the GAO also takes into account which programs, activities, or operations should be audited by the GAO in its monitoring capacity, even though such audits may not at the time appear to be germane to matters of current interest to Congress. For that matter, the GAO may undertake a review, knowing that it will not be of immediate interest, but believing that, in terms of a long-range perspective, such a study may well prove to be of utility to Congress. One cannot brush aside the consideration that such a GAO audit may yield results that will serve as a catalyst in stimulating congressional interest in the particular subject matter.

The item "Energy Policy and Conservation Act work" in the categorical listing of GAO activities affords a good example of how Congress imposes additional workloads on the GAO. This Act,[7] passed at the end of 1975, requires that the GAO verify the accuracy of energy information submitted by persons or companies to the Federal Government, or any piece of energy information that a Federal agency might obtain from public sources for use in carrying out its official functions. Such verifications may be requested by a congressional committee having legislative or oversight responsibilities over energy matters or any laws administered by FEA, FPC, or the In-

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[5] 1977 House Appropriation Committee hearings, op. cit., p. 314.
[6] Comptroller General's memorandum to heads of divisions and offices, Sept. 16, 1975.
[7] Public Law 94–163.

terior Department. The GAO is granted very broad authority by the legislation, including the right to issue subpoenas and to assess and collect civil penalties. The GAO requested 100 staff-years for fiscal year 1977 to carry out its responsibilities under the new legislation. This special grant of subpoena authority has undoubtedly encouraged GAO's efforts, begun some time ago, to get general subpoena authority, a development referred to later in this analysis.

The tabulation at the beginning of this section should suffice to show that GAO has a composite of activities that carries it far more deeply and intimately into the programs and operations of the executive branch than is the case of a more typical governmental audit agency. This affords the GAO an unusual capability to assist Congress in its oversight of the Federal establishment as well as in its consideration of legislative measures.

Direct GAO assistance to the Congress

The Comptroller General has cited the fact that, when he came to the GAO in 1966, the work that GAO did at the specific request of committees and Members of Congress represented about 8 percent of the effort of a professional staff of about 2,400 people. He points out that currently this workload represents 34 percent of the effort of a professional staff of some 3,800 people.[8] In the category "Direct Assistance to the Congress," the Comptroller General includes responding to committee and Member requests; testifying before congressional committees; providing briefings on Federal agency programs and activities for committees, Members, and staffs; assigning GAO staff members for varying periods to work for committees; developing questions for use during congressional hearings; and providing legal opinions and comments on pending legislation.

The 34 percent that is the congressionally initiated workload stems from special provisions written into the law such as: mandates for specific studies, requests from committee chairmen, and requests from individual Members.[9]

As to the requests which the GAO receives from individual Members of Congress, the Comptroller General believes that they constitute only about one-third of the direct assistance, and that most staff requirements for direct assistance come from committee requests.[10] Apparently in order to forestall the implication that the work entailed in responding to such committee and Member requests is of limited utility for congressional purposes, the Comptroller General maintains that GAO's experience is that much of this work "deals with significant matters needed in both legislative and oversight roles" of the Congress.[11] The Comptroller General is evidently anxious to allay concern that responses to such requests, particularly those from individual Members, divert the GAO from more fruitful use of its facilities. The GAO states that its response to requests from individual Members of the Congress "is in keeping with GAO's nonpolitical, bipartisan character, since it avoids the implication that GAO limits its assistance to a particular party in the Congress by responding only to requests made by committee chairmen." [12] Despite the importance which

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[8] 1977 House Appropriation Committee hearings, op. cit., p. 327.
[9] Ibid., p. 401.
[10] Ibid.
[11] Ibid., p. 313.
[12] General Accounting Office, "Answers to Frequently Asked Questions," p. 10.

GAO attributes to this aspect of its activities, the Comptroller General has announced that GAO has found it necessary to keep the work categorized as direct assistance at the same level in fiscal year 1977 as in fiscal year 1976, except for requests under the newly enacted energy policy legislation.

It is apparent that the Comptroller General is anxious to preclude an imbalance within GAO's work program that would detract from its ability to discharge its other responsibilities adequately. On the other hand, the Comptroller General is undoubtedly mindful of the fact that so-called direct assistance makes for a close working relationship with the Congress and is a most useful vehicle for selling the Congress on the utility of the GAO.

In this connection, it is impressive that, during fiscal year 1975, GAO representatives testified before congressional committees on 69 occasions (140 in fiscal year 1976); that 213 reports were submitted to committees and officers of Congress (including 100 to Senate committees); and that 266 reports were furnished committees with respect to pending legislation—137 to the Senate and 129 to the House.[13]

During fiscal year 1975, 95 GAO staff members were assigned to the staffs of 35 different committees and subcommittees. Under the provisions of the Legislative Reorganization Act of 1970, the assignment of any such employee cannot exceed a period of one year. Relatively few of these assignments were made to Senate committees. It is conjectural whether this is in any way attributable to the fact that, unlike the House rules, the Senate rules require that the GAO be reimbursed for the costs of such services.

Having GAO representatives testify at committee hearings not only affords the agency the opportunity to make an input into the deliberations, but also to solidify relationships with the respective committees. Since, as it is pointed out elsewhere, personal GAO contacts with the Congress are more typically with staff members than with Representatives or Senators, participation in committee hearings often affords GAO representatives a welcome opportunity to meet Members of the Congress face to face.

It is suggested that the GAO should place still further emphasis on consultations with committees and members, participation in committee hearings, and the furnishing of memoranda to committees and members, thereby lessening dependence upon formal reports as a means of assistance.

It bears iteration that what GAO classifies as "direct assistance" is only one aspect of the important services rendered to Congress. Although an individual category such as this may be singled out for discussion purposes, one must bear in mind that the several functions assigned by law to the GAO are so interrelated that it is their total impact that should be considered in seeking to determine how well GAO serves as a resource for the Congress.

Congressional oversight

Both of the Legislative Reorganization Acts of 1946 and 1970 explicitly made it incumbent upon the standing committees of the two Houses to exercise oversight of the implementation of those laws, the subject matter of which comes within the jurisdiction of the respective

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[13] 1975 Annual Report, op. cit., pp. 2 and 3.

committees. The 1970 act uses the wording "application, administration and execution of those laws or parts of laws, . . ." [14] The Congressional Budget Act of 1974 amends the earlier provisions by adding the following wording:

> Such committees may carry out the required analysis, appraisal, and evaluation themselves, or by contract, or may require a Government agency to do so and furnish a report thereon to the Congress. Such committees may rely on such techniques as pilot testing, analysis of costs in comparison with benefits, or provision for evaluation after a defined period of time.[15]

This section is followed by provisions for review and evaluation by the Comptroller General, all of which is presented within the act as a separate title headed "Program Review and Evaluation." Manifestly, the legislation reflects the assumption that review and evaluation would be the keystone of the oversight process. Because of this primacy, a separate section of this analysis is devoted to the experience and problems to date in the program evaluation area.

It is interesting that the Senators, responding to a Commission questionnaire, indicated that, of nine problem areas listed, the second most cited problem was: "Improving access to and the usability of information available to the Senate in its oversight of the executive branch." [16] This is not surprising in light of the fact that, with Congressional reassertion of its authority vis-a-vis the executive branch, there are increasing references to Congress' oversight role as well as to the importance of strengthening its capabilities to discharge this responsibility.[17]

There are varying concepts of what is meant by oversight, although monitoring appears to be implicit in what is envisaged. The GAO booklet on "Evaluating Federal Programs" states: "Congressional oversight involves continuous monitoring to insure that the laws enacted by the Congress are: appropriate, competently administered, and helping to achieve intended purposes." [18] It is interesting that the GAO states that oversight supports specific congressional activities including: authorizing appropriations, making appropriations, renewing or amending enabling legislation, and formulating and enacting new legislation, if necessary.

This recognition of the interaction between oversight and the legislative activities of the Congress is appropriate: semantic niceties may tend to obscure the fact that what flows out of the implementation of oversight—for example, the evaluation of programs—may constitute groundwork for the legislative process per se.

Impact of the Congressional Budget and Impoundment Control Act upon the GAO

The Congressional Budget and Impoundment Control Act of 1974 has far-reaching ramifications for the GAO, especially in its services to Congress. Title VIII-Fiscal and Budgetary Information and Controls, expanding upon the Legislative Reorganization Act of 1970, further

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[14] Public Law 91–510, sec. 118.
[15] Public Law 93–344, sec. 701.
[16] Interim report of the Commission on the Operation of the Senate, Mar. 31, 1976, p. 8.
[17] The conference report on the 1974 act made this observation: "The managers consider oversight of executive performance to be among the principal functions of congressional committees and they recognize that the usefulness of program evaluation can be enhanced by the clear expression of legislative objectives and the employment of modern analytic methods" (Senate Report No. 93–924, p. 72).
[18] P. 3.

defines and strengthens the collaborative role which the Comptroller General is to play in cooperation with the Secretary of the Treasury, the Director of the Office of Management and Budget, and now the Director of the newly-created Congressional Budget Office, in developing, establishing, maintaining, and publishing standard terminology, definitions, classifications, and codes for Federal fiscal, budgetary, and program-related data and information. It requires the Comptroller General to conduct a continuing program to identify and specify the needs of the committees and Members of the Congress for fiscal, budgetary, and program-related information. The Comptroller General is also given the task of assisting committees in developing their information needs, and he is required to critique the recurring reporting requirements of Congress and its committees.

As required by the act, the Comptroller General submitted to the Congress on August 29, 1975 a report on "Progress in Improving Fiscal, Budgetary, and Program-Related Information for the Congress." The provisions of Title VIII together with the enlarged GAO program evaluation role set forth in title VII, which is discussed separately in this analysis, represents a formidable enhancement of GAO's responsibilities in connection with the budgetary process, particularly as it relates to Congress. In seeking to achieve more effective participation in budgetary decisionmaking, Congress is manifestly looking to the GAO as an Agency having the expertise that could aid immeasurably in carrying this thrust to a successful conclusion.

Title X of the 1974 act—Impoundment Control—requires the Comptroller General to review all deferrals and rescissions of budget authority proposed by the President and to advise Congress as to their legality and impact. The Comptroller General is also empowered to bring suit to effect the freeing of budget authority not made available as required by the act. This deep involvement of the Comptroller General in the implementation of a newly enacted and highly significant congressional constraint on Presidential control of governmental expenditures again bespeaks the fact that Congress assigns to the GAO a role far more encompassing than that ordinarily associated with an audit agency. It also reflects a propensity on the part of Congress to look to the Comptroller General when it needs a surrogate to effect its edicts.

The 1974 act involves the standing committees of both Houses much more directly in the appropriation process than had previously been the case. Each committee must submit to its respective Budget Committee "the estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within the jurisdiction of such committee which such committee intends to be effective during the fiscal year beginning on October 1 of such year." [19] As a result, the GAO has been working intensively with 25 committees to enable them to identify, section by section, in the authorizing language, what their association is with appropriations. In short, they are helping the committees bridge the gap between authorizations and the appropriations predicated upon the authorizations.

Illustrative of how the committees look to the GAO for assistance in implementing their responsibilities under the 1974 act is GAO's re-

[19] Section 301(c).

sponse to the request of the Chairman of the Senate Committee on Agriculture and Forestry that it study the act's "impact on GAO and the authorizing committees." The resultant information apparently elicited so much interest that the GAO recently issued a booklet for the broader distribution of this information: "The Congressional Budget and the Impoundment Control Act of 1974: Its Impact on the Authorizing Committees and GAO."

Together with the Library of Congress and the Office of Technology Assessment, the GAO is authorized, upon the request of the Director of the Congressional Budget Office, to provide that Office with information, data, estimates, statistics, services, facilities, and personnel.[20] The GAO reports that it has established working relationships with CBO, is currently working on several cooperative projects, and will continue to provide assistance to that Office as needed.

The Comptroller General states that the GAO is assisting both the Senate and House Budget Committees and has issued a list of requests that GAO had received from these committees. The GAO intends to keep the two committees apprised of the work that GAO does in their respective areas of interest. However, reacting to congressional concern as to a possible overlap of GAO and CBO activities, the Comptroller General is quick to point out that the GAO has budgeted only four full-time staff members in connection with work for the two Budget Committees. GAO, according to the Comptroller General, is assuming that these two committees will look primarily to CBO and to their own staffs for necessary support.[21]

Continued expansion of GAO's budgetary role

The pending Government Economy and Spending Reform Act of 1976 [22] has, as the Comptroller General points out, many significant implications for the GAO. This bill would require authorizations of new budget authority for Government programs and activities at least every 4 years. It would establish a procedure for zero-base review and evaluation of government programs and activities every four years.

The bill provides for the use of GAO audits and reviews in implementing stronger congressional control over Federal programs. The Comptroller General, expressing agreement with the underlying purpose of the bill, suggested that it "be amended to require that, during its reviews, GAO give special priority to the identification of problems resulting from Federal programs and activities having similar objectives, and report its findings and recommendations to the Congress and cognizant committees as promptly as possible." [23]

GAO has both the capability and willingness to buttress Congress' role in the budget process, and Congress is leaning toward more use of GAO assistance in this sphere. The budgetary area, inextricably related to oversight, is one in which the GAO can perhaps be of the greatest service. Deeper involvement in budgetary matters will inescapably move the GAO closer to the political firing line, to the danger of becoming "tangled and mangled politically," in the words used by

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[20] The conference report on the 1974 act stated: "The managers intend that the establishment and operations of the Congressional Budget Office be implemented in a manner that will utilize most effectively the resources and capabilities available to existing congressional agencies." Senate Report No. 93–924, p. 52.

[21] 1977 House Appropriation Committee Hearings, op. cit., p. 390.

[22] S. 2925, 94th Congress, 2d Session.

[23] "Mar. 19, 1976. Statement of Comptroller General Before the Subcommittee on Intergovernmental Relations, Senate Committee on Government Operations," p. 6.

the House Appropriations Committee several years ago in an admonition to the GAO.[24] The risk to which the House committee alluded accentuates the importance, not only of GAO savoir faire in its congressional relations, but also thorough multidisciplinary competence to deal with a broad range of problems, refraining from overreaching itself in its purported capabilities, and effective coordination of its efforts with those of the Congressional Budget Office.

Program evaluation

Both the Legislative Reorganization Act of 1970 and the Congressional Budget and Impoundment Control Act of 1974 gave a strong thrust to program evaluation. Congress patently had in mind that such evaluations would serve as vital tools in the implementation of the congressional oversight function. The legislation requires that the Comptroller General "develop and recommend to the Congress methods for review and evaluation of Government programs and activities carried on under existing law." It also enjoins the Comptroller General to make such evaluations, either upon his own initiative or when requested by any committee of either House, or by any joint committee of the two Houses having jurisdiction over the respective programs and activities.[25]

Even before the enactment of such legislation, the GAO had undertaken program evaluations as part of its broader approach to the audit function. This experience made GAO aware of what is involved in a truly meaningful program evaluation and enabled it to conceptualize such evaluations more realistically than might otherwise have been the case. Building on the concept of the so-called comprehensive audit, the GAO had, over the years, construed its audit responsibilities so as to penetrate the substantive aspects of agency operations. As the legal basis for such incisive inquiries, the GAO cited section 312(a) of the Budget and Accounting Act, 1921, which, in defining the Comptroller General's investigative responsibility, concludes with the clause "And concerning such other matters relating to the receipt, disbursement and application of public funds as he may think desirable." The words "application of public funds" had—until the 1970 act—been the keystone of GAO's claim for authority to extend its examinations into managerial and program areas.

The term "comprehensive audit" was ultimately replaced by new terminology, such as "reviews of program results" and "evaluation of program effectiveness." In the course of the House Appropriation Subcommittee hearings on GAO's 1970 estimates, Comptroller General Staats commented:

> To insure the most effective use of our staff and to assist the Congress in maintaining effective legislative oversight of governmental programs and operations, we have increased our capability to examine the adequacy of program management and evaluate the effectiveness or results of those programs of heavy dollar impact and congressional interest.[26]

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[24] "Report on Legislative Branch Appropriations Bill, 1970," H. Rept. 91–487, p. 32.

[25] Public Law 93–344, sec. 702. The 1970 Legislative Reorganizatilon Act had called upon the Comptroller General to have available in the GAO employees expert in analyzing and conducting cost-benefit studies of Government programs. It further provided that he should establish within the GAO such a unit as he considered necessary to carry out the functions and duties imposed upon him by title II of the act, "Fiscal Controls." The 1974 legislation authorized the Comptroller General to establish an Office of Program Review and Evaluation within the GAO. As a result, GAO now has a Program Analysis Division.

[26] "House Appropriations Committee, Hearing Before Subcommittee on Legislative Branch Appropriations," 91st Cong., 1st sess., p. 533.

Subsequent to the 1970 legislative reorganization enactment, the Comptroller General opined that the legislation did not add anything to GAO's legal authority that it did not have before, but that it did make more explicit the types of help for which congressional committees might wish to call upon the GAO.

The GAO has been increasingly stressing reviews of program results and effectiveness; it reports that the portion of professional staff time involved in such reviews increased from 31 percent in fiscal year 1974 to 35 percent in fiscal 1975. Similarly, the GAO states that over 50 percent of the self-initiated work in fiscal year 1975 was in this category, as compared to 45 percent in the previous fiscal year.[27] Program evaluation has been defined by the GAO as follows:

> Program evaluation in a general sense is determining whether a program is effectively achieving the objectives intended and, in a more technical sense, determining what has happened as a result of the program that would not have happened in its absence. Evaluation is concerned with questions of program effectiveness. In this respect, it is goal-oriented, focusing on output as well as costs. Evaluation's function is to provide feedback from results to decisions. Evaluation findings can be used to modify current operations and to plan future programs and policies. It provides information for the incremental upgrading of a program or groups of programs with similar objectives.[28]

Having so vigorously espoused the cause of program evaluation, the GAO had to step gingerly, lest it find itself encumbered—as a result of the 1970 Act—with a sweeping program evaluation responsibility of such dimensions as to be completely unmanageable. The stance that GAO took on the respective program evaluation responsibilities of the operating agencies and the GAO was attuned to the realities of a vast and complex governmental setup.

On August 11, 1972, the Comptroller General wrote committee chairmen urging:

> That the Congress give careful consideration in authorizing new programs, or in reauthorizing existing programs, to including in the authorizing legislation specific statutory requirements for a systematic evaluation by the department or agency involved of the results of programs in operation.

The Comptroller General might have been anxious to forestall any assumption by Congress that the GAO would have the primary responsibility for program evaluation throughout the Federal establishment. In this communication, the Comptroller General expressed the view that such evaluation is a fundamental part of effective program administration and that responsibility should, therefore, rest initially upon the respective agency. The letter stated that GAO experience had demonstrated the difficulty of making program evaluations where the legislation setting up programs failed to set forth program goals or objectives. Having stated that program evaluation was basically an agency responsibility, the Comptroller General apprised the committee chairmen that he had requested GAO staff, in its conduct of audits, "to give particular attention to this problem and to include in our advice to the Congress our appraisal as to how well the agencies are performing their evaluation functions."

In his efforts to encourage Congress to include a program evaluation requirement in all legislation involving social programs or other

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[27] Comptroller General of the U.S., "The Congressional Budget and Impounded Control Act of 1974: Its Impact on the Authorizing Committees and GAO," p. 14.
[28] Ibid.

programs in which evaluation would be feasible and appropriate, the Comptroller General initially prepared suggested language for use in responding to requests for comments on such proposed legislation. More recently, the Comptroller General has concluded that the GAO should not suggest specific program evaluation language, but rather should seek to assist committee staffs in developing the language that would best provide the essential information.

In his 1975 annual report (p. 88), the Comptroller General set forth more specifically what GAO has been doing to expand its program analysis and evaluation:

> Providing GAO-wide assistance and coordination in identifying and analyzing major program issues and alternatives, and furnishing this information to the Congress in a timely manner.
>
> Conducting special program analysis and evaluation studies.
>
> Developing analyses of the impact of (1) Federal programs on the economy and (2) changing economic conditions on those programs.
>
> Developing and coordinating GAO-like plans and efforts relating to reviews of tax policy issues, and to Federal agency program-evaluation systems.
>
> Synthesizing available evaluations and analyses of program issues for use by the Congress and GAO.
>
> Developing and recommending to the Congress appropriate methods for evaluating and assisting the Congress in providing program-evaluation language in legislation.

From time to time, the Congress directs the Comptroller General to make studies of the effectiveness or results of legislation that it has enacted. For example, the Energy Reorganization Act of 1974 requires the Comptroller General to evaluate the effectiveness of the programs and activities of the Nuclear Regulatory Commission. Similarly, the National Productivity and Quality of Working Life Act of 1975 requires the GAO to report on: (a) the actions of the center responsible for formulating a national productivity policy and for reviewing and coordinating all Federal productivity activities, and (b) the effectiveness of the center's operations. As long as the GAO's direct responsibility for conducting program evaluations is kept within reasonable bounds, this direct involvement in the evaluative process has definite merit. Unquestionably, the experiences which GAO builds up in the conduct of program evaluations should be invaluable in enabling it to counsel agencies as to evaluations that they conduct and to determine the quality of such evaluations. A recent GAO report, "Review of the 1974 Project Independence Evaluation System," is illustrative of what GAO can do in reviewing a complex evaluation, forecasting, and analysis system.

The Comptroller General is obviously trying to stave off the deluge of program evaluation studies that could result if Congress construed the statutory provisions as making him primarily responsible for conducting such evaluations. On the other hand, he is seeking to provide the technical leadership that will be conducive to the soundness of evaluations undertaken by the agencies. Indicative of this thrust on the part of GAO is the draft of a document entitled "Evaluation and Analysis To Support Decisionmaking" (OPA–76–9, December 9, 1975). It is "intended to be of value to the novice and the experienced practitioner, whether engaged in financial audits, program review or in program evaluation or analysis."

Mindful of the fact that even those Members of Congress who are proponents of program evaluation may not be fully aware of what is

entailed, the GAO is in the process of distributing a document entitled "Evaluating Federal Programs: An Overview for the Congressional User." The booklet seeks to tell the legislators, not only what actually has happened as a result of past legislation and why, it even refers to legislative inaction. The latter topic affords a discrete way for GAO to put Members of Congress on notice that statutory recognition and even prescription of program evaluations, in themselves, accomplish little. Such a reminder is called for because, while there appears to be legislative interest in a new technique such as program evaluation, it is not perforce subsequently followed by a continuing Congressional effort to see that such a technique is actually employed in sound fashion, and the results utilized as a feedback to the legislative process. Unless an agency perceives that Congress expects it to conduct meaningful program evaluation, subject to review by the GAO, that agency's efforts in this area, however diligently and skillfully carried out, will represent at best a token use of this technique.

The GAO booklet cautions the reader that, however useful evaluative studies can be, expectations of their value must be realistic. The GAO reminds legislators that program intent may be elusive; measurement of all program effects may be impossible; cause/effect links may be difficult to establish; and usually the necessary time, talent, and resources for evaluation are scarce. These observations underline the importance of a reasonable degree of Congressional sophistication as to the nature, potentialities, limitations, and applicability of program evaluation in order to provide substantial support for the oversight and legislative activities of the Congress.

GAO relations with CBO, CRS, and OTA

In their review of the 1976 appropriation requirements for the legislative branch, both the House and Senate Committees on Appropriations expressed concern that there was insufficient coordination among the activities of the Congressional Research Service, General Accounting Office, and the Office of Technology Assessment. In its report, the Senate committee remarked:

> The committee recalls that the Comptroller General and the Director of CRS are members of the Technology Assessment Advisory Council and is pleased by their active participation in the Council. This is a good forum for exchange of information and the Committee encourages and supports continued development of a process for merging the resources of these information arms of the Congress to bring their collective strength to bear on the issues before the committees of Congress. The corrective (sic) capacities of the investigative, technical and analytical resources of these organizations can provide a potent information tool for the Congress if properly focused and coordinated through joint management.[29]

In the same report, the Senate committee, dealing with the GAO appropriation, reiterated concern that GAO involvement in technology might overlap the work of OTA. It stated that Congress expected OTA "to take the lead role in assessments of the impact of technology applications." [30] The committee was also apprehensive that the GAO might be expanding unduly that component of its staff engaged in budget and program analysis, congressional information, and budget support activities. It apparently felt that there might be an unnecessary overlap between GAO and the newly-established CBO.

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[29] Senate Report 94–262, p. 35.
[30] Ibid., p. 42.

In its report on the Supplemental Appropriation bill, 1976,[31] the Senate Appropriations Committee called upon the four agencies to establish a system for reporting studies and research projects in progress or completed within the previous six-month period. As a result, there is now a Research Notification System which issues a monthly compilation of the projects initiated or completed by these four agencies. This should help to eliminate unnecessary duplication of effort and facilitate coordination between these four agencies.

GAO generally feels that there are no significant impediments in relations between itself and CRS and CBO. GAO and CRS perceive their respective approaches to problems as being so different as to almost preclude any overlap. The Acting Director of CRS, observing that the Service makes timely responses to requests from Congress, was probably thinking of the relatively extended periods of time required for completion of the in-depth type of analysis ordinarily involved in a GAO study.[32] He later observed:

> Even if I see a GAO Report that has essentially an identical title as something we are doing, they are different from what we would do. I have had personal experience with this where we came out with a report on a subject that was almost identically titled, but the content was very, very much different.[33]

It is also worthy of mention that a CRS Report is ordinarily issued over the name of the particular staff member responsible for it. This contrasts sharply with the fact that a report issued by GAO is an anonymous, institutional product, for which the GAO as such takes responsibility.

The Comptroller General informed a House Appropriation Subcommittee that he now believes that the relationship with CBO has been worked out satisfactorily and that there is no duplication.[34]

The Comptroller General is not so reassuring in discussing GAO relationships with OTA. This might strike some as all the more surprising in light of the fact that the Comptroller General is by statute an ex-officio member of the Technology Assessment Advisory Council of OTA. The GAO feels that coordination between it and OTA could be strengthened if OTA checked with GAO before making a definitive decision to go ahead with a project. GAO's efforts in this direction have been unsuccessful; OTA has continued to defer any coordination with GAO until after the decision has been reached to proceed with a project. The Comptroller General points out that the approach of the GAO is entirely different: "If we get a request from any committee of Congress, where it might appear that the Office of Technology Assessment has a direct interest, we check it out with them before we agree to undertake it." [35] It may require prodding by the Congress in order to resolve this impasse.

Another reaction to congressional concern as to possible duplication or overlap among the four agencies was the establishment of an informal, unstructured group consisting of top-level representatives of the four agencies. They now meet monthly to assure that the coordinating arrangements are working effectively. Moreover, within the GAO, three individuals have each been given liaison responsibilities with one of the other three agencies.

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[31] Senate Report 94–511.
[32] Transcript of Commission Inquiry re CRS, p. 64.
[33] Ibid., p. 75.
[34] House Hearing on Legislative Branch Appropriations for 1977, Op. Cit., p. 376.
[35] Ibid., p. 379.

The problem is not entirely one of duplication of effort. It also lies with selection of the agency that can best respond to the needs of a particular committee or individual Member. Much depends upon the perception that Members and their staffs have of the respective competences of the several agencies as well as the relationships that they have developed with them. Moreover, even the most precise carving up of responsibilities will not in itself suffice. Congress should expect meaningful continuing collaboration among these agencies. In this connection, it is encouraging that the Comptroller General has described exchanges of reports, mutual consultation, training exchanges, and other forms of cooperation. Congressional interest can do much to stimulate such collaboration still further and counteract any tendency toward aloofness or insularity.

Although coordination between the four agencies presents no truly serious problems at the present time, there is some question as to whether integration of common activities should continue indefinitely to be dependent upon relatively informal arrangements worked out by them.

As CBO and OTA, which were established relatively recently, develop and give more definite expression to their roles, effective coordination may become more difficult. The demands that Congress makes upon the four agencies may have to be channeled systematically, if these supportive services are to be utilized in a manner that enables them to serve the Congress in a complementary, rather than competitive and duplicative, fashion.

Strengths of the GAO as a Congressional Resource

In responding to the Commission's questionnaire and the specific question as to what it regarded as its "special strengths," the GAO said that these lie "in its independence and nonpartisan status; its hard earned reputation for objectivity, accuracy, and high professional standards; and its broad statutory authority for access to records of the executive branch."

There are even more specific factors contributing to GAO's effectiveness in supporting congressional legislative and oversight activities. GAO has a staff continually engaged in agency studies, not only throughout the United States, but also overseas. It has auditors physically stationed in over 40 different locations in Washington, D.C. It also has personnel stationed in 23 different offices and sub-offices throughout the continental United States and in four overseas locations. Apropos of operations outside of the United States, GAO surveys and reviews involved 78 foreign countries during the fiscal year of 1975. The agency possesses a fund of knowledge and insights into the governmental structure, processes, and programs. This sort of understanding has come from its audits, the dimensions of which, as described elsewhere in this analysis, have expanded over the years. The mass of information that GAO has accumulated over more than 50 years, together with the constant updating implicit in its studies, enable it to serve as a countervailing force to the advantage that the executive branch has, vis-a-vis Congress, with respect to program and operational data.

But the audit work, invaluable as it is, is not the only reason why the GAO can lay claim to being intimately conversant with the activities, practices, and problems of Government agencies. The authority that it possesses with respect to the approval of agency accounting systems,[36] the settlement of the accounts of responsible officers,[37] the promulgation of decisions as to the spending of appropriations,[38] as well as the important part it plays in the program for the improvement of financial management in the Federal establishment,[39] add immeasurably to GAO's expertise in the identification of problems and the formulation of solutions.

GAO has a professional staff of almost 3,800 full-time employees, which is becoming increasingly multi-disciplinary. These employees serve on a career basis under an official whose independence is buttressed by his having tenure for a 15-year term, and who is ineligible for reappointment.

GAO is in the advantageous position of having developed over the years a facility for keeping attuned to relevant developments in the Congress. Through its Congressional Relations Office, GAO maintains close contact with both Members and staffs with reference to Congressional requests. In this manner, GAO is able to negotiate on demands emanating from the Congress, rather than routinely accepting assignments that might be ill-advised, unduly onerous, or duplicative of other analyses that the GAO may have already made or is conducting at the time.

Despite the fact that it is a statutory creation, GAO can reasonably feel that its existence is not dependent upon the vagaries of congressional reactions and feelings. GAO accomplishments, including the effecting of substantial financial savings each year in government operations,[40] together with its reputation, buttress the security and independence a monitoring agency should have. Furthermore, the increased concern about more effective checks on governmental accountability is a source of strength for GAO.

Problems in Effective Congressional Utilization of GAO

It is obvious that the GAO has achieved impressive stature in the Government and has been utilized increasingly by the Congress. Yet one cannot be oblivious to the fact that there are factors inhibiting the effectiveness of GAO's service to Congress. Some of these elements arise from the congressional "climate," which conditions relations be-

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[36] "Such accounting systems shall be approved by the Comptroller General when deemed by him to be adequate and in conformity with the principles, standards, and related requirements prescribed by him." 31 U.S.C. 66.

[37] "Balances certified by the General Accounting Office, upon the settlement of public accounts, shall be final and conclusive upon the executive branch of the Government * * *." 31 U.S.C. 74.

[38] "Disbursing officers, or the head of any executive department, or other establishment not under any of the executive departments, may apply for and the Comptroller General shall render his decision upon any question involving a payment to be made by them or under them * * *." 31 U.S.C. 74.

[39] The joint financial management improvement program is under the leadership of the Comptroller General, the Director of OMB, the Secretary of the Treasury, and the Chairman of the Civil Service Commission. "JFMIP plays a key role in mobilizing resources and coordinating cooperative efforts" among central agencies and operating agencies. JFMIP, Annual Report for 1975, p. 1.

[40] The GAO reported measurable savings of $503 million in fiscal year 1975 directly attributable to its recommendations. It further stated that $147 million of such savings will continue to be saved annually in future years.

tween the GAO and the Congress; others stem from situations within the Congress; and still others reflect the manner in which the GAO determines its priorities and processes the requests it receives from the Congress.

The Comptroller General is perforce mindful of the fact that the GAO is a statutory creature and that Congress not only is the key factor in determining the agency's responsibilties and authority, but also in allocating the resources available to it. Hence, the Comptroller General is perennially faced with the quandary of how to reconcile his independence and the totality of his responsibilities with the pressures emanating from the Congress. This dilemma is accentuated by the fact that the Comptroller General feels it urgent to have additional authority vested in him, so that he may discharge his responsibilities in a more meaningful manner. For example, the Comptroller General has, from time to time, requested Congress to empower him to institute civil actions in the Federal courts in connection with the proposed obligation or expenditure of public funds in a manner that he deems to be illegal. Similarly, the Comptroller General has importuned Congress to authorize him to bring suit against Federal agencies to compel them to furnish requested records. He has also called upon the Congress to vest him with subpoena authority similar to that which has been granted to him in special cases, such as those coming under the Energy Policy and Conservation Act.[41]

The Comptroller General has enunciated a first stance as to that portion of GAO effort that will be expended upon direct assistance to the Congress; this represents an encouraging expression of the independence vital to the proper functioning of the GAO. The Congress, in its dealings with the GAO, needs to perceive that—unlike CBO, CRS, and OTA—the GAO, when serving as a resource for the legislative branch, is discharging only one of several duties. It is not merely restraint on the part of Congress that is called for. In considering the assignment of additional tasks to the GAO, whether on a temporary or permanent basis, Congress should take into account not only the receptivity of the Comptroller General to such proposals but also the compatibility of such added responsibilities with the GAO's total mission. This matter is explored further in the concluding sections of this paper.

The image of the GAO that a Member of Congress or—for that matter—a committee may have is frequently determined in large measure by the reactions of committee or personal staffs. Many of the contacts of GAO personnel with Congress are not so much with Representatives or Senators as with staff members, whose reactions have a profound effect upon congressional-GAO relationships. Because of the pivotal role that congressional staff have in the legislative process, the GAO must maintain effective relations with staff members. Yet, at the same time, it must avoid becoming unduly insulated from Senators or Representatives. The GAO is sometimes in the position of not knowing whether it is responding to the interest of Members themselves or needs as identified by the staff.

As was brought out in the discussion of program evaluation, Congress is on occasion prone to make a fetish of such terms as "program

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[41] S. 2268. 94th Cong., 1st sess., was designed to expand the authority of the Comptroller General in the three respects cited.

evaluation" and "benefit cost analysis," and to show ostensibly a strong interest in having such concepts implemented with the active participation of the GAO. Such interest may prove to be transitory or conceived in such unrealistic terms, especially from the standpoint of the contribution that GAO can make. GAO then finds itself in a difficult position in seeking to carry out the seeming intent of the Congress.

The ephemeral character that congressional concerns may sometimes assume was reflected in a statement which the Comptroller General recently made in testifying before the Senate Committee on Government Operations:

> As you know, Mr. Chairman, section 202 of the Intergovernmental Cooperation Act of 1968 requires that upon request of any committee having jurisdiction over a grant-in-aid program, GAO will undertake a study to determine, among other things, the extent to which "such program conflicts with or duplicates other grant-in-aid programs". Quite frankly we are a bit surprised that this provision has attracted little interest.[42]

In fiscal year 1975, the GAO completed 1,177 reports on audits or special studies, of which 632, or 54 percent, were submitted directly to the Congress or to its committees and Members.[43] There is a question as to whether the manner in which the Congress processes the mass of GAO reports submitted to it is conducive to their most effective use for legislative purposes. The reports prepared in response to specific requests by committees and individual members stand a far better chance of perusal at least than those emanating from studies initiated by the Comptroller General. Congress has sought to make the GAO reports more meaningful; the Legislative Reorganization Act of 1970 provided for a followup on agency implementation of GAO recommendations.[44]

One can understand why, with the number of agencies and programs coming within the purview of GAO's audit activities, a formidable number of reports may result. However, the GAO might still be showing some signs of what has been termed "blue cover syndrome," which refers to the propensity to produce formal reports, the top items of which are bound in blue covers. Fortunately, as is brought out in the discussion of the GAO's direct assistance to Congress, GAO has deemphasized its dependence upon formal reports as a means for communicating findings and recommendations to the Congress and its committees.

A criticism often leveled against the GAO relates to the extended time that frequently elapses between the initiation of a study and the issuance of a final report. The problem of delay relates more to those reports based upon studies initiated by the Comptroller General than reports prepared in response to requests by committees or individual Members of Congress. Internal checks are maintained to see that the latter are handled with dispatch, and until recently they were given

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[42] Statement of Mar. 19, 1976, op. cit., p. 15.
[43] 1975 Annual Report, op. cit., p. 1.
[44] Section 236 reads: "Whenever the General Accounting Office has made a report which contains recommendations to the head of any Federal agency, such agency shall—

(1) Not later than 60 days after the date of such report, submit a written statement to the Committee on Government Operations of the House of Representatives and the Senate of the action taken by such agency with respect to such recommendations; and

(2) In connection with the first request for appropriations for that agency submitted to the Congress more than 60 days after the date of such report submit a written statement to the Committee on Appropriations of the House of Representatives and the Senate of the action taken by such agency with respect to such recommendations.

top priority. The priority practice is being modified so that it will no longer be automatic, but will involve exercise of judgment on the part of the GAO. But, even where such dispatch is stressed, there may be a tendency to make invidious comparisons with the Congressional Research Service, which responds to congressional inquiries on the basis of what is primarily library research. This can be done much more expeditiously than a GAO study, which tends to be of an investigative nature. In fact, the CRS is sometimes referred to as a quick response agency. It must be remembered that CRS does not ordinarily generate conclusions or recommendations; furthermore, as is pointed out earlier, CRS reports are usually issued over the name of individual staff members, unlike GAO reports, which are institutional in nature.

The dynamic ambience within which Congress functions may seem to contrast sharply with the measured pace of GAO responses. Congress needs to recognize the basic factors that condition the functioning of a monitoring agency such as the GAO, which operates in conformity with professional standards as to the soundness, objectivity, and fairness of its output. On the other hand, one might question whether the degree of accuracy that GAO seeks to obtain is not excessive; or, to put it otherwise, whether GAO should not be willing to incur a greater calculated risk as to possible error or weaknesses in its reports than it is presently willing to accept.[45]

The problem of delay in issuing GAO reports involves the practice of clearing draft reports with the agencies, so that they may submit their views prior to the completion of the final definitive reports. The GAO follows the procedures of including in its reports agency positions that differ from those GAO has taken. In the case of a report prepared in response to a committee or Member's request, the GAO will dispense with advance review by the respective agency, if so directed by the committee or Member.

In fiscal year 1975, 413 reports were submitted in response to requests of committees and individual Members. Reports of this type have a restricted distribution, which presents significant implications in terms of public policy as well as the relations between GAO and the Congress. Unless the committee or individual Member acquiesces, the report is not made available for further distribution. Hence, regardless of the nature of the findings submitted by the Comptroller General, the report can be kept, not only from the public, but even from other committees or Members of Congress until such time as it is released by the committee or Member who had originally requested it.

This practice has continued despite the fact that sections 232 to 234 of the Legislative Reorganization Act of 1970 provides for making GAO reports generally available to committees and Members. In fact, the act requires the Comptroller General to prepare and transmit to the Congress monthly and yearly listings of the reports issued by the GAO during the respective periods. However, reports submitted to committees and Members are not shown in the monthly listings, but are included only in the yearly summary.

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[45] The use of what was called an issue paper to circumvent the extended processing required for a formal report has merit. This was done in the case of a highly significant document submitted to Congress on "The Liquid Metal Fast Breeder Reactor: Promises and Uncertainties" (OSP–76–1, July 31, 1975).

More recently, the Program Analysis Division prepared a "staff paper" for the Subcommittee on Housing and Urban Development and Independent Agencies of the Senate Committee on Appropriations. The paper was entitled "A Comparative Analysis of Subsidized Housing Costs" (PAD–76–44, July 28, 1976).

In explaining the special treatment accorded to reports prepared for committees or Members, notwithstanding the provisions of the 1970 act, the GAO refers to the cautionary note sounded by the House Rules Committee in a report in 1970, when the act was under consideration:

> The Comptroller General must exercise some discretion in deciding what constitutes a "report." There are times when the Comptroller General and a Member or committee of Congress have a confidential relationship such as might exist between an attorney or an accountant and his client. Committees frequently ask the Comptroller General for information to be used during committee hearings in the examination of witnesses. It would clearly be unwise to require the Comptroller General to make the contents of these reports available on request in advance of their intended use.[46]

Moreover, the Comptroller General has advanced the rationale that, in preparing such special reports, the GAO functions as an "extension of the staff of the initiating committee or Member."

However, the committee's comments can reasonably be construed as contemplating unusual cases, rather than encompassing every report submitted to a committee or Member. A further observation made by the Committee on Rules appears to advocate restraint in the exercise of this "privilege":

> As a general rule, however, it is the intent of this legislation that reports prepared by the Comptroller General in the normal course of carrying out the functions of the General Accounting Office should be noted in the monthly summary of reports. It is furthermore expected that Members and committees whose views are not in harmony with the substance of the reports will not attempt to restrict the circulation of these documents.

It could be argued that the independence expected of an auditing or monitoring agency such as the GAO is undermined when a disclosure of its findings is, in certain cases, entirely out of its hands and left completely to the discretion of a committee or individual Member.

The sharp departure from the strictly accounting approach to the audit function requires, as the Comptroller General has recognized, that GAO's professional personnel reflect a strong multidisciplinary mix. The GAO disavows, for example, that it makes technical judgments on the performance of weapons systems or other kinds of technologically complex systems. It does, however, point out that it has a diversified staff, which includes engineers, and that it has access to outside experts and consultants in many fields. GAO feels that, through such resources, it is able to understand technical judgments made by experts in a Government agency and is in a position to call attention to factors or issues that may have been overlooked in making those judgments.[47]

Although the necessity of a multidisciplinary staff is well recognized by the Comptroller General, the transition from a staff dominated by professional accountants cannot be effected with the dispatch that some might expect. As of June 30, 1975, of 3,785 permanent, full-time professional staff, there were 2,556 classified as accountants and auditors.[48] The significance of the fact that more than two-thirds of GAO's professional staff consists of accountants and auditors is accentuated by the dominance of accountants in the top echelons of the organization. This underlines the importance of the

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[46] H. Rept. No. 91–1215, p. 13.
[47] "Answers to Frequently Asked Questions," op. cit., p. 23.
[48] 1975 annual report, op. cit., p. 215.

Comptroller General making certain, as he has striven to do, that the GAO reflect a breadth of approach that dispels any appearance of one-sided professional parochialism.

GAO's Underlying Issue—The Reconciliation of Independence With Responsiveness to Congress

The issue of the independence of the Comptroller General came up in connection with pleadings in the suit that the Comptroller General brought against the Director of OMB et al., under the provisions of the Budget and Impoundment Control Act, to compel the release of about $264 million of budget authority for a subsidized housing program. This was the first instance of the Comptroller General initiating Federal district court proceedings to enforce provisions of the act. In moving to dismiss the action, the Department of Justice made, as one of the grounds for its motion, the contention that "by authorizing the Comptroller General, a legislative officer, to perform the executive function of enforcing the law, the provision runs afoul of the constitutional separation of powers." In answering this argument, the Comptroller General maintained that, in bringing the action, under section 1016 of the act, he was not acting as an agent of Congress, but rather as an independent officer.

The statement in the Comptroller General's brief, together with congressional consideration of four bills relating to the Comptroller General and the GAO, raised the question in the minds of some Members as to whether the Comptroller General was asserting independence from the legislative branch. A letter of October 24, 1975 from the Comptroller General to Senator Metcalf on this score provides an interesting exposition of the position taken by the Comptroller General. The latter feels that certain important powers the GAO has delegated to it may be regarded as "executive" in nature: the approval of agency accounting systems and the settlement of accounts, including ruling on the legality of agency expenditures. As to these functions and the authority vested in him by the Budget and Impoundment Control Act, the Comptroller General contends that he can independently take action, although "this does not mean that the Comptroller General and the General Accounting Office are not a part of the legislative branch, but it does mean that the actions taken are not by direction or with express approval of Congress or its committees."

The Comptroller General then stated that it had been a firm policy commitment on his part to make the GAO more relevant to the needs of Congress. In this connection, he referred to the direct assistance provided by GAO and expressed the belief that GAO's self-initiated work is far more relevant to the needs of Congress than at any prior time in GAO's history. For some reason, the Comptroller General did not explicitly mention the urgency of independence for the self-initiated reviews that are the basic vehicle for carrying out GAO's audit or monitoring role.

The Comptroller General reminded Senator Metcalf that Congress took great pains in 1921 to establish an office having the attributes of independence and nonpartisanship. He concluded: "These attributes are at least as important today as they were in 1921. They are not

inconsistent with the need for an agency which can support and be responsive to the needs of the Congress for assistance and to carry out delegated authority in a fair, objective and judicial manner."

The trenchant observations of the Comptroller General clearly depict the Scylla and Charybdis dilemma which confronts the GAO as it seeks to maintain a proper balance between the different components of its multifaceted role.

The Comptroller General's sensitivity concerning the independence of the GAO was reflected in his strong opposition to S. 2206 (94th Congress, 1st sess.), which provided for appointment of the Comptroller General and Deputy Comptroller General by the Speaker of the House and the President pro tempore of the Senate. The bill fixed the terms of the Comptroller General and the Deputy at 7 years, and provided for their removal by either the Senate or House by single resolution. This bill would have effected a sharp departure from the present provisions for appointment of the Comptroller General and the Deputy by the President, with the advice and consent of the Senate, for nonrenewable 15-year terms, and which permit their removal only by impeachment or by joint resolution of the Congress after notice and hearing and for cause. The Comptroller General expressed concern that passage of S. 2206 would quickly result in the loss of those qualities that have inspired confidence and credibility in the actions of the Comptroller General. Mr. Staats made this noteworthy observation:

> By providing the Comptroller General a 15-year, nonrenewable term and approximately the same retirement arrangements and similar method of removal as judges, the Congress wisely, in my opinion, made it clear to all concerned that the Comptroller General was expected to carry out his duties in the same spirit as individuals who hold positions on the Federal bench.[49]

Conclusions and Recommendations

1. GAO's singular composite of responsibilities affords it unusual capability to support both the House and Senate in the discharge of their oversight and legislative functions.

2. In exploring ways to maximize GAO's effectiveness as a congressional resource, Congress should:

   (*a*) Recognize that what might appear to be activities that detract from, or are even incompatible with, the rendering of assistance to Congress do, in fact, reinforce GAO's capacity to be of such assistance.

   (*b*) Avoid derogating from the independence that is indispensable to the GAO as the Government's audit agency, in which role it serves as an instrumentality for assuring accountability of Federal agencies and their personnel.

3. The effective utilization of GAO as a resource for Congress manifestly depends in large measure upon suitable working relationships between the two. Crucial to such relationships is the perception that Members and staff have as to GAO's capabilities and modus operandi as well as the totality of its activities, particularly in regard to the other support agencies. Correlatively, GAO needs to be fully apprised of, and responsive to, congressional developments, interests, and priori-

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[49] Senate, Committee on Government Operations, Subcommittee on Reports, Accounting, and Management, Hearing on GAO Legislation, 94th Cong., 1st sess., 1975, pt. 1, p. 20.

ties. GAO's efforts to keep abreast of the congressional scene have been spearheaded by its Congressional Relations Office, which also negotiates requests received from committees or Members.

Improvement of communication with Congress along the lines recommended herein—item 4, below—would help to solidify working relationships between GAO and committees, Members, and congressional staff. GAO should make more intensive use of materials, such as its current pamphlet on program evaluation, designed for the specific purpose of orienting its "congressional clientele" in the potentialities, limitations, and problems of analytic approaches with which the GAO is concerned. The climate that conditions the rapport between Congress and GAO would be improved still further if congressional committees were involved even more deeply in the planning of GAO work programs, especially from the standpoint of effecting a proper balance between assistance to Congress and other GAO responsibilities.

4. GAO should strengthen its communication with Congress by:

(*a*) Placing still further emphasis on consultations with committees, their staff, and individual Members; committee and staff briefings; and participation in committee hearings.

(*b*) Lessening dependence upon formal reports, which require extended internal processing, as a communications medium and, instead, aceclerating the trend toward greater utilization of memorandum, issue and staff papers, and other less formal documents that can be produced expeditiously.

(*c*) Counteracting GAO staff perception of formal or "blue cover" reports as an important means for winning recognition within the organization.

(*d*) Establishing a more viable balance between assurance as to accuracy of reports and the delays involved in making GAO output available to its congressional constituency.

(*e*) Reflecting awareness that the mass of information emanating from GAO may overburden communication channels with the Congress, particularly when materials flowing from the other support agencies are taken into account.

(*f*) Avoiding becoming insulated from Senators or Representatives while, at the same time, maintaining close working relations with congressional staff, who have a pivotal role in the functioning of Congress.

5. There is a disconcerting inconsistency between the Comptroller General's understandable stress on the essentiality of his being able to exercise objective and independent judgment and the GAO's adherence to the practice of making the release of reports prepared for committees and Members dependent upon the acquiescence of such committees or Members. The Comptroller General should initiate steps to restrict such "privileged status" to exceptional cases clearly justifying this type of special treatment.

6. GAO can make a major contribution to the effective implementation of Congress' expanding budgetary role.[50] It is already deeply involved in the procedural and informational aspects. Its audit and program evaluation responsibilities place the GAO in a strategic position to assist in the substantive facets of budgetary decisionmaking.

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[50] The most recent example of GAO efforts directed toward the budget process is its report "Standard Budget Classifications Proposed Functions and Subfunctions" (PAD–76–49), which was submitted to Congress on August 20, 1976.

Properly conceptualized, this GAO assistance in the area of budgeting should: (*a*) Complement, rather than duplicate, the work of CBO, and (*b*) support congressional oversight, with which budgeting is inextricably interrelated.

7. In order to exploit fully the potentialities of program evaluation for oversight and budgetary purposes, Congress should:

(*a*) Include program evaluation requirements in all legislation involving programs on which evaluations would be feasible and appropriate, and stipulate that the respective agencies are primarily responsible for such evaluations.

(*b*) Look to the GAO for: furnishing technical leadership in the evaluation area, determining how well agencies are discharging their program evaluation responsibilities, and conducting evaluations in connection with its self-initiated reviews or in response to congressional mandates.

(*c*) Demonstrate both continuity of interest in program evaluations and a substantial effort to make appropriate use of evaluations in both oversight and budgetary decisionmaking.

8. GAO has attained a size which, in the absence of very persuasive reasons, should not be exceeded, particularly since Congress also has available the assistance of the three other support agencies. In considering any expansion of GAO, whether in terms of numbers of personnel or added responsibilities, Congress should be mindful of:

(*a*) How added tasks would tie in with GAO's overarching mission and would impact upon the effectiveness with which it performs its existing functions.

(*b*) The extent to which any contemplated expansion might result in unnecessary redundancy of congressional supportive activities, comprising, as they do, not only the four agencies but also the committee and personal staffs.

(*c*) The essentiality of greater reliance upon agency-conducted evaluations and audits, not only to avoid GAO becoming of inordinate size but also to underline agency responsibility and, as expressed by GAO, "to strengthen Government agency management controls and systems where possible." [51]

9. The Comptroller General should intensify his efforts to reduce the dominance of the professional accountants in the GAO and to strengthen the multidisciplinary makeup of its staff in terms not only of numbers but also the leadership positions occupied by the various disciplines.

10. Although coordination of the Congressional Budget Office, Congressional Research Service, General Accounting Office, and Office of Technology Assessment presently poses no truly serious problem, the existing informal arrangements for effecting coordination may ultimately have to be superseded by a formalized setup. Since CBO and OTA were established relatively recently and are still in the development stage, there has been no opportunity to observe how the full-blown operations of all four supportive agencies interact. However, even at this juncture, some difficulty has been experienced in coordinating OTA projects with those of GAO; this problem merits consideration by the Technology Assessment Board.

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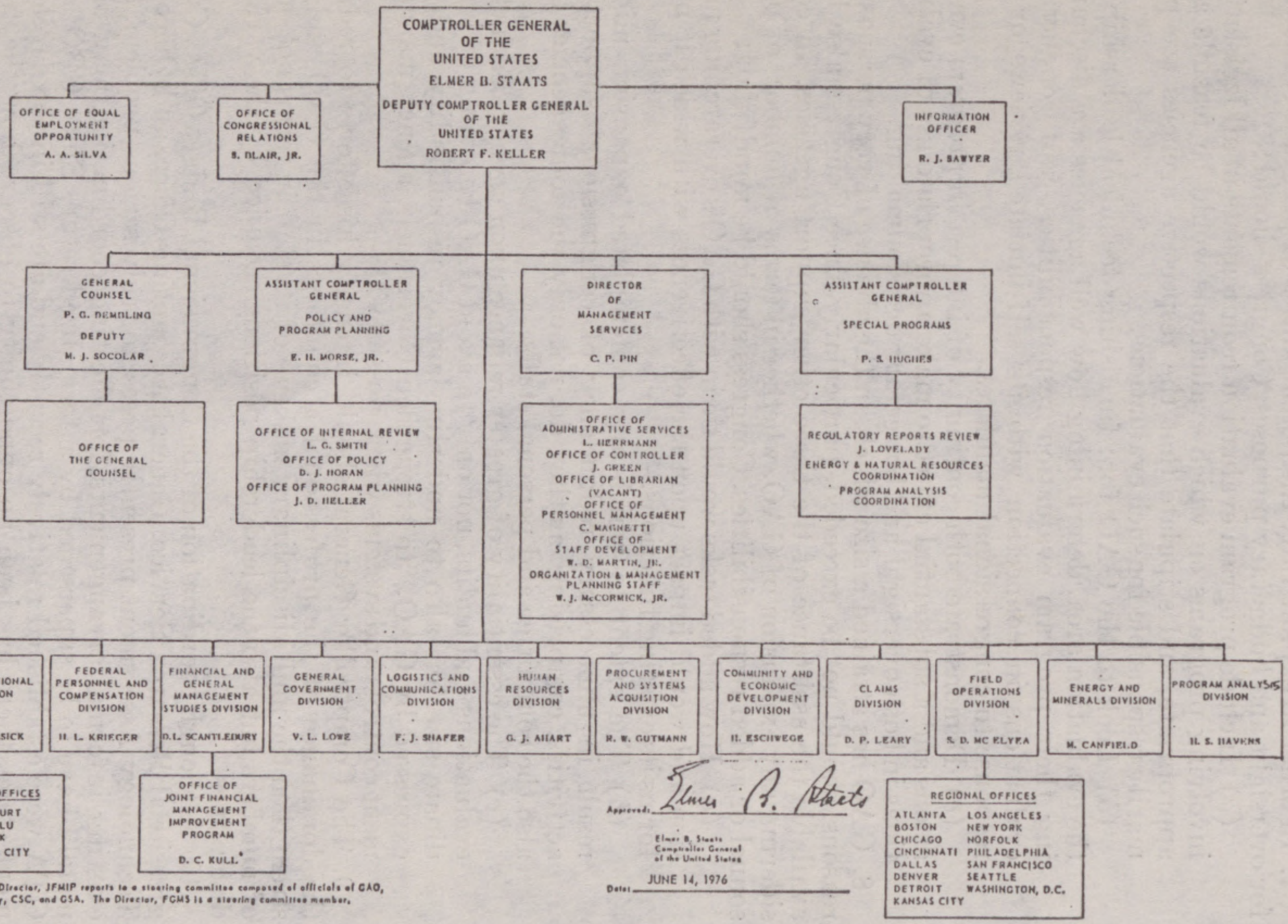
[51] Section 117(a) of the Budget and Accounting Procedures Act of 1950 explicitly directs the Comptroller General in determining the extent of audits to consider "the effectiveness of accounting organizations and systems, internal audit, and related administrative practices of the respective agencies."

UNITED STATES GENERAL ACCOUNTING OFFICE



* The Executive Director, JFMIP reports to a steering committee composed of officials of GAO, OMB, Treasury, CSC, and GSA. The Director, FCMS is a steering committee member.

Approved: Elmer B. Staats

Elmer B. Staats
Comptroller General
of the United States

Date: JUNE 14, 1976

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THE OFFICE OF TECHNOLOGY ASSESSMENT

By E. B. Skolnikoff

Principal Conclusions and Recommendations

1. GENERAL

(*a*) The functions OTA can perform represent important needs of the Senate, needs that cannot be met through the committee structure or by other support agencies.

(*b*) OTA has begun to fulfill those needs, though weaknesses as well as strengths are apparent.

(*c*) The critical period lies in the next few years when quality and usefulness must be clearly demonstrated.

(*d*) To achieve its goals, and be maximally useful to the Senate, the Office must demonstrate a commitment and capability for high quality policy studies, and must be well known and respected in the Senate and outside the Congress.

2. KINDS OF STUDIES

(*a*) The focus of OTA should be on independent policy analysis for the Congress on subjects with substantial relationship to science and technology, with particular emphasis on understanding the economic, political, and social implications of scientific and technological developments.

(*b*) However, the emphasis should shift from the current predominance of quick responses to committee requests needed for immediate legislative needs, to a balanced program of studies that also includes more longer term analyses that trace the consequences of technological development.

(*c*) The areas of interest that are appropriate for OTA should be those that substantially involve science and technology, but no rigid boundaries can or should be established.

(*d*) Most studies should be responsive to direct congressional interests, but the Office should also be encouraged to propose studies on its own.

3. RELATIONS WITH THE SENATE

(*a*) The special relationship of OTA staff to the six Senators on the Technology Assessment Board (TAB) makes it important that the services of the Office be known and available to the Senate as a whole. It is also critical that the actual and perceived objectivity of OTA studies not be compromised because of special relations with TAB members.

(*b*) Periodic review of OTA by the Senate as a whole or an appropriate committee may be desirable because of the unique operational rather than oversight responsibilities of the TAB.

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(*c*) Close working relations between OTA and committee staffs are important for effectiveness of the Office in serving the Senate. These cannot be legislated, but can be encouraged and supported. The close relations must not be allowed to compromise objectivity or the ability of the Office to undertake longer range studies not tied to immediate committee business.

(*d*) OTA may in principal provide a means to slow the expansion of committee staffs by providing the needed analytical capabilities.

(*e*) The image and reputation of OTA in the Senate appears mixed, occasionally excellent, but often demonstrating lack of awareness of the existence and potential role of the Office. The future of OTA will now depend, inter alia, on greater recognition and willingness to move into politically controversial and important areas, though that will also necessarily carry greater risks. A reputation for honesty, objectivity, and quality is essential in this situation.

4. RELATIONSHIP TO OTHER SUPPORT SERVICES

(*a*) There should be little substantive basis for competition among CRS, GAO, CBO, and OTA since their functions and capabilities ought to be seen as, and be, complementary. OTA, in particular, should be able to establish its uniqueness in subject matter, ability to enlist outside competence, and continuity of substantive staff capability.

(*b*) Coordination ought to be able to be achieved by collaboration among the organizations themselves.

(*c*) If problems do develop and persist, based on a natural competition for role and influence, it may be necessary for a Senate committee to have the responsibility for allocation of major studies. Such a committee could have broader responsibility of establishing issue priorities for study for the Senate as a whole.

5. OUTREACH BEYOND THE CONGRESS

(*a*) The ability of OTA to enlist highly qualified individuals outside the Congress in the conduct of its work is a necessary condition of its success. It is that capability that can identify its uniqueness, and can make it possible to challenge the executive branch on more nearly equal terms.

(*b*) OTA should neither be an organization that contracts out all its studies, nor one that carries out all studies in-house through staff. Rather, the staff must be large enough, and qualified enough, to work with advisory panels and outside experts in the design and conduct of studies and in the oversight of contracts. Some studies should also be done in-house, or in collaboration with expert panels.

(*c*) There has been considerable success in enlisting topflight talent for part-time work with OTA. The continued ability to do this will depend on the reputation of OTA, and thus, on the quality and significance of future work.

(*d*) Procedures for eliciting proposals should avoid as much as feasible conditions that tend to exclude important resources in the private sector. Short deadlines for response to RFP's, for example, usually deter universities from competing for contracts.

(*e*) The reputation outside the Congress appears to be mixed or absent, for much the same reasons as its reputation inside. The critical

importance of being able to continue to enlist the highest competence from the private sector in order to serve the Congress effectively, makes it essential that the office become better known.

6. TAAC

The advisory council, mandated to advise the board, has not developed a clear role in the operation of OTA. New departures, such as establishing the council's own studies of long-range issues, may begin to define a clearer purpose and make better use of this important resource. The TAAC should also be asked by the board to serve an oversight function to evaluate, usually ex post facto, the quality of, and experience with, studies conducted by the office.

7. EXECUTIVE BRANCH

OTA should maintain an arms length relationship to the new White House Science Office, though recognizing that there will be occasional need to use the same expert advisors. When possible, such "interlocking directorates" should be avoided.

8. PUBLIC PARTICIPATION

Public participation through hearings and other devices is an important aspect of congressional, and thus OTA, interests.

9. INTERNAL ORGANIZATION

(*a*) There appears to be a serious lack of horizontal communication within the staff of OTA due to the compartmentalized vertical structure of the Office. Another result is that excessive responsibility is focused at the top. As the Office grows and assumes more responsibility this structure will have to be modified.

(*b*) Staff quality, as perceived both inside and outside the Office is mixed. Recruitment procedures, salaries, and working conditions are among the reasons. The importance of high quality as a match to outside resources dictates that attention be given to this situation.

(*c*) No adequate quality control or oversight mechanism seems to exist to critically evaluate studies before release. This is an important requirement for the long term. An internal review process is suggested, coupled with formal evaluation of a sample of completed reports by the TAAC.

(*d*) Considerable sensitivity is required to avoid problems of conflict of responsibility among staff of the board members who also serve as regular OTA staff.

Purposes and Status of OTA

The Office of Technology Assessment was created by statute in 1972 toward the end of the 92d Congress, after some 6 years of deliberation in and outside of Congress. It began operation in mid 1973, and has now had some 3 years of growth and experience on which to base judgments of its long-term potential for assisting the work of the U.S. Senate. In fact, for a function as difficult to define and perform as tech-

nology assessment, and for an office placed in the political setting of the Congress, 3 years is too brief a period in which to reach any firm conclusions. But trends and problems have emerged that can provide a basis for preliminary judgments and for some recommendations to be considered by the Commission.

In brief, the functions an OTA can perform are badly needed by the Senate; the Office can provide unique supporting services complementary to those otherwise available to the Senate. The early history of the Office has begun to demonstrate both the need and the potential value of OTA. However, there are several weaknesses apparent, along with the strengths, both in its performance to date and its preparations for the future. The next few years are critical ones if OTA is to develop the stability and quality necessary to achieve its promise.

One of the more troubling uncertainties in OTA's history is the lack of a common operational conception of what is meant by technology assessment. Legislative history seems to demonstrate that there have been wide differences of interpretation of the phrase, varying from a definition that strictly implied the long-range forecasting of the economic, political, and social side effects of new technological developments, to a very broad concept that included analysis of any issue that involved science and technology in any way, no matter how minor.

In some ways the issue is a red herring. However, it creates operational problems, which will be discussed later. The act itself was written quite broadly. The subsequent history of the use of OTA by the Congress demonstrates an acceptance of almost any reasonable interpretation of its statutory responsibilities that is consistent with perceived congressional needs and with efficient use of its supporting services.[1] The fact that the OTA is an operating arm of the Congress, in a sense, gives it a continuing legislative history. Thus, congressional direction of, and provision of, resources for OTA, in whatever roles are deemed appropriate, serves to validate those roles. This relationship does not guarantee there will be no confusion of purpose within the Office, but it effectively bypasses the legitimacy issue.

For purposes of this analysis, an explicit assumption of the objectives of OTA is necessary. Based primarily on a view of the requirements for information and analysis of the Congress, one can generally define the purpose of OTA as the provision of independent policy analysis for the Congress on subjects substantially relating to science and technology, with particular emphasis on understanding

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[1] Public Law 92–484 :

(c) The basic function of the Office shall be to provide early indications of the probable beneficial and adverse impacts of the applications of technology and to develop other coordinate information which may assist the Congress. In carrying out such function, the Office shall :

(1) identify existing or probable impacts of technology or technological programs;
(2) where possible, ascertain cause-and-effect relationships ;
(3) identify alternative technological methods of implementing specific programs;
(4) identify alternative programs for achieving requisite goals ;
(5) make estimates and comparisons of the impacts of alternative methods and programs ;
(6) present findings of completed analyses to the appropriate legislative authorities;
(7) identify areas where additional research or data collection is required to provide adequate support for the assessments and estimates described in paragraph (1) through (5) of this subsection ; and
(8) undertake such additional associated activities as the appropriate authorities specified under subsection (d) may direct.

the broader economic, political, and social implications of scientific and technological developments. That is not a precise definition of OTA's scope, nor can it be. It does conform to the enabling act, however, and more adequately reflects the kinds of requests made to OTA in its first years than does the term "technology assessment." More importantly, it reflects the underlying purposes that many of OTA's sponsors were attempting to achieve, as well as underscoring the substantive needs of the Congress. Without elaborating exhaustively, these needs can be briefly listed as:

Providing a staff capability for the Congress for responsible independent analysis of technologically related issues and of complex legislation involving science and technology;

Marshalling the best talent for the Congress for studies in depth of technologically related issues on which it must decide, or about which it should be concerned;

Developing a capability, independent of the executive branch or of particular industrial sectors, to evaluate the implications of technology and provide "early warning" of impending problems capable of legislative solutions;

Providing a means of more effectively keeping pace with the executive branch's present advantages of more information and greater sophistication on technological issues, in order to ask the right questions, to review R & D documents, to force executive branch attention to implications that might otherwise be ignored, and more credibly to challenge or support agency positions;

Providing, similarly, a knowledgeable means of obtaining and challenging industrial views on technological issues; and

Developing a capacity, in scientific and technological areas, to participate in growing efforts in the Congress to plan more effectively across the spectrum of public policy concerns.

These needs for the Congress are not new. But the growing pervasiveness of technology in society, the evident negative as well as positive consequences of the development and application of technology, the central relation of science and technology to national purposes, and the increasing complexity of technology—these factors all make it imperative for the Congress to have enhanced resources to deal with technology related issues. And the growing public concern with many aspects of a technological society—coupled with the rise of anti-intellectual, antitechnology attitudes (evident in parts of the Congress)—make it even more essential that the Congress have available the means for independent, objective analysis, responsive to its concerns and its perspectives.

It is, of course, legitimate to ask why existing congressional methods of obtaining information, particularly through committee staffs and hearings, are not adequate. (The relevant roles of the Congressional Research Service and the General Accounting Office will be discussed later.) These traditional investigative methods do meet some part of the need and can be made more useful than at present. But the limitations of staff size and of depth of expertise, the inevitable focus of committees on day-to-day issues, and the overwhelming duties of staffs restrict the work capacity of committee staffs. In addition, the

fragmented jurisdictions of committees involving issues that cut across the committee structure of the Congress and cannot be dealt with piecemeal, the political and policy commitments of most committees, and their limited experience and capability in reaching outside the Congress to organize competent studies in depth by the most qualified individuals—these factors make an alternative capability essential for the Congress.

It must also be noted that some of the same reasons for a separate staff capability also pose potential sources of weakness for OTA. In particular, the strong political interests of congressional committees—who are the "clients" of OTA—render OTA reports, which strive for objectivity, vulnerable to political attack if their findings or implications conflict with deeply entrenched political currents in the Congress. The ability of OTA to survive in such a situation is not at all certain.

OTA has grown rapidly in its first 3 years to a staff of approximately 100 and a budget request for fiscal year 1977 of $8.5 million. A number of OTA studies have been completed; many others are underway. In the context of this paper it is not possible to give a definitive evaluation of the usefulness of completed reports to the requesting committees. However, it appears from several interviews that the reception of some reports has been good, for others, mixed. A few have been regarded as clearly outstanding.[2]

The usefulness of the studies hinges on a combination of their quality, timeliness, the character of the requesting committee, and other factors elaborated below.

The structure of OTA, in schematic form, includes a Technology Assessment Board (TAB) composed of six Senators and six Representatives, equally divided between the majority and minority parties, plus the Director of OTA sitting as a nonvoting member. (See organization chart, app. A.) The TAB, "which shall formulate and promulgate the policies of the Office," acts in effect as a "Board of Directors" for OTA and thus is directly involved in its functioning. A Technology Assessment Advisory Council (TAAC) consisting of 10 public members appointed by TAB, plus the Comptroller-General and the Director of the Congressional Research Service advises the Board. The Director of OTA is appointed by the TAB for a 6-year term; all staff appointments must be approved by TAB. Studies can only be initiated by the chairman of a congressional committee, acting for himself, by the ranking minority member, by a majority of the committee, by the Board, or by the Director in consultation with the Board.

In some ways, TAB's structure is a unique hybrid of a conventional committee and an independent operating arm of the Congress such as CRS or GAO. The TAB's balanced bipartisan makeup and its nonlegislative role distinguish it from regular committees of the Congress.

To consider how this unusual organization can be most effective in providing support for the Senate, how it relates to the other sources

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[2] An extensive inquiry conducted by the House Commission on Information and Facilities concluded: . . . "which have enabled it, at least on occasion, to deliver useful information in a timely fashion to Congressional Committees . . ." The Office of Technology Assessment: A Study of its Organizational Effectiveness; Communication from the Chairman, House Commission on Information and Facilities, House Document No. 94–538, June 18, 1976.

of support available to the Senate, and how to evaluate the performance of OTA to date, a number of issues must be discussed. Information has been obtained from a variety of sources, in particular through extensive interviews inside and outside the Office, through reference to relevant printed material and correspondence, and through consideration of other work on the problem of analytical resources relating to science and technology for the Congress.

Issues Involved in Strengthening OTA's Support for the Senate

Focus of studies

The issue of the intended or appropriate focus of OTA studies created some confusion for the Office in its early years. There are a number of dimensions to it. Should the work of OTA be restricted to "technology assessments" usually referred to as studies of the long-run implications of technology—or should it focus on the short-term needs of committees facing legislative decisions? Should it be engaged in policy studies, or only in establishing technical feasibility? Should it avoid highly charged political issues or plunge into them, whatever the stakes involved? Should it be responsive solely and totally to congressional requests or selective in its choice of studies, including the initiation of its own?

The study of the House Commission on Information and Facilities singles out the question of focus as one of the principal problems in the functioning of the Office.[3] That seems an excessive judgment. Whatever the various intentions of OTA's sponsors, it is clear that its role inevitably will be a combination of all the possible directions it can take. Congress will necessarily be seeking information and analysis in a great variety of situations, and from the perspective of a multitude of needs.

Another important question of focus is what the balance ought to be among different kinds of studies. Is any particular emphasis dictated by the needs of the Congress? Should there be constraint on the part of OTA or requesting committees as to the number or the character of studies undertaken? How can the relative roles of CRS, GAO, and CBO be appropriately coordinated? And how can the Office (which includes the TAB) function to insure that it can initiate studies on its own that it believes Congress ought to consider?

In practice, the Director of OTA, Emilio Daddario, has followed from the start a policy of emphasizing responsiveness to immediate congressional interests, which usually meant quick reactions to pending legislation. He has avoided, when possible, both studies conducted over an extended period of time and politically controversial issues. The rationale was a conviction that the Office had first to build a record of credibility and performance in order to have a secure foundation for later occupation with longer range questions and more controversial issues. Such a record, it was believed, could only be built safely on issues on which the Office could avoid political controversy and could give rapid response to expressed congressional interest. This course was seen as prudent for a new office with limited staff operating in a new and difficult area.

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[3] Ibid.

Whatever the judgment may be about such an initial policy, there seems clear agreement, at least rhetorically, that the Office should now be balancing its current quick-response emphasis with more long-range policy studies, particularly those that trace the consequences of technological development. Thus, OTA should be working to develop issues, in conjunction with the Congress, that go beyond immediate items on the committee dockets and come closer to meeting the early warning aspect of its responsibilities. And it should propose more studies on its own initiative.

The policy of the first few years had a significant benefit. It allowed the building of staff and OTA's external relationships in a relatively placid political atmosphere compared to that which might have attended more aggressive posture by the Office.

It also had important liabilities, however. It did not provide Congress with a clear picture of what the comparative advantages of OTA might be. The policy seemed to exaggerate possible conflicts with other congressional resource agencies, and it did not disseminate information about OTA in Congress. It also resulted in the majority of studies being carried out under great time pressure, thus losing some of the potential advantages of OTA's superior ability to enlist expertise from outside the Congress and differentiate OTA's capabilities from other support agencies. Moreover, OTA may have detracted from its ability to recruit and retain high quality staff while at the same time creating some negative reactions outside the Congress. It also put a strain on the internal relationships among the staff, the Board and the Advisory Council.

Greater balance in the focus of OTA's studies—between quick-response and long-range—should, in fact, enhance its usefulness to the Senate and more clearly differentiate its appropriate role for Members of the Senate. The Office should continue to be available to committees to meet their immediate needs, but there should be greater selectivity among tasks, so that accepted studies will be those in which OTA's competence can make a unique contribution. Moreover, more long-range studies should strengthen short-term analyses by providing a framework for questions that more adequately reflects the long-term effects of current decisions. For example, broadly conceived studies of the energy situation and of the long-term consequences of alternative energy technologies can provide a more effective framework for analysis of energy legislation actually up for decision. The uniqueness of OTA should come from its ability to relate technology to its policy, and to explore the possible consequences of alternative technological choices.

Ideally, OTA should be perceived by the Senate as a high quality resource for major studies of technologically-related policy engaging the Senate, and somewhat less as a resource for quick analyses of pending legislation. Of course, it has to do some of both and certainly it must make its work relevant to congressional timetables, but the focus should evolve in this way in order to redress the current emphasis.

An effective operating pattern, as described in this general way, will require good working relations between OTA and committee staffs; similarly close collaboration among OTA, GAO, CRS and CBO; and, quite possibly, some kind of agenda-setting mechanism for the Senate as a whole. It will also require studies of demonstrated high qual-

ity. These should be easier to produce with a better balance that avoids some pressures of time, excessive workload, and too many narrowly-defined studies.

The Office can never lose sight of the fact that the immediate needs of the Senate must be sufficiently served to fulfill the purposes for which OTA was established, and to maintain necessary political support. But those immediate needs cannot be adequately met by an overwhelming emphasis on short-term issues.

One other troublesome question of focus must be faced: How tightly should OTA studies be restricted involving the physical sciences and technology? There is no clear boundary separating issues that turn on technological matters from those that do not. Moreover, even issues involving high technology can ultimately become political, economic or social questions. And, increasingly, public policy questions involve the findings and results of the social sciences. Should they be included in the purview of an Office of Technology Assessment?

Once again, good sense and balance are required. The comparative advantage of OTA resides primarily in its concern with the physical sciences and technology. It would not be wise to shade that edge by unquestioning acceptance of policy studies that are only remotely related to science and technology. To set up rigid barriers would be equally unwise, on the other hand, since the success of the Office will depend in part on its ability to cross the technological/social boundary when occasion demands. Moreover, OTA's effectiveness in establishing a reputation for high competence outside the Congress may lend it a particular ability to serve the Senate in several broad complex subject area. In some cases, there may well be no satisfactory alternative agency available to the Senate.

Relations With the Senate

Senators and OTA

The ultimate value placed upon OTA by the Senate will, of course, be measured by how useful the Senators perceive it to be in support of their responsibilities. This cannot be an abstract judgment, based on what outsiders see as the needs of the members. It will be judged instead on how well a new analytical resource can contribute to the performance of a group of incredibly busy individuals with broad substantive responsibilities in a highly political environment, and with little time to probe any given issue in great depth.

Part of the Senate's judgment will lie in the relationship of OTA to committee staffs discussed in the next section. But there are other elements that deserve mention.

One is the unusual, even anomalous, relationship of the Office to the six Senators on the Technology Assessment Board, and how that could affect OTA's relations with other Senators. Because of the structure of OTA, its Director and staff are, in effect, the staff of the TAB, rather than an independent study organization as had been implied in the original bill put forward by the House Committee on Science and Astronautics—now Science and Technology—and later amended. The staff concept is emphasized by the fact that Board members have decided that they are entitled to appoint members of the OTA staff who will also serve as their own staff in their Board capacities. The Senate

Board Members have readily availed themselves of this device, though the House Members of the Board have been slower to do so. In addition, the TAB must approve of all assessments undertaken. Thus the Director and staff of OTA are structurally much more closely tied to the 12 legislators on their Board than is the case with the other congressional resource agencies. In fact, the six Senate Members of TAB have tended to be more prominent in the Board's operations to date, so that OTA's ties to the six Senate Members are particularly important.

In practice, OTA has been open for requests from the Senate as a whole, though most requests appear to have been coordinated through the Board members or their staffs. Many initiatives have originated with the Senate Board Members themselves.

It is very important that OTA not be regarded as simply an extension of their own committee staffs by those Members of the Senate who happen to be on the Board. This will require conscious efforts by Board members to establish easy access to OTA for others, and to protect the OTA staff from the intensely political environment prevalent in many committee staffs.

The Office should also not be seen as representing only one point of view or only one approach to policy questions. The bipartisan nature of the TAB membership will help, but it will not guarantee both the objectivity of OTA and the perception of the objectivity by others. It is essential, for example, that the conduct of studies be free of any taint of undue influence by Board members or their staffs. This also requires that appointments to the Board by the Senate leadership be made on the grounds of substantive interest and not as political rewards.

The Senate may also want to consider whether periodic review of OTA by the full Senate, or some appropriate committee, may be desirable, since the TAB will be too much a part of the Office for it to provide objective oversight.

It should also be noted that there is the potential, over time, for a divergence of views between the House of Representatives and the Senate. The original conception of OTA appears to have anticipated the House focusing more on "traditional" concepts of technology assessment, while the Senate looked more to a broader, technical, analytical resource. Expectations of operating patterns with regard to contracting and staff size also appeared to be at variance with actual experience. These differences, coupled with the relatively greater involvement of Members of the Senate in OTA to date, may lead to divergent attitudes on the TAB in the future, especially over appropriations. There is little to be done at this time except to recognize this possibility.

Lastly, it is worth observing the obvious. In attempting to be objective in its assessments, OTA is bound to generate policy options—even if not recommendations—that run counter to the views of some Senators. If OTA has achieved a reputation for honesty, objectivity, and quality, and has proven its general usefulness to the Senate, such eventualities will have no serious adverse consequences. If it has not achieved such a reputation, it will not survive.

Committees and OTA

As noted earlier, part of the rationale for OTA's existence is the inability of congressional committees to meet some of the new analytical requirements of Congress related to the effects of science and technology. Though it may be possible to restructure committees to improve their capability to develop needed information and analysis, there remains an overall major requirement for additional help. There is no need to repeat the arguments made in part I, but committee fragmentation, size, traditional patterns of operation, mixed goals, politicization, lack of organization to manage studies, and other problems, make it obvious that, in general, committee staffs alone cannot meet all the special needs for which OTA was created.

There are some Senate committees with large and strong staffs, with the resources and tradition of reaching outside Congress for analysis, but they are few. For them, OTA may appear not only as a competitor, but as a competitor without the degree of political discipline required of committee staffs. To them, OTA studies may appear to carry more weight with the Senate than do committee-sponsored studies, yet, in fact, be no more objective or competent. Committee staffs capable of mounting studies similar to OTA's are few. In any case, the political orientation of committee staffs suggests a need for an organization that is, and is perceived to be, less allied with any particular point of view.

The assumed greater objectivity of OTA's studies is a significant perception that enhances their influence, but it also emphasizes the responsibility of OTA to preserve that objectivity. The policy of avoiding recommendations in favor of presenting options is important in that respect, although alone such a policy is no guarantee of neutrality or objectivity.

OTA can, in principle, also provide a means for avoiding some expansions of committee staffs in the Senate. Part of the rationale for expanded staffs is the need to provide more information and analysis for increasingly overburdened Senators with extensive committee assignments. To the extent that OTA can meet their expanded information needs more effectively, the pressure for staff expansion will be reduced.

Perhaps a more important comment concerns the importance of OTA's effecting a good working relationship between its staff and committee staffs. The committees, after all, are OTA's customers. In all such customer-supplier relationships there should be much more than simply disembodied requests and impersonal responses, if the relationships are to be satisfying.

The committee staffs pursue their ongoing work under the guidance of the Senators. As such the staffs are in the best position to anticipate issues, to reflect senatorial concerns, and to know what endeavors will be of most value to the work of the Senate. At the same time, the staffs are not usually in the best position to define precisely the appropriate issues for study. Nor do they usually have the perspective to know exactly what issues they ought to focus on, now or in the future. The development of good informal relations between OTA and committee staffs, enhanced by a record of quality performance by OTA, could contribute substantially to OTA's effectiveness in serving the Senate.

Of course, there are also pitfalls in such a course. One of OTA's important attributes is a striving for analytical objectivity; this virtue could be compromised by too close a relationship to the politicized environment of the committees. This would be especially hazardous if the relationship tended to be closer to some committees than to others with overlapping jurisdictions among all.

Close relations with committees staffs could also make it more difficult to engage in long-range studies by overemphasizing immediate needs. This is an educational problem in part, so that, if the working relations are good, the value and importance of the long-range studies can be demonstrated by OTA to the committees.

The payoffs for OTA in terms of its responsiveness to senatorial interests and its capability of performing a subtle early warning function appear to overshadow the dangers, however, as long as OTA's staff is aware of the pitfalls and detours them.

Image and reputation of OTA

It was not possible in the context of this paper to carry out a scientific survey of attitudes of Members of the Senate, or of their staffs, about OTA. From a number and variety of conversations, the most surprising impression that emerged was that OTA's reputation is mixed. For many it remains an unknown quantity; for others it has been a very useful new tool for aiding in the business of the Senate; for some it is a substantial disappointment. Clearly, several completed OTA reports have been of considerable value to the requesting committees; the Office's reputation in those cases is high.

But the general sense gained is that after 3 years OTA is not as well known in the Congress as it should be, and that it is not generally seen as the unique, high-quality resource that it must be, not only to be successful, but to survive. Because it is not well enough known, it is not even as controversial as it should be. This is obviously a subjective judgment on the part of one observer. It could be wrong or irrelevant—wrong in the sense that a full survey might reach a different conclusion, irrelevant in the sense that, at this point, a modest record of accomplishment could be judged a necessary prerequisite to a more widespread reputation and significance.

The strategy of a low-keyed start may ultimately prove to be correct. But there is also the possibility that an image will be, or has been created, of OTA carrying out relatively unimportant studies on noncontroversial matters, studies of mixed quality and equally mixed usefulness to the Senate. Recognition in the context of the Senate is not an unimportant value, especially in a competitive situation of rapid change. The present staff leadership of OTA sees a gradual record of small steps as the protection against political vulnerabilities. A record of quality effort on highly visible and important issues may, in fact, prove a more significant bulwark against both political attack and indifference.

Relationship to other congressional information and analysis resources

There appears to be considerable concern among many that there is unnecessary competition among CRS, GAO, CBO, and OTA—and particularly between OTA and CRS or GAO. Unnecessary competition is usually translated as undesirable duplication of effort. The House study previously referred to concludes: "The potential for du-

plication continues to be immediate," though "no evidence of unwarranted duplication of effort * * * has been detected." That study traces the "potential for duplication" to the confusion over OTA's focus and mission.

There obviously is some danger of undesirable overlap or confusion in the primary role that each of the supporting services can play for the Senate. OTA is the smallest of the four (in fiscal year 1977, approximate comparisons of staff size are: GAO 5,000 plus, CRS 800 plus, CBO 250 plus, OTA 100 plus; though these numbers are misleading since the science and technology-related staffs of the other agencies are only a small part of their totals). In recent years both CRS and GAO have modified their staffs to better perform technologically related services.

Still, there are important basic differences. CRS in its Science Policy Research Division is primarily, though not exclusively, responsive to individual Congressmen for confidential information. Studies in considerable depth intended for publication are not the norm, nor is there typically the broad outreach to expertise outside the Library of Congress. CRS generally emphasizes quick response and overview in its studies.

Through 1972 GAO was primarily an agency that audited programs in terms of performance. Much of its work is self-generated, though it also provides confidential analyses to committees. The confidential nature of some of its work for the Congress creates special problems; it means some studies are not made available more widely in the Congress or to the public. In recent years the GAO has expanded its ability to seek outside professional assistance and to do more in technological areas.

CBO is the newest organization, focusing primarily on budgetary implications of proposed programs.

OTA's uniqueness lies in its potential for primary focus on sophisticated policy analyses of technologically related subjects, enlisting the highest quality expertise from the country at large. It can develop deep competence in particular subject areas through the staff and advisory panels, with continuity over time, and without the distractions of the other responsibilities that necessarily engage CRS and GAO. The effects of OTA's published reports can go well beyond the Congress.

In effect, OTA is complementary to CRS and GAO, with more of a possible sharing of tasks with CBO, for example, in providing the substantive analysis on which the budgeting implications can be built.

However, there is an inevitable element of competition among the four organizations—especially among CRS, GAO, and OTA—since their responsibilities cannot be totally separated, and they are all seeking favor and support from Congress. Thus, there is a tendency for each organization to demonstrate its usefulness by responding to all congressional requests made of it. And, the existing ad hoc coordinating committee representing the four organizations works only as long as the leadership of each does not see its own organization threatened as a result of committee activities.

It should be noted that at times duplication and competition can be valuable; there may easily be occasions when similar questions may be asked of several of the organizations in order to obtain diverse analyses. But if the duplication is frequent or unnecessary, the waste of the analytical resources being used may be substantial.

There is simply no point in an aggressive competition among these organizations that leads to squandering their resources. OTA certainly cannot afford this. Moreover, OTA's role can be sufficiently unique, as noted above, that most questions of overlap can be reasonably avoided. The coordination should largely be up to the organizations themselves, for it is much more difficult for a Senate committee to have a clear idea, for marginal subjects at least, of which support group is the appropriate recipient of a request. The problem is that the political setting may dilute a willingness to coordinate on important issues affecting an organization's role and influence.

If "self-coordination" among the four agencies proves inadequate over time, the Senate might consider a separate committee that is concerned with allocation of major studies among them, though such a step would have many drawbacks. Perhaps of greater interest would be a Senate committee that establishes priorities for policy studies, and in effect sets the primary agenda for all four organizations and for studies in the Senate as a whole.

The proposed Institute for Congress, which is coming close to fruition outside the Congress, and which would be responsive to congressional needs, also envisages a mechanism for Congress to aid in defining the primary areas for analysis each year. That Institute, if it becomes operative, could appear to duplicate OTA's mission to some extent. Actually, its more independent base, broader subject scope, and greater distance from congressional working levels and thus from immediate legislative needs, will make it quite distinctive. It is in fact seen by its sponsors as a potential contractor for OTA. The danger of Institute competition is present, but ought to be of little concern at this time.

Outreach—Relations outside Congress; the Advisory Council

The ability of OTA to enlist highly qualified individuals outside Congress in the conduct of its work is a necessary—if not sufficient—condition of its success. Its capability in its fields of emphasis can help to distinguish its work from other organizations inside Congress, can make it possible to challenge the executive branch on more nearly equal terms, and can help to make major contributions more generally to public policy issues.

In-house versus contract studies; advisory panels

A persistent issue, directly related to this need for outreach, has been the attempt to define the ultimate objective of OTA in terms of size and pattern of operation—in particular, the relative balance between in-house and contract studies. The House of Representatives had, and still has, the expectation of OTA as a predominantly contract operation with a staff restricted primarily to contract monitoring. This pattern was followed at the very beginning by OTA. Others envisage a large staff organization conducting assessments totally in-house.

Neither extreme appears wise. A purely contract operation would probably be able to attract and keep only mediocre staff, would have little influence over contractor quality, and would lose the enormous benefit of the interaction between high-quality outside panels and staff. The fully in-house operation would also tend to lose the benefit of that interaction; it would be much harder to keep staff of the necessary quality in an inevitably more bureaucratized environment. There could

also be more problems with an in-house "think-tank" because of the likely development of a distinctive OTA point of view, which would seriously affect OTA's usefulness.

Thus, some mix between the two patterns is desirable: the ability to attract quality staff because OTA is small but substantively involved, and the ability to call on outside talent for advice and participation to multiply the resources of the Office.

It should be noted that OTA has been quite successful in its experience to date in enlisting individuals of the highest quality from around the country for part-time assistance. This indicates the fundamental good will that exists for the Office, and the discrimination of the staff and advisers in seeking out the most qualified talent. It also emphasizes the importance of quality performance so as to avoid dissipating the ability to tap the highest competence in the service of the Congress.

One of the steps taken by OTA to engage outside experts has been the establishment of advisory panels in each of the program areas—energy, food, oceans, health, and so forth—and for specific studies. The early emphasis on fully contracted studies, with staff serving only in a monitoring function, tended to devalue the contributions of an interactive staff/advisory panel relationship. But this has now evolved so that in most fields both staff and outside advisers have a larger role in design and oversight of the detailed studies. This evolution could usefully go further and engage the advisory panels in a deliberative role, not only to advise on response to requests from the staff, but also to provide inputs on needed studies as well as keeping Congress abreast of important new developments in their respective fields and occasionally carrying out studies themselves.

In fact, a flexible relationship between staff and outside advisers is a pattern of operation that can emphasize OTA's unique role in enlisting top talent not otherwise available on a staff or contracting basis. That pattern has developed in some parts of OTA and could be stimulated further.

The procedures for outside contracting are also an important determinant of the ability of the Office to enlist the highest competence for its tasks. Often, OTA has sought contractors through requests for proposals (RFP's), which had to be returned on a time deadline that effectively deterred one source of competence, the universities, from competing. Time pressures for completion of various tasks led to that practice, but the end result was to exclude some relevant talent and competence from consideration. More use of noncompetitive, "sole source" contracting in such cases would seem appropriate. A better balance of longer and shorter studies will also help to ameliorate the situation. Clearly, OTA cannot afford to follow contracting procedures that effectively preclude it from tapping one of the major sectors of analytical competence.

Technology Assessment Advisory Council

Perhaps OTA's greatest disappointment so far has been the difficulty in using fully and successfully the Technology Assessment Advisory Council. It was established in the statute as advisory to the Technology Assessment Board, and its public members have largely been appointed on recommendation of each of the Board members.

The Council's role is not spelled out in detail in the legislation; in fact, it was created at the time the original concept of a Board that included public members was changed to an all-Congress Board. As such, TAAC had an implied purpose as a mechanism for providing public input and oversight. But for reasons not entirely of its own making, it has had difficulty in developing a productive role. The situation led some Council members to consider resignation on the grounds they were spending much time on Council business to little purpose.

One immediate problem is the somewhat disparate makeup of the Council, with each member appointed essentially without reference to others. Thus, the Council lacks the usual characteristics of a committee with cohesiveness and balance. The result is that much of the influence of TAAC members to date has been wielded by them as individuals rather than as a group, and this is usually in interactions with the OTA staff rather than with the Board.

The Council has had difficulty exercising any quality control and oversight role, which might have proved its major value, in part because of the difficulty of matching the schedules of its busy members with the rapid response requirements of most of the early studies OTA has undertaken, and in part because of a certain amount of resistance from the staff leadership. Relations between the Council and the Board have been sporadic, though friendly, since joint meetings are not regularly possible and an advisory role on new, proposed studies has proven difficult to carry out in practice. The TAB, however, has not appeared to take the initiative in seeking out TAAC's advice and counsel, which is a source of disappointment to TAAC members.

The pity is that the TAAC is, in fact, a group of talented and influential individuals who have elected to play an active role in OTA affairs because they believe it can be an important new body for aiding the Congress. The difficulty in defining a useful role for TAAC has been doubly frustrating as a result.

Recently, the Council has been developing its own longer range studies, with staffing from OTA. In that way, it may be able to carve out a valuable role for certain kinds of questions (for example, assessment priorities, national R. & D. policies and priorities) that would be inappropriate for contracting to a single organization, and requiring broader, less-structured inputs from many different individuals and institutions.

It may also be useful for TAAC to have greater interaction with the various advisory panels in the substantive fields of OTA interest. This could serve both the internal communication and oversight needs discussed in the next section, and also help to avoid any sense of competition between the Council and the panels. Perhaps advisory panel chairmen could sit on the Council ex officio, or meet occasionally with the TAAC. Whatever the route taken, such interaction would serve to lower the information and communication barriers that appear to hinder much of OTA's operations.

Reputation Outside Congress

The reputation of OTA outside the Congress is, of course, difficult to estimate. However, the impressions chronicled in a letter of the outgoing chairman of the Advisory Council—printed in the most recent

annual report—indicate that OTA's image may pose a problem. Since it is so critical to OTA's effective performance that it be able to tap topflight expertise in its fields of emphasis and claim serious attention from public groups, the image perceived by the public at large and by the academic and industrial communities is of considerable significance. Here, too, name recognition, coupled with a clear impression of a quality operation, is necessary. The record in this respect seems to vary from subject to subject, but in almost all its fields OTA's general visibility appears to be low.

It is important to note that all of OTA's reports are intended for publication—in contrast to CRS and GAO, for example. Thus, its image and reputation over time, outside the Congress, will depend in large measure on the quality of the work that is done and documented.

Outside organization, executive branch, public participation

Clearly, OTA should strive to involve in its work the highest competence, wherever it is located in society, consistent with conflict of interest considerations. It must have the reputation and staff to be able to do so.

This goal may at times raise peculiar problems, in that OTA may find itself tapping the same individuals who are advisers to the executive branch, particularly to the new White House science office. In some cases, this recruiting competition may be unavoidable, but, by and large, it will be important to beware of creating an interlocking directorate that would reduce congressional ability to obtain advice independent of that being given to the Administration. OTA and the Executive Office should maintain an arms-length relationship.

A further check on any hazardous proximity to the Administration will be conscious provision of opportunities for public inputs to the work of OTA. Public inputs on issues of interest are often difficult to achieve on time-dependent studies; they can be achieved in part, and more readily, on longer range studies.

Another useful device to engage the public as well as enhance OTA's visibility is to hold well-publicized hearings in different parts of the country when pursuing long-run studies. Though time-consuming, such efforts can have a useful feedback, both substantively and with respect to other operating needs.

OTA Management, Internal Structure

A detailed management critique cannot be appropriately presented in this paper. However, a few observations and suggestions appear in order, based on the fairly extensive interviewing that has been conducted.

Communication

There seems to be a real problem of communication among the staff in the different program areas of OTA. The main reason, aside from the cramped space situation, appears to be the predominantly vertical structure of the staff. The various substantive program areas report to the Director and little formal provision is made for lateral interaction.

There would seem to be real drawbacks to this situation. It does not provide an ability to recognize crosscutting issues not fitting the Office

structure, and it makes learning from experience much harder. In addition, the setting of common standards becomes much more difficult. The Office is denied a sense of common purpose and community. The coordination and management of a large staff becomes an increasing problem since the Director must be involved in all such decisions.

There is apparently some new attention to this problem, but unless progress is made, morale and effectiveness are likely to be seriously impaired, especially as OTA grows and undertakes more ambitious studies. Some deterioration of morale may already have taken place.

Staff quality

A reputation for staff quality, as seen both from outside and inside OTA, is decidedly mixed. The turnover has been high, with considerable dissatisfaction expressed. Given the critical importance of the staff in working in a planning and communicating environment, both with the Congress and the outside community, the staff must be first rate. The interest and leverage of the OTA, in fact, should make it possible to attract top-quality individuals, though the difficulties posed by space and relatively low salaries present serious impediments. The occasional political basis for hiring may also involve a problem. There is an impression, however, that the regular recruitment and selection process has not been as effective or as clearly developed as it should be.

Quality control, oversight

There is little that could be considered an effective review process for evaluating OTA studies before their release. The Director and Deputy Director apparently now provide the only regular review of reports, though obviously any given report is likely to have been read by others as well. Some advisory panels review studies before release, but the pattern has not been consistent. Often, their reviews constitute mere suggestions rather than any genuine evaluation or approval procedure. The TAAC as such has not found it possible to fit into the process as a formal review committee. Occasionally, individual Council members have performed a review function.

No matter how well done the reports may be, over time some kind of regularized review process is necessary in any organization responsible for research and analysis. This is required, not only to help maintain quality, but also to avoid the development of bias or a single point of view, and in general to maintain objectivity.

Serious consideration needs to be given to this problem, which is not easily solved because any review process must also recognize the important value of producing reports in a timely fashion for congressional use.

One recommendation, which would also serve the communication and learning function, is that every study should be read and thoroughly critiqued by at least one person, and preferably more, in another program area. In addition, a small group of senior staff, in addition to the Director, could constitute a report review committee.

The TAAC might be able to help in this, but more appropriate for them would be slightly different oversight functions—the review and critique of a sample of issued reports, perhaps with consultation outside OTA, with a feedback to the staff. This would provide a check on

quality, useful comments to the staff and advisors, and an input channel for TAAC's interests in developing assessment methodology. Advisory panel chairmen could help in this oversight role.

Whatever means are chosen, the need to establish more regular quality control and oversight mechanisms is essential. The very presence of a review mechanism could have a salutary effect because of the heightened incentives for raising the quality of work.

Dual role of some staff

It appears at first glance to be anomalous, and likely a serious impediment to good management, for some Office staff to serve also as staff for individual members of the Board. As noted, the Senators on the Board have made much more use of this device than have the Congressmen.

In fact, this arrangement flows from the nature of the OTA structure, which establishes the staff as a support group to the Board rather than as an independent organization. It is quite consistent therefore with normal congressional practice. Moreover, the staff, in this dual capacity, plays an essential role in preparing TAB members to conduct OTA business.

The appropriateness of the dual role does not necessarily reduce the potential problems, however. Some staff may suffer from mixed loyalties when conflicts or differences arise between the Director and the Board. The dual role involves relationships requiring considerable sensitivity on all sides.

Space

The space situation of OTA is very bad, with three, four, and five professionals and secretaries crowded into one small office. Conferences with an individual either disrupt a whole office, or must be shifted to an unattractive canteen in the basement.

Though there are few complaints, there is no doubt that the space situation is affecting productivity, communication, and recruitment of staff. The organization simply cannot long survive with any quality in its present housing conditions.

Role of the Director

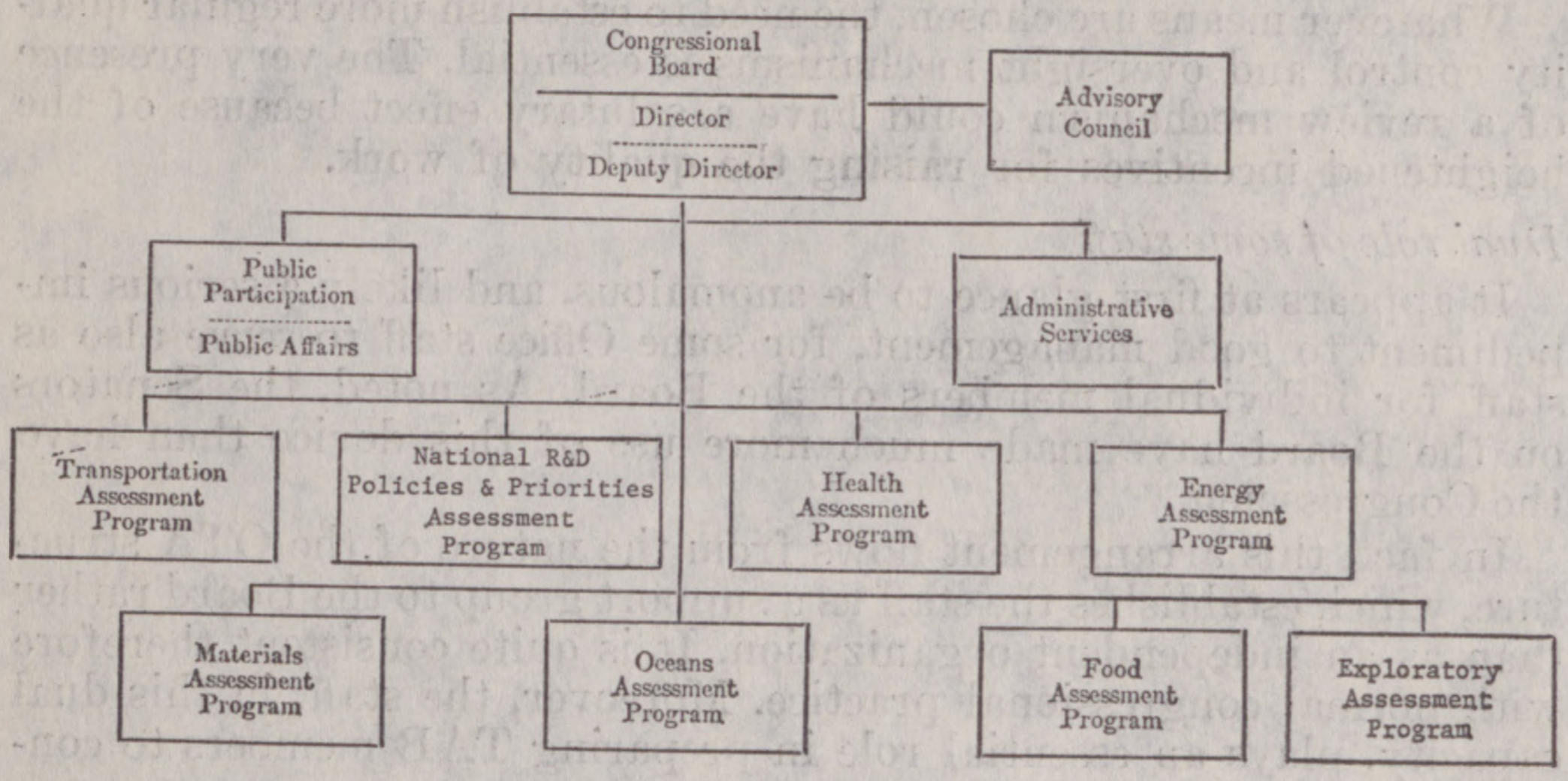
As in any organization—especially a new one, with a difficult and somewhat ill-defined role, and in a difficult political environment—the competence and role of the Director is absolutely critical. OTA has weathered its first 3 years, has grown to a robust size, and has produced some excellent and useful studies for its primary client, Congress.

It is no exaggeration, however, to say that the critical time for OTA is still before it. In the next few years it will struggle to mature from a shy child into an adventurous, strong, and competent adult. It has had a respite relatively free of challenge or criticism. Now it must prove itself able to tackle more politically controversial and more fundamental issues, and to demonstrate its essential value to Congress. To be as useful as it should be for the Senate in the long term, OTA will have to come to confront its problems. That process will require wise and inspired leadership.

July 1976.

APPENDIX A

OFFICE OF TECHNOLOGY ASSESSMENT



THE CONGRESSIONAL BUDGET OFFICE

By William M. Capron

Two years ago, Congress passed the "Congressional Budget and Impoundment Control Act of 1974." Among the major innovations mandated by that act was the creation of the Congressional Budget Office (CBO) as a major new support agency to Congress. In order to assess the present and potential role of CBO, it is essential to understand the main elements in the new budget process. To assess the potential of CBO to aid the Senate, its committees and its Members in dealing more effectively with major policy and program issues cutting across jurisdictional lines of existing committees, one must examine CBO's central responsibilities to Congress under the new set of budgetary procedures mandated in the 1974 act.

The Congressional Budget Office is little more than a year old. Its first—and present—Director was not appointed until February 1975. It inevitably took several months after that to recruit and organize the staff, which now numbers 193, of whom 139 are professionals. Thus, any assessment of the performance of CBO at this time can only be very tentative and uncertain. This view is reinforced by the fact that the new budget process itself is only part way through its first year of real operation. In 1975, pursuant to the Budget Reform Act, Congress did partially implement the Congressional Budget Impoundment Control Act, although the new procedures did not have formal binding status. However, it is during the current session, in which the budget is being prepared for fiscal year 1977, that the procedures set down in the act are formally in place.

In addition to creating the CBO, the 1974 act called for the appointment of two new committees, one in the House and one in the Senate, and gave them the central role in developing and managing the congressional budget process. In describing and assessing CBO's performance later in this paper, I will have more to say about the actual relations now evolving between CBO and the two Budget Committees.

NOTE.—This paper owes a very heavy debt to the staff of the Commission on the Operation of the Senate. Most importantly, Mr. Thomas R. Hitchner was assigned to work with me; his contributions to my resulting effort cannot adequately be measured. Most importantly, he proved to be a persistent and perceptive interviewer, spending many hours with CBO and congressional staff members. While I participated in some interviews personally, the overwhelming burden in this regard fell on his capable shoulders. In addition, he was extremely helpful in assembling for me a great amount of material on which I was able to draw. Finally, his sometimes tough criticism of earlier drafts forced me to rethink a number of points and actually to change my view in some respects. While I regard this as truly a joint effort with Mr. Hitchner, in the end I must take sole responsibility for any errors of fact which may remain, despite his efforts, and for the views expressed. I have also had many helpful comments from a number of other individuals on an earlier draft.

The New Budget Process

The new budget process is certainly one of the most significant changes that Congress has imposed on itself in several decades. The act requires that Congress, for the first time, take formal action on the budget totals: budget authority, outlays, revenues, and the resulting deficit. Since 1921, when Congress passed the Budget and Accounting Act, the President has been required each year to submit to Congress his budget, including a recommended level of total outlays, revenues, and the resulting deficit. But until the 1974 act, Congress took formal action on the budget only in piecemeal fashion. In recent years, on the expenditure side, Congress acted separately on some 13 appropriation bills to grant budget authority to the executive branch. In practice, the actual decision process found the appropriation committees in each House making their decisions on a much more fractionated program-by-program basis. Likewise, action on tax and other revenue measures was taken in a piecemeal fashion by Congress.

Since 1946, the Joint Economic Committee—created by the Employment Act passed in that year—has ordinarily held hearings on the President's budget and issued a report expressing its own views regarding the appropriate fiscal policy, including the desirable level of total expenditures, revenues, and deficits. But the JEC has no legislative authority; its report imposes no constraint on the action of either of the appropriations and revenue committees—the Finance Committee in the Senate, the Ways and Means Committee in the House.

Under the new budget process, the "money" committees—dealing with appropriations and revenues—and Congress itself continue to vote on the budget in a piecemeal fashion. However, and most important, these activities are now performed in the context of formal action taken by the Congress on the budget totals. The resolutions that set forth these totals are presented to each House by its own Budget Committee. The chart, included as attachment A, which sets out the budget calendar imposed by the Congressional Budget Act, identifies the key elements in the new process and also traces the principal ways in which CBO participates in this process.

After receiving the President's budget in January, the Senate and House Budget Committees receive reports from the other principal committees in their respective Houses, setting forth their views as to budget authority, outlays, and revenues within their own jurisdictions. By April 1, the calendar calls for CBO to report to the Budget Committees, reviewing the economic implications of alternative fiscal policies—including the President's—together with the implications of supporting major programs at various levels. Based on this information, each Budget Committee, by April 15, submits to its respective House a budget resolution that not only recommends budget totals, but also sets targets for outlays for each of the 16 major functional categories into which the Federal budget is presently divided. By May 15, a first concurrent budget resolution is to be worked out and accepted by both the House and Senate. Between that date and early September, the various authorizing, appropriations, and revenue committees proceed to take action on individual bills.

As these actions are taken, the Budget Committees, working with CBO, perform a regular scorekeeping function, comparing the

budget decisions made by the relevant committees and subcommittees with the totals agreed on in the first concurrent resolution. By September 15, the act calls upon the Congress to complete action on a second budget resolution and, if necessary, to pass a concurrent reconciliation resolution by September 25. The Budget Committees, in proposing the second budget resolution, may recommend amending the totals and the target amounts for the major functional categories. This may become necessary in order to reconcile the totals that have been produced by aggregating individual spending and revenue actions taken in the interim by the Congress. Alternatively, if there are differences between the targets set in the May 15 resolution and the actions taken on individual spending and revenue bills in the interim, either Budget Committee can recommend to its respective House that individual spending or revenue actions be returned to the appropriate committee for reconsideration. This recommendation would carry a requirement that such committees report back to the Congress bills that will bring the dollar amounts into accord with the initially mandated—or newly recommended—guidelines. Afer reconsideration, and after such spending and revenue bills have been amended, a final reconciliation resolution must be agreed to by both the Senate and House.

As provided by other 1974 budget reform legislation, no spending or revenue measures become effective until Congress has completed action on the second budget resolution and, if necessary, the reconciliation resolution. To accommodate this new process and its timetable, the Congressional Budget Act shifted the beginning of the fiscal year from July 1 to October 1.

While the focus of this paper is on CBO, it seemed to me necessary to describe the budget process and the role of the Budget Committees in some detail. It is impossible to consider CBO without looking at its intimate involvement with the budget process and its evolving relationships with the two new Budget Committees. After describing CBO's internal organization and structure, and the character of its staff, this paper will return to consider the interaction between CBO, the budget process, the Budget Committees, and other committees of the Congress.

CBO's Role

A major difficulty in assessing CBO's performance and effectiveness thus far, and its future potential, arises because of legitimate differences in viewpoint regarding CBO's appropriate role and external relationships. These differences in viewpoint vis-a-vis CBO's mission are important in evaluating the views expressed about CBO by other parts of the Congress, particularly committee staff members. This ambiguity arises because of CBO's formal mandate, as expressed in the Congressional Budget Reform and Impoundment Control Act of 1974, and the legislative history associated with that act. There is also ambiguity because of the varying perceptions of the appropriate role of CBO held by its Director and staff, on the one hand, and, on the other, by Members of the House and Senate and staff members on the Hill.

On one point there is general—though not universal—agreement: CBO should be nonpartisan and nonpolitical. It should not advocate particular policy options in regard to overall fiscal policy, nor in re-

gard to priorities among program areas, nor in regard to support of particular program options.

Beyond this basic agreement on posture, however, there exist both explicitly and implicitly serious differences of view. First is the question of the independence of CBO, and particularly of its Director. Does the Director have a good deal of independent discretion in setting CBO's agenda and in determining the manner and style in which CBO will relate to the Members and committees of Congress? Indeed, some observers have suggested that CBO seems, at times, to act as an agency independent of Congress—though this view is clearly not held by CBO's leadership. Or is CBO to perform primarily as a subservient staff agency with a primary allegiance to the Budget Committees of the two Houses? While there is language in the legislative history to support this latter view, the statute itself gives the Director a large measure of independence and much implied discretion in setting the agency's agenda and controlling how staff resources are used. It is not surprising that CBO has stirred controversy in its young life, nor that it is criticized from various points of view, some of which are conflicting. CBO has been criticized by its own staff, others on the Hill, and outside observers.

It should be noted that the Director of CBO is formally appointed by the President pro tempore of the Senate and the Speaker of the House. The first Director of CBO, the present incumbent, was appointed only after the chairmen of the two Budget Committees had agreed on the candidate; these two chairmen seem to have the actual power to select the Director. The two Budget Committees serve as the oversight committees for CBO, and CBO's appropriation goes through the regular process with the two appropriation committees.

The following section—which describes the organization, staffing, and nature of CBO's activities to date—suggests that the present Director has tended to assume that CBO has a great deal of discretion in its relationship with Congress. Following that is a section reporting on the relatively critical view of CBO performance to date that is held by most members of the two Budget Committee staffs and other committee staff members on the Hill. Also presented is the viewpoint that the agency's appropriate role is intended to be subservient to Congress. In later sections, I will indicate my own view about what roles and relationships are appropriate for CBO if it is to be effective both in serving Congress and in influencing congressional action.

CBO: Organization and Staff

CBO's organizational structure is diagrammed in attachment B. It is generally acknowledged by CBO and by congressional staff members familiar with the organization that CBO is divided into two principal parts, each of which consists of three divisions. The three divisions in the first part are Budget Analysis, Fiscal Analysis, and Tax Analysis. The first two of these are centrally involved in CBO's direct day-to-day support of the Congress, and particularly of the two Budget Committees, in implementing the new budget process, while the Tax Analysis Division has thus far played a less significant role. The second major part of CBO consists of the three divisions charged with policy and program analysis—Natural Resources and Commerce,

Human Resources and Community Development, and National Security and International Affairs. A seventh division, Management Programs, is relatively small and plays a somewhat different kind of role, not germane to the subject of this paper.

The Budget Analysis Division provides support to the two Budget Committees in the scorekeeping activity and is responsible for estimating the costs of bills authorizing particular programs. In carrying out the latter function, there is thus far a large degree of variation in the extent to which the Budget Analysis Division calls on the policy and program analysis divisions for help.

The Fiscal Analysis Division also plays a central role vis-a-vis the Budget Committees. It is responsible for assessing the economic outlook and assessing the impact of alternative fiscal and other major policy options on the economy.

The Tax Analysis Division has responsibility for estimating receipts from existing and proposed revenue legislation, and also for analyzing tax expenditures. This division, which lagged behind most other divisions of CBO in acquiring staff, is one of the smallest divisions, and its still formative activities are difficult to assess.

The three major policy and program analysis divisions focus their attention on an examination of alternative options across the full range of Federal activities. In 1976, these divisions contributed analyses of major program options to CBO's annual report which was delivered to the two Budget Committees and the Congress at large. The staff in these divisions prepare in-depth analyses devoted to particular policy and program issues, which are either actively under consideration by one or more committees of the Congress or are expected to become active on the agenda. Other analyses are designed primarily as background and informational studies of broad policy areas.

The work of these three divisions is made available in several forms, ranging from informal memoranda, written by individual staff members, to published studies bearing the imprimatur of the Director of CBO. In the latter case, such studies will have first been widely circulated in draft form to Members of Congress, committee staffs, concerned parts of the executive branch, and often to experts in the private sector. In some instances, such studies do not survive beyond the draft stage.

I regard the staff of the Congressional Budget Office as extremely able. Compared to many such organizations, CBO's staff is young and includes a large number of highly trained policy analysts, many with advanced degrees in the social sciences and related fields. Attachment C summarizes the educational background of the present CBO staff.

One characteristic of the staff is important to note: Only about a dozen members of the CBO professional staff of 139 have had any previous experience on Capitol Hill. A large portion of the staff, particularly those in the policy and program analysis divisions, has had no previous experience in government. However, it should be noted that CBO's Office of Intergovernmental Relations is headed by Stanley Greigg, a former Member of the House of Representatives.

CBO's Director, Dr. Alice Rivlin, holds a Ph. D. in economics. She early on made the decision that a staff of bright, well-trained analysts wolud be more effective than a group with substantial experience in

congressional affairs.[1] Her selection of Dr. Robert Levine as her Deputy reflects this basic outlook. Levine, like Mrs. Rivlin, had experience in the executive branch. She was Assistant Secretary for program evaluation in the Department of HEW; he was in a comparable role at the Office of Economic Opportunity. Mrs. Rivlin came to the directorship of CBO after several years as a senior fellow at the Brookings Institution; Dr. Levine had spent many years at the Rand Corp., including service as president of the Rand New York Institute. Another example of Doctor Rivlin's staff choice is Frank de Leeuw, her Assistant Director for Fiscal Analysis. De Leeuw has had long and distinguished experience in economic forecasting and fiscal policy, including a number of years with the Federal Reserve Board staff, but he, too, had never worked on the Hill. In short, the CBO staff is said by some to have been created very much in Alice Rivlin's own image.

CBO can be evaluated, not only by examining the quality of its personnel and the reputation it has already gained on the Hill and elsewhere, but also by reviewing its written output and the recorded testimony of its Director and other personnel. My own evaluation of the latter two products is necessarily incomplete and admittedly biased.

In addition to publishing formal studies dealing with particular program areas and policy issues, CBO produces several regular official reports that are directly keyed into the budget process of the Congress. For example, in January 1976, CBO issued a report projecting Federal fiscal activity for 5 years based on "current services." ("Current services" refers to the estimation of outlays and revenues on the assumption that existing laws stay in place and, specifically, that programs operate without change. This does not mean that all programs will be shown at the same absolute level of expenditure over time, since, in some cases, the level of outlays is influenced by the level of economic activity, e.g., unemployment compensation, and in other cases congressional action has called for a change in the level of outlays over time.) This 5-year fiscal projection report appears to have had an impact on the markup of the first concurrent resolution, especially on the Senate side.

In addition, as required by the statute establishing CBO, the agency produces an annual report submitted to the two Budget Committees by March 15. As noted below, the 1976 Annual Report included a fairly detailed analysis of each major program area and an examination of the implications of alternative policies and programs. It was not regarded as useful by the staffs of the two Budget Committees. In addition to these and other regular formal reports produced by CBO, such as the scorekeeping reports, the agency has provided the Budget Committees with a great deal of unpublished data, memoranda, et cetera. It also makes frequent responses to informal conversational or telephone inquiries.

Turning to the separate published studies of particular policy and program issues produced by CBO (of which 19 had been released at

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[1] While I believe that there are a number of able analysts on the Hill, they would perhaps not have been easy to recruit. Dr. Rivlin might well have been leery of being accused of "raiding" committee staffs (especially the recently recruited Budget Committee staffs) and the staffs of other congressional agencies.

the time this paper was prepared), I would give those I have read a very high average grade. If one accepts, as I do, that except in the most unusual circumstances, CBO is not to make specific policy and program recommendations but, rather, to present objective analyses, including the implications of alternative policies and programs, then the verdict must be positive. None of the formal reports I have examined are shoddy or biased; most are highly credible and knowledgeable, and a few are, in my view, outstanding. However, I uncovered no clear evidence that CBO's formal products have yet had a direct, identifiable impact on "outcomes." But it is also clear that some of the reports have impressed not only me, but also a subset of their primary target audience: Members of the House and Senate (and perhaps even more important, given the nature of these reports, members of committee and personal staffs).

Attachment D is a recent edition of a regular report of the projects of CBO. A scan of this report suggests the range and variety of topics and activities in which the staff is engaged. Not included in this report are more informal and ad hoc activities undertaken by the staff in response to requests from Members of Congress and their staffs.

Another indication of CBO activity is found in the number of times the Director and others in the agency have been called upon to testify before congressional committees. Doctor Rivlin has testified, since September 1975, over 17 times as of the end of July 1976, as summarized in attachment E. In addition to such appearances, CBO personnel have conducted less formal briefing sessions before Members and staff. This has occurred most often before the task forces through which the Senate Budget Committee organizes itself to examine particular program areas.

Conflicting Views on CBO's Reputation

When a new organization that is growing rapidly and becoming highly visible is placed within the existing structure of an organization like the Congress, it is bound to draw mixed reviews from people previously associated with the organization. Thus, it is not surprising that CBO, at this early point in its life, is viewed with a mixture of admiration, jealousy, contempt, fear, and indifference. I have gathered reactions covering the full range, and frequently a single individual has expressed more than one reaction.

The following paragraphs summarize interviews with a large number of senior staff members of congressional committees, including the Senate and House Budget Committees, and legislative and appropriation committees. In this section, I will not attempt to assess, explain, or evaluate the attitudes expressed about the CBO, its staff and its effectiveness; instead, this section reports the views of others as accurately as Mr. Hitchner and I were able to record them.

Bluntly and briefly, the staffs of the two Budget Committees were, to some degree and in some respects, critical of CBO's performance thus far in its brief history. If one had to summarize in a sentence the view taken of CBO's performance by the leadership of these two staffs, one would say: "Given our expectations—and our interpretation of congressional intent—CBO has failed, thus far, to provide strong support and backup service to the two Budget Committees."

This summary generalization fails, however, to capture the variety of views we heard about specific deficiencies in CBO performance and their causes. It is also important to emphasize that there is some optimism about the future, especially in the Senate Budget Committee staff. Here we heard statements that CBO is coming to be more useful to the committee in working on the new budget process.

One of the main support functions provided by CBO to the two Budget Committees is "scorekeeping." The Senate committee, from the outset, has been much better satisfied with CBO's scorekeeping output and Senate committee staff feel that CBO is doing a generally useful job in this regard. They indicate that CBO seems to be willing and able to implement desired changes in a satisfactory manner. Although the House committee is making increasing use of CBO's scorekeeping activity, in this as in virtually all CBO areas the House committee staff is more critical and finds CBO of less value.

Both committee staffs were critical of the March 1976 CBO Annual Report. This criticism was not directed to its substantive content so much as to its lack of direct usefulness in aiding the two Budget Committees in formulating their first budget resolutions. (However, some staff members go so far as to suggest that members of the two Budget committees, to say nothing of other Members of Congress, have little interest, at least as yet, in hearing CBO's views about the pros and cons of particular policy and program options.) One part of the report, however, seemed to have been well received—the basic examination of fiscal policy alternatives and the economic implications of these alternatives. In this area, relevant staff members of the two Budget Committees have developed close coordination and cooperation with CBO. Several of those who were generally critical of CBO's performance cited this area—economic forecasting, and developing the implications of alternative major policy decisions—as the model for "the way the system ought to work." It is our impression that there is regular and close staff collaboration and interaction and a great deal of mutual respect at the staff level regarding this activity. (Because of this, it is more difficult for an outside observer to assess the relative impact and effectiveness of CBO's contribution, though there is no question about the technical competence of the staff in CBO's Fiscal Analysis Division.)

Several people on the Budget Committee staffs expressed the view that CBO's staffing pattern represented a misallocation of its resources. There was, they claimed, too much emphasis on the program analysis side and not enough in the budget analysis ("nuts and bolts") side. This sentiment was expressed in various ways. Sometimes CBO's leadership was criticized for putting too heavy emphasis on getting bright, young policy analysts who lacked any significant congressional experience. (As noted previously, this is an accurate assessment of CBO staff.) More staff, it was suggested, should be assigned to the "bread and butter numbers work" and less to "academic" or "Brookings type" analyses.

In fact, we were repeatedly told by staff members of the Budget Committees that the lack of Hill experience of the CBO staff was a fundamental problem in enabling CBO to effectively perform its basic mission as a service organization to the committees. Some members of the Senate Budget Committee staff, while making this point, seemed to

believe that the CBO staff was beginning to learn how to operate effectively and usefully in the special environment of Capitol Hill. House Budget Committee staff seemed to feel less strongly that CBO staff were moving in the right direction. Recognizing individual exceptions among the staff members' views, it is our judgment that the House Budget Committee staff is going its own way, with little hope that they can expect much directly useful help from CBO. An exception might be in CBO's increasingly useful scorekeeping and costing work as well as in the above-noted collaboration on forecasting and the implications of macroeconomic policy. In contrast, the Senate committee staff, while expressing some disappointment and even impatience with various aspects of CBO's performance thus far, have developed much closer relations with both the leadership and staff of CBO. They are more optimistic that CBO will be increasingly useful "as they learn what we need and how to work with us and other parts of the Congress."

The assumption that CBO was intended to be a service and support agency to the two Budget Committees was either explicitly or implicitly expressed by virtually every member of the two Budget Committee staffs with whom we spoke. It was implied that CBO should take a good deal of direction from the two committees in setting its agenda and in allocating its personnel to specific tasks.

Finally, this brief report of how staff members of the two Budget Committees view CBO would be incomplete if it did not reflect the fact that a number of staff people clearly recognized that CBO's staff was generally of high caliber and highly talented. Some, especially on the Senate side, felt that CBO has enough talent and skill so that over time it will become effective in performing centrally useful functions for the Congress, and for the Budget Committees in particular. Those holding this more optimistic view also tend to recognize that the organization is very young, and that, inevitably, there are some growing pains. Although critical of some aspects of CBO's performance thus far, those taking this position expressed some understanding of the mistakes they felt CBO had made both in dealing with other staff people on the Hill and in misdirecting some of its efforts and energies. Others, however, especially on the House side, hold a more pessimistic view. They seem to feel that however talented and bright the CBO staff may be, it isn't the right kind of staff and doesn't have the right kind of experience and training to be of major value in implementing the new budget process or in meeting other needs of the Congress. The harshest critics imply that CBO needs to be substantially reconstituted if it is to fulfill its mission.

We have had time to collect only a very incomplete (and, therefore, possibly biased) sample of committee staff interviews regarding CBO. Nevertheless, I gained two central impressions: First, CBO is not yet widely and well-known, although, with the publicity it has received, everyone on the Hill is aware of its existence. Second, among those who have had direct contact with CBO, there exists a wide variation in attitudes regarding both the value and role of the agency. CBO has had its most successful encounters with committees when it has been asked to "cost" a bill—that is, prepare an estimate of the outlays which a given piece of legislation will entail. These estimates are required by House rules before a bill may come to the floor; they often

accompany a bill to the Senate floor. The "costing" operation has been a significant avenue for opening lines of communication between CBO and nonbudget committee staffs. It is worth noting that CBO's professional competence in this field has been almost universally accepted: CBO's cost estimates have almost never been challenged by either supporters or opponents of a given piece of legislation.

Positive relations seem to have been most effectively developed when members of one of the Budget Committee staffs have introduced one or more CBO staff members to a legislative committee staff. Informal working relations have sprung up (much more on the Senate than the House side) which promise to be mutually advantageous. This situation is helpful to a legislative committee because, in at least some instances, CBO has the talent and background on issues before the committee to help it produce a better piece of legislation; it is helpful to CBO because, like any new boy on the block, it must establish its credentials by showing that it can be a good and useful neighbor. It is being given this chance, as the growing number of requests by various committees for specific studies indicates (see attachment D). One senses that there is a kind of testing process going on, both inside and outside the Budget Committees, regarding what kind of functions CBO will be able to perform for other parts of Congress. The number of successful encounters between CBO and other committees and their staffs is rising, though again we heard the minority view that some CBO staff members have been clumsy and insensitive in their dealings with Congress.

One other reaction to CBO's leadership and staff is occasionally encountered: the view that CBO, despite its nominal objectivity and its attempt to bend over backward not to play an advocate's role, is nonetheless "biased left of center," or definitely on the liberal side. Unquestionably, this view is largely based on the positions with which Dr. Rivlin and other key CBO people had previously been identified. A few individuals interviewed suggested that CBO's purported objectivity is phony: in selecting alternatives and in describing them, it "loads the dice" so that its preferred position comes out as well-nigh inevitable. Interestingly enough, some of those interviewed felt that, in some selected cases, CBO and its Director should state a policy position and recommend a course of action.

Assessment of CBO's Image and Performance

I have summarized the generally critical view of CBO held by congressional staff members, especially those on the two Budget Committee staffs. As indicated, a large part of this criticism can be traced to the view held by the Budget Committees that CBO was created by the Congress primarily to serve the immediate operating needs of those two committees. CBO's leadership has clearly recognized that this is an important function, perhaps its major one, and has taken a number of actions to fulfill this function. It is also clear that Dr. Rivlin and her principal associates have a somewhat broader conception of the role of the agency. It is my impression that the CBO leadership has attempted to build the agency with an eye to the future. They expect that the role of the Budget Committees, and indeed the new budget process itself, once firmly established, will require the kind of outputs that they have organized the agency to produce.

The members and staffs of the two Budget Committees have understandably taken a somewhat shorter term view of matters, since it is on their shoulders that the effective initiation of a radical change in congressional operations largely rests. While they have moved aggressively, and in my view effectively, to do this, the two committees have recognized that they must move very carefully in developing and asserting their role. They are inevitably placed in the position of at least appearing to threaten other important power centers in each House. Thus, for example, they have not yet felt it prudent to introduce major changes in priorities among major Federal programs, except very selectively. They have been even more reluctant to put forward strong views regarding the content and direction of particular programs. Instead, as reflected in the first concurrent May 15 resolution and in their defense of that resolution's basic prescriptions for policy, they have concentrated on the overall level of spending and revenue agreed to by Congress in adopting that resolution. I have no criticism of this strategy, given the newness of the budget process and the need of these two committees to build credibility and stature. However, one result of this approach has been that the two committees and their staffs have had little need for, nor found much value in, the kinds of program analysis that CBO has produced.

It was noted above that staff members of both Budget Committees found little value in much of CBO's 1976 Annual Report. CBO's leadership has recognized this criticism and is proceeding in a different fashion to prepare for consideration of next year's budget. Specifically, some 20 to 30 major issues that are expected to arise in connection with the fiscal year 1978 budget were identified early in the summer and papers are being prepared by CBO staff, analyzing these issues and identifying appropriate alternatives. It is CBO's intention to have these issue papers completed by fall and made available for the use and consideration of the two Budget Committees and other parts of Congress well before the Budget Committees must report their first resolutions next April. It is worth noting that, while the initial list of possible issues to be analyzed was developed internally within CBO, the two Budget Committee staffs were given copies of the proposed list of studies before they were initiated and were invited to suggest additions, deletions, or modifications. There is a difference of view between Budget Committee staff members and CBO staff members about how much impact the reactions of the two Budget Committees have had on the CBO work agenda.

In understanding some of CBO's initial difficulties in developing good working relations with the two Budget Committees, some of the agency's history deserves a brief note. The two Budget Committees had nearly completed their staffing by the time agreement was reached on the selection of Dr. Rivlin. This meant two things: First, both of the committee staff directors believed that they had to get their own people to do a start-to-finish job for their respective committees, without relying on a nonexistent capability in an agency that existed only on paper and whose precise character and capabilities would depend on whoever was eventually chosen as director. Second, having developed relatively large and complete staffs, the two Budget Committees (and especially some of their staffs) did not really see much need for CBO. Indeed, certain Budget Committee staff members hold the view that

it was fortuitous that CBO was organized and staffed after the committee staffs were already well along in the staffing and "shake-down" process. It is reasonable to suppose that some staff members of the two committees, at least subconsciously, may have felt threatened by CBO. This feeling was increased by the publicity Dr. Rivlin received during her early months as Director of CBO. There was also much attention paid to the "whiz kid" staff she was recruiting. Furthermore, the new CBO staff did not seem initially to have—and probably did not have—the capacity to be directly responsive to the day-to-day needs of the Budget Committees and their staffs.

It is my own view that Dr. Rivlin's basic strategy for the development and staffing of CBO, while risky, has been basically right. Having said this, I would have to agree that, tactically, the organization and its staff have made some mistakes and still have far to go in developing the kind of relations they must have if the organization is to deliver its optimum potential to the various elements of Congress, particularly to the two Budget Committees and their staffs. Early on, more aggressive and visible efforts to meet the perceived immediate shorter term needs of the two Budget Committees should have been pursued. To me, this would still be a desirable change in emphasis on the part of CBO.

One suggestion regarding CBO's internal structure and operation might be helpful. A systematic effort should be undertaken to develop closer working relationships than presently exist, between the budget analysis staff and those in the program analysis divisions. As reflected in interviews with CBO staff, the present situation in this regard is mixed. The budget analysis staff has turned, on occasion, to experts in the program analysis divisions, especially in connection with costing. I urge the leadership of CBO to encourage this kind of interaction. In particular, program analysis staff members should be called on to help out in meeting the short term numbers demands placed on CBO. While this will have to be managed with considerable care, lest the "immediate drive out the important," it promises a number of advantages. For one thing, those in the policy analysis divisions should become knowledgeable and more experienced in the more mundane and routine aspects of budgeting, including the development of accurate estimates and costs of programs. For another, one gets the impression that the workload on the Budget Analysis Division has been much heavier than on many parts of the program analysis staffs.

It is possible that more drastic reshuffling of CBO, including a restructuring of its present divisional setup, will prove useful if the organization is to perform its functions more effectively. There are people, both within and outside CBO, who hold this view. My suggestion is a more modest proposal, and would seem to deserve consideration before drastic changes are undertaken.

It is my view that there is a natural alliance between CBO and the Budget Committees, but as yet I detect on neither side a very clear perception of this relationship. It seems that CBO must have the support of the Budget Committees if the agency is to realize its ambition to have a significant impact on substantive policy outcomes. To get this support, CBO must be perceived by both Budget Committees and their staffs as vital to their own success and effectiveness. As suggested above, I have not yet found this to be the case.

CBO and Other Major Congressional Staff Agencies

CBO is the youngest of the four major agencies established to serve the Congress: Congressional Budget Office (CBO), General Accounting Office (GAO), Congressional Research Service (CRS), and Office of Technology Assessment (OTA). What are the existing and potential relations among the four? What is the respective role appropriate to each? Can useful division of labor and/or collaboration make their combined efforts more effective?

Some Members of the Senate and House have expressed the fear that there is, or at least could develop, unnecessary duplication of effort among GAO, CRS, OTA, and CBO. While such concern can be legitimate, it is important in my view not to attempt a rigid drawing of boundary lines among the four agencies. Indeed, in some instances, Congress will be better served by a certain degree of overlap among the work of the four. Especially in the case of important and complex policy and program issues, the Members and committees of both Houses may be protected from getting incomplete or biased analysis if two or more of these staff agencies are addressing the same problem area. I would caution against a mechanistic rejection of "duplication," since different staffs approaching the same topic will often produce quite different and often complementary insights. Some competition among the four agencies may even prove useful.

Having said this, it should be noted that the mandates of the four agencies are distinct enough to avoid frequent redundancy and wasteful rivalry. Even when the mandates are occasionally unclear, there already exist formal and informal mechanisms for checking truly wasteful duplication. First, a combined index of the studies underway by each agency is now prepared on a bimonthly basis. This is available to the four agencies and to the two appropriations committees, making it possible to quickly catch unjustified overlap of effort. On the positive side, these reports give the names of staff members working on each project, its requestor (when not confidential) and its status in terms of completion. They thus permit the staffs of each agency to identify work and individuals that may be useful and relevant to their own efforts, thereby increasing the chance for collaboration.

On the latter point, collaboration, a special potential exists and deserves active exploration: OTA has staff resources and, even more important perhaps, access through its panels and advisory committee to expertise in the scientific and technical communities. CBO can well use this kind of expertise in some of its policy analysis efforts. Also—and this has already occurred—OTA can make use of CBO staff aid in considering the economic and other nontechnical implications involved in issues on its own agenda. This sort of mutual support can best be developed if, and as, close relations in the relevant areas develop among staff members. The leadership of the two organizations should review recommendations where major commitments of time and resources seem desirable, but much useful informal collaboration can occur on a more casual basis.

CBO and GAO are mandated to work together in matters such as the development of budgetary formats and concepts. Of even greater potential significance for CBO is the development of a modus vivendi

so that GAO's program evaluation efforts can be of timely use to CBO in considering policy and program alternatives. CBO does not have, nor in my view should it have, the resources required to undertake major program evaluation and audit efforts of the sort required of GAO. But a prime function of GAO evaluation is, or at least should be, to aid the Congress in setting the future course of policy in specific areas of Federal activity. While such GAO studies are of direct value to the relevant committees of Congress, they can also be of significant help to CBO. This suggests the desirability of informal CBO staff involvement in the early stages of GAO audit and evaluation efforts and, on occasion, perhaps more formal liaison among the Comptroller General, Director of CBO and Members of relevant congressional committees.

CBO and CRS interactions have thus far been spotty and casual. It is not clear to me what developments in this relationship, if any, are possible and desirable. CRS staff, according to casual remarks picked up in connection with the review of CBO, is regarded as uneven in quality by congressional staff members. Apparently, CRS is looked to primarily for digging up specific information from "literature searches," and for assembling background information, but not ordinarily as a source of significant policy analysis efforts. This suggests that there already exists a natural division of labor between CRS and CBO, and indeed between CRS and the other two staff agencies as well. This is not to say that CRS does not have some distinguished staff members, nor that it has not produced high quality analyses of major policy issues.

The Use of Policy Analysis by the Congress

It has been alleged that Congress does not really want, nor can it use effectively, good objective policy analysis. Those holding this view argue that Members of Congress and the staffs want advocacy "position papers" and polemics. Based on my reading of the evidence, I dissent from this view. Certainly there are points in the congressional action process when objective, in-depth analysis is downright irrelevant. When a bill is before a committee in more or less final form, or when legislation actually reaches the floor, this type of analysis is not going to affect an outcome. By this point most Members will have made up their minds or will be prepared to follow the lead of other Members. However, before a new policy or program reaches this stage, there are many points where solid analysis of the sort CBO has already demonstrated its ability to produce will make a genuine and significant difference.

While it is uncertain exactly what role CBO will play in the nitty-gritty of the new budget process in the Congress, I am persuaded that CBO can develop into an important institution, serving the Congress, its Members, committees, and staffs in a useful, relevant, and timely fashion. I believe that CBO is on the right track in concentrating its attention on those issues that are significant because of their major budgetary and fiscal policy implications. Thus, CBO should not be tempted or urged to devote significant staff time to policy areas which, while of major national significance, are only peripherally or second-

arily budgetary in nature. I would offer as one of non-CBO topics those foreign policy issues having no major national security expenditure or foreign assistance connections. Likewise, there are important domestic issues, such as the retention of the death penalty, that do not belong on the CBO agenda.

CBO and Major Crosscutting Issues

A major purpose of this paper is to assess the actual and potential roles of CBO in aiding Senate Members and committees (and inferentially, therefore, the House) in dealing with difficult and important policy isuses that do not fall neatly and naturally within the jurisdiction of one or a few existing committees. The energy crisis is the obvious example of such an issue. A number of other longstanding policy areas have strong interactive elements, creating difficulties because they lend themselves to no neat compartmentalization among committees. Broadly defined, income maintenance programs are another example.

Can CBO be of help in wrestling with such problems? My answer is a strong "yes," but with a caveat: No matter how elegant, clear, careful and relevant a study of an issue may be, it will have no impact on policy outcomes if it is ignored. CBO's efforts along this line are only as valuable in operational terms as Members of the Senate and House and staff personnel make them. CBO should do studies of these crosscutting issues, with special emphasis on the tradeoffs among alternatives that tend to be ignored when the issues are viewed piecemeal. But to enhance the probability that such efforts (which will often consume much precious staff time) will have an audience, the agenda for studies should be developed in close collaboration with the key players: the leadership, key committee chairmen and key staff. The Budget Committees, particularly their chairmen and staff leaders, should play a major role in helping to develop the marching orders for CBO. Informally, of course, they can do this most effectively if they work closely with CBO's director and key staff relevant to the crosscutting issue in question.

In a sense, the new budget process mandates that the Budget Committees and CBO consider one primary facet of major crosscutting issues: the setting of priorities in terms of spending totals among major functional areas. The budget committees, in feeling their way into their new roles and guiding the early emplacement of the congressional budget process, have understandably been careful, in most instances, to raise no issues that threaten the jurisdictional prerogatives of the legislative committees or of the money committees. Yet, with the support of the leadership, the budget committees can take the lead in ushering CBO into a useful, acceptable, and important role in undertaking work on selected big issues.

One possibility has been suggested that would help CBO serve that role: the creation by the Senate and/or House leadership of ad hoc select committees to consider major "messy" issues. The ad hoc committees would not have staff expertise already in place. Instead, they could look to CBO for important staff help. This strategy could reduce the intense jurisdictional rivalries.

CBO might help solve a related problem that occasionally arises. New programs can have unanticipated side effects that work against the intentions of Congress. New programs can work at cross-purposes with existing programs. Good analysis of proposed programs, with a broad perspective, can help Congress avoid unpleasant surprises.

Summary and Recommendations

1. CBO has recruited a strong staff with the potential to fulfill the central missions assigned it by the 1974 Congressional Budget Reform and Impoundment Control Act. While modest expansion of staff may be required, CBO's size is now about right. Adding large numbers of staff would endanger working relations within CBO. The optional size of the agency should be established by the Director and her key associates, since it is crucial to the success of almost all CBO functions. Each part of CBO should know what other parts are doing; staff contact across internal organizational lines should be easy, frequent, and informal. If such an atmosphere is maintained and enhanced, I have little concern about the existing structure of CBO and the relative size of its divisions. However, I urge those directly responsible for "costing" bills in the Budget Analysis Division to rely more on the program analysis divisions.

2. CBO's relations with other elements and "players" on the Hill are in a state of uncertain and uneasy evolution. This is inevitable in the case of a new organization plunged into the midst of a very complex matrix. The situation is made even more difficult because CBO is an element of a major and basic reform within the Congress; that is, the new budget process. It is too early for an observer to assess these emerging relationships, or to prescribe in any detail what they should become.

Most crucial to CBO and to the Congress is the clarification and strengthening of CBO's relations with the two Budget Committees. This is inevitably complicated because of deep-seated differences in the "styles" of the Budget Committees of the two Houses. The key point, not universally appreciated, is that the committees and their staffs have as much to gain as CBO in strengthening both formal and informal relations between each committee and CBO. Unhappily, immediate demands may divert attention from important demands that seem less urgent. Members of the two committees and their key senior staffs are very busy people engaged in a major overhaul of congressional processes. They naturally are not as concerned about establishing CBO as a strong institution as they are about receiving CBO's immediate help. However, the new budget process will not have the import and permanence intended unless CBO is encouraged to develop its capabilities.

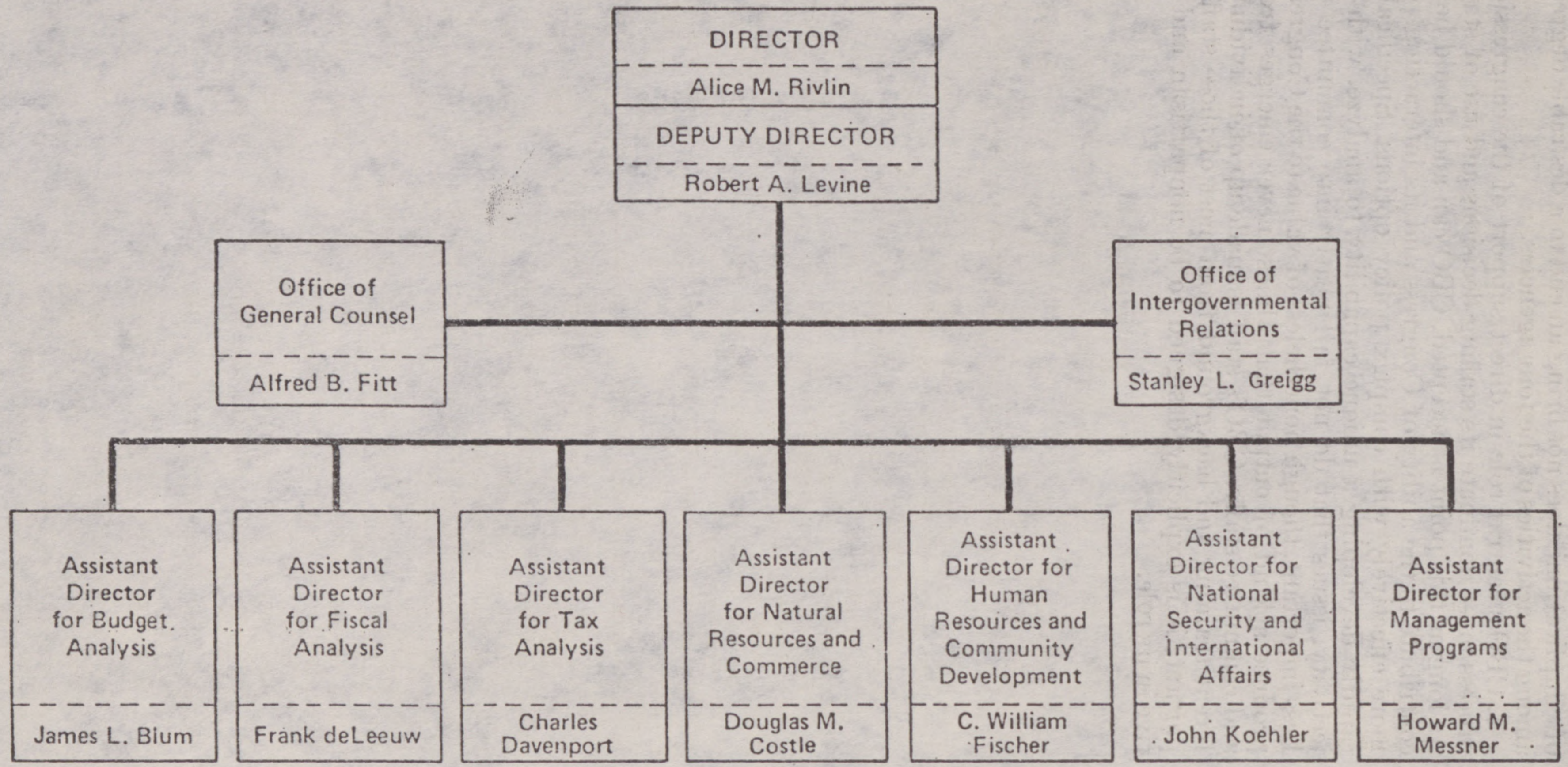
3. CBO can be more effective in discharging its functions when stronger and clearer links are established between CBO and its companion support agencies, especially GAO and OTA. Each agency will often find that the expertise it lacks internally is available in one of the other three major staff agencies on the Hill. In addition, close working relations, where relevant, among staff personnel of these four organizations will help eliminate concerns in the Congress over waste and redundancy. However, care should be taken that a simplistic view

of "duplication" does not bring an end to a desirable degree of overlap among the activities of the four agencies.

4. CBO's central role in direct support of the congressional budget process must dominate its staffing decisions and use of staff resources. As long as this point is accepted, CBO can and should be expected to contribute to the ability of Congress and its interacting parts to deal more effectively with complex policy options. Specifically, CBO is rapidly developing a unique capability to analyze, with relative objectivity, issues that do not fall neatly into committee pigeonholes. Less important, though nonetheless of value to the Congress, CBO can produce a kind of output that almost never emerges from hearings and committee staffs. CBO's staff is made up of individuals with different training and background from most of those staffs. More important, it is explicitly designed to be nonpartisan and nonadvocative in its role.

ATTACHMENT A

CONGRESSIONAL BUDGET OFFICE



ATTACHMENT B

CONGRESSIONAL BUDGET OFFICE PROFESSIONAL STAFF: EDUCATIONAL BACKGROUNDS[1]

Division	H.S.	BA/BS	Masters[2]	Ph. D.	J. D.	Other
Director's Office				5		
General Counsel					2	
Office of Intergovernmental Relations	1	4				[3] 1
Budget Analysis	2	10	20	2	2	
Fiscal Analysis		6	1	6		
Tax Analysis		2	2	2	2	
Natural Resources		3	6	7	1	
Human Resources		2	13	9		
National Security		3	5	7	1	
Management Programs	2	4	5		1	
Total	5	34	52	38	9	1

[1] Number of staffers having received each degree (and no higher degree) as of Jan. 15, 1976.
[2] 4 staff members hold 2 master's degrees.
[3] Associate of arts.

ATTACHMENT C

CBO projects underway as of July 1, 1976[1]

Nature of study	*Requested by*
Tax Analysis Division:	
Current effects of health tax expenditures	Congressional Budget Act of 1974.
A study of tax incentives for savings	Do.
New proposals for transfer payments through the tax system.	Do.
Consideration of various discussions of tax expenditures.	Do.
Fiscal Analysis Division:	
Teenage unemployment—policy options	Senate Budget Committee.
The effect of inflation on Federal expenditures.	Joint Economic Committee.
Toward a balanced expansion; a report on the economy.	Congressional Budget Act of 1974.
Economic analysis of S. 3422	House Interstate and Foreign Commerce Committee.
Advanced budgeting; feasibility	Congressional Budget Act of 1974.
Five-year budget projections, fiscal years 1978–82.	Do.
Natural Resources and Commerce Division:	
Financing mechanisms for Government transportation programs.	House and Senate Budget Committees.
Trends in Federal funding of space and general science programs: relation to the economy.	House Budget Committee.
Use of transportation subsidies as a policy	CBO annual reports.
Federal assistance for energy development; proposed programs.	Senate Budget Committee.
Alternative policies regarding recreational land.	CBO annual reports.
Alternative strategies for energy research	Senate Budget Committee.
Agricultural price stabilization options	House and Senate Budget Committees.
Human Resources and Community Development Division:	
Housing finance; Federal programs and issues.	CBO annual reports.
Section 8 housing programs; budget issues	Do.
Toward eliminating racial inequality in selected dimensions.	House Budget Committee.
The black-white unemployment gap and its causes.	Do.

Footnote at end of table.

Unemployment of white and nonwhite Americans; causes, effects, and policy options.	House Budget Committee Task Force on Human Resource Programs.
Federal role in health manpower education; background and analysis.	Senate Budget Committee.
Prospects for meeting low income children's health care needs under medicaid.	House Budget Committee Task Force on Human Resources Programs.
Projection of bed needs of VA hospitals	House Budget Committee.
The President's health bloc grant proposal; impact, response, and alternatives.	Do.
Workers' compensation; budget issues	CBO annual reports.
Study of regulatory activities	House Interstate and Foreign Commerce Committee.
National Security and International Affairs Division:	
Treatment of inflation in the defense budget	House and Senate Budget Committees.
Defense Officer Personnel Management Act; cost estimates, and alternative policies.	Senate Armed Services Committee.
Export-Import Bank activities; economic implications.	Senate Budget Committee.
Costs of alternative U.S. foreign policies	Do.
U.S./Soviet defense spending comparisons	House Budget Committee.
U.S. Army force structure; costs, implications, and options.	CBO Annual Reports.
SALT and the U.S. strategic forces budget	Do.

[1] This list of projects was drawn from a computer printout, prepared by CBO, of all major projects completed or underway. The project descriptions provided by CBO have been abbreviated or paraphrased. The source of each request is listed as CBO reported it.

Attachment D

TESTIMONY OF ALICE RIVLIN TO CONGRESSIONAL COMMITTEES AS OF JULY 26, 1976

Date	Committee	Subject
Sept. 11, 1975	House Budget Committee, Task Force on Economic Projections.	Economic Outlook.
Sept. 23, 1975	Senate Budget Committee	Public Service Employment.
Sept. —, 1975	House Budget Committee	Economic Outlook and Fiscal Policy.
Dec. 3, 1975	Joint Economic Committee	Current Services Budget.
Jan. 23, 1976	House Budget Committee	Oversight.
Jan. 26, 1976	do	Economic Outlook: Major Budget Issues.
Feb. 2, 1976	House Banking and Currency	Evaluation of Monetary Policy.
Feb. 4, 1976	Senate Budget Committee	Economic Policy; Major Budget Issues.
Feb. 3, 1976	House Armed Services	Current Services Defense Budget; Defense Spending and Unemployment.
Feb. 25, 1976	House Commerce Subcommittee on Health and Environment.	National Health Insurance.
Mar. 1, 1976	House Appropriations	CBO Appropriations.
Feb. 19, 1976	Joint Economic Committee	Achieving Full Employment.
Mar. 20, 1976	Senate Appropriations	CBO Appropriations (supplemental).
April 7, 1976	Senate Government Operations Subcommittee on Intergovernmental Relations.	Government Economy and Spending Reform Act.
April 8, 1976	House Education and Labor Subcommittee on Manpower.	H.R. 50.
April 14, 1976	Senate Foreign Relations	Multinational Business Enterprise Information Act.
May 6, 1976	Democratic Research Organization; Committee To Investigate a Balanced Federal Budget.[1]	Role of CBO in Budget Control.
May 17, 1976	Senate Labor and Public Welfare Subcommittee on Health.	Increasing Health Costs: Effects of Controls.
May 20, 1976	Senate Banking	H.R. 50.
May 27, 1976	Joint Economic Committee	Social Security Financing.
June 30, 1976	House Merchant Marine and Fisheries Subcommittee on Fisheries. Jointly with House Science and Technology Subcommittee on Environment and the Atmosphere.	Long-Range Planning in the Federal Government.

[1] Although this testimony was not before a congressional committee, it was before a congressional organization. It is included here as another indication as to how CBO gets involved in the legislative process.

FOUR AGENCY COMPARATIVE STUDY

By Ernest S. Griffith

Part I. The Congressional Setting

A. Variety and complexity in Congress

There are 100 Senators, each with a different perception of his needs for information and analysis. Aiding these differing perceptions are the further variables of time, issues, and relations with constituency and party. Each Senator has a staff growing in numbers, functions, and influence. Each is a member of 3 to 5 committees, 3 or 4 times this number of subcommittees—a combined total averaging 18 or more. The staffs of these committees are also growing in numbers, functions, and influence—but these staffs cannot stray too far from the Senators' wishes and points of view, or their influence shrinks and they become dispensable.

Each personal or committee staff member also has his own informational and analytic needs. The problem of variations is compounded by the 435 voting Members of the House, their committees and subcommittees—also all with staffs. The latest estimate of congressional employees exceeds 17,000.

B. Common elements in the informational desires

Complexity piles onto complexity, variety onto variety. Nevertheless, there are certain elemental needs common to Senators and staff alike.

First is a constant demand for ad hoc, spot information, usually for immediate use. Then, too, each Senator, and, to a very considerable extent, each staff member, expects responsive, individualized attention to his requests, whether trivial or important, simple or complex. In the more important analytic needs, timing of response is often of the essence, if it is to be useful. Much of this need for deadlines is associated with stages in the legislative process—hearings, markup, reporting, floor debate. Confidentiality of the fact of most requests as well as of the reply to them must be assumed, unless the persons making them release the agency, or the agency (as in the cases of the GAO and OTA) routinely publishes most of its important reports. All offices wish aid in many types of constituent inquiries, but in this respect they are normally reasonable in their demands as to timing and the extent of work involved.

Across the board, all wish accuracy, even when asking for support of a particular viewpoint. Most wish objectivity, or a warning if the report is not objective.

All Senators lack time for sustained study of their total agenda. Hence their use of "surrogates" among their own or committee staffs. These must be persons whom they can trust as to accuracy, political

acumen, and often for a "visceral" slant corresponding to their own. These "surrogates" in turn frequently turn to the support agencies for help. They furnish the numerical bulk of the requests for aid.

C. Individualism among Members

Beyond these common, if not universal, needs, the Senators and committees and their staffs vary greatly as to what level or depth or emphasis they want in a report. The problem of communication with the support agencies thus becomes vital as regards the level desired. Just what is needed and why, and when? Unfortunately these specifically felt needs are often the most important in both legislation and oversight. Perhaps only one person is really interested in a particular aspect or subissue, but such specialization can be of genuine importance in the public interest, as well as to the Senator in his political impact. Hence, to vital needs of this type, if a support agency is to respond meaningfully, the inquirer or requestor must indicate the level and focus of interest in the subject. The problem of communication will be dealt with more at length later (See p. 103); but the variability of intent as between persons—even those asking essentially the same question or study—will itself determine, not the assumed accuracy of a report, but its depth, comprehensiveness, and points of emphasis.

D. Evidence of desire for high-level analysis

Not many students of Congress have given it high marks for its desire for, or use of, authoritative, comprehensive policy analyses, especially on problems which crosscut the committee structure. This is unfair. There are many members aware of the need for such comprehensiveness, and as concerned as their critics with the fragmented approach implicit in the committee and subcommittee structure.

It may be helpful to identify the types of situation responsible for the deeper thinking that certainly exists.

Best known and most frequently articulated is the desire for parity with the executive branch and with the highly paid specialists representing the lobbyists or interest groups who seek or oppose given legislation. Parity with the executive is partly in connection with legislative activity, partly an aspect of congressional responsibility for administrative oversight. Especially of late, and when the two branches are of opposing parties, a search for such parity has been an overriding consideration in congressional staffing. The creation of the Congressional Budget Office is the most recent major manifestation of it—the baffling problem of equality in competence in military and foreign policy matters, the most chronic, and emotionally the most highly charged. If knowledge is the price of power, then let Congress get knowledge. The quality of counsel and policy analysis sought was first articulated legislatively in the Legislative Reorganization Act of 1946, when it created the posts of "senior specialists" in the Legislative Reference Service, now renamed the Congressional Research Service. The act stated that the salary of these specialists must be not less than the highest salary paid in the executive branch for analysts and researchers who did not have administrative responsibility; that is, the "supergrade" of GS–17. In other words, the act sought to recruit the best. It then spelled out the fields of interest to Congress in which such specialists were authorized.

Frequently expressed of late has been a desire of at least a few in each committee for a knowledge of alternatives to an existing policy, or at least as to other means of attaining the same objective. Then, too, the concept of evaluation has more and more entered the consciousness of Senators and their staffs. In part this has been a dimension of the oversight function; in part it has been a feedback from constituents who are dubious about the results of legislation and of Supreme Court decisions. Why, with all the money spent, does the quality of teaching and education seem not to be improving in terms of results? Which poverty programs are working and which are not? More will be said about this later and in greater detail in the discussion of the role of the support agencies. (See p. 127.)

Out of all this comes the surprisingly strong support for a "sunset law," which will automatically terminate every program that, after a given period of time, does not justify its renewal in terms of national priorities or accomplishing its goals. Beyond this is the dawning realization among many Senators that each major program or law usually begets derivative or secondary effects (often harmful), which were unexpected at the time of enactment.

Others, thinking more affirmatively, have introduced the "futurist," time dimension, or potential crisis identification in considering the decisions to be made today. In this connection the House, under rule X, sec. 2(b), has made foresight a specific responsibility in the respective area of each standing committee. Several have already established subcommittees responsible for foresight.

Finally, the American predilection—or genius—for the pragmatic, nonideological approach to problems has cut across committee lines and even the jealousies of jurisdictional prerogatives. This has brought to many Senators—perhaps at times grudgingly to all of them—the increasing realization that problem areas such as advanced technology. Federal-State relations, the metropolitan areas, population control, mineral resources, environmental impact, economic planning, the budget, foreign relations, military spending, energy, the oceans, health, land use, inflation, and the impact of social programs [1] cut across committee lines. Experiments and analyses are needed of a comprehensiveness hardly dreamed of in earlier days. A section of this report will be devoted to the practicable major contribution that the support agencies can make to the underlying analysis necessary for integrated answers to problems of this type. (See p. 111). That Congress is itself ready for this is witnessed, for example, by the Senate oceans policy study under representatives of eight standing committees. Analytic studies, however deep and comprehensive, will accomplish little if the Senate and Congress as a whole are unready, either viscerally or institutionally, to deal with such major complex matters. (See Appendix III.)

But to whom should Congress look, if the "authorities" differ among themselves, and there are no pat answers, yet decisions have to be made? Can the support agencies in cooperation with the committee staffs aid the committees in asking the right questions of these out-

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[1] The list is taken from the responses to the questionnaire sent to Senators' offices.

side "experts"—in panel discussions or otherwise—perhaps in seminars or "brainstorming" sessions? The problems and questions are exciting.

E. Alternative sources of information

While the focus of this report is directed at the role of the support agencies, the author realizes fully that there are a vast number of other sources from which a Senator or staff member can and does derive major portions of his information and policy analysis. In the end, the congressional emphasis on specialization often elevates a Senator himself to rank among the top authorities. Where, as with the late Senator O'Mahoney, his colleagues recognized this, such a specialist among their own may well be the source of enough wisdom to determine many decisions. This, even more than their place in the power structure, accounts for the influence of committees. Floor amendments are usually in order, if a particular committee is notorious in its response to favorite clienteles.

The staffs of Senators, especially the legislative assistants, and committees are often surrogates for a Senator, charged with informational and analytic responsibility. In this capacity, the staff members make major use of the support agencies. In a recent incident, a chairman of an important committee remarked to the Librarian of Congress that he fully appreciated the work of the Congressional Research Service for others but, of course, he relied on his committee staff. Research by the CRS disclosed over 100 significant requests, many of them of great importance, from the staff in the name of the chairman.

Whether through the staff or the Senator's own attendance and participation, the committee is—at least publicly—his principal vehicle for legislative analysis and decision. Its public hearings are the visible sign. His questions and those of other Senators, the transcripts of the hearings (usually digested for him by his legislative assistant) emerge in a draft report which the committee then perfects—often with dissenting opinions on a particular point or points. This dissent may reach the status of a full-fledged minority report. Attendance at these hearings is spotty—usually fairly good at the outset of the consideration of an important measure. As the arguments tend to repeat themselves, responsibility is more and more left to the staff, either to attend or to study the transcripts for relevant new data. Papers may be prepared by committee staff or by support agencies, by outside "think tanks," or by lobbyists. These are added to the informational deluge. Floor debate rarely adds much that is new; but, if the measure is important, it may sharpen an issue, and it certainly adds to the enlightment of the public. During the debate, the relevant support agencies may receive questions demanding virtually instant answers.

During the entire legislative process, and also as part of oversight and in response to many constituent inquiries, the executive branch is called upon in innumerable ways. Virtually all bills regarded seriously are sent to the executive branch for comment. If it desires to be heard, it is normally given the opportunity. Often its representatives are the first to be called as witnesses, especially if a bill is administration-sponsored. Many times the administration takes the initiative from the Message on the State of the Union on down to requests for minor perfecting amendments to existing law. Cozy relationships between bu-

reaus and subcommittees are often established; with the help of lobbyists, the legislative whirlpools or subsystems emerge—the greatest enemies of an effective oversight or evaluation function. In such instances, individual skeptics among the Senators or their staffs often turn to a support agency for help in critiques. Often the White House and its staff are allied with (not enemies of) the Appropriations, the Government Operations, or the Joint Economic Committees, over against these subsystems and the bureaucracies.

The Capitol has itself developed much auxiliary support. The House Information System has a staff of over 150. One of its most valuable functions (known as Aquarius) is the computerization of information on the progress of legislation.

Through the intermediation of the Secretary of the Senate, such information is available by telephone or from the Senate Library. Changes are included not later than the morning after. Together with this and the Digest of Public General Bills of the Congressional Research Service (printed biweekly and available to Senators in their offices through the CRS computer outlet, "Scorpio"), a Senator can keep up with the status of a bill and its changing content.

The Congressional Record and its Summary are additional mines of information. Party policy committee staffs can furnish a Senator's voting record, together with any indication as to the party leadership's position on a given measure. The Senate's Office of Legislative Counsel provides great and skilled help in careful drafting of legislation.

The ubiquitous lobbyists are ever ready—often too ready—with information. Actually, they are invaluable as indicators of the effect of a proposed measure or program upon a sector of the economy or society. If their accuracy is assured and the objectivity and helpfulness within limits are present, lobbyists can be important assets, knowledgeable and prompt. The rise and increasing influence of the "public interest" lobby has introduced a powerful new source. It is especially important in indicating legislative effects on the consumers, future generations (conservation), or the broad public interest.

More random, but still powerful, is the influence upon the listener or reader (whether Senator or staff) of the media: radio and TV, the press, the magazines, the lecturer, the author of books.

Many Senators have deliberately established their own informal networks—specialists from universities or "think tanks," such as the Brookings Institution or the Rand Corp., or their own institutional connections. They meet socially with these specialists, call them by telephone, invite them to their offices. These are not completely ad hoc connections, but in many instances they have come to be customary, especially if the subject is one in which a Senator has been interested for a long time. In the aggregate, these conversations open gates to the "knowledge community" outside of Government.

Opinions differ as to the use of constituents in this regard. Here the impact is likely to be more political than substantive, but complaints concerning an executive agency, especially if recurrent, often result in a questioning of the agency. Such complaints may even lead to policy changes by the agency or legislative action by Congress.

A special source—or lobby or part of the information network—is found in the State and local officials, especially those from a Senator's

own State. Congress has a fairly keen appreciation of its role in the Federal system of reflecting or being spokesman of these local units. When they are organized nationally—as in the Governors Conference—they have a real clout, both analytically and lobbywise. The Federal system has clearly passed from the era when the overriding questions in this area came out of the realm of Federal jurisdiction (for example, in commerce) to the present situation of the so-called "New Federalism." This is a situation where grants-in-aid do things that, constitutionally, coercion would be illegal to impose. Its friends call this cooperation; at least one critic calls it bribery. Here the views of the State and local units are relevant and are sought. They themselves are clearly torn between the development of a profitable, though incestuous, relationship by means of the grants-in-aid and their desire for real local autonomy with adequate revenue.

In the aggregate, these various alternative or supplementary sources of information, research, and analysis are an expression of the "explosion of knowledge," overwhelming and virtually unmasterable in their totality—certainly by any individual Senator. Yet, even in the aggregate, they are incomplete and frequently leave room for differing interpretations and conclusions.

Part II. Use of the Support Agencies

A. Summary and outline

A major role of the support agencies is to reduce this deluge of information to manageable proportions. A second major role is to select and focus portions of it to fit the immediate needs of Congress—Members and committees alike.

"Research" or "policy analyses" in Congress are most often a distillation of agreed-upon facts and a pointing up of options as to policy. In none of these roles are the support agencies the only source. The primary role is normally that of a committee staff, but in exercising this primary role, these staffs, as well as a Senator's, are immeasurably aided by the support agencies. To them we now turn.

With all the support agencies (except at times GAO, because of its accounting and auditing responsibilities) what is known as research is rarely primary. "Analysis" is the more accurate term, in which, it is hoped, at an authoritative level the agency performs the "brokerage" function by presenting, in a fashion suitable for legislative or oversight use, the best product of the wider "knowledge community"—including its diversity, the biases and gaps, optional programs and policies, and secondary consequences of these. The best of each agency's staff are themselves part of this knowledge community, in their leadership in professional associations, their publications, their recognized wisdom.

The objective of a support agency is its intelligent use by Congress. By this it must be judged. The very purpose of this report is to sort out ways and means of promoting such use.

The statutes setting up the four agencies, and references to them in other statutes, are the point at which we start. From statutes we progress to actual usage, and difficulties and possibilities encountered therein. These latter include the role of Senators, committees, and the staffs in dealing with the agencies. Implicit also are the alternatives of agency overlap and potential duplication versus strengthening co-

operation and differentiation between them. Are there unmet needs? In which case, are additional agencies needed? Other agency comparisons—data banks, files, staff recruiting and training, space—will be considered. Ideas for improvement and changes will be interspersed. Many of these will be left for consideration in Part III under the separate agencies.

B. Responsibilities of the different agencies

The Congressional Budget Office and the Office of Technology Assessment service committees only. The CBO does so because the priorities legislatively spelled out put the individual Senator at the bottom of the list, and the workload imposed by the committee requests is so heavy that the individual is crowded out. The OTA, by action of its Board (implied in the act, which did, however, allow a project to emanate from its Director in consultation with the Board), serves only committees of Congress as requested in a letter signed by a committee chairman. Even more stringent curtailment of availability results from the practice of OTA's Board selecting the assessment requests to be honored, or to be given a deadline priority. Inquiries involving research received from individual Senators are customarily referred to the Congressional Research Service or to an executive agency, unless they involve some simple explanation of a point made in one of OTA's published reports. This latter exception applies in most instances in practice also to the CBO.

The General Accounting Office, on the other hand, accepts requests from both committees and individual Senators. Priority is given to those requests that appear to the Comptroller General and his policy board as most likely to be productive in the national interest, and that logically rest upon the special but growing competences of its staff. It must be borne in mind that two-thirds of the work of the GAO consists of special responsibilities automatically carried out without specific requests, especially duties falling under the GAO's general statutory responsibility to see that all executive agencies are properly audited, either by a self-audit or by the GAO itself. This results each year in a large number of self-initiated audits—some of them because of some special concern that year, and others as a kind of rotational inspection of their internal auditing systems. In other words, the GAO does not respond to all congressional requests for studies, but introduces certain priority concepts. (A further discussion of this point will appear in the special section of this report devoted to the GAO, see pp. 126–29.)

The Congressional Research Service will, for practical purposes, accept any inquiry or request for a policy analysis from a committee or Senator (and, of course, from a House Member) or staff on any subject. The few exceptions rest, not upon legislation, but upon rulings of the House Administration Committee, the Senate Rules and Administration Committee, or the Joint Committee of the Library. The Director has the authority to refuse an inquiry, but in practice this occurs only if the deadline set is impossible to meet with the staff available, and the requesting person is not willing to accept a change in deadline or content. The refusals mandated by the aforementioned committees are: Records of one Member for another without the former's consent, term papers or theses for staff members or constituents, speech drafts with a highly partisan bias in expression, bill

drafting (a function of the Legislative Counsel of each House), extensive translations or research for constituents or requests in their behalf with rush or priority deadlines, legal or medical advice, information potentially useful for criminal activity.

In other words, in connection with important and extensive policy analyses, CRS is the only specifically defenseless agency among the four in terms of availability to assume a workload. This almost certainly accounts for the mixed reaction among Senators and committees and their staffs as to the quality of CRS's work. (See p. 118 below.)

Moreover, by statute CRS must regard CBO and OTA as the equivalent of congressional committees in responding to their requests for help in their overflow work or in those portions of assignments for which they do not have available the necessary specialists. However, OTA, on request of the CRS Director, may reimburse the latter agency for such service. CBO in its initial stages has borrowed CRS personnel, and the House Budget Committee temporarily transferred at least one of them to its own payroll.

Between the four agencies, for the most part, there is a spirit of reciprocity in making their products available to each other and in responding to simple inquiries.

C. Overlap

Authorized functions of the four agencies overlap considerably, especially if implied powers are included. A chart (table 1) will make this clear. This overlap is one of the two principal reasons for confusion as to which agency to ask for a particular job. The other reason is failure of communication. (See p. 103.)

TABLE 1.—PRINCIPAL SERVICES RENDERED BY THE 4 SUPPORT AGENCIES

[X—On regular basis; 0—Not rendered]

Services	GAO	OTA	CBO	CRS
Policy analysis	X [1]	X [2]	X [2]	X [1]
Legislative histories	X [1]	Rarely [2]	0	X [1]
Consultations	X (infrequent)	X [1 2]	X [1]	X [1]
Help in organizing hearings	X (infrequent)	0	0	X [2]
Help in drafting committee reports	X [2] (infrequent)	0	0	X [2]
Evaluation of an executive agency	X [1]	0	0	X (infrequent).
Evaluation of a Federal program	X [1]	X [2]	0	X (infrequent).
Evaluation of legislative options	X [1]	X [2]	0	X [1]
Developing legislative options	X [1]	X [2]	X [2]	X [1]
Critique of an executive proposal	X [1]	X [2]	X [1 2]	X [1]
Budget analysis	X [1]	X [2] (infrequent)	X [1 2]	X [1] (infrequent).
Financial management studies	X [1]	0	0	0.
Audits and reviews	X [1]	0	0	0.
Critique of an interest group proposal	0	0	X [1 2]	X [1]
Comments on proposed legislation	X [1]	0	X [1 2]	X [1]
Legal or constitutional opinion	X [1]	0	X [1 2]	X [1]
Reports on Presidential impoundments	X [1] (statutory)	0	X [2] (infrequent).	
Organizing a panel discussion	X (infrequent)	X [1 2]	X [1]	X [1]
Lending a staff member(s)	X [2]	0	X [2]	X [2]
Bibliographies	X [1] (infrequent)	0	0	X [1]
Issue summaries	X [1] (infrequent)	0	0	X [1]
Speech drafts	0	0	0	X.
Information	X	X [2]	X	X.
Constituent services	0	0	0	X.
Technology assessment	0	X [1 2]	0	X (infrequent).
Bill digests	0	0	0	X [1] (statutory).
Automated data services	0	0	0	X [1]
Constitution annotated	0	0	0	X [1] (statutory).
Voting records of Members	0	0	0	X.
Translation	0	0	0	X (limited).
Charts, graphs and maps	0	0	0	X.

[1] Either on specific request or agency's own initiative (data from responses of agency to questionnaire).
[2] For committees only.

D. Acceptability and programs for communication

In general, CRS has the best reputation for quick response and meeting deadlines. CBO has met its statutory deadlines in the budget process, including its major report, "Budget Options for Fiscal Year 1977." OTA and GAO tend to fix their own deadlines, by negotiation if there is congressional urgency. Often their reports are delivered long past the point of greatest usefulness.

[A more detailed discussion of workload and deadlines will appear under each agency.]

Most GAO and all OTA reports are made public. CRS anticipatory reports and major issue studies are also public, as is the major Budget Options of CBO. Other CRS reports are kept confidential unless the original requester agrees to release them. GAO treats certain reports as confidential, at least for a time, if a Member or committee requests it. I recommend that a time limit be imposed on the retention of confidentiality.

A major factor in making for acceptability of a specifically requested report or reply is communication. The responsibility at this point rests equally with the person or committee requesting it and the agency receiving the request.

The CRS and GAO have specific programs for informing the various congressional offices as to their services. All new Senators and Representatives are invited to lunch in the Library of Congress, where the CRS facilities and services are explained and the Members are taken on an orientation tour of the agency. Seminars are held for the heads of the Senators' and committees' staffs, and explanations of services are given. Each committee and subcommittee has one or more CRS staff members designated as liaison and watchdog of the committee needs. A booklet is issued describing the services of CRS. The installation of visual transmission outlets in the Senators' offices was accompanied by personal explanations of its uses. All CRS staff members handling inquiries are urged to make callbacks if there is doubt as to what is wanted.

GAO employs a special unit for congressional contacts. Its members are in and out of Senators' and committee offices as the need directs, or on request.

GAO and CRS conduct (usually joint) seminars and colloquies for Members and staffs on a subject matter basis. The two agencies have been very successful in selecting hot, current issues; attendance has been good.

The CBO has a special Office of Intergovernmental Relations, headed by a former Member of Congress.

The OTA relies heavily on its Congressional Board, but contacts are frequent with committee staffs for whom it is doing work. Each Board member is entitled to a staff member as his alter ego. OTA makes no general effort to explain itself to Congress, inasmuch as the present flow of requests for assessments is more than it can handle.

Already organized Hill staff units should be encouraged to invite representatives of all four agencies to meet with them in the interest of better understanding.

E. Which agency to call

Of which agency should an office or committee make a particular request?

Even a cursory scanning of the chart on p. 102 will show that there are, in the majority of services, no areas of "exclusive jurisdiction." Replies from the Senators' and committee offices indicate that the confusion is real. Eight committees claimed no difficulty in going to the proper agency, if the problem is clearly defined. Some committees tend to rely mostly on either GAO or CRS, because of favorable experience. The roles of CBO and OTA are not clearly understood. For the individual Senators, the choice narrows down to the CRS and the GAO. If the Senator can assume the mantle of a committee, the choice is widened to include all four.

Subject matter specialization is of some help. If the evaluation of an agency or program can utilize the audit approach, broadly defined, (see p. 126) or involves field surveys, the GAO is clearly indicated. If the opinion of authorities is the point of departure in the evaluation, the CRS or the OTA are to be preferred. If budget alternatives are the focus, the CBO comes to mind—if it is a committee request, but the GAO also has the competence to undertake this. The image in Congress of OTA is of an agency focusing on the scientific or technological impact of a program or policy, but the "futures approach" unit in the Science Policy Division of CRS clearly indicates this agency as an alternative.

F. Ambiguities

There is ambiguity among the agencies in their definition of terms. This contributes to the problems of misunderstanding of roles on the part of Congress, and of overlap.

Probably the GAO's "audit," the CRS's "policy analysis," and OTA's "assessment" are not really all that different. Certainly there are major overlaps here as a result of semantic confusion.

Major Inquiry.—The term, "major inquiry," is used by all the agencies, but with somewhat different emphases. The table below indicates the current status as regards "person-days" implied in "major."

TABLE 2.—MAJOR INQUIRIES (FISCAL YEAR 1975)

Agency	Total (1975)	Person-days—professional only		
		Highest	Average	Lowest
GAO	310	2,200	322	50
CRS	709	[1] 250	30	10
OTA	13	2,600	1,040	65
CBO	[2] 99			

[1] Or more.
[2] Not fully staffed.

The definitions of criteria used by each in defining a "major inquiry" account for some of the differences:

GAO: "Any congressional inquiry requiring 50 or more staff days to complete."

CRS: "Significant investment of staff time—10 days or more—or equivalent contract work; connection with legislative issues or possible future proposals; substantial analytical effort—not a mere collection of data." Two-thirds are for committees. All three criteria must be met.

OTA: "Likely to be—or is—a major national issue; is impact-irreversable; imminent; manageable; cost and time warranted; likelihood of action by Congress; potential of aiding other assessments." The criteria need not all be met, but the Board attempts to find a balance.

CBO: ". . . does not use this classification as such. However, the following may be factors: Desires of requestor; statutory requirements; quality of product; leading to CBO reports, background papers, staff working papers."

I recommend that a "major report" should be defined as one taking 10 person-days or more, and having a potential legislative or oversight impact.

Other terms that have found ambiguity among the agencies:

Audit

GAO: "Broad meaning. Goes beyond checking accounts, et cetera. and includes (1) compliance with laws and regulations; (2) efficiency and economy of operations; (3) reviewing results in the light of legislative objectives; (4) alternative methods; (5) secondary effects; and (6) recommendations in the light of experience."

CBO: "In a formal sense, a methodological examination and review, traditionally centered around an agency's accounts."

CRS, OTA: Not used or applicable.

I recommend that the GAO should seriously consider dropping the term "audit" in its work for Congress, except as it is defined by CBO, and substituting "evaluation," with or without adding the phrase "and options" as needed. An alternative is to use the term "policy analysis."

Policy analysis

CRS, CBO: "Systematic examination of alternative goals and policies re a given issue or problem. Should include potential consequences."

OTA: "Public Law 92–484."

GAO: "Not used."

I recommend the adoption of the CRS and CBO definitions.

Technology assessment

OTA: The term is defined by the act only by implication. It means what OTA's Board tells it to do.

CRS: "The purposeful and iterative search for significant secondary consequences and side effects—the total impact—of a technology; identifying affected parties; evaluating the social, environmental, and cultural impacts; considering feasible technological alternatives; and revealing constructive opportunities; with the intent of managing technology more effectively to achieve societal goals . . ."

G. Clarifying the problem of agency selection

What each Senator's and committee's office really needs is a simplified table or handbook dealing with this whole problem of the appropriate use of the several agencies. Meanwhile there is an interim solution in repeating the list on page 102, and in each instance suggesting an agency of first contact and a "backup agency," if the first agency is unable for one reason or another to meet an acceptable deadline. (See table next page.)

TABLE 3.—SUGGESTED AGENCY FOR INITIAL AND "BACKUP" REQUEST, BASED ON TYPE OF INQUIRY AND STATUTORY AUTHORIZATION

Type of inquiry	Initial request	Backup	Remarks
Policy analysis	CRS	GAO	
Legislative histories	CRS (1)	GAO (1)	GAO keeps files on each; CRS has the more complete collection of documents.
Consultations	CRS [1]	CBO	OTA, if it has done a major relevant report.
Help in organizing hearings	CRS	GAO	
Help in drafting committee reports	CRS	CBO [2]	
Evaluation of an executive agency	GAO	CRS	
Evaluation of a program	GAO	CRS	OTA, if technology is an important component.
Evaluation of legislative options	CRS	CBO	
Developing legislative options	CBO	GAO	
Critique of an executive proposal	GAO	CRS	
Budget analysis	CBO	GAO	CRS, if for an individual Senator.
Financial management studies	GAO	----------	
Audits and reviews	GAO	----------	
Critique of an interest group proposal	CRS	----------	CBO, for fiscal aspects
Comments on proposed legislation	CRS	GAO	Do.
Legal or constitutional opinions	CRS	GAO	
Reports on Presidential impoundments	GAO	----------	
Organizing a panel discussion	CRS	OTA	
Lending a staff member to a committee	GAO	CRS	
Bibliographies	CRS	----------	
Issue summaries	CRS	GAO	
Speech drafts	CRS	----------	
Information	CRS	(3)	
Constituent services	CRS	----------	
Technology assessment	OTA	CRS	
Bill digests	CRS	----------	
Automated data counseling	CRS	----------	
Voting records of Senators	(4)	CRS	
Translations	CRS	----------	
Charts, graphs, and maps	CRS	----------	

[1] Senior specialists?
[2] If costs of a program are a major element.
[3] According to subject.
[4] Party policy committee.

The above must necessarily be modified, for example, by the Budget Committees in their field.

H. How to submit an inquiry

Important major inquiries should be made by letter, but this may profitably be preceded by a telephone call or personal conference on the part of the inquirer with the person designated by the agency (according to the subject matter) as the one who will probably assume the responsibility for responding. Factors that the inquirer should make clear include purpose, degree of confidentiality, deadline, format including length, level of sophistication, "slant" if important. In this last connection, CRS will provide briefs or documentation of arguments for one side of a particular issue, which it will label as such. (See p. 122.)

Less important or brief inquiries are normally made by telephone. Deadlines should be specified. The need to speak with the person to whom it will be assigned is optional, but may be indicated.

Constituent inquiries (CRS only) are best handled if the constituent's letter accompanies the request. It will be returned with the suggested reply, which will usually consist of desired printed material.

When there is doubt as to whether what is wanted is understood, the person inquiring should ask that the person to be responsible for handling the inquiry should call him back.

If dissatisfied with a reply for any reason, the office should ask to be connected with the proper person in an agency—usually the division

or unit chief or (if important) the Deputy Director. Very often what is lacking is, in fact, available, but the failure has been one of communication somewhere along the line.

The timing of the inquiry is also important to the agency in question. Peak workload periods occur in March, April, and September. Committees in particular can assure themselves much better work if they can anticipate needs for a new session as early as possible during the final quarter of the preceding year.

CRS is charged by statute to make such earlier anticipatory contact. Conferences can aid in advance scheduling, with assurance that material will be ready.

I. Special types of inquiry

In the inquiries or studies involving the relationships of Congress and the executive branch, GAO and CBO are especially effective, but should be given plenty of time. OTA within its field has done effective work in analyzing puzzling problems of this type. All four agencies can be effective in suggesting questions to be asked at hearings or witnesses to give opposing points of view. The CRS can provide a dossier or digest of relevant material already appearing in print on a given agency or program.

Sooner or later Congress is likely to adopt the proposal of Chief Justice Warren Burger that there be an annual address by him on the "state of the legal system"—an address now usually given before the American Bar Association. Whatever proposals he might make for reform of the judicial system could then be audited or analyzed by the GAO, CBO, or CRS.

The CRS, because it is continuously responsible for updating the judicial interpretation of the Constitution, is in an especially favored position to serve Congress (as the Attorney General serves the executive branch) by giving its informed judgment in advance as to the probable constitutionality of legislative proposals or congressional assertion of prerogatives. (See also p. 120.)

J. Staffs available

In the aggregate, the total professional staffing available to Congress in its committee staffs and support agencies is impressive.

Because counting systems vary and so also do the uses of contracts and consultants, it is difficult to obtain wholly accurate statistics as to the number of positions devoted to congressional work. The order of magnitude is fairly clear, except that OTA makes a far greater proportionate use of contracts than any of the other agencies. GAO estimates one-third of its workload is for Congress, and this percentage is used, after deducting from its total certain statutory noncongressional duties. The totals are fairly firm; the distribution between professional and "other" is less so.

TABLE 4.—FISCAL YEAR 1976, FULL-TIME POSITIONS OR THE EQUIVALENT DEVOTED TO CONGRESSIONAL WORK

Agency	Professional	Other	Total
GAO (Congress, 30 percent)	1,267	380	1,647
CRS	603	178	781
CBO	135	58	193
OTA	64	29	93

TABLE 5.—*Total budgetary estimated expenditure (fiscal year 1976)*

GAO (Congress, 30 percent)	$40,000,000
CRS	17,180,000
CBO	4,280,400
OTA	6,244,000

In other words, GAO, in staff (numerically) and budgetwise (more than double the CRS), is equipped to do the most work for Congress. GAO defines a major inquiry as one requiring 50 man-days or more; CRS has been using a 10 man-day minimum. This should be borne in mind in the statistics on major reports (see p. 113).

The number of specialists in budgeting, in the aggregate, is greater in Congress and its agencies than in the Office of Management and Budget in the Executive Office. It lies somewhere between 450 and 475. The heaviest concentrations are in the CBO, the Congressional Budget and Appropriations Committees, the Joint Committee on Internal Revenue Taxation, and the GAO. For consultation or briefing purposes the senior specialist in CRS is superb. Standing committees are more and more adding budget analysts to their staffs because of their responsibilities under the Impoundment and Budget Act. This Act requires the inclusion in all proposals for new legislation or tax law changes their estimated first-year cost (or receipts), and that over a 5-year period.

Identification of staff potential in other fields is more difficult, because of the lack of agreed-upon terminology. In GAO, in particular, should an auditor of education programs be classified as an accountant, an educationist, or both? Moreover, the GAO believes in rotation of assignments. Political scientists and public administration specialists are more than likely also to have competence in an applied field. An economist is probably also a specialist—in labor problems, banking, housing, and so forth. A careful examination of the four agency rosters indicates that, in general, virtually no field of interest to Congress does not have one or more specialists somewhere in one—and often in all—of the support agencies. The senior specialists in CRS are listed in the Congressional Directory. OTA has one or more key specialists in the project areas in which it is specializing—energy, nutrition, health, materials, oceans, transportation, international trade. More than a score of physical, biological, and engineering scientists are found in each of the four agencies. Respectable cadres of specialists in the armed services and national defense are on staffs in all four agencies. Lawyers are found especially in GAO and CRS, with constitutional lawyers notably in CRS. The GAO has a virtual monoply of accountants, and of management analysts as well (save for about 15 in CBO). Almost all of GAO's top positions are filled by accountants. CRS has probably the top specialist in computer technology. A galaxy of economists, with specializations, is found in each agency. Highly competent librarians and bibliographers may be found in CRS. It also has units of translators and visual aid artists who can furnish charts, diagrams, and so forth. The CBO has a top-flight advisory committee (Paul McCracken, chairman). This panel of 23 members meets 4 times a year.

In addition, each agency has contractual authority, plus the authority to engage top-level specialists on a temporary basis to supplement its permanent staff. OTA has made the greatest proportionate

use of these authorizations. Its expenditures under these headings have exceeded those for its "in-house" personnel. In fiscal year 1976, such expenditures came to approximately $3,776,000. In CRS authorizations were $250,000; for GAO, $721,000; and in CBO, $257,000. Each agency maintains lists of potential and actual consultants. CRS also uses the Library of Congress National Referral Center data base—12,000 individuals and institutions in the fields of science and technology.

OTA pays the highest average salary to its specialists; CRS has the largest number of supergrades, except for accountants and lawyers (where GAO leads) and military analysts, of whom CBO has four.

OTA has been the most successful in securing interns and fellows from outside sources at no expense to itself for salaries. CBO runs a visiting scholars program. The other agencies should explore the possibilities. Potential sources include Smithsonian Fellows, American Association for the Advancement of Science, and American Political Science Association Fellows. Specialists might be borrowed from Executive agencies or other support agencies, the Civil Service Commission, Governmental Affairs Faculty Fellows, National Science Foundation, National Research Council, and the various academies. The OTA is veering away somewhat from contracts. They and the other agencies are finding them expensive. Difficulties in monitoring their performance and usefulness to Congress are, if not endemic, at least frequent.

K. The problem of duplication

The analysis and table of overlapping areas of authorized action, plus the equally apparent competence of personnel of all the agencies in similar subject matter areas and disciplines, together give ample cause for Congressional fears of duplication of work by two or more agencies. These same factors also indicate a great potential for cooperation in giving the best possible service to Congress. If Congress were willing to incur the extra expense, there are certain situations in which deliberate duplication might be warranted.

The duplicative factors also point clearly to the dangers in, and lack of necessity for, establishing any further agencies to aid Congress. This holds true unless and until the cooperative potential of the existing agencies (including committee staffs and contractual authority) has been fully developed, and areas in which overall scarcity of qualified personnel have been better staffed in the appropriate existing agency or agencies.

The first question involves duplication. Starting January 1, 1976, the four agencies cooperatively began the issuance of semimonthly lists of new major projects and a monthly "research notification system" of all such projects still in process, as well as a listing of those recently completed. It contains (where not confidential) the source of the request (including "self-initiated" or "anticipatory"), the agency handling the project, its title, a brief description, the date of initiation, the probable date of completion, the nature of the end product, the person to contact in the agency, the agency's code number for the report, and an occasional mention of liaison with one of the other agencies.

Top representatives of the four agencies meet monthly to supervise the project and to explore other avenues of cooperation. The present chairman is Norman Beckman, Acting Director of CRS, and CRS

assumes responsibility for publication of the RNS. The first issue gave incontestable evidence of considerable duplication, for example, in the field of energy. From then on, duplication as regards new projects rapidly came to be virtually nonexistent. The CRS and GAO will not commence any new projects without first making a telephone check with each of the other agencies. OTA has not as yet gone that far, but it should. CBO's major work is mandated by statute, but the RNS should assure that it is aware of, and can coordinate with, any parallel projects of the other three agencies.

In the interest of precision, approximately 200 subject headings are provided in the RNS, and a project may be listed under more than one heading. Without the count being more than an approximation, the comparative listing by agencies of projects recently completed is as follows (the figures are discounted for multiple listings) :

TABLE 6.—COMPLETED PROJECTS BY AGENCIES

Agency	Congressional project	Self-initiated or statutory project, or for Executive
GAO	223	280
OTA*	1	....
CRS	140	32
CBO	40	[1] 6

*1974 to January 1976, 25 completed; Average of 1 a month: Completed in 1975, 15; completed in 1976, 10 (as far as Board review).
[1] Plus budget analysis.

L. Cooperation

With the problem of duplication largely solved, what cooperative possibilities exist? Many examples clearly already exist. GAO and CRS hold joint subject matter seminars and briefing sessions for their staffs. CRS provides the other three agencies with its SDI's** (see p. 120). This is the most prompt and intelligently selected bibliographical service in existence as regards matters of congressional interest. CRS also provides the other three agencies with its "issue briefs"—over 200 now current. GAO and CRS furnish lists to the other agencies of their publishd reports, all of which are available on request. CRS receives all of them from GAO and CBO, as appropriate.

The CRS lists of terminating legislation are furnished to GAO, which then distributes them to its appropriate divisions. CRS actively serves OTA and CBO at the research level.

Day-to-day GAO/CBO liaison is informal and ad hoc, featuring close personal contact between the CBO staff and that of GAO's Office of Program Analysis. GAO is also working with OMB to standardize budgetary terminology and definitions, and functional classification systems. The latter is partially in the hands of a task force from the two agencies, plus representatives of the two congressional standing Budget Committees. At the same time, the GAO is working on the same problem with other committees of Congress.

GAO provides CRS with its automated files of data systems in the executive branch.

Each agency has developed its own specialized tools and files. Beginnings have been made to provide for their mutual availability. This

**SDI = Selective Dissemination of Information.

process should continue. Each agency should take further steps to familiarize itself with the facilities of the others.

Yet there is ever present the temptation to be "preemptive" in certain fields, either by staking out self-initiated or anticipatory reports or by stimulating requests. The present atmosphere at the top level is most cooperative, but whether or not section heads of the second or third echelon have yielded to the temptation to preempt is a moot question. The "threat" from another agency can be very real, as it extends its orbit.

I make a recommendation in this regard: (see also p. 132 for OTA/CRS overlap) It is that the committee of representatives of the four agencies (now dealing with the RNS) be renamed the Research Coordinating Committee and undertake experimentally to handle a certain number of the most important inquiries cooperatively.

The analysis of staff competence (see p. 108) would indicate great potential in this regard, with the possibility of drawing on all four staffs. In the first instances, the important projects should be confined to committee requests. The coordinating committee should determine who is the best person to direct the "task force" to handle the inquiry. He should then (a) contact the requesting committee or committees and ask for at least one representative of their staffs to serve on the task force, and (b) confer with the Research Coordinating Committee so as to secure the assignment of sufficient qualified personnel to complete the report by the deadline. The agency from which the task force director was selected would assume administrative responsibility.

Potentially, the task force director might negotiate with the appropriate committee of the other House for joint sponsorship. If the subject of the inquiry cuts across the interests of other committees, these might also be associated with the task force through their designating a member of their professional staff also, with the assent of the original committee. Any such cooperative effort should start on a small scale with perhaps a dozen projects the first year, carefully selected and usually of a crosscutting nature. (See recommendation 1.)

A breakdown of elements that might be involved in such reports will illustrate the way in which the several agencies, consultants, and contacts might play a part. Not all of these elements are likely to be involved in all or perhaps even in a majority of such inquiries. After each is indicated the source where those personnel most qualified for a particular element or sector are most likely to be found:

1. Evaluation of existing agency or program (GAO).
2. Fiscal consequences of a new program. (CBO, with aid of committee staffs.)
3. Canvassing and synthesis of "in print" authoritative opinion or analysis (CRS).
4. Existing law (CRS).
5. Constitutional metes and bounds of proposed legislation (CRS).
6. Authoritative panels of outside consultants, developing options and questions. The panel experts should represent diverse views. (OTA, or the agency furnishing the chairman or director of the task force.) (See below.)
7. Research on vital material not brought out by No. 1 to 6, above. (Contract (e.g., with Brookings) or staff team (as qualified and available).

8. Canvassing or examination of concerned interest groups. (CRS, or committee staffs.)

9. Futurism or derivative and secondary impacts or effects. (Panels (see above); or "brainstorming" plus research of task force.)

10. Related field work or foreign studies. (GAO or consultants.)

The device of crosscutting task forces from the four support agencies and the relevant committees is not as complicated as it may seem. The mutual interest would be there, and the Research Coordinating Committee would be an instrument already in being. On the other hand, there would be a speeding up of the end product, because adequate and immediately available personnel would be used. Clearly it would lessen duplication at all points—by support agencies and congressional committees alike. Finally, it would maximize competence—as to both existing staffs and the use of outside experts.

It could be tried initially by selection of the task force chairmen by the RCC.

M. Priorities

Priorities in handling an inquiry or report vary from agency to agency. In general, they are a mixture of legislative importance, date of receipt, and promises as regards deadline. A number of Senators and staff were asked their views on this, and there was great variation. A considerable number would give priority to committee work; a few, to the individual Senator (because committees had their own staffs). One would observe seniority of position. One said, "First come, first served"—a certainly understandable attitude, but not necessarily in the public interest.

OTA priorities are determined by its Board.

GAO gives some priority to committee work, but also weighs the importance and urgency of the problem.

CBO works under a statutory timetable, and takes additional requests only when those relevant to the timetable have been taken care of. It also has a statutory priority list according to the source of the inquiry: (1) Budget committees, (2) other fiscal committees, (3) other committees, (4) individual Members, who have now been "crowded out."

CRS has a special problem in balancing the deadline and the quality and extent of the staff to be devoted to a project. If the time of a senior specialist in the particular field has already been promised or earmarked for a given duration for an earlier inquiry or project, a request, subsequently received, that he would be the best man to handle would either have to wait its turn (with the consent of the inquirer in accepting a later deadline) or it would have to be handled by a researcher of intermediate grade. This problem occurs at all levels, if all specialists in the field are tied up. The inquirer must then either accept a later deadline or accept material already prepared, or in print, as a substitute for a "tailormade" job. In the end, CRS must earmark certain persons—and a definite portion of the time of other persons for the most important inquiries (see p. 124). "Quickie" memos (because of rush deadlines) often bear a "precautionary" title indicating their inferior or incomplete nature.

Priority, according to one Senator, should be determined according to the probable date at which a committee or the Senate as a whole will schedule consideration.

CRS has now met the question of prompt servicing of constituents with material, as well as Members and constituents with spot answers, by setting up a separate division (congressional reference) for these purposes; and Congress has generally provided it with reasonably adequate staffing. Even in this division, requests for Members and committees exceed the time spent on constituents. In the service as a whole, constituent requests recently accounted for 30 percent of the numerical total and 12 percent of the staff time (1974). Economies in acquiring masses of the most called-for material and a generous use of Xeroxing have helped greatly.

Questions chosen nationally for high school and college debating are received in great numbers by the Senators and Representatives. Each year the CRS compiles references and other materials in a handbook, which appears as a congressional document. It is furnished to Members in quantity. Other devices result in economies of mass use. Constituent service of this type is very greatly appreciated, and the Senator can take credit for obtaining it.

N. Acceptability of the product

The receptivity of Congress to end products of the different agencies varies. In order to test this most important aspect of the support agencies' work, a series of questionnaires were sent to the offices of the various Senators and to the staff directors of the various committees and subcommittees. Their highly significant results are presented in tabular form in appendix V tables. In summary, the general ratings were:

GAO: Excellent and reliable, but review process is so involved that the end products are very often too late to be really useful.

CRS: Work varies in quality. * * *High marks for versatility and (usually but not always) for speed and willingness.

OTA: The least used and the least understood; users vary greatly in their verdicts.

CBO: "Track record" too short for a considered judgment. * * * Some antagonism (especially in the House) to the Congressional Budget Act, which spills over on the agency. * * * Will "win through." * * * Trying hard. * * * Parts of its first "Budget Options—1977" too thin to be useful; parts excellent.

Users for major inquiries and their comparative costs are illuminating, but the definition of a "major inquiry" differs. (See p. 104.)

TABLE 7.—NUMBER OF INQUIRIES AND MAJOR PROJECTS COMPLETED FOR CONGRESS

[Latest annual figures as furnished by agency]

Agency	Total	Major [1]	Median range of cost of major reports
GAO		632 (310—50 days or more)	$28,000 to $32,000.
CRS	250,000 (1976—rate of 310,000)	500 (estimated) (709—5 days or more).	$8,000.
OTA		13	$120,000 to $150,000.
CBO		Equivalent—about 100 composite.	Not applicable.

[1] Major equals 2 man-weeks or more.

Fifty questionnaires were distributed to Senate offices, of which 27 responded. Twenty-three of these answered the questionnaire in usable form. Four preferred interviews. The responses were from

the offices, but some also involved the Senator himself. The time span was nominally the 94th Congress, but probably most offices used the second session only, up to May or June. The Senators responding were well distributed as regards party, length of service, and size of their States.

The committees—and to a lesser extent, the subcommittees—were also representative. The staff directors of slightly more than half of the standing committees responded, but only about one-fifth of the subcommittees. Of course, most of the latter do not have a staff even semi-independent of the parent committee. The replies of both groups have been merged.

Further observations on the tables.—(See also sections on each agency. Tables in Appendix I.)

It is clear from the tables that, by all odds, CRS is the most frequently used agency, and for the greatest variety of tasks. Its rating of excellent or satisfactory is second to the GAO among Members, but higher among committees. CBO and OTA—especially the latter—have as yet so few users that one hesitates to generalize. There were some unexpected findings, which will be discussed under each agency. GAO and CRS seem to be fairly equal recipients of requests of a major nature by committees, but CRS has a big lead from Senators' offices, even when audits are added to the other major analytic reports. It would appear that the hopes of the Legislative Reorganization Act of 1970 as regards close and continuing relationships between CRS and the committees have been only marginally realized. Reasons will be shown later (see p. 118). For the most part, committee staffs assume the major support role in organizing and conducting hearings, although the CRS and GAO are used significantly by a substantial minority of committees in an auxiliary capacity.

O. Gaps in services

In addition to the material in the tables, certain more general questions were asked of the committees, the replies to which are of interest.

"Are there any major information or analytical needs, other than those now being served by the support agencies, which you feel they should serve?"

Nine answered: "No." Two others cited insufficient experience on their part. One said that the agencies should improve the quality of what they do now before adding new tasks. Most of the remainder were critical of specific agencies. These will be incorporated into our later discussion of these agencies. One called for independent analysis of selected raw intelligence data in order to determine accuracy of estimates and projections. According to the subject, this would appear to be an appropriate area for either GAO, CRS, or OTA to use consultants, if they felt inadequate themselves to handle it. One staff director commented on the quantity of unpublished data in the files of the executive agencies, which were often needed quickly by his committee. He cited the obstacles to obtaining these directly from the executive agency. Data needed included such topics such as the situation in a particular, small geographic area, details re components of a price index, regional distribution of doctors, etc. Lack of a technology assessment of weapons systems was noted.

Senators, administrative assistants, and legislative assistants, in response to a similar question, frequently complained of the lack of

up-to-date reporting on status of legislation, even before it is reported from the committee. (Aquarius, available in the Senate Library, is the best source yet.) Another person said that the Library of Congress never has new books available to Congress. Perhaps the congressional reading room in the Library should do more in this regard by maintaining one or more copies for circulation. A few comments indicated ignorance of what was available (see p. 121). One office wanted to know areas of duplication in current Government programs (had GAO been asked?). Another, in complaining of CBO and CRS, said both would do better with more staff.

One extremely active Senator, whose office staff works late, asked whether it would not be possible for CRS to stagger the working hours of enough of its staff so that more service than the congressional reading room now provides would be available after the present closing hours of 4:30–5:15 p.m.

More data were needed by another office as to the State-local governments' contribution to programs jointly financed by them and the Federal Government. (GAO might undertake this, if satisfactory studies were not available from the executive branch.)

P. Some further agency comparisons

Staff recruiting and training vary among the agencies. The two older agencies—GAO and CRS—have fully developed programs in both respects. Both have utilized various methods of recruiting—at the beginning professional levels, contacting appropriate educational institutions, and voluntarily utilizing Civil Service Commission rosters. Applications are also received by the personnel offices and are carefully screened. All vacancies in the Library of Congress—including CRS—must be "posted" and otherwise announced, and are then filled competitively. Deadlines for filling are often too closely tied to the posting, which may be delayed by "second guessing" in the personnel office, or pressure to fill after posting may be imposed. Universities and colleges are visited by GAO recruiters and interviews are conducted.

For intermediate and higher level positions in CRS, ad hoc committees are formed for each. They adopt an active role in searching—as well as screening those already applying. A considerable number of positions are filled by promotion from within.

For clerical positions, the Library's administered tests, supplemented by interviews, appear adequate.

OTA has recruiting problems and systematic staff training is virtually nonexistent. (See House document 94–538, pp. 26, 32–38.) In spite of these facts, many of the staff are highly competent and even outstanding.

CBO is too new to systematize its personnel responsibilities. Few of its staff have had experience on Capitol Hill.

Both GAO and CRS have highly developed training programs duly described in their annual reports (q.v.). Educational subsidies for relevant academic courses, and attendance at professional association meetings are frequent. In-service seminars and lectures are numerous; some are jointly held by the two agencies. CRS provides specific "crossover" training for suitable clerical employees who desire to become professionals. On the other hand, not enough advantage is taken of the opportunity to use CRS's own senior specialists, either by detailing

a junior or intermediate researcher to one for a period or by asking the senior specialist to criticize some of his work.

A policy of sabbatical leaves would be favored by many senior employees, but this practice has not gone beyond leaves of absence (without pay) to accept temporary, relevant positions elsewhere (with pay). Conducting a course or seminar at a local university was commented upon favorably.

Each agency subscribes to a number of data banks. The New York Times, Juris (Department of Justice), Wharton, Medline (Army Medical), Infonet, Eymshare, Chase Econometric, D.R.D., EDSTAT (Lockheed), etc., serve one or more agencies. It is probable that both greater efficiency and economy would result from pooling most of these resources, including each agency's own data banks. This is a problem to be explored jointly, perhaps by a committee of specialists drawn from the support agencies themselves.

Under each agency, its special in-house resources will be described. Use is often made of such resources by other agencies, and this practice should grow with the knowledge of their existence.

All the agencies except GAO suffer from inadequate and badly planned space. OTA and CBO have units dispersed in different buildings. When CRS moves to the new Madison Building, appreciable improvements in staff and facility utilization may be looked for.

Q. Crosscutting studies

A further question was asked: "There is sometimes need for analytical studies on problems in which more than one committee is interested. Have you ever experienced such a study from the support agencies? What was your experience? Please comment."

Seven committees answered "No"; four, "no experience" or "no comment." One committee frequently relied on studies for other committees by CRS, GAO, and OTA for meeting this vital problem. The studies were not tailormade, but were sufficiently comprehensive so as not to require additional reports. Another committee said that reports of CRS to one committee should be made available to others. One placed the blame squarely on the jurisdictional jealousies within Congress itself for any support agency shortcomings of this type. One staff director blamed overlapping areas of work among the support agencies themselves. One said such studies were more likely to be satisfactory if a Senator were a member of both committees. Much detailed comment was forthcoming—both favorable and unfavorable—on reports of the support agencies that aimed at comprehensiveness. No one pattern emerged; but parallel utilization, and trespassing of one agency on the jurisdiction of another were mentioned as factors. There was a call for central supervision of all four agencies to deal with their jurisdictional overlaps. (See also p. 102.)

Historically (and at present) the staffs of the support agencies have occasionally played an important role in promotion of intercommittee cooperation. This has usually been done with the help of committee staffs. In any event—if, as, and when Congress itself determines to deal more systematically with conflicting, overlapping, fragmented jurisdictions of its committees—the support agencies are most likely to be the vehicle for crosscutting or interdisciplinary studies for whatever is desired. Such studies then would have a greatly enhanced usefulness.

Part III—Studies of Individual Agencies

introductory note

The reader will have noted that many differences and similarities among the agencies have been discussed already from a comparative approach in parts I and II. The most important of these aspects dealt with (1) equality with the executive branch (p. 96); failure of committee or Senator's staff to inform the Senator of use of a support agency (p. 98); agency role in digesting, analyzing, and adapting other information to congressional use (p. 100); statutory authority and service (pp. 100f, 102); reciprocity (pp. 102, 116f); overlap (p. 102); statistics of major projects (p. 104); availability of reports (p. 101, 103); communication (pp. 103, 106) (n.b. two places); basis of preferred use of a particular agency (p. 103f); deadlines (p. 103); judicial and legal reports (p. 107); staffing (pp. 107ff); problem of duplication (pp. 103f); interagency cooperation (pp. 110f); priorities in handling inquiries and devices for special types (two entries) (pp. 106, 112); data banks (p. 116); space (p. 116); recruiting and training of staff (pp. 115f); differing terminology (pp. 104f); statistics of use (p. 113); receptivity and use (p. 113); evaluation of agency's work by type, and overall (p. 113); extent of use (p. 113); unmet needs of Congress (pp. 114f); and comprehensive reports (p. 116).

The sections on the individual support agencies should be preceded by a reading of these sections. Such reading is assumed in what follows.

The House Committee on Information and Facilities has already done a thorough job on the OTA, stressing especially its administrative aspects. Investigations covering much the same ground are in process on CRS. Four committee staff members are examining this agency for approximately 4 months. A similar inquiry is planned on GAO. Consequently, this writer's report deals only superficially with the administrative aspects of these three agencies. As regards the CBO, the agency is experiencing growing pains. It is too new to warrant more than a highly tentative appraisal.

The Commission on the Operation of the Senate has also made separate individual studies of each of the four agencies, especially of their potential in cross-jurisdictional analysis.

As an overall verdict on all four agencies, one from the staff director of one of the committees will serve: "All four agencies do first class yeoman work." Reservations appear mostly when the need arises for quick deadlines, tailormade reports, and crosscutting analysis.

A. The Congressional Research Service

1. *Overview.*—The Congressional Research Service (formerly the Legislative Reference Service) is the oldest of the support agencies. In terms of calls upon it, they exceed those to all of the other three support agencies combined. It provides Congress with more diverse and unique services than any of the other three. As has already been pointed out (see pp. 101f), CRS is the least able to say "no" to a congressional request, although in practice it is constantly (under work pressure) saying "no" to the format or depth of reply which a committee or Member expects. Every office and committee makes use of it.

Much of relevance to the CRS has already been discussed. The fact is that requests from the individual Senators are confined to the CRS

and the GAO. Committees have the added options (in appropriate instances) of the CBO and OTA. The CRS program for acquainting Members, committees, and staff concerning its services has already been described (see p. 103). The separate unit in CRS established for constituent and simple informational inquiries has been described (see p. 113). Emphasis placed on meeting deadlines has been noted, but the compromises with quality frequently necessary have not been analyzed in detail.

2. *Enhanced responsibility for servicing committees.*—It was the hope of the Second Congressional Reorganization Commission that CRS would play a greatly enhanced role in servicing committees. The Reorganization Act of 1970 was very specific in certain matters in this respect. It charged the CRS with a special responsibility for policy analysis; it provided for the CRS to furnish each committee at the beginning of each Congress with its perception of the principal legislative problems likely to come before the committee during the next 2 years, together with an annual list of terminating legislation. It was expected—and to some extent this was realized—that each committee and its staff would compare these lists with their own perceptions of a probable agenda. The committee would then indicate to CRS the fields in which it might look to them for analyses or other reports. CRS, on its part, would indicate the person or persons on its staff as contact men in the various subjects.

It is significant that of the Senate committees and subcommittees responding to the questionnaire, 92 percent gave CRS a rating of "satisfactory" (GAO's score was 79 percent). Fifty-five percent of the Senators responding gave CRS a rating of "excellent." GAO's rating in their case was 68 percent "excellent," on the basis of considerably fewer senatorial requests.

3. *Unevenness of committee service.*—Unfortunately, this is not the whole picture. When comments are taken into account, it is clear that responses to individual inquiries are very uneven. The comments range from "very, very positive" and "first-class work" to "all CRS experience bad" and "in general, a waste."

If the individual criticisms are studied more closely, they fall into a fairly definite pattern. We start with the Murphy commission report (on the process of foreign policy formation). Francis O. Wilcox, who was its executive director, and for many years the staff director of the Foreign Relations Committee states: "CRS has never reached the levels of usefulness sought by the Congress itself (in foreign policy). Its researchers lack the freedom and support to address major policy issues in depth. Congress lacks the assurance that CRS can provide timely and useful policy alternatives [a matter of priorities, not of quality of staff]."

Other highly indicative critical comments in replies to the questionnaire were: "very patchy"; "doubt as to reality of the committee relationship"; "uneven quality"; "legal opinions unsatisfactory"; "tends to fragment"; "weak in analysis"; "too superficial"; "at times only Xeroxes quantities of material"; "resists anything not prepackaged, but insistence brings good results"; "doesn't get involved, unless interested"; "major weakness—inability to set priorities"; "Science Division tends to simplify too much"; "cannot do an investigation promptly"; "weak in defense and national security"; "evaluation

unsatisfactory"; and "time not taken to confer with committee staff."

Some more ambivalent comments are equally illuminating: "good quality, considering workload"; "mixed"; "principal service [used] but not organized to bring expert information in a day"; "understaffed, especially regulatory"; "individual specialists very knowledgeable at times"; "slow, but reliable in major work"; "set up to handle, if given time"; "good place to start, but rarely adequate enough"; "getting better, but takes special effort"; "great demand reduces work at times to boiler plate quality"; "good in spots, but no consistent reliance for high-level work"; "tries hard and is reliable, but except for a few senior men, cannot provide in-depth expertise"; "some committee staffs monopolize"; "needs greater capability to do quality work in a shorter time"; "(good for) general matters, but it attempts to do quality work in too short a time"; "(good for) general matters, but it attempts to do analytic work, and doesn't do it well."

CRS is the only agency of the four to which the comment, "needs more staff" was applied with considerable frequency by both Senators and committees. That this is an important part of the picture is clear from a reading of the foregoing comments. There are other factors involved, but to what extent cannot be known until staffing is adequate (see below, p. 125). It is clear from the cost figures (see p. 113), that CRS is able to spend much less staff time on major inquiries than the other three agencies.

The favorable ratings given and the favorable comments received (they outnumber the unfavorable) show that CRS does an enormous amount of good work, perhaps limited only by its numerically inadequate staff.

Some of the comments indicate progressive improvement as the recent staff increases are taking effect: "improved a lot"; "evolving satisfactorily"; "getting better, but demand very heavy."

Until it is more completely staffed, the ultimate verdict must be held back concerning its service to committees. However, very considerable enthusiasm was expressed for its help with hearings, suggestions for witnesses, questions to be asked, points on which to focus. One committee in particular characterized CRS informal briefings as "fine." "Extensive use" was a comment of another committee. Not all committee staff are won over to the idea that CRS can really back them up. CRS still appears as a threat to many. Some staff directors do not know the difference between "expertise" and "views." The obligation on the part of CRS to provide a list of probable topics for an ensuing session was not rated too highly by many. However, when a CRS specialist suggested discussions and comparisons with the committee staff's own list, he was more successful. Once personal confidence had been established, use of services followed. Some jealousies between Senate and House committees, in one or more instances, inhibited some of them from using a particular CRS specialist.

Of course, the committee staffs have been greatly increased. Where the committees can wait 6 months or a year for an audit, GAO will serve them better. OTA and CBO have their committee clienteles. Nevertheless, the comments almost universally expressed a desire, often unfulfilled, for CRS policy analysis in depth and time to be of use. There was disappointment in cases where the depth and speed were not

forthcoming. On the other hand, the 93 percent "satisfactory" rating says much.

4. *The broad scope of CRS service.*—CRS has always prided itself on its readiness to handle almost any congressional request individually and promptly. Some comments pay tribute to this: "associated with quickness"; "tailormade reports"; "every request satisfactory"; "almost an ideal support agency—more simpatico than others"; "wide range"; "seems able to do anything"; "always very helpful and prompt"; "no fault to find"; "no problems"; "an excellent job in the field of its responsibility"; "how could things operate without them."

Much of the credit is due to the Library Services Division for the resources it provides the staff as a whole. Its files include 875,000 clippings from the past 5 years. New ones are added and old one discarded at the rate of about 200,000 a year. It has 165,000 annotated source cards, with about 6,000 a year added, mostly Selected Dissemination of Information cards (SDI's) and 6,500 books a year purchased for its own divisional library.

CRS provides a number of special services. It alone handles constituent requests, and these together with congressional requests for simple information, are shunted into a special division geared for mass production in furnishing free, relevant, and ready reference. It will furnish reasonable translations of letters et cetera, in a score of languages. Among the remainder of the Library of Congress staff most of the other languages are covered. Perhaps the translation unit is a bit understaffed, as complaints of delay are frequent.

The digest of public general bills is widely used for summarized content. The House computer system—Aquarius—is better for immediate tracing of any step in the progress of a bill.

The *Constitution Annotated*, a product of the American Law Division, is published regularly, and supplements periodically issued. It probably is the authoritative volume of its size in the Nation.

Another regular publication, now authorized by statute, is two volumes of debate handbooks, issued annually for the national high school and college debate topics.

5. *Speech drafting.*—The CRS is the only congressional agency that will provide a first draft of any nonpolitical speech for a Member. These are not as favorably received as they were when the service was first provided. They are criticized as much too "bland." The CRS administration should take a much closer look at these, and point toward a much more tailormade product. If they are to be used in floor debate, they bear directly upon legislation and upon the education of the public. If they are historical in nature, they deserve the kind of treatment and care that would make them worthy of printing. If they are to celebrate an event of importance to an ethnic group, they offer an unparalleled opportunity to inspire this group as to its actual and potential contributions to the United States—drawn from its past history, its culture, and the achievements of its present leaders in our national life. Such an approach will almost certainly result in its publication, often translated into the original language of the ethnic group in one of its journals. As such, it is bound to make a contribution to the pluralistic strength of the United States.

Commencement addresses and other meaningful speeches are important to the audience as well as to the Senator. They deserve the best

work. Educational addresses to a Senator's constituents constitute a medium for informing the electorate on one or more of the issues facing the country. In every instance, the Senator should be consulted as to the ground he wishes to cover and the point of view he wishes to express. This can demonstrate CRS's willingness to give a presentation of one side or another—or both—on a controversial subject, provided it is labeled as such, and "by request," and only bona fide arguments and data are used.

In other words, CRS should have a small group of skilled "ghost-writers" with freedom to consult the specialists on the staff for the issues and content. Speeches to be given on the floor or before learned societies are probably best authored by the specialists themselves—with editing by the speechwriters. CRS should never lose sight of the fact that Congress has three functions: Legislation, oversight, and education of the public. Speeches are media for the third of these.

6. *Other special services.*—The graphic arts unit provides a useful service, especially to a Member who wants to make a presentation to a committee or small group. It creates charts, diagrams, maps, cartoons, et cetera. The Member is often expected to furnish the data, or it may be furnished by the CRS subject matter specialist.

The SDI's and major issue briefs are two almost universally acclaimed special services. The first service is bibliographical. It was originally provided to expedite the work of the CRS staff itself. It contains up-to-date card entries of all significant periodical articles, documents, and pamphlets on subjects of congressional interest. Each card has sufficient information so that a person can decide whether or not he wishes to read the whole article. These cards can be furnished under almost 200 broad topics—"bucket items"—or more precisely under any one of over 5,000 headings. They have become very popular with congressional committees in the fields of their jurisdiction; and also with Members any time they wish the latest on a specific subject. Senators may view them via Scorpio—video terminal—in their own offices at any time. They are also furnished to GAO, OTA, and CBO. Potentially they could become a Library of Congress service to the "knowledge community."

The second special service, major issue briefs—about 200 kept reasonably up to date—is widely used. If used correctly, the briefs would meet with virtually universal approval. To almost every user they are an excellent "starting point." On the other hand, the specialist—be he a Senator, a committee, or a staff member—often wants to know more about a specific aspect or issue or point in an argument. He should call the CRS at once and state his need. If his need is immediate, the response can be a "printout" of a given article, et cetera, on Scorpio; or a Xerox copy can be sent. If his wish is for CRS to prepare a special indepth report, this will take longer. He should specify his deadline and whether he would like to talk with the specialist chosen to handle it. Instead of the memo, he may want a conference on the subject with the specialist. For certain purposes the "major issues brief" is only a start: for other purposes it may be all that is needed. So as to make clear the availability of supplements, every issue brief furnished a congressional office should bear a stamp somewhat as follows:

Members, staff, or committees desiring a greater "in-depth" treatment of one or more aspects of this issue should contact CRS, and ask to speak with its author

or another specialist. After giving his deadline, he and the CRS representative should decide the best practicable fashion of meeting his needs. This may be printouts of particular articles cited, on Scorpio or, for permanent possession, by Xerox, or (if time allows) a tailormade report, or a conference or briefing. The CRS will make every effort to comply.

Few offices and few staff members realize the full scope of Scorpio. It is much more than a bill search or an instant "bill digest." It will produce the SDI's according to subject, as well as the issue briefs.

Each Senator and committee and subcommittee chairman should ask his administrative assistant or staff director to be certain that no requests should be made by staff, interns, or assistant to prepare term papers or theses. With the exponential increases in staff and interns (there are now about 18,000), not all of them understand this, and it is a problem which the CRS, in particular, cannot handle by itself. It is a serious enough problem to impair congressional work.

7. *Recommendations or neutrality?*—An issue that will crop up with GAO and OTA, and occurs also with CRS, is the extent to which recommendations can and should be made. With GAO they are authorized; with CRS they are forbidden. Probably this is as it should be—a member or committee may take a choice as to the agency. CRS will give one side—not for attribution, and certainly not without the disclaimer stamped on the cover, that, by request, it is one-sided. The arguments pro and con are clear. CRS makes no recommendations, because it serves all parties. Individual staff members have their own ideas, but work-reflected, intentional bias renders a staff member useless to the other side, and might well be cause for dismissal. Also, CRS might become a prisoner or defender of the recommendations made, even when they are no longer valid. That is the principal danger in the executive branch. When the GAO makes recommendations, it is only after the most thorough exploration. The critiques of programs have rarely if ever been faulted on the basis of facts. Enough leeway and depth are granted CRS, provided it advances all the options and identifies the reasons for differences of opinion as to the best choice. It need not take the "guts" out of a report—though it has been accused of doing so.

8. *Cross-cutting Efforts.*—Valiant efforts are being made—but the necessary priorities are not usually assigned—to set up teams or researchers from other disciplines to aid in a given project, so as to assure crosscutting research.

9. *How to secure the right person to handle a report.*—Much criticism centers around the difficulty of securing the right man to handle an inquiry, or even to talk with. Those who can "break through" the procedural and administrative barriers are high in their praise of the results. Sometimes the cause of the CRS resistance is shortage of staff, sometimes it is the "possessiveness" of a particular internal CRS unit (perhaps jealous of the senior specialist). The former reason is more frequent than the latter, but in any event the office seeking the contact might well be offered a briefing by the service—in person, by someone from its inquiry unit, as to how best to make an inquiry. It need not take long, and it could include, not only the Senator, but the entire office or committee staff. The latter may already have been briefed. In the end, personal relationships are most likely to be the key in a given field. These should not be overused. The obligation at the

congressional end is to confine such efforts to important inquiries or projects.

10. *Relations with the Library of Congress as a whole.*—Another smoldering question is the relationship of the CRS to the Library as a whole. Recently, the CRS has complained explicitly of the unsuitability of some enforced procedures, especially in personnel. Also it believes that it is seriously hampered in pushing for a larger travel allowance, so as to keep up more intimate relations with the "knowledge community" in the "think tanks" industry, the universities, and the meetings of professional associations outside of Washington.

On the other hand, the resources of the Library are really enormous and more readily available than to any outside agency. Its collections, its data banks, and with the new Madison Building, it is hoped, its space are monumental assets. Certainly spacewise, the CRS fares no worse than two recent creations directly under Congress, the OTA and the CBO. Capitol Hill is jammed. The prestige of the Library is very great. The Library is a symbol to Congress of integrity, nonpartisanship, and freedom from White House pressure. Unless and until the other role of the Library "as a national library" interferes with CRS, rather than strengthens it, it would appear that no change should be made.

11. *The senior specialists.*—There has been a notable ambivalence about the role of the senior specialist. Its original concept—and no good reason has been advanced to change it (except possibly in the case of those who are also division chiefs)—was not of an administrator, but of a top flight member of the knowledge community whose imagination was captured by the potential implicit in his position. He was deemed worthy to influence national policy through his reports, his aid to committees, and his clarifying consultations with members and staff—all within the orbit of his presentation of policy analyses without bias. Much of his influence would clearly depend upon his personal relationships, establishing confidence in his integrity, and in the absence on his part of any attempt to sell Congress a bill of goods. He should correctly also have reasonable access to classified material.

Incidentally, these ideals must also serve for other specialists in the Service and for the Service as a whole. Ideally the senior specialists should be housed in studies off the Divisions of greatest appropriateness, available for consultation, but not formal members of a particular division. They should constitute a Division of their own for mutual cultivation and sharing of skills, and for administrative purposes. Probably they are now numerous enough so that the Director of the Service can no longer serve as Chief. They should have a chief of their own—perhaps rotating the title from time to time among their own number.

Division Chiefs were originally named senior specialists so as to obtain the GS–17 Civil Service classification assigned. If this is still valid, and if they desire the prestige attached and can continue to do sufficient policy analysis work to justify the title, probably it should remain. This has some implications as to the position of Assistant Chief of a Division. He should not only be qualified to assign and review the reports prepared in his division, but also to replace its chief

(pro tem), if the latter is called on detail to serve a committee, or to head a temporary task force or to prepare an important report with a deadline. Perhaps he should be renamed Associate Chief, and be separated wholly from any one section within the Division—except that the chief might take advantage of his special skills to use him for review purposes of the reports in his special field. In any event the senior specialist—even when he is not a member of the subject area division—should be used in the qualitative training of the intermediate-grade researchers in reviewing a few of their reports.

12. *Internal remedies for the "fall short".*—We return again, finally, to the criticisms of CRS, especially of its "fall short" in anticipated aid to committees. What are the answers?

First, we shall examine what lies within the province of the CRS itself or the Library as a whole—those actions that do not require recommendations by the Commission on the Operation of the Senate or action by Congress.

There is a need for the appointment of a permanent CRS Director. The Acting Director seems to be doing magnificently, but the erosion of his own potential and the effect of uncertainty on the morale of the Service as a whole are steadily sapping his strength.

Next in order is a firm establishment of a priority for policy analysis for committees. This apparently calls for a kind of flexibile, tripartite assignment of staff—at least until the staff is built up to a size adequate to meet all the demands upon it.

It should be assumed that senior specialists (apart from Division Chiefs) should be assigned wholly to policy analyses, consultations, and committee service. Incidental service in aiding more junior researchers or in answering spot telephone inquiries can be worked in, but the first of these two should be only at stated times. When other researchers are assigned similar work or named to a task force, they should be given similar immunity, at least for half or full-day intervals adequate to meet the deadline of the prior inquiry. Some senior specialists wish to be informed of (but not handle) all inquiries from relevant committees. Some inquiries might actually be more important than the assigner realizes.

When senior specialists or other researchers with the requisite ability find themselves without immediate policy analyis work, especially during congressional recesses, they should be assigned (or ask to be assigned) to anticipatory projects. These will have the enormous advantage of being ready to meet committee or member deadlines.

Spacewise, task forces must have a room or rooms earmarked for them—again, in the Madison Building. The task force will be a principal instrument of crosscutting analysis.

The review process in the CRS demands reconsideration. It is probable that the central office should confine its review to hot issues, or to important reports reviewed by new and untried section and division chiefs, and to new senior specialists. It must operate efficiently. In general, the higher the level of the specialist, the accuracy of the content should not be questioned, but only the acceptability of the product. The Service should be so organized that review by a Division or section chief is qualitatively adequate. If there is a pattern of inadequacy, the person should be relieved of supervisory responsibility.

Another recommendation is to eliminate the intricacies of much of the reporting. Apart from counting inquiries and recording the major ones in the research notification system, the reporting objective would be almost as well-served statistically by confining the divisional and individual recordkeeping to a typical month and multiplying by 12.

The Library—especially the personnel office—owes it to the Service to act promptly. Unless this can be done, CRS should perhaps have its own personnel office. The Librarian will doubtless make it clear to the Director as to any key appointments or decisions concerning which he wishes to be consulted.

The Administrative Officer of the Service, and the Director, if necessary, should make it their responsibility to see that high-salaried specialists are given adequate clerical and messenger support. Senior specialists who wish to do their own typing should be given good typewriters. They should also have a research assistant, if they wish—but they should be willing to release him after 2 years to an appropriate division, if the latter wishes it, so as to put him more in line for a promotion.

There are tensions and jealousies within the Service. It should be the Director's or Division Chief's responsibility to eliminate these. At one time, it was an unwritten prerequisite for anyone appointed to the Service that he should have a record of disinterested community or other service. This did much to create a staff relatively unsusceptible to jealousies and frictions, and to promote dedication and teamplay. This should be reinstituted as a prerequisite.

The building up of a professional attitude leaves something to be desired. Carpools may require an end-of-the-day rush, but a true professional will not begrudge the time to finish his job. An informal compensatory leave proviso may encourage this, if the overtime exceeds 1 hour in any 1 day.

It would also be wise—imperative in the case of senior specialists—that his earlier writing be checked for a prospective appointee's ability to state, fairly, positions on issues with which he does not agree.

13. *Basic staff needs.*—There would appear to be a very considerable increase in staff—probably needed at all levels. Senior specialists should be adequate in number to do policy analysis for all committees wishing it. Grades GS–14 to 16 may absorb some of this. They may also give priority to Members wishing to make important uses of such analyses.

Lower grades should be increased to take up the workload needed to release the upper grades for important committee and Member work. When it is realized that the usual major inquiry in CRS costs under $10,000; in the GAO, about $30,000; in the OTA, over $100,000—and that committees expect a quality job from CRS also—there is room for a substantial increase in staff. The rate could be as much as 15 percent a year, spread over 4 years to give time for careful selection, and for CRS to establish its priorities and emphasize excellence. The cost at present rates of salary would approximate $3 million more each year. The expansion is justified, not by an increase in the number of inquiries to be handled, although such increases seem to continue, but by a heightening quality of response until it reaches an acceptable level.

B. The General Accounting Office

1. *Introduction.*—The General Accounting Office is the finest instrument in any nation in the world to serve as watchdog over a bureaucracy and enable its parliament or legislature to keep it under control—if GAO wills to do so. It does this by what it calls its audits and the evaluations that are an essential part of an audit. For important or major inquiries, it is called upon more than any other support agency. The portion of its budget devoted to congressional work exceeds the budgets of the other three agencies combined.

2. *Audits.*—The concept "audit" has a specialized and extended meaning when used by GAO. It goes far beyond a mere examination of an agency's accounts for legality, honesty, accuracy, and format. It studies the efficiency and economy of operations. It reviews results in the light of legislative objectives. It includes alternative methods for attaining these objectives, their secondary effects, and reconsideration in the light of experience. Program evaluation is an essential part of every GAO audit, including what has happened and why, together with future options and their implications.

Congress has authorized this activity and appropriated for it, although its recent upsurge dates from the 1970 Congressional Reorganization Act and the 1974 Budget and Impoundment Act. During fiscal year 1975, there were 1,177 audit reports—199 to Congress under statute, 178 for committees, and 255 for Members on request. The remaining 545 were self-initiated. GAO's policy board selects the audits to be made, including those for Congress, most of whose requests are honored. Other major factors in selection, especially in the self-initiated audits, are current or eventual importance (especially to Congress), some degree of rotation, relative newness of program, or an indication that all may not be well in a particular agency. All self-audit systems of agencies must eventually be approved by GAO. I recommend that the confidentiality attending certain requested reports be given a terminal limit.

Separation of powers works best if means are at hand, as in this case, to hold each branch of Government responsible to its coequals. It is therefore reassuring to Congress to know that GAO exists and is on the job.

There is, however, another aspect of GAO that does not sit so well with many Members. Scattered throughout Congress, especially in its subcommittees, are groups of Members responsible for establishing in the first place a particular executive unit or a particular program. It follows more or less naturally that these Members become the unit's or the program's protectors. Thus is created the "Government by whirlpools" or subsystems, which include the relevant lobbyists, the unit's clienteles, as well as the unit itself and the group of member-protectors.

To all this, the GAO constitutes a threat, and many of the subcommittees or committees or Members will not ask for an audit unless they believe the findings will coincide with their own desires. If the results do not so coincide, the report may be withheld from the public and the GAO may become a political target. It will be charged with exceeding its established mission, with "manufacturing" work to "keep itself busy," with "going off on its own tangents." The whole program evaluation activity becomes "terrible," "too aggressive," "do-

ing only what they want to do," "unsatisfactory." Not all these criticisms are traceable to the desire to protect an agency or a program, of course.

One staff director commented that the thoroughness of the audit depended upon the competence of the particular group to which it was assigned in GAO. Another type of criticism that surfaced occasionally was of the "accountant mentality" in dealing with programs affecting human beings. This attitude may originate in the preponderance of accountants in key positions. Almost no sociologists, psychologists, social workers are on the staff. The GAO should make more of an effort to have an authority on social indicators as a participant in relevant audits. The agency often appears unable to evaluate results in terms of human beings—improvement in reading ability, better housing, care for the mentally handicapped. Audits of legislation, programs, agencies, must reflect an awareness that good legislation must take into account the behavior of people. The accountant pervasiveness is a factor creating difficulties in recruiting first-rate staff from other fields. It also is responsible for some internal friction.

3. *The problem of timeliness.*—Perhaps the most frequently heard complaint was that requests from Congress took far too long for a reply, so that when the reply finally did come, it was often too late to be of much use. The GAO is trying to shorten the review process, for example, but the criticism still lingers. Perhaps the device of an interim report to the requestor might be tried. One staff director says that if his committee borrows a GAO man for a temporary task, he can finish it in a month. If GAO is asked to do the same job, it takes 4 months.

The converse of this criticism is found in the fact that a substantial number of clients (though not all) pay tribute to the GAO's thoroughness, to the fact that the data in an audit are rarely challenged, to the agency's desire to be nonpolitical, and to the excellent overall rating given in most responses. In a few instances, the agency is faulted for being overcautious in including material that might offend or in watering down its language. It also gives an executive agency a chance to remedy a flaw; and, if the agency does so, the matter is usually omitted from GAO's published audit. It is accused of being reluctant to use its authority to disallow illegal payments. It is alleged that it waits too long to complain to a committee if it is denied material relevant to that committee's request.

Without an intimate, first-hand knowledge of the factors, it is perhaps presumptuous for an outsider to suggest a remedy for GAO's "slowness." Apart from speeding up clearances, there would appear to be other options open—concentration of staff to meet inquiries as they come in, "preliminary" reports with cautions and disclaimers attached, and higher priorities for meeting important deadlines.

4. *Other Aids to Congress.*—Many of GAO's activities for Congress seem to call forth nothing but praise—its issue papers, its assistance on request in organizing hearings, its comments on proposed legislation, its numerous appearances before committees, its consultations, its legislative histories, its assistance in clarifying budgetary terminology and categories, the lists it furnishes of its reports.

Its field offices have given excellent help in responding to requests for local reports or investigations.

In general, GAO receives the largest number of requests from the Appropriations and the Government Operations Committees and subcommittees. A noteworthy (chiefly self-initiated) series is its audits of various weapons systems. GAO has done or is doing 127 of these; CBO, 4; CRS, 3; OTA, 0. In other words, the GAO would appear to be, by all odds, the most involved support agency in analyzing the whole defense area. Similarly, their issue paper on the fast breeder reactor is a model of its kind (the sixth in this particular series on the subject). It asks the right questions, presents the major problems, makes use of excellent consultants. It is cautious as to conclusions, but notes that it should be considered in an R. & D. context.

However, much resentment may be festering in certain quarters; Congress as a whole seems to be finding the GAO far too useful in its legislative, oversight, and appropriations functions to repeal the authorizations under which it conducts the controversial audits. Those who say that GAO is exceeding its contemporary mission seem not to have read the relevant acts. The need for independence is paralleled by those State and local governments who seek the same end through direct popular election of their comptroller.

5. *GAO and CRS overlap.*—Two other problems should be noted. One staff director stated that jurisdictional lines between CRS and GAO never will be cleared up. However much each may try to stake out its own claims and recognize the jurisdiction of the other agency, it is difficult for either to say "no" to a member of a committee so long as their legislative authorizations so overlap. The sheer accident of which agency a new member first happens to ask for a significant report, and is then satisfied, may fix that agency in his mind as appropriate in the future for almost anything. Perhaps this is not too serious; each of these two agencies always checks with the other before commencing work on any inquiry of any length. (See pp. 104 for staffs and usage.) The two agencies are now in a highly cooperative mood. This leads me to the recommendation that in most audits, the GAO should ask the CRS to do a chapter on the printed, intelligent judgments on the unit or program being audited or evaluated. CRS might also contribute lists of organizations opposing or supporting the program in question. (See p. 107 for more examples of cooperation.)

6. *Some administrative comments.*—Because the House Commission on Information and Facilities (see p. 113) is contemplating a thorough administrative study of GAO, this present report will offer only a few comments. "Bureaucracy" is often a charge hurled at GAO. Probably the extensive delays and clearance processes, an overcautious attitude, or merely a complex organization are what is meant. There are many GAO divisions, mostly on a subject matter basis. A Division of Special Programs permits changes in emphasis from time to time. There is considerable flexibility in assignments. The staff is a large one—over 5,000—and the training program is intelligently developed.

7. *Non-congressional services.*—The GAO performs a number of services apart from responding to specific congressional requests. These and its self-initiated audits raise a question as to whether it is, in fact, a congressional or an independent agency.

When it audits an agency, it asks the agency for criticism of the audit within 80 days. The self-initiated audits are brought to the attention of Congress in the lists of the annual report, informally, and

(most of them) in the circulated monthly lists. If classified material is involved, a digest, minus such material, is available and is included in the list.

It publishes in its annual report lists of the economies for which its work has been responsible. The Appropriation Committees, if they are not already doing so, might ask for, or look for, the effect of economies in the various budget submissions by the agencies. Do they follow through? GAO usually does not.

The GAO aims at adaptable, fairly uniform systems of accounting throughout the Government, and has authority to approve or disapprove. It favors agencies setting up their own audit and evaluation units, helps them in this, and surveys them from time to time to see whether they have fallen victim to the temptation of self-serving.

In cooperation with the OMB, the Treasury, and the Appropriations and Budget Committees, GAO works on the multiplicity of problems involved in developing terminologies with uniform meanings.

Under the Budget and Impoundment Act of 1974, it serves as watchdog. It is charged with the evaluation of impoundments and deferrals, and with reporting these to Congress for final decision. At the request of Congress, it examined all the annual reports required by statute, and it recommended the elimination of a substantial number as relatively useless.

During fiscal year 1975 GAO settled 9,980 claims against the Federal Government and took actions resulting in the collection of $5.3 million owing the Government.

All these functions and audits not specifically requested by Congress give rise at times to congressional feelings of GAO's divided loyalty—or conjectures of an independent agency. It is not enough to say that Congress passed the laws directing GAO's workings. What is really important is that the overwhelming majority of these activities have built up an entree to the agencies, a knowledge of their activities and procedures, which are directly beneficial to the GAO in responding to later congressional requests for reports, audits, or testimony. In addition, a quantity of information is acquired in the process, much of which is brought to the attention of Congress almost immediately. In these respects, as well as in its general accountability to Congress and freedom from Executive control, its claim that it is an arm of Congress is amply sustainable.

A tremendous potential challenge to GAO and the other three agencies may be in the offing under the proposed "sunset" law. If every agency and program is automatically to be terminated, unless its continuance can be justified, Congress will need all the help it can command for the anticipated flood of resulting evaluations.

C. The Office of Technology Assessment

1. *Overview.*—The Office of Technology Assessment is one of the two new support agencies of Congress. CBO is the newest. Among the four support agencies, OTA is the deluxe agency in its ratio of financing to workload. Its major reports cost at least three or four times as much as GAO's and perhaps 15 times as much as CRS's. This is not necessarily to be criticized, but it does deserve thorough exploration. It may actually merit praise.

In part this higher cost is because of OTA's newness. In part it is because CRS has developed extremely efficient, mass-produced econ-

omies in the support of its research staff. GAO has a background of years of "audit" of agencies and programs, which gives it a know-how that is invaluable. In part it is because, of the four agencies, OTA makes the most extensive use of contracts and panels of outside experts. These—especially the latter—add to its credibility. Both are relatively expensive, perhaps two or more times the cost of equivalent in-house competence, were that available. Such competence could only be acquired by a quantum leap in the size of the top-level staff of OTA itself. In commenting upon the relative cost of contract work, a veteran CRS division chief said that the most expensive inquiry he had ever handled—even with his assistance and overhead added—could not have cost more than $116,000. Had it been contracted out, it would have cost $500,000 to $1 million. Even then, the contractor could not have used the classified material available to the division chief who was then senior specialist with clearance.

The House Commission on Information and Facilities pointed out that there were serious administrative flaws in OTA's organization and procedures. These probably also contributed to its high cost.

2. *A model report.*—On the other hand, a strong case can be made that some of the recent OTA reports have been well worth all they cost and more. The second (and thorough) analysis of the ERDA plan and program (October 1975) is a model for any agency in format and content. It asks the right questions, identifies the right issues, provides an expert panoply of criticisms, and feeds well into the mainstream of congressional oversight and action. It had a marked impact on the Energy Research and Development Administration itself. Its format combines the brief summary and the intensive analysis. Similar praise is due to OTA's series on Urban Mass Transit.

3. *The problem of limited use.*—Nevertheless, the responses to questionnaires and interviews present the picture of an agency which has not yet established itself.

Only 5 out of 22 Senators' offices queried have used OTA; only 6 committees and subcommittees out of 26 queried. Apparently few, if any, of the offices are aware that the agency only takes requests from committees, and even committee inquiries are strictly rationed by its Board or screened, so that the agency will do only what it can do, omit the trivial, meet its deadlines, and maintain its standards. This is commendable.

Unfavorable comments cluster around two or three points. "Not the slightest idea what it does" is the extreme statement of doubt as to how or whether to use it. "Never heard of it" was another extreme comment. OTA is probably afraid that if it publicizes its services, it cannot begin to meet the demands. More serious was the chorused comment of two staff directors of Senate committees who might well have been expected to be among its heaviest and most intelligent users: "Not satisfactory." Other unfavorable comments: "Competes with CRS" (more of this presently); "slow and cautious" (a compliment?); "no response after a 2-year-old request" from an important joint committee; two critics charged "bias"; "little or no value to minority"; has become "political"; and the most frequent charge, "serves only its Board members." On the record, in 1973–74, out of 54 requests, 37 were from committees with one or more members on the Board. Since then, the agency has tried to shed this image.

4. *Ambiguity as to mission.*—In a sense, OTA is a prisoner of its title. Not even its staff can agree on a definition of "technology assessment." One staff member sees it as a congressional "think tank" in any field. This assessment of the assessors, of course, challenges the other agencies, and would relegate them to a definitely lower level. A narrower view would stress the future impact of technological change, and the options open. Congressional perception is inclined to emphasize the concept of "technology," and to use it as an aid in immediate as well as future problems of this nature. This "immediacy" is the enemy of the "futurist."

In any event, OTA should make up its mind and seek legislative authorization for an explicit definition of its role. As matters now stand there is a clear perception of duplication of role (but not of reports) between the Science Policy Research Division of CRS and OTA. The latter would probably claim a difference in method and depth, which the former would challenge. Certainly OTA makes a much greater use of panels and contracts with outside experts, with the attendant costs. It also calls on CRS specialists to serve on panels, to review its reports, and to perform considerable substantive work—which its enabling act authorizes it to do.

The GAO reports an unwillingness on the part of OTA to check with the other agencies prior to its Board accepting an assignment, but no recent duplication is charged.

Comments from Senators and committees using OTA (see p. 146) are much more favorable, although the numbers are small. Reports are "well received and well defined"; "the most valuable support agency" (a Board member); "clear image"; and "uses it and results are good" (both from Board members).

5. *Other comments from congressional sources.*—Other comments: "responsible for early warning"; "probably have not used it sufficiently"; "Board should be responsible for priorities, but information should be generally available" (it is); "depends on the merit of the person handling it" (a report); "should provide Congress with periodic reports of work in progress."

There were a number of criticisms of OTA's administration, which are not necessary to repeat here. They may be found in the thorough report of the House Commission on Information and Facilities. Many of them stem from the fact that—unlike CRS, GAO, and, to some extent, CBO—OTA is not a large enough organization to warrant much of an administrative superstructure. Actually, GAO has been most cooperative, and has undertaken much of OTA's bookkeeping.

One item calls for comment. Each Board member is allowed to designate a liaison person who then goes on OTA's payroll, often at the maximum allowable salary. The liaison function is not time-consuming enough by itself to keep the person busy. The remainder of his time is then spent in the Member's office, or he is assigned further duties in OTA. In either event, this raises a serious question in the anomalies created. No politically practicable remedy seems readily available, unless the Board members would accept as a substitute a congressional liaison unit of two to four persons engaged by OTA for this and other congressionally-related purposes. Such persons could

be "on call" by the Board members, draw up summaries of Board meetings and interim OTA activity, etc.

6. *Procedural strengths.*—There is a reasonableness about OTA procedures, especially in its use of panels of consultants, that might well be followed more extensively by the other agencies. Top-flight panels are normally used at two stages, in the formulation of the research design, and again as critics of the first draft of the report itself. The panels are usually selected so as to express divergent points of view in the scientific community, and also to represent interested parties on all sides. All panelists are distinguished in their respective spheres. Members of the committee staff or staffs also sit in. The OTA is correct in thinking that, if congressional committees reach the stage of holding hearings on the subject in question, the OTA report will have included the core points of view of these diverse experts. This will greatly advance OTA's own credibility, even though a witness may regret that the options presented also include others as well as his own.

A better integration of OTA's Advisory Council in tapping the knowledge community is an obvious suggestion.

7. *Contracts.*—OTA's reliance on contracts is highly expensive, and experience with the acceptability of the end product is not uniform. Alternatives are to add temporary or permanent staff, borrow (with reimbursement) staff from other agencies, or utilize the task force idea already suggested (see p. 111).

8. *Strength in priorities.*—OTA is also to be commended for giving a degree of priority to requests that can utilize its earlier experience, or which follow naturally from its earlier reports; also for its efforts at widening the committee clienteles for particular reports. It should be noted that one commentator said that this latter practice was unfortunately at the expense of the point of the original request. The new research and development project will add to OTA's competence in handling many future reports.

9. *Future options for OTA.*—What is to be, or should be, the future of OTA? Clearly most committees, if not individual Senators, will want the type of service OTA gives. Should it broaden its base and enlarge its staff so as to handle all inquiries in which depth, cross-cutting, impact, options, predictions, science (including all the social sciences), the use of numerous panelists, are justified? Can it bear this much weight at least without drastic modifications? Should a series of OTA's be developed for each committee jurisdiction—or for clusters of committees?

There are other possibilities. CRS, for example, has the authorization to do the same type of report that OTA produces. Can CRS release enough of its present staff to meet such a potential demand? Probably not. Should its staff be increased?

(A more modest pilot project might be to equip either the CRS Foreign Affairs and Defense Division or its Environmental Policy Division with the necessary resources in manpower and funds for consultants and contracts. An appropriate congressional committee might be formed to screen the important requests and protect enough of the enlarged staff so as to carry out such a mission.)

Another possibility would be to house the OTA in the Madison Building when it opens, placing it next to the CRS Science Policy

Research Division, and have each share the other's library, files, computer services, data banks. Temporary exchanges of personnel might give many of the advantages of a pooled staff.

Would it therefore at some time appear logical to combine the two (retaining the OTA Board and Council), while constituting the new and enlarged unit as the Division of Science Policy and Assessment in the CRS? This raises a number of questions, but it also answers a number. The transformed OTA would then have the central administrative and personnel services of CRS as well as its tremendously rich tools and library.

While the OTA Board appears to be its staunch defender and to furnish the major part of its clientele, the OTA staff seems neither as yet understood nor to have commended itself to most of Congress. Congress will probably give it time to work out its problems, but there may be a better way to attain the same worthy purposes responsible for its formation in the first place. Its techniques have much to commend them, especially in crosscutting analysis and in entree into the knowledge community to tap its resources. These should not be lost.

D. The Congressional Budget Office

1. *The new congressional budget.*—This newest of the support agencies may well become the most controversial. The timetable set up for congressional budget action, and the sanctions contained in the act establishing such a budget, at some point or another challenge almost the entire previously existing power structure of Congress. The earlier attempt to establish such a budgetwas aborted. However, the structure supporting this second try is far stronger. The backing of public opinion is very strong in its desire to see Congress move away from what many regard, rightly or wrongly, as fragmented and irresponsible action in the spending, taxation, and deficit fields. The budget is a test case. Its preliminary dry run for fiscal year 1976 was successful.

Already the Congressional Budget Office has run up against jurisdictional jealousies. Many in the House power structure were less than enthusiastic in the first place. Many of the standing committees regard CBO as a threat to them. This lies in its function of second guessing the cost data (first year and for 5 years) now required by statute of all committees proposing new legislation which adds to Federal functions.

2. *Support of CBO by the Budget Committees.*—Yet the respective chairmen of the Budget Committees [Muskie in the Senate, Adams in the House] have given the whole idea strong, and up to now, effective support. In this, insofar as the CBO has figured in the discussion, they have been greatly aided by the feeling (also seen in many of the questionnaires returned by the committee staff directors and Members' offices) that as a new agency it should be given a considerable time to prove itself. Some typical quotes: "trying to find its way"; "too recent to evaluate"; "settling down"; "cost analyses improving"; "not yet fully satisfactory"; "improving very nicely."

3. *Responses to questionnaires.*—The questionnaires and interviews in the present study contained an ample number of fairly specific comments as well—both favorable and unfavorable.

On the favorable side: "perfect work in record time"; "helpful in small requests"; "publications very useful"; "useful outlay estimates"; "evaluations satisfactory"; "valiant efforts"; "excellently used."

On the unfavorable side (approximately an equal number) : "Out of its depth"; "unclear in presenting material"; "alternatives presented in agriculture and defense useless"; "can't get much from them yet"; "have not informed standing committees of how the latter should carry out their requirements"; "functional categories too broad to be useful"; "overlaps CRS"; "when in a sensitive area, should stick to budgetary matters"; "sometimes difficult to find the particular expert."

4. *Why the unfavorable responses?*—Three factors would appear to explain most (but not all) of the unfavorable criticism: The newness of the agency and its threat to existing power structures (notably the standing committees) are two. The third factor is the priorities for CBO's services assigned by the Budget and Impoundment Act itself (see p. 101). By statute, the two Budget Committees are (or should be) served first. The Director of CBO theoretically reserves the right to decide whether or not to accept a given inquiry even from one of the Budget Committees. To say the least, this is unwise and probably untenable. Many Senators do not understand that, as individuals, they are at the bottom of the totem pole. They do not grasp the fact that the CBO believes that committee and self-initiated work will (for the present at least) occupy all its time. This will be especially true as the CBO attempts (as it should) to get more and more into the area of options and (perhaps) evaluations thereof. It may be wise, for the present, to leave the evaluation of options to the Budget Committees. These options are likely to be highly political, and the injured Members and committees will be seeking scapegoats if favored existing programs are threatened by new options. The CBO is presumed to be nonpolitical and nonpartisan, and, in this, the Budget Committees owe it protection by taking the heat as regards recommendations, which are the committees' responsibility.

5. *The CBO's responsibilities.*—In connection with the specific responsibilities for which the CBO should staff a list is in order. First, there is the preparation of the annual handbook (not later than April 1) containing an analysis of options in expenditures and revenues. This is designed to aid Congress during the spring in setting targets for the next fiscal year in these matters—with the attendant deficit or surplus. The CBO's document was ready this year on March 15.

In the second place, once these targets are fixed, the CBO is to keep Congress constantly informed of changes, legislatively and in the economy, that would affect these targets. This is the so-called scorekeeping function. To help them do this, there is the statutory requirement that standing committees reporting out a measure must include its cost or expected revenue (or, in the case of "tax expenditures,' its loss of revenue) for the first fiscal year and for the next 5 years The CBO audits and reports its findings on these estimates. Preferably it seeks a consensus with the standing committee for an agreed upon figure, prior to the reporting of a bill. In any event, it is the CBO's figure that goes into the scorekeeping.

At the start of each fiscal year, the CBO is charged with providing Congress with 5-year projections on the costs of continuing Federal spending for its current functions at their current levels, and on the revenue trends based on existing tax law.

6. *Duplications.*—In the light of the number of "locales" in Congress where there is a concentration of professional staff dealing with

budgetary matters, a genuine problem of duplication arises. The two most noticeable areas are (1) estimating revenues and "tax expenditures," and (2) estimating the probable state of the economy in the next fiscal year and for 5 years ahead. The CBO maintains two divisions that undertake the analysis of these two highly important items: tax analysis and fiscal analysis. Tax analysis duplicates the work of the large staff of the Joint Committee on Internal Revenue Taxation for the Ways and Means and Finance Committees. (There are also the Treasury estimates from the executive branch.) The Joint Committee's staff has an excellent record in forecasting revenue yields. The question of why the CBO should "second-guess" them is something to which Congress might well direct its attention. It would seem as though a first-class staff man attached to the office of the CBO Director would be adequate to raise questions as to "Christmas tree" and other aspects of tax expenditures. He would also respond effectively to any questions that either of the Budget Committees might raise as to the Joint Committee on Internal Revenue Taxation's calculations.

Concerning the probable "state of the economy" in the future, Congress maintains the Joint Economic Committee with an excellent professional staff for the purpose of forecasting. Here again, a single staff specialist would appear to be adequate to advise the CBO Director as to the assumptions underlying any differences between the Joint Economic Committee's predictions and those of the President's Council of Economic Advisers. With "tie-ins" to the computerized models of the Wharton School, the Chase Econometric, Data Resources, Inc., and others, the CBO specialist could ascertain the range of predictions, using various assumptions as to the years ahead.

Staff thereby released could be used in strengthening the other divisions (especially in defense expenditure forecasting). Excess inquiries from other committees could be routed to either GAO or CRS. As a matter of fact, GAO has been making "audits" for many years of the various "weapons systems," but these have apparently not yet been reflected in CBO's documents.

What other opportunities may exist to eliminate duplication and promote cooperation could be determined by a few conferences of a group made up of the Director or Deputy Director of the CBO; the chiefs of staff of the two Appropriations Committees, the Budget Committees, the Ways and Means and Finance Committees, and Joint Committee on Internal Revenue Taxation; Philip Hughes (the Assistant Director of GAO); and Allen Schick (senior specialist in fiscal policy of the CRS). This might eventually appear as a permanent coordinating committee.

7. *Other studies.*—The CBO also undertakes studies for Congress on budget-related issues. Most of these are for the Budget Committees, with their priority claim, but other committees also use the CBO for this purpose.

In the course of preparation of this report, suggestions have appeared that the CBO should step up its studies of the consequences of selection of differing national priorities, that it should institute a study of the effect of introducing regional pay scales, and that it should undertake a study of the use made of "supplementals" in the past.

The CBO and the Budget Committees have in them much of the potential of a "strong Congress facing a strong President"—in which situation our Nation is likely to be best governed.

8. *Dangers to the congressional budget.*—What are the opportunities to sabotage or erode the congressional budget? From the executive branch, impoundment is a danger, but Congress has already taken steps to counter such a move when it seems appropriate. Apart from vendettas or revolt by other standing committees, the Budget Committees will be faced with the temptations of overestimating revenues, underestimating entitlements, adding supplementals without assuring additional revenues. The CBO can help ease all these problems by pointing up the issues. This is its principal function in any event. At present, the Senate Finance and Budget Committees are engaged in a struggle concerning the estimates of important revenues and tax expenditures in the tax reform bill.

Administratively, the CBO will have two peakloads, apart from special reports: (1) the preparation of Budget options, especially during the first quarter, and (2) the summer work necessary in cooperating with the Budget Committees in preparation for their final deadline of September.

In staff management, once CBO's staff is stabilized, opportunities for interchange should be sought with the staffs of the Budget Committees and the GAO, among others. There is already evidence of internal friction between the CBO's fiscal divisions and the program divisions.

9. *Conclusion.*—Finally, a tribute is due the CBO, not only for its survival, but even more for its increasingly useful role. It has brought alive in the thinking of Congress some concepts, not exactly new, but new in the attention given them: current policy budget, the 5-year projection, tax expenditures, scorekeeping, priorities, bill costing. Eventually, it may call into question—or in option—entitlements, existing programs. In these, GAO, with its evaluative or audit potential, can be CBO's most supportive partner.

Summary

Senators, committees, and their staffs are too varied for any one approach to their desires for information and analysis. The only common elements are the desires for quick response, accuracy, and the need for surrogates as timesavers. Among some there is evident a desire for deeper analysis, options, knowledge of long-range effects of proposals and policies, early warning of crises, a sense that important problems are too complex for simple answers.

The support agencies are but one among many sources to which the Senate can turn for help. From these agencies, Senators want parity with the executive branch in knowledge. They expect from the support agencies (except GAO) not much original research, but rather the analysis of the research done by others.

The Senate's four support agencies—CRS, GAO, OTA, CBO—have specialties, but they also overlap. CBO and OTA serve committees only. The other two also serve the individual Senator. CRS will accept almost any inquiry. Hence, it receives by far the largest number. GAO is at its best in evaluating (it calls it auditing) a program already in existence. It has the largest staff and does the most "in-depth" studies. OTA centers its attention on the impact of science, and focuses on technology, current and long-range. OTA is aided in this by the largest number of consultants and contractors compared with the other agen-

cies. Its few reports are costly but thorough. CBO is the principal analytic arm of the new congressional budget process.

The overlap is under control as regards duplication. It does present confusion in selecting an agency for a particular assignment. Clarification is needed. Deadlines are a problem.

The combined competencies of the four staffs are impressive. The staffs should enlarge their area of cooperation to include joint task forces for some major projects. Salaries are adequate. Recruiting and staff training are reasonably adequate in the CRS and GAO. All four utilize modern technology. Priorities in all four are reasonable, but CRS should give more attention to policy analysis for committees. Its work varies in quality because of its workload. GAO's principal problem is responses delayed till after the time of their maximum usefulness. The other two agencies are too new to be authoritatively judged.

For the most part, the Senators and the committees are fairly well satisfied with the services rendered, but some important "fall shorts" are evident. OTA is uncertain as to its mission, but it has succeeded in enlisting the aid of "the knowledge community." CRS has frequently not had adequate staffing to live up to expectations. CBO has areas in which it duplicates already established joint committee staffs.

The potential is present for more crosscutting studies, especially if the four agenceis will pool their resources and work more closely with the party leadership. Will Congress use such studies, or is its committee system too fragmented?

Recommendations [1]

1. Establish the position of a Coordinator of Research (for background, see report pp.111f). A further move, tying interagency cooperation directly into the party leaderships, would be to charge the Coordinator of Research with chairing the present Research Notification System (to be renamed Research Coordinating Council) and to act, not so much as a watchdog and neutral adjudicator, but as an activator of cooperation of the types earlier mentioned.

The coordinator would preside over the RCC, and would have a casting or even a decisive vote in selecting a task force director—usually (but not necessarily) from one of the four agencies. To direct a given task force, someone might, under certain circumstances. be drafted from the professional staff of a committee or recalled from among retired analysts, et cetera. To the director would be assigned the request or inquiry. He would be the point of contact with the congressional unit making the request, or with the RCC if the request were self-initiated. In any event, one of the four agencies would be charged with the housekeeping, supervisory, and (ultimately) the clearance functions of the task force. If the director were drawn from one of the agencies, that would be the agency normally responsible. The richness and variety of personnel of each of the four agencies is such that it is reasonable to expect a not too even distribution of these types of responsibility. (N.b. The time cycle of the CBO may be a

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[1] The report has many other recommendations directed at the agencies themselves, and lying within their power to translate into action. Reactions to such specific proposals on the part of the Commission would be welcome. The ones that follow require changes in the law or appropriations.

limiting factor in the selection of one of its staff as a task force director.)

The RCC would also continue its present functions of avoiding duplication of effort and securing interagency cooperation in connection with lesser research projects.

Obviously, the coordinator must be a man of the very highest competence, a skilled negotiator (and not a czar), one with a wide knowledge of public affairs, especially their frontiers, and holding the confidence of Congress. Beyond a secretary and an administrative assistant, he should have no staff, at least initially. Eventually, he might direct a consolidated data bank of qualified consultants or panelists, or he might use the files of the National Science Foundation, the National Research Council, et cetera, but this speculation is premature. An alternative would be to adopt the suggestion of Prof. James Carroll to constitute an Institute from the four agencies. It could reimburse the respective agencies for loans of their staff.

The coordinator would be appointed by a committee of four, consisting of the majority and minority leaders of both Houses. (In the event of dispute, an affirmative vote of three of the four would be needed.) His termination would require the assent of one leader of each party and one leader in each House. He should serve as a constructive force, a negotiator, especially so as to secure party leadership support for the cooperative efforts of the agencies and committees, particularly in their crosscutting aspects. He should satisfy himself, before the setting up of a task force, that its end product will stand a reasonable chance of becoming legislatively significant. If Congress would set up study groups from among its own membership—preferably from relevant committees in both Houses—this would greatly strengthen an agency's task force in the field of its study. It would add the prestige of the study groups, and the committees represented thereon, to that of the leadership.

The first joint projects should be carefully observed to uncover inherent difficulties which the coordinator of research might aid in resolving.

2. See that a consolidated handbook is prepared for congressional office use, dealing with the problem of the appropriate use of the several support agencies. (For background, see pp. 105f of this report.)

3. Recommend that no more support agencies be established until the existing agencies have had the opportunity to demonstrate their potential. (For background, see pp. 109f of this report.)

4. Retain CRS's connection with the Library of Congress, with certain central services of the Library more efficiently rendered. (For background, see p. 123 of this report.)

5. Support a considerable increase in staff for the Congressional Research Service. (For background, see p. 125 of this report.) Failing this, Congress should establish a board (rotating), similar to OTA's, to whom the director might refer important questions of priority.

6. Select from the options (on page 132) the one that, in the opinion of the Commission, will best attain the congressional objective in setting up OTA. Two options in particular are important for consideration: (a) Recommend a pilot project in CRS in another field to ful-

fill objectives parallel to OTA in their field (see p. 132); (b) integrate the OTA more or less closely with the Science Policy Research Division of CRS (suboptions under this heading are noted on pp. 132f.) At a minimum, house the OTA next to the SPRD in the new Madison Building, so that it might utilize the files and other resources of CRS and the Library of Congress. Eventually, the two might well merge and become the Science Policy and Assessment Division of CRS. The Congressional Board of OTA and its Advisory Council and many of OTA's techniques would be retained. Perhaps membership on the board should be rotated among the most relevant committees.

The author of this report recommends very strongly both options (a) and (b).

7. If OTA is to remain a permanently separate agency, it should confine its reports to those with a strong technological component. Moreover, the majority of reports should be anticipatory or futurist, and not merely in response to a current crisis. This was at the heart of the Technology Assessment Act's original intent.

8. Recommend to the Finance, Budget, and Appropriations Committees of the Senate that the CBO substitute for CBO's own in-house competence—in forecasting revenues and the state of the economy—the established congressional units in the Joint Committee on Internal Revenue Taxation and the Joint Economic Committee, checked by forecasts elsewhere in the executive branch and private computerized models. A single staff member for each area should be adequate for CBO. (For background, see this report, pp. 134f.)

SEPTEMBER 1976.

APPENDIX I

MAJOR PROBLEMS OF THE 94TH CONG., 2D SESS., MAJOR REPORTS BY THE SUPPORT AGENCIES

	Completed Jan. 1–June 25					In progress June 25, 1976					
	Congressional requests			Self-initiated or anticipatory		Congressional requests				Self-initiated or anticipatory	
Topic	CRS	GAO	CBO	CRS	GAO	CRS	GAO	CBO	OTA	CRS	GAO
Energy	9	5	-------	1	8	9	14	-------	3	2	16
Environment (many requests under these 2 topics involve both energy and environment)	7	4	-------	1	8	9	2	-------	1	-------	21
Drug abuse	-------	1	-------	-------	3	-------	4	-------	-------	1	2
National defense	5	-------	3	-------	29	5	47	7	-------	1	61
Soviet-American relations—Military manpower	-------	16	-------	1	-------	-------	47	-------	-------	-------	-------
Campaign financing and elections	3	-------	-------	1	-------	6	-------	-------	-------	-------	-------
Welfare	7	8	-------	-------	5	3	-------	3	-------	3	12
Guaranteed annual income	-------	-------	2	-------	-------	-------	12	-------	-------	-------	-------
Intelligence agencies civil liberties	-------	1	-------	-------	-------	4	6	-------	-------	-------	1
Taxation	12	5	5	-------	-------	1	17	4	-------	-------	7
Oceans	5	1	-------	2	-------	4	2	-------	-------	-------	3
Crime	1	-------	-------	1	2	-------	-------	-------	-------	1	3
Congress	9	5	-------	-------	-------	11	12	1	-------	1	2
Economic conditions and policy	-------	-------	4	1	-------	1	-------	1	-------	1	1
Total	58	46	14	6	57	53	163	16	4	10	129

Note: The topics are a sample only. It is clear that there is heavy reliance on the support agencies. It is also clear that in both congressional requests and self-initiated projects, the GAO is a formidable check on DOD. CRS leads in completed congressional requests; GAO in the other 3 categories.

Source: Research Notification System, June 25.

Appendix II

Liaison and Coordinating Arrangements Between GAO/CBO/CRS and OTA

(Especially related to GAO)

The establishment of the Office of Technology Assessment and the Congressional Budget Office, and the enlargement of the scope and purposes of the Congressional Research Service, provide increased opportunities for cooperation in support of congressional purposes. Each of the congressional agencies named, together with the General Accounting Office, contributes in a distinctive way to the Congress in its legislative and oversight roles. Yet the work of each frequently benefits from the views and perspectives of the other.

In our liaison and coordinating arrangements, we (GAO) seek to:

Enable each agency to continue serving Congress in accord with its particular mandates, and inform congressional clients of the work being done by each agency.

Encourage the sharing of information and work products and, in appropriate cases, the conduct of joint research activities.

Keep Congress informed of resources available and projects underway or recently completed.

Facilitate the improvement of products by stimulating interagency contacts at both the research and management levels.

There follow some of the overall liaison and coordinating approaches common to all of the four agencies. Specific information on coordination with each agency is indicated thereafter.

Overall

The first step in any significant General Accounting Office project is a search and review by project staff of the work already completed or in process on the subject, either in other Government agencies or outside the Government. Work completed or underway in CBO, CRS. or OTA, of course, is identified immediately.

A monthly report of study and research projects in process at GAO, CBO, CRS, and OTA was instituted in January in line with the recommendation of Senate Report No. 94–511. The report, which is prepared biweekly, lists assignments in process and new starts in each of the agencies as well as those which were completed in the last 6 months. It shows—for each assignment—the assignment title and number. a brief description of its objectives, the source (whether requested by committee, Member, or, in GAO's case, self-initiated), the end product sought, the date initiated, and the planned completion date. It indicates whether liaison for that particular assignment is planned with each of the other agencies, and for ready reference provides the name of the person most knowledgeable about the assignment. The report is used by GAO to keep abreast of ongoing work at the other congressional staff agencies and, insofar as possible, to supplement other coordinating approaches already in effect.

An efficient and speedy exchange of information is in process.

An informal, unstructured group comprising top-level representatives from GAO/CBO/CRS and OTA meets monthly to assure that the various coordinating arrangements are working effectively. The representatives are:

Phillip Samuel Hughes, Assistant Comptroller General, GAO.
Robert Levine, Deputy Director, CBO.
Dan DeSimone, Deputy Director, OTA.
Norman Beckman, Acting Director, CRS (currently chairman).

The group promotes additional cooperation among the four congressional support agencies, sharing information and work products, carrying out joint research activities as appropriate, and dealing with issues of mutual concern as they may arise.

Liaison with the Congressional Budget Office

Day-to-day GAO/CBO liaison is informal and ad hoc, featuring close personal contact between CBO staff and that of GAO's Office of Program Analysis—the GAO division assigned officewide lead for GAO's responsibilities under the Congressional Budget and Impoundment Control Act of 1974.

More formal liaison and coordination occurs on specific program evaluation or congressional information projects. For example:

"Evaluation and Analysis to Support Decisionmaking" was circulated to CBO, among others, for comment.

GAO work to standardize terminology and definitions includes close and continuing exchanges.

Development of functional classification recommendations similarly involves continuous liaison and coordination, particularly with CBO and the Budget Committees.

More detail on GAO/CBO cooperation and coordination follows:

Impoundment reviews.—GAO is required to analyze and report on each Presidential impoundment, recission, or deferral. CBO also analyzes Presidential impoundment messages. We work closely with all legislative groups which request our opinion or guidance related to impoundment matters. Our contacts with committee staff members and with CBO are on an informal basis. We often brief staff members—with CBO attendance—on issues being raised in our reports on the impoundment messages.

Economic analysis.—GAO uses economic analysis as a tool in performance of its reviews. This includes use of the major economic models—DRI, Wharton, and Chase. Budget Committees also use models as an analytical tool in considering alternative levels of expenditures and revenues. CBO uses such models in its forecasting of alternative fiscal policies. Work in connection with these models is coordinated through informal meetings and exchange of ideas, commenting on each other's work, and closely coordinating new job starts. Additionally, we have made a number of computer runs for CBO on energy problems and helped them obtain econometric services from DRI and Wharton. We negotiated a Wharton contract for CBO and the Budget Committees.

Program analysis and evaluation.—GAO does extensive program analysis and evaluation work for committees and on a self-initiated basis. We have briefed Congressional Budget Office and committee

staffs on GAO work in each budget functional area. Results of GAO review and evaluation of Federal programs and activities are regularly available to CBO and committee staffs. GAO and CBO keep each other informed of all analysis and evaluation work initiated or in progress on a biweekly basis.

Liaison with the Congressional Research Service

GAO's Office of Program Planning is the focal point for cooperation and coordination with CRS.

Subjects for mutual briefing sessions are chosen because of their current interest and significance. The briefing sessions last about 4 hours. They are conducted by senior staff in both agencies with participation of staff having significant responsibilities in the areas involved.

Because of the nature of the subject matter, participants are normally drawn from several different divisions of both the General Accounting Office and CRS. This wide-ranging participation is encouraged since it heightens the opportunity for interchanges between the two organizations.

The purposes of the sessions are to inform the other congressional agencies about the work approaches being taken in the selected areas; to receive substantive suggestions and inputs about the subject matter; and, perhaps even more important, to generate the degree of mutual understanding and rapport that leads to informal interchanges as a regular course of business in both agencies. To these ends, the discussions are unstructured, stressing participation and discussion.

Additional subjects are being scheduled. The privacy area—involving the administration of programs to protect personal privacy—will be the next subject covered. Sessions will be continued so long as they remain productive.

Bibliographical data.—CRS' extensive bibliographical resources, including its major issues system (an analysis of some 200 current issues), its bill digest file, and its selected dissemination of information system (a bibliography of literature included in some 180 major categories of current interest) are all made available to GAO through computer hookup. GAO now utilizes a high-speed printer to access the above files of the CRS data system. In the near future, system access through a cathode ray tube will facilitate scanning and make the CRS data systems more quickly available.

We make considerable use of this data resource in both our program and assignment planning. When used in conjunction with other available data bases, this computerized service has been found to be extremely valuable in providing GAO staff members with current citations pertaining to their audit responsibilities.

Exchange of reports.—The exchange of reports between GAO and CRS is a matter of routine. CRS multiliths and its issue briefs are received and made widely available throughout GAO as a regular function of our central library. They are used extensively by staff at all levels.

GAO's reports are provided to CRS and are incorporated into CRS's automated "Selected Dissemination of Information System," referred to above. They are thereby readily available to CRS analysts for use in their research.

GAO "Source Book Files".—Responding to responsibiliites given GAO by the Budget and Impoundment Control Act of 1974, we developed source information on recurring reports; evaluation studies; and fiscal, budget, and program information systems. The automated files of these reference materials will soon be provided to CRS for inclusion as a part of the automated data system that they make available to congressional users, their own analysts, and, as mentioned above, to GAO.

Training Exchanges.—Each agency offers spaces in seminars or other training arrangements to the extent that they are available.

As GAO develops the program plans which outline the manner in which we approach major Federal program areas, we frequently conduct symposia as a basis for obtaining the views of Federal officials, academia and affected industries, consumer and other interested groups. CRS participation is usually invited. A recent example is CRS participation in a GAO briefing on a population-resources-economic simulation model developed by Prof. S. Fred Singer, Department of Environmental Sciences, University of Virginia. While both agencies have their individual training needs, we have found it useful to share opportunities for each to benefit from the perceptions and perspectives of the other.

Mutual Consultation on Work Assignments.—As pointed out earlier, one of the first steps in GAO assignment planning is to determine whether others, inside or out of government, have done or are planning work in related subjects. As is apparent from the foregoing, coordinating and cooperation arrangements with CRS go well beyond this and seek mutual consultative advice and assistance—as appropriate and within resource constraints.

One device to foster the use of consultants and experts throughout GAO is our publication—for the use of GAO staff at all levels—of a "Directory of Consultants and Experts." This directory—widely circulated in GAO—includes data on those having expertise in particular areas who are available to consult with us. By agreement with CRS, it includes the name, specialty area, and phone number of each of CRS' senior specialists. CRS has similar data on GAO staff. While considerable mutual consultation is occurring, we continue to strive to make more and better use of all available consultative services.

Liaison with the Office of Technology Assessment

The Science and Technology Subdivision of GAO's Procurement and Systems Acquisition Division is responsible for strengthening GAO-wide coordination and cooperation with the Office of Technology Assessment. It provides staff support to the Comptroller General in his role as a member of the Technology Assessment Advisory Council and is responsible for day-to-day liaison with OTA.

Internal GAO memoranda have been issued on coordination with OTA. These memoranda point out the need for coordination, the circumstance under which it is to be carried out, and the names and telephone numbers of OTA personnel responsible for particular program areas. There have been numerous meetings and discussions between GAO and OTA staff on various subjects of mutual interest.

On a monthly basis, we provide OTA with listings of all reports we issue and copies of reports as they are requested. We had been provid-

ing to OTA descriptions of our ongoing and planned assignments in subject areas of interest to OTA. The new biweekly research notification system (between CBO/CRS/GAO and OTA) has eliminated the need for our own submission to OTA on ongoing assignments.

Appendix III

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(n.b., Numerous books and articles on Congress have been read over the years. The list is too long to incorporate here—ESG).

Appendix IV

Tables

Table 1.—*Use by individual Senators of support agencies*

The table that follows covers reports, etc. requested by Senators and their office staffs. Under each agency, "1" indicates the number from the 23 offices using this type of service, "2" indicates the total for all offices, and "3" indicates the median (occasionally coinciding with the average) number of times the offices using called for the type of service listed.

TABLE 1.—USE BY INDIVIDUAL SENATORS OF SUPPORT AGENCIES

	Agencies											
	CBO			CRS			GAO			OTA		
Type of inquiry	1	2	3	1	2	3	1	2	3	1	2	3
Major report involving analysis	5	20	4	20	335	8	16	85	4	5	11	2
Report of an informational nature	9	76	8	19	1,123	36	10	120	7	6	20	3
Spot information	12	180	6	22	1,404	33	9	95	19	5	26	5
Request for an audit							9	28	2			
Verification of information	9	56	5	16	655	21	6	95	2	3	117	12
Speech draft				12	142	7						
Legal opinion	1	2	2	14	274	5	3	5	2	1	4	4
Major issue summary	3	7	2	21	689	14	2	29	14	3	14	5
Consultation	8	88	3	13	889	8	8	142	7	5	152	15
Video transmission of data				15	2,095	50						
Listing of supporting and opposing interest groups on a given bill				9	106	6	1	3	3	1	25	25
Your voting record aggregate		9			54			7			5	
Constituent requests	2	13	9	21	2,009	80	2	8	7	1	5	2

Other items mentioned: CBO: Research for proposed legislation—1 Senator—once. CRS: Section-by-section bill analysis—1 Senator—4 times. CRS: Draft questionnaire for witnesses —1 Senator—3 times.

TABLE 2.—EVALUATION OF WORK BY MEMBERS' OFFICES

[(25 replies usable) Percentage rating excellent with negligable exceptions, "not so good" or "poor" (for which 2 points were deducted), the remainder were rated "fair." The number responding "no experience" is noted.]

Type and agency	Percentage rating excellent	Number using	No experience
1. Major report involving analysis:			
CBO	60	5	19
CRS	60	20	6
GAO	78	14	11
OTA	84	6	19
2. Report of an informational nature:			
CBO	53	11	14
CRS	70	19	6
GAO	51	12	13
OTA	84	6	19
3. Spot information:			
CBO	40	10	15
CRS	50	22	3
GAO	43	8	17
OTA	60	5	20
4. Request for an audit:			
CBO		0	24
CRS	100	1	23
GAO	67	11	13
OTA		0	24
5. Verification of information:			
CBO	50	10	15
CRS	79	13	12
GAO	88	8	16
OTA	100	3	21
6. Speech draft:			
CBO		0	24
CRS	10	12	13
GAO		0	24
OTA	100	1	23
7. Legal opinion:			
CBO	0	1	24
CRS	47	14	11
GAO	80	5	19
OTA		0	24
8. Major issue summary:			
CBO	57	4	18
CRS	75	20	6
GAO	40	5	20
OTA	25	4	21
9. Consultation:			
CBO	63	8	17
CRS	62	13	12
GAO	72	7	18
OTA	67	3	21
10. Video transmission of data: CRS only	43	13	12
11. List of supporting and opposing interest groups on a bill: CRS only	21	7	81
12. Bibliography or material (not for constituent):			
CBO	0	0	24
CRS	60	17	8
GAO	50	2	22
OTA	100	1	23
13. Your voting record: CRS only	75	10	15
14. Constituent inquiries:			
CBO	50	2	23
CRS	66	17	8
GAO	67	3	22
OTA	100	2	22

	Total number of headings rated
Overall averages of "excellent":	
3 or more uses only:	
CBO (54)	6
CRS (56)	13
GAO (67)	9
OTA (67)	6
8 or more uses only (i.e., at least ⅓ using and rating):	
CBO (52)	4
CRS (55)	13
GAO (68)	6
OTA (no rating	(none over 6 usings)

TABLE 3.—EVALUATION OF THE SUPPORT AGENCIES BY STAFF DIRECTORS OF COMMITTEES AND SUB-COMMITTEES (28 IN ALL RECEIVED OR INTERVIEWED)

	Satisfactory	Not satisfactory
Legislative histories:		
CBO	3	1
CRS	22	2
GAO	9	1
OTA	0	2
Providing legal opinions:		
CBO	1	0
CRS	16	3
GAO	11	3
OTA	0	3
Evaluation of an executive agency or program:		
CBO	4	2
CRS	10	2
GAO	16	5
OTA	0	3
Critique of a proposal from an executive agency or interest group:		
CBO	5	1
CRS	9	3
GAO	11	2
OTA	2	4
Conducting an audit:		
CRS	1	0
GAO	13	2
Verification of information:		
CBO	4	1
CRS	22	0
GAO	13	1
OTA	1	1
Helping to organize hearings:		
CBO	3	1
CRS	23	1
GAO	10	1
OTA	0	2
Consultations:		
CBO	13	2
CRS	18	0
GAO	16	3
OTA	4	1
Loan of agency staff:		
CBO	1	0
CRS	6	0
GAO	8	1
Panel discussion:		
CRS	5	0
GAO	4	1
OTA	0	2

Summary	Satisfactory	Unsatisfactory	satisfactory Percentage
Agency:			
CBO	28	9	78
CRS	121	11	92
GAO	107	20	81
OTA	9	17	35

Note: Digest of Bills, prepared and updated monthly by CRS: very useful—14; not very useful—7; not used—8 (use is principally by Members' offices). Congressional Budget Office's statutory obligation to provide relevant budgetary information concerning services authorized in legislation emanating from all committees: very useful—6; not very useful—6; more experience needed—7; not used—9. (GAO and CRS are presently preforming the same function with many committees. Some committees are engaging a budget specialist on their professional staffs.)

TABLE 4.—USE BY COMMITTEES AND SUBCOMMITTEES IN CONNECTION WITH HEARINGS

	Use	
	Often	Seldom or never
Suggestions for witnesses:		
CBO	0	19
CRS	7	16
GAO	2	19
OTA	0	17
Questions to ask witnesses:		
CBO	1	22
CRS	6	16
GAO	4	17
OTA	0	22
Testimony or other participation by staff of agency:		
CBO	0	18
CRS	3	19
GAO	11	14
OTA	2	18
Outlines of points to be developed:		
CBO	1	21
CRS	10	14
GAO	6	17
OTA	2	20
Summary of use:		
CBO	2	80
CRS	26	65
GAO	23	72
OTA	4	79

Note: Use of tracking reports of CBO: Yes—5 good or too recent to evaluate; none or no comment—18. Use of CRS in conferences concerning possible agenda items for a session of Congress: very useful—3; not very useful—5; not used—17. Lists of legislation under your jurisdiction terminating during the year: very useful—5, not very useful—8; not used—8.

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