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{ REPORT
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**RECOMMENDATIONS TO STRENGTHEN CONGRES-
SIONAL OVERSIGHT CAPACITY, IMPROVE DIS-
TRICT OPERATIONS, MODERNIZE CONGRES-
SIONAL OFFICE OPERATIONS, MODERNIZE THE
LEGISLATIVE PROCESS, AND EXAMINE CON-
GRESSIONAL CONTINUITY**

R E P O R T

THE SELECT COMMITTEE ON THE
MODERNIZATION OF CONGRESS
U.S. HOUSE OF REPRESENTATIVES



DECEMBER 21, 2022.—Committed to the Committee of the Whole House
on the State of the Union and ordered to be printed

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LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON THE MODERNIZATION OF CONGRESS,
Washington, DC, December 21, 2022.

Hon. CHERYL L. JOHNSON,
Clerk, House of Representatives,
Washington, DC.

DEAR MS. JOHNSON: I present herewith the Select Committee on the Modernization of Congress' report of recommendations to strengthen congressional oversight capacity, improve district operations, modernize congressional office operations, modernize the legislative process and examine congressional continuity.

Sincerely,

DEREK KILMER,
Chair.

RECOMMENDATIONS TO STRENGTHEN CONGRESSIONAL OVERSIGHT CAPACITY, IMPROVE DISTRICT OPERATIONS, MODERNIZE CONGRESSIONAL OFFICE OPERATIONS, MODERNIZE THE LEGISLATIVE PROCESS, AND EXAMINE CONGRESSIONAL CONTINUITY

DECEMBER 21, 2022.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. KILMER, from the Select Committee on the Modernization of Congress, submitted the following

R E P O R T

I. PURPOSE AND SUMMARY

The Select Committee on the Modernization of Congress (Select Committee or Committee) has been charged with the important responsibility of recommending improvements to the U.S. House of Representatives to help members of Congress and their staff better serve the American people. During the 116th Congress, the Select Committee passed 97 recommendations to make Congress a more efficient and effective institution. These recommendations addressed many issues within the Select Committee’s jurisdiction and were detailed in the Committee’s Final Report for the 116th Congress (H. Rept. 116–562).

On July 29th, 2021, the Select Committee met and issued its sixth set of recommendations focused on increasing staff capacity, diversity, and inclusion, and expanding accessibility to Congress for staff as well as the public. On December 8, 2021, the Select Committee met and issued its seventh set of recommendations focused on enhancing civility and collaboration, bolstering the effectiveness of the congressional support agencies, and promoting the collection and use of impartial data and analysis in the policymaking process.

The Select Committee met on July 19, 2022, to pass its eighth package of recommendations. The recommendations broadly focus on congressional oversight capacity, district operations, congressional office operations, the legislative process, and congressional continuity. The recommendations address issues the Select Committee took up in public hearings, member meetings, and discussions with stakeholders.

II. BACKGROUND AND NEED FOR RECOMMENDATIONS

Strengthening congressional oversight capacity, improving district operations, modernizing congressional office operations, modernizing the legislative process, and examining congressional continuity will improve the way Congress works on behalf of the American people. The Select Committee identified the following specific issues to be addressed with recommendations:

1. According to testimony received by the committee, “since 2015, the Levin Center, POGO, and the Lugar Center have held regular bipartisan training sessions for congressional staff called ‘Oversight Boot Camps.’” These two-day training “boot camps” are well received and popular but are offered outside the House and slots are limited. Oversight training is not currently offered by the Congressional Staff Academy (CSA), though CSA’s vision is to eventually offer those services through their coaching program. However, CSA coaches may not have the technical expertise to fully explore best practices for extracting information and data via oversight.

2. There are a range of commercial “e-discovery” systems available and they are widely used in the private sector, however the systems are expensive, have varying capabilities, and may require extensive training and technical support. Committees that wish to obtain the software can do so using committee funds, but cost can be a deterrent to purchasing software with the greatest capabilities, or to purchasing any software at all. Without this software, document review and management can be a time-consuming and staff intensive process.

3. Until a recent pilot program was launched by the Chief Administrative Officer (CAO), district offices had been prohibited from establishing Wi-Fi due to network security concerns. Lack of Wi-Fi in district offices limits staff productivity and the ability to effectively work with constituents. Not having Wi-Fi can make it more difficult for staff to process various constituent service requests and to take meetings away from their desks, which is especially important when privacy is needed.

4. Setting up a district office requires coordinating with various entities inside the House, as well as outside entities and vendors. Knowing whom to contact on which issue can be a confusing and time-consuming process, particularly for a new district director or other designated aide who may not be familiar with the various responsibilities of internal House offices. This can leave offices frustrated and bogged down with having to coordinate multiple steps between different internal offices to stand up an office, while also having to make early staffing decisions, manage casework, and handle other representational duties.

5. The Committee’s recommendation #11 suggested allowing newly-elected members to hire and pay one transition staff member. In turn, the FY2021 Legislative Branch Appropriations bill for the first time implemented a process for incoming offices to designate and pay a transition staffer to assist the member during the transition process. Most members elected in the 117th Congress used the new transition staff program, and feedback has been positive. However, only a few of those

transition staffers went on to serve as district staffers. According to the CAO, many district directors are chosen weeks or months after a member takes office, leaving the CAO to interact with numerous points of contact as the office is being set up, making the set-up process more difficult for everyone involved.

6. Formal opportunities for district staff to share information and best practices on district office operations and services are relatively limited. As a result, district staff typically rely on informal networks across various offices to share information. While useful, these more informal, sometimes regional or delegation-based networks do not provide the same level or breadth of information sharing between district staff as a more formalized process could.

7. Unlike a member's D.C. office, district offices often take longer to be fully operational when a member-elect takes office, or soon after. District offices often take a few months to be fully operational with full internet service and security. The CAO provides members with early entry addendums for district office leases, which authorize a member to access office space prior to their swearing-in, but there is no authority for the member to incur expenses. To get an office up and running, expenses like internal wiring may be necessary for secure internet access.

8. To do their jobs effectively, casework teams need up-to-date contact information for each agency's regional office. While more experienced caseworkers may have their own lists of useful agency contacts for specific casework inquiries, that information could be lost in the transition process or not passed along to an incoming member and their staff. Having to track this information down and keep it current makes it more difficult for district offices to effectively and efficiently serve their constituents and get answers from agencies. Additionally, federal agencies may have varying policies on the information they require through privacy release forms (PRFs), and whether they accept digital PRFs.

9. Natural disasters can prompt dramatic increases in casework volume and phone calls to district offices. Under current law, offices are limited to 18 full time employees and 4 "additional" employees (part-time, interns, temporary, or shared employees). Offices that are fully utilizing these staff allotments or that may be close to this staff "cap," may be unable to temporarily add new employees to respond to increased casework and other demands resulting from a disaster. Disaster response can require specialized skills and a knowledge of federal disaster programs and processes which many offices may lack.

10. The value of certain benefit changes, professional development opportunities, and other staff resources being discussed by the House Taskforce on the Workforce (Task Force) to improve retention may be different for staff located in the district than those located in D.C.

11. There is confusion regarding what information member offices can share with constituents about private community organizations and resources. There is also confusion over what

can be shared from government sources, including whether information shared is limited to federal agencies, programs receiving federal funding (regardless of whether they are being administered by the federal government), or government sources at any level. Given the uncertainty about what may be allowed many offices default to only sharing strictly federal information with constituents to avoid any potential ethics or rules issues or concerns. This limits an offices' ability to assist constituents who could, where appropriate, potentially be directed to helpful information, resources, and services provided by states and non-governmental organizations.

12. Under the existing interpretation of House Rule XXIV (Rule 24), member offices cannot "cosponsor" an event designed to provide information and/or other resources to constituents with an outside entity. An event must either be a House-sponsored event, with an outside entity invited to participate, or vice versa. Thus, while offices technically can work in an informal way with an outside entity on a local constituent services event under current House rules, they must be careful about following ethics rules to ensure the planning, advertising, and execution of the event do not constitute a sharing of resources. Anecdotally, and based on testimony, a perceived lack of clarity and flexibility in the rules may cause offices to simply "shy away from" these events altogether. A witness at the Committee's hearing on improving district office operations testified that, "[e]vents throughout the district pose problems when working with other entities. Often, it is found that state and federal agencies have their own set of guidelines and practices. We frequently shy away from participating in events due to differing ethics rules. Clearer guidance regarding ethical practices for these events would be helpful." For those offices that choose to find a way to work with outside groups, the current interpretation of House rules creates a cumbersome process and a potentially ethically nebulous situation where an inadvertent mistake or slip-up could easily occur in organizing and planning what is otherwise a good-faith effort, in partnership with a helpful and relevant outside organization, to provide services and/or information to constituents, for example, job fairs or tax preparation seminars.

13. Constituents currently do not have control over data and records related to casework that is managed by their representative. House Rule VII, clause 6(b), defines records generated by the office of a member to be exclusively the property of the individual member. As property of a member, casework information may be transferred or withheld, based on the member's decision about the disposition of constituent information, when that member departs from office without consideration for a constituent's preference. If a constituent's case and related information are not transferred, the case could be interrupted, resulting in a delayed resolution.

14. Technology solutions for improving basic district office services such as PRFs for casework and service academy applications are limited, expensive, and provide inadequate functionality and protections for constituent private identifiable information.

15. The Capitol complex is difficult to navigate for visitors, members, and staff alike.

16. The full extent to which House employees will continue to utilize teleworking and virtual meetings is unknown. The House needs more information about its workforce to plan for physical space.

17. There is currently no physical display of public hearings and events in House office buildings. Most visitors don't know how to access information about public events taking place in the House, which limits their ability to witness their government in-person.

18. There are numerous rooms controlled by various offices but there is no master plan for ensuring space is being used to its maximum efficiency. If House space is not utilized efficiently, rooms that could otherwise be used sit empty. Lack of usable space also results in offices holding rooms they may not need, which exacerbates the problem.

19. There is no space designated as drop-in space for meetings or for staff to collaborate. Hallways or House cafeterias, which have limited seating and functionality, are currently used when staff need to meet with constituents outside the office.

20. The process for reserving space is disjointed and confusing. Staff waste time trying to navigate the process for tracking down and securing space for a meeting or event. The main portal of reservable rooms includes only those made available by the CAO, which is a subset of all the spaces available.

21. There is lack of common understanding between the Architect of the Capitol (AOC) and House members on the procedures or limitations that should be considered for new capital improvements. This limits members' ability to participate in the process of determining what shape new improvements will take.

22. Members and staff have little visibility into ongoing construction projects and have few opportunities to provide feedback on how it impacts their work.

23. The current process for designing interior member office space often focuses on maximizing the number of desks rather than on enhancing productivity. Most members don't have experience in office design and are not shown examples that make full use of modern design and function concepts, which could result in poor space utilization.

24. Most committee hearing rooms are not conducive to an alternative seating arrangement for hearings such as round-table style. In addition, select committees sometimes struggle to find available space for their hearings.

25. The current bill referral process is paper-based, and committees track bill referrals and progress on their own. This manual, opaque process is time-consuming and can result in errors and inefficiencies in tracking a bill's progress through committee.

26. Until recently, Staff at or near the staff pay cap were unable to utilize the Student Loan Repayment Program (SLRP), which could limit the House's ability to retain staff.

27. The process for collecting bill cosponsors is manual and prone to error. Members and staff frequently use a combination of the e-Dear Colleague system and email to manage their lists of cosponsors. This can result in members being mistakenly left off bills or members erroneously being added to bills as cosponsors.

28. In the legislative drafting process, members and staff pass static documents back and forth with the House Office of Legislative Counsel (HOLC). This can create confusion and cause suggested changes to be lost or misinterpreted.

29. The House instituted several reforms after the attacks of September 11th, 2001, to address continuity issues and ensure continued representation and operations in the event of a crisis. However, these issues have not been rigorously examined since the mid-2000s. New threats and challenges, including those presented during the COVID-19 pandemic, suggest the need for a fresh look.

III. HEARINGS

The Select Committee has continued to use its unique roundtable format to conduct its formal hearings. The hearings included:

- “Article One: Strengthening Congressional Oversight Capacity,” on November 4, 2021.

The Select Committee received testimony from:

- Elise Bean, Washington Director, Levin Center at Wayne State University Law School
- Dr. Josh Chafetz, Professor, Georgetown University Law School
- Anne Tindall, Counsel, Protect Democracy
- “Congress Back Home: Modernizing District Office Operations,” on February 16, 2022.

The Select Committee received testimony from:

- George Hadijski, Director of Congressional Programming, Congressional Management Foundation
- Danielle Radovich Piper, Chief of Staff, Rep. Ed Perlmutter
- Sarah Youngdahl, District Director, Rep. Guy Reschenthaler
- “Innovative Workplaces, Historic Spaces: Modernizing House Office Buildings,” on March 17, 2022. The Select Committee received testimony from:
 - J. Brett Blanton, Architect of the Capitol
 - Katie Irwin, American Institute of Architects
 - James Ossman, Vice President, Workplace & Strategic Sourcing, Etsy
 - Patrick Wand, Senior Manager, Mall of America
- “Congressional Continuity: Ensuring the First Branch is Prepared in Times of Crisis,” on April 6, 2022. The Select Committee received testimony from:
 - Brian Baird, Continuity of Government Commission, American Enterprise Institute
 - Mike Bishop, Continuity of Government Commission, American Enterprise Institute
 - Arthur B. Culvahouse, Continuity of Government Commission, American Enterprise Institute

- Donna Shalala, Continuity of Government Commission, American Enterprise Institute
 - Doug Lewis, Former Executive Director of The Election Center
 - George Rogers, Former General Counsel, Committee on Rules
 - “Turning An Idea into Law: Modernizing the Legislative Process,” on April 28, 2022.
- The Select Committee received testimony from:
- Hugh Halpern, Director, Government Publishing Office (GPO)
 - Kevin McCumber, Deputy Clerk, U.S. House of Representatives
 - Noah Wofsy, Deputy Legislative Counsel, U.S. House of Representatives

IV. RECOMMENDATIONS

The Select Committee made the following 29 recommendations to address the problems identified above, adding to the Committee’s 142 prior recommendations made since the beginning of the 116th Congress (see II. BACKGROUND AND NEED FOR RECOMMENDATIONS):

STRENGTHENING CONGRESSIONAL OVERSIGHT CAPACITY

(1) Recommendation: The House should offer and support optional programs for members and staff to learn best-practices for conducting bipartisan, fact-based oversight.

Specifically . . . The goal of improving oversight knowledge, skills, and best practices in the House can be met in part by utilizing and drawing on the existing expertise of the Government Accountability Office (GAO) and tasking them with providing optional oversight training workshops, including through partnerships with the Congressional Staff Academy (CSA) and the Congressional Member Leadership Development Program (CLDP). GAO has staff experienced in the technical aspects of conducting fact-based investigations and oversight activities and is a natural fit for oversight knowledge sharing. GAO currently provides congressional staff training in other areas through CSA and has expressed interest in expanding beyond those current training offerings. GAO is well positioned to both partner with CSA and CLDP to support bipartisan oversight workshops on-demand or on a recurring basis to meet staff and member needs.

(2) Recommendation: The CAO should assist committees in obtaining and utilizing effective, industry standard “e-discovery” software to improve document review and processing capabilities.

Specifically . . . The House, through the CAO’s procurement office, could help broaden the access and use of document review software for all committees by setting up a process to compare the options for procuring an effective discovery and document management software system, negotiate a House-wide price for each option, negotiate a training component as part of each package, and/or help committees evaluate, purchase, and use the software. A witness at the Committee’s hearing on strengthening oversight ca-

capacity testified to that “conducting congressional investigations often involves collecting and reviewing a large volume of documents and using them in hearings and reports. Reviewing, analyzing, and organizing those documents is made much easier by using sophisticated discovery and document management software.”

IMPROVE DISTRICT OPERATIONS

(3) Recommendation: The CAO should provide every district office with access to secure Wi-Fi.

Specifically . . . In consultation with the Committee, House Information Resources (HIR) is currently piloting a secure district Wi-Fi program. HIR has plans to expand Wi-Fi capability to all flagship district offices over the next couple of years. This recommendation reflects the work of the Committee’s partnership with HIR and encourages the CAO to continue moving forward with their plan to provide Wi-Fi to all district offices.

(4) Recommendation: The CAO should designate a single point of contact for each office to streamline the process for setting up district office operations.

Specifically . . . A single point of contact should help offices navigate the various steps required to get a district office up and running, including telecommunications services, internet, Wi-Fi, leases, and procuring equipment, furniture, and other supplies. Customer Advocates should serve as this single point of contact and coordinate across internal House offices, including HIR, House Sergeant at Arms (HSAA), Administrative Counsel, and others, as well as with outside entities, including the General Services Administration (GSA) and vendors. Rather than simply directing district staff to another service provider, Customer Advocates should actively coordinate those services on the office’s behalf and help problem-solve during the setup process. The Customer Advocate program is relatively new and while there may not be enough staff available to fill these point-of-contact roles initially, the CAO could train other staff on the setup process and the various inter-office touchpoints and be able to provide a temporary surge of knowledgeable employees to ensure enough resources are available to provide each office with a single point of contact during office setup.

(5) Recommendation: The House should provide members-elect with a second paid transition aide who can focus on setting up district operations.

Specifically . . . As recommended by the Committee, the FY2021 Legislative Branch Appropriations bill established a program for incoming offices to designate and pay a transition aide to assist the member during the transition process. This new recommendation calls for the creation of a second optional paid transition aide focused on district office setup. A district-focused aide could work with the office’s Customer Advocate to ensure the district office is set up more efficiently. The district-focused aide could also help offices understand the range of programs and services available to constituents, including traditional constituent casework as well as programs like the Vietnam Pinning Program and Congressional Art and App competitions. Funds for the second paid transition aide could be reimbursed by the incoming member’s representational allowance (MRA).

(6) Recommendation: The CAO should facilitate opportunities for staff that work directly with constituents to connect and share best practices.

Specifically . . . CAO should continue innovating to find opportunities for district staff as well as other constituent-facing staff (for example, staff assistants and legislative correspondents) to collaborate and share best practices. Such opportunities might include in-person and virtual training and networking opportunities. There could also be opportunities to build more online shared resources including best practices on casework, conducting effective town-halls, and similar district-focused activities. The CAO has held conferences that have emphasized staff skills, training and networking, as well as accessing CAO, House officer, and federal agency support. The Congressional Staff Academy and CAO Coach program should continue to bring district staff together for virtual seminars and should provide time for staff to share information with each other. The CAO should archive case studies for innovative processes in district offices so information may be retained and shared. The new CAO Coach website is a helpful repository for staff and has links for caseworkers, district directors, and field representatives. This website and repository may be enhanced to provide staff with an ability to share and sort resources, ask questions, contribute to an open discussion, and see and connect with other participants. Better information sharing could help staff better anticipate and address casework challenges or agency backlogs and adopt and innovate process improvements in casework and elsewhere based on what may be working well in other offices.

(7) Recommendation: The House, where feasible, should expand existing authorities to expedite the process for members-elect to access district office space and begin office set up.

Specifically . . . To facilitate district office setup, the CAO should be authorized and instructed to evaluate its existing authorities, and where feasible, authorities should be expanded to allow members-elect, once the election is certified, to obtain access to district office space, incur expenses, and take other steps necessary to expedite office setup so member offices can be fully operational as soon as possible after assuming office. Incurring expenses may be necessary for internal wiring for secure internet and phones, securing furniture and equipment, and adding security upgrades.

(8) Recommendation: The Congressional Research Service (CRS) should provide regularly updated and complete information on local agency casework contacts and agency digital privacy release form policies.

Specifically . . . CRS should assist district offices by maintaining and providing an up-to-date list of localized or regional agency contact information for district staff to easily access and use in handling casework, including a list of the local field offices within each agency's region along with relevant contact names, phone numbers, and email addresses. CRS should also assist district offices by compiling a report on the policies of different federal agencies regarding PRFs, including whether specific information may be required by a particular agency and whether the agency accepts digitally signed PRFs. The CASES Act (P.L. 116–50) requires federal agencies to accept digital privacy release forms and agencies have been

directed to standardize their forms but the Committee understands that variance among agencies still exists.

(9) Recommendation: The House should provide resources and staffing flexibility to district offices responding to a federally declared disaster.

Specifically . . . The House should further explore and adopt one or more of the following options, as presented in CAO's December 2021 report, "The Member Staff Cap: Options for Additional Staff Capacity in Response to Natural Disasters", for increasing both short and longer-term staffing capacity in districts affected by a natural disaster: (1) authorize temporary increases in the staff cap for member offices impacted by a disaster, potentially for both permanent and non-permanent staff; (2) create an FTE pool of resources to be assigned to members (the FTEs could be covered by a central account administered by the CAO, and these billets could then be assigned to the member for the duration of the event); and (3) make use of contractors employed by CAO or amend statute to allow for the use of independent contractors. The House could also establish a "Disaster Response Staff Reserve Fund" to cover additional staff costs, including travel, for impacted districts.

(10) Recommendation: The House Task Force on the Workforce should examine the benefits, professional development opportunities, and other resources, that will improve district staff retention and recommend updates.

Specifically . . . The Task Force, as part of their ongoing analysis on retention of House staff, should consider options specifically for retaining district staff. In testimony and in staff listening sessions, district staff presented examples where benefits such as parking, childcare, and fitness memberships may not align between D.C. and district offices. Rather than provide parity, the Task Force should consider the best benefits and policies for retaining district staff who may have different needs than D.C.-based staff.

(11) Recommendation: The House should update and provide clear ethics guidelines to allow district offices to direct constituents to appropriate community organizations, resources, and services.

Specifically . . . The Committee on House Administration (CHA), Committee on Ethics, and House Communications Standards Commission should jointly update or clarify the rules regarding which resources can be shared with constituents using official resources. These committees should produce a guide on when and how offices can direct constituents to non-federally administrated resources, with concrete examples, that could be updated to reflect changing needs as they emerge. These committees should consider the merits of, if necessary, reforming rules to allow offices to provide information regarding community organizations that might be helpful in providing their constituents information, resources, or services. The Members' Congressional Handbook (Handbook) states that "Official resources may not be used to advertise for any private individual, firm, charity, or corporation, or imply in any manner that the government endorses or favors any specific commercial product, commodity, or service." This prohibition stems from principles of federal appropriations law. Moreover, referrals to organizations or links to sites whose primary purpose is the solicitation of goods,

funds, or services on behalf of individuals or organizations are not permitted under the rules of the House.

(12) Recommendation: The House should provide flexibility within House Rule 24 to allow district offices to cosponsor constituent service events with non-governmental organizations to provide information and other resources to constituents.

Specifically . . . The rules governing partnering with outside organizations derive from House Rule 24, the prohibition on “unofficial office accounts.” In essence, the rule is designed to prevent private supplementation of expenses incurred in connection with the operation of a member’s office and the conduct of official business. Specific Ethics Committee guidance provides, “[a]ccordingly, outside private donations, funds, or in-kind goods or services may not be used to support the activities of, or pay the expenses of, a congressional office.”

The Senate has a similar prohibition on “unofficial office accounts,” found in Senate Rule XXXVIII (Rule 38). However, the Senate has interpreted Rule 38 in a way that provides additional flexibility for “co-sponsored constituent service events.” As the name implies, this interpretation allows Senate offices to cosponsor events with outside entities where the purpose is to “provide information or some other service to constituents.” The event “may not simply be a gathering of representatives of those sponsoring the event.” Further, the cosponsor must have a “common core of interest” in the subject matter of the event by virtue of their “routine business activities,” must attend, and cannot be a “mere financial contributor.”

The Handbook likewise prohibits use of the MRA for “unofficial office accounts”. The Handbook reads: “A Member may not maintain, or have maintained for his use, an unofficial office account for the purpose of defraying or reimbursing ordinary and necessary expenses incurred in support of a member’s official and representational duties.” This language is consistent with House Rule 24. The Handbook governs the proper use of official resources (31 U.S.C. 1301). Both the Ethics Manual and the Handbook would need to be updated to align House and Senate policy for cosponsored constituent events. A more flexible interpretation or limited exception to House Rule 24 that mirrors the Senate’s co-sponsored constituent service exception, including relevant guardrails, could provide more certainty to staff and offices and make it easier to partner with local organizations to provide constituents valuable information and other resources.

(13) Recommendation: The House should ensure that constituent data and records related to casework are maintained, transferred, or destroyed according to a constituent’s preferences.

Specifically . . . Although implementation would be challenging, this recommendation seeks to ensure certain information related to casework takes into consideration the constituent’s preferences regarding the information’s control and management. Information under control of the constituent should be for active cases and the information should be limited to information related to casework provided by the constituent to the office, agency correspondence with the office, and correspondence from the office to the constituent. This information, at the direction of the constituent, could

be transferred or closed when the member departs the House or otherwise no longer represents the constituent.

(14) Recommendation: The CAO should develop or provide optional in-house technology solutions to district offices to improve casework and other services.

Specifically . . . HIR and the new House Digital Service could examine the feasibility of building or adopting certain technology resources in-house or working with offices to evaluate offerings from vendors. In testimony, staff witnesses testified to the importance and helpfulness of technology solutions such as digital privacy release forms and an automated process for managing service academy applications. Many offices use private vendors for these technology solutions. At the start of the 117th Congress, CAO ensured that freshman websites were outfitted with the House-developed digital privacy release form templates.

MODERNIZING CONGRESSIONAL OFFICE OPERATIONS

(15) Recommendation: To improve wayfinding, the House should consult with internal and external experts to assess and implement navigation improvements necessary to make it easier for visitors to find their way around the Capitol campus.

Specifically . . . The House should take the necessary steps to identify the challenges visitors and staff have navigating highly trafficked areas and solicit input for solutions. The AOC should consult with internal and external experts when implementing navigation improvements. Subsequently, the AOC or appropriate entity, in consultation with the HSAA and Capitol Police, should consult with a wayfinding expert to review and update current directional signage. Potential improvements could include, for example, interactive displays with directions, color-coded walkways, and signage that lists a full suite of amenities included within the building. It could also include clearer directions to the most highly trafficked areas, for example, the Longworth Cafeteria. Any wayfinding upgrades must account for member and staff security as well as emergency response capabilities.

(16) Recommendation: The House should regularly survey House employees to assess plans for telework and use of office space.

Specifically . . . To assess the future of work on Capitol Hill, including the nature of remote work, the House should regularly survey members, staff, and House support offices to understand how they intend to use space. The survey should explore how AOC, CAO, and other House offices plan to utilize telework in the future to understand how office space will be used. This survey could result in reclamation of space that would otherwise be underutilized due to an increase in remote work. This would not have to be a new survey but could be an expansion of the ‘flexible work arrangement’ questions asked in the compensation and diversity survey, although that survey is currently conducted only once per Congress. A monthly or quarterly review could result in improved space utilization and planning for hoteling, plug and play, and other space sharing techniques to include in design and construction efforts.

(17) Recommendation: The House should provide digital signage displaying information about current public hearings and events.

Specifically . . . Digital displays at the main entrances of House office buildings, or places that are heavily trafficked by the public, would provide visitors with information about public events or hearings they can attend. Displays could also be placed outside of committee rooms. In developing digital displays, security, IT, and data management should be considered. The HSAA and Capitol Police should provide input on potential security risks.

(18) Recommendation: The House should study the use of its physical space to understand how it is used, who controls access to various spaces, and how it is managed in the House and the Capitol.

Specifically . . . There is a lack of understanding about how much space is currently underutilized. Many of the rooms in the House and Capitol Visitor Center (CVC) are controlled by various entities (usually leadership or AOC), but there doesn't seem to be a broad understanding of who controls which rooms, room utilization rates, and room reservation systems. Working with the House Office Building Commission, the AOC should develop metrics to understand the extent to which rooms are underutilized. The study should consider use of designated drop-in meeting space that does not require a reservation. The study should also consider using outdoor space as meeting space. Security and the element of unpredictability associated with involving external elements must be considered.

(19) Recommendation: The House should establish and designate shared meeting spaces that members and staff can use on a drop-in basis and not require reservations.

Specifically . . . The impromptu meeting spaces, which would generally not be reservable, should be identified by the House Office Building Commission. Limited-duration reservations may also be used. As an example, GSA's national office includes drop-in and touch-down collaboration and meeting spaces.

(20) Recommendation: The House should develop an app and expand the current web portal to include all reservable space in the Capitol and House Office Buildings.

Specifically . . . As informed by the survey of existing space, there should be one portal and an app available only on House devices that includes all the reservable meeting space available in the Capitol and House Office Buildings. For leadership and committee rooms that are reservable, permission to occupy the space would remain with House leadership and committees. The app should allow staff to reserve space and check in to their meetings. A check-in system should be used to ensure space is not reserved and then unused. For example, if the reservation owner does not check in within a specified period, a notification would be sent, and the space would become available again. GSA utilizes a central on-line app for staff to reserve rooms by type, size, and amenities (conference, office, meeting, collaboration, workstations, phone, white boards, screens, etc.) ahead of time and for a limited duration. In developing the app, security, IT, and data management requirements should be considered.

(21) Recommendation: AOC and CHA should jointly establish procedures to ensure new construction projects are modern, functional, and meet the needs of members and constituents.

Specifically . . . There should be a process in place for reassessment of plans closer to the construction date to ensure plans are as modern as possible before construction begins. The AOC should solicit input from members and use architect and engineering projects to shorten the timeline so that plans are not out of date with current practices and technology by the time they are implemented. The AOC should explore the need and feasibility of adding architect and engineering and contracting staff. The CHA and AOC should identify a process for determining when to build or purchase additional buildings to expand the complex to meet capacity needs and for funding and approving the projects.

(22) Recommendation: AOC and CHA should jointly establish procedures to demonstrate projects underway are modern, functional, and meet the needs of members and constituents.

Specifically . . . Once a project has broken ground, the AOC, in consultation with the Office of the Chief Engineer, should be in continuous contact with members to reassess and course correct if necessary to ensure projects are as modern, functional, and cost-effective as possible. Modernization projects should ensure buildings remain accessible to the American people, ensure space is designed to be hybrid or multipurpose whenever possible, and employ the best technology to support these goals while being mindful of taxpayer dollars. These principles should be outlined in regular updates to members and staff.

(23) Recommendation: The CAO should provide a broad menu of furniture options and templates for member office space that considers modern and flexible design and function concepts.

Specifically . . . The CAO currently provides a blank blueprint of a member office and allows members and staff to fill it in with furniture using computer-aided-design. The CAO should find examples of House offices that are designed around function and provide them as templates for setting up a new office. For example, some offices could be designed for collaboration and have a conference table or make use of the member's office when they are in the district. Layout options should include modern design practices that consider sound attenuation, shared desk space, access to sunlight, collaboration and meeting space as well as ensuring accessibility. The CAO could also consider expanding offerings for office furniture to accommodate both modern and traditional styles and survey furniture options in the private sector and at GSA. The CAO should explore obtaining or constructing alternate types of office furniture for member offices and committees that would facilitate more easily convertible and comfortable office spaces. The CAO could offer in-office phone booths to allow for private conversations within an office. The Committee has test piloted an in-office phone booth with great success.

(24) Recommendation: The House should identify and develop a space that can be used to hold hearings with alternative seating formats such as a roundtable-style.

Specifically . . . A space should be identified by the AOC and the House Office Building Commission that is conducive to holding hearings or meetings in nontraditional formats. The Committee has been using a hollow-square format for hearings and has found that having witnesses and members on the same level and facing each other improves discussion and collaboration. This flexible space could also be used by select committees, task forces, caucuses, or other entities that do not have access to designated hearing space.

MODERNIZE THE LEGISLATIVE PROCESS

(25) Recommendation: The House should establish a system for bill referral to committees that automates and tracks bill progress through the legislative process.

Specifically . . . The internal system would allow GPO, the Clerk, and committees to work off the same system and allow all parties to easily track bills from introduction through the committee process (hearings, markups, and reporting to the floor). This system should eliminate the need for committee staff to reenter information about a bill. Implementation of this recommendation would likely require either the Clerk's office or the newly formed House Digital Service to build a digital tool.

(26) Recommendation: The House should exempt student loan repayments from maximum compensation.

Specifically . . . Until very recently, payments received under the Student Loan Repayment Program (SLRP) counted against the maximum cap for staff compensation (\$203,700 or \$16,975 per month) as set by the Speaker's Pay Order. The maximum amount that can be received through the SLRP is \$833 per month, \$10,000 per year, and \$80,000 lifetime. Exempting SLRP payments from the Speaker's Pay Order, provides additional flexibility to managers in retaining experienced staff at or near the pay cap. On June 23rd, 2022, around the time this Committee recommendation was being vetted and considered but before it was formally approved, the Committee on House Administration implemented the recommendation by amending regulations to o exclude student loan payments from the Speakers' Pay Order.

(27) Recommendation: The House should develop a technology solution to allow greater automation of the process for collecting and registering cosponsors.

Specifically . . . Through Quill, the House has an efficient system for managing and tracking letters with digital signatures. A similar process, potentially an additional function within Quill, should be available for cosponsoring legislation. Once cosponsors are collected, the information should be transferred to the Clerk without the need to re-key cosponsor names. The system should be built in a way that includes built-in protections that could help guard against improperly entered cosponsorships and mistakes; for example, email confirmations to provide a trackable process and record. If feasible, the application to accept cosponsors should be mobile-friendly.

(28) Recommendation: The House should leverage existing enterprise-wide applications and develop other tools and solutions to better facilitate legislative drafting between member, committee, and leadership offices and the HOLC.

Specifically . . . The tool or solution should allow members and staff to make tracked edits themselves which would allow HOLC attorneys to view and understand the requested edit more clearly. To retain accuracy, confidentiality, and version control, HOLC should be the owner of this document and the only party that is able to accept edits. The technology must be constructed in a way that preserves and protects privilege, confidentiality, and other unique requirements associated with the drafting process.

EXAMINING CONGRESSIONAL CONTINUITY

(29) Recommendation: Congress should establish a joint committee to review House and Senate rules and other matters to ensure continuing representation and congressional operations for the American people.

Specifically . . . The Committee received a great deal of testimony from outside experts on this important topic, including through the contributions of the Continuity of Government Commission, other outside experts, and staff deeply involved in deliberations over these issues and proposed reforms after the attacks of September 11th. The issues are incredibly important, but they are also incredibly complex and while legitimate questions and issues were raised, it is beyond the scope and expertise of this committee to make specific recommendations. Rather, the issues could best be examined by a joint committee, modeled after a prior proposal that was never enacted, to ensure congressional continuity in the face of the next, potentially unforeseen crisis, particularly considering new threats and information since earlier reviews and reforms were completed.

Specifically, in 2003, following on the work of a House task force convened to study continuity issues in the House, then-Rules Committee Chairman David Dreier, introduced a bipartisan concurrent resolution (H. Con. Res. 190) to establish a temporary joint (e.g. House and Senate) committee to conduct a full study and review of the procedures which should be adopted by the House, Senate, and Congress to (1) ensure the continuity and authority of Congress during times of crisis; (2) improve congressional procedures necessary for the enactment of measures affecting homeland security during times of crisis, and (3) enhance the ability of each chamber to cooperate effectively with the other body on major and consequential issues related to homeland security. The concurrent resolution passed the House by voice vote, but it was not taken up in the Senate. The proposed joint committee was to be composed of 20 members, 10 from the House with 5 appointed by the Speaker, including the Chairman of the Rules Committee who would serve as co-chairman for the joint committee, and 5 from the minority party appointed by the Speaker (after consultation with the Minority Leader).

This Committee recommendation calls for a similar joint committee to be constituted, comprised only of members of Congress. It should include members from the House Administration, House Rules, and Senate Rules and Administration committees. Members should be directly appointed by designees of the majority and minority party. Importantly, in recognition of the authority of each body over its own rules, while the joint committee is designed in part to find areas where the two chambers can cooperate where

necessary to ensure the continuity of representation and operations of Congress as a whole, like the last joint committee that was proposed previously, “any recommendation with respect to the rules and procedures of one House that only affects matters related solely to that House [should] only be made and voted on by members of the joint committee from that House.”

The Committee’s recommendation #56 suggested establishment of a bipartisan, bicameral task force to identify lessons learned during the COVID–19 pandemic and recommend continuity of Congress improvements. This recommendation replaces the previous one by recommending a joint committee. The committee could consider issues including, but not limited to, a process for continuing operations should no member be left alive; a process for reconstituting the House at the start of a new Congress; the potential for the majority party changing based on the timing of states completing special elections under extraordinary circumstances.

V. COMMITTEE CONSIDERATION AND VOTES

CONSIDERATION

On July 19, 2022, the Select Committee held a Business Meeting, a quorum being present, and reported favorably the recommendations herein contained in this report.

VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, there were no recorded votes taken on these recommendations. The recommendations herein contained in this report were adopted by voice vote, two-thirds being in the affirmative. A motion by Chair Derek Kilmer of Washington to report these recommendations to the House of Representatives was adopted by voice vote, two-thirds being in the affirmative.

APPENDIX

**Congress of the United States
House of Representatives
Washington, D.C. 20515**

July 20, 2022

The Honorable Derek Kilmer
Chair
Select Committee on the Modernization of Congress
164 Cannon House Office Building
Washington, D.C.
20515

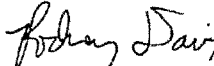
The Honorable William Timmons
Vice Chair
Select Committee on the Modernization of Congress
164 Cannon House Office Building
Washington, D.C.
20515

**Remarks for the Record of the Select Committee on the Modernization of Congress
Business Meeting, July 19, 2022 at 10:00am.**

Chair Kilmer and Vice Chair Timmons,

I submit for the record this statement expressing my support for the 29 recommendations approved with unanimous consent by the Select Committee on July 19, 2022. The recommendations are the product of numerous hearings and countless hours of research, consultation, and dedication by the committee staff and Members. I applaud the Committee for its consideration of recommendations regarding the strengthening of congressional oversight capacity, modernizing our office buildings and district operations, innovating within the legislative process, and exploring solutions to challenges with institutional continuity.

Sincerely,



Rodney Davis
Member of Congress