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HOUSE OF REPRESENTATIVES

REPORT
117–659

RECOMMENDATIONS ON IMPROVING CONGRESSIONAL OPERATIONS, PATHWAYS TO CONGRESSIONAL SERVICE, AND THE FUTURE OF CONGRESSIONAL MODERNIZATION

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 on improving congressional operations, pathways to congressional service, and the future of congressional modernization.

Sincerely,

DEREK KILMER,
Chair.

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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 29, 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. On July 19, 2022, the Select Committee met and issued its eighth set of recommendations focused on congressional oversight capacity, district operations, congressional office operations, the legislative process, and congressional continuity. On September 29, 2022, the Select Committee met and issued its ninth set of recommendations focused on constituent engagement, constituent services, House technology, and congressional operations.

The Select Committee met on November 17, 2022, to pass its tenth package of recommendations. The recommendations broadly focus on congressional operations, pathways to congressional service, and modernization of Congress going forward. The rec-

ommendations address issues the Select Committee took up in public hearings, member meetings, and discussions with stakeholders.

II. BACKGROUND AND NEED FOR RECOMMENDATIONS

Improving congressional operations, opening pathways to congressional service, and promoting continued modernization efforts 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. Committee meetings frequently conflict with each other. Committee leadership and clerks have little insight into the committee assignments of their members and therefore it is difficult to eliminate, insofar as possible, any meeting and scheduling conflicts. Today, docs.house.gov acts as a shared committee calendar but the Committee understands the site is not being used to reduce conflicts.
2. The amount of time it takes to complete a vote series varies based on how promptly members vote which makes scheduling unpredictable. There is currently little transparency regarding members who do not vote within the stated voting time.
3. Members of the Committee on House Administration and the Committee on Rules could benefit from spending more time learning about best practices and innovative strategies from other international legislatures, even though many other legislatures may be attempting to tackle and solve similar challenges.
4. The in-person New Member Orientation right after an election can be overwhelming for new members. Implementation of the Committee's recommendation to spread information out over time, including through the availability of online content, has helped but the process could still be improved.
5. Unlike other government officials and most private business travelers, members of Congress do not receive reimbursement or a per diem for travel-related expenses while away from their primary residence for official work. (Moreover, travel related expenses are no longer tax deductible for members.) The House's existing rules on reimbursement are out of step with how ordinary business travel expenses are treated in the private sector and federal government.
6. When the Select Committee on the Modernization of Congress ends at the conclusion of the 117th Congress, there will be no member-led entity focused on implementation of the Select Committee's recommendations and other modernization-related initiatives.
7. Without a reform committee established at regular intervals, Congress risks going too long between reform entities. This could result in congressional operations becoming outdated and inefficient.

III. HEARINGS

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

- "Pathways to Congressional Service," on June 8, 2022. The Select Committee received testimony from:
  - The Honorable Gregg Harper, Former member of Congress
  - Dr. Molly Reynolds, Senior Fellow in Governance Studies at the Brookings Institution
  - Dr. Steven Rogelberg, Chancellor's Professor Department of Psychological Sciences and Management, University of North Carolina at Charlotte
- "Congressional Modernization: A Roadmap for the Future." The Select Committee received testimony from:
  - Dr. Casey Burgat, Assistant Professor and Legislative Affairs Program Director, The George Washington University
  - Ms. Diane Hill, Senior Manager, Government Affairs, Partnership for Public Service
  - Catherine Szpindor, Chief Administrative Officer at House of Representatives

IV. RECOMMENDATIONS

The Select Committee made the following 7 recommendations to address the problems identified above, adding to the Committee's 195 prior recommendations made since the beginning of the 116th Congress (see **II. BACKGROUND AND NEED FOR RECOMMENDATIONS**):

IMPROVING CONGRESSIONAL OPERATIONS

(1) Recommendation: House Rules or policies should require entering of committee meeting times into the shared committee scheduling tool.

Specifically . . . The Committee previously recommended (#59) that the House create a common committee calendar portal specifically to reduce scheduling conflicts. A shared scheduling tool will allow committees to reduce conflicts as much as possible, but it will only be useable and beneficial insofar as it has the necessary information about pending committee business. In 1981, House Rules required committees to use "a scheduling service which shall be used by all committees and subcommittees to eliminate, insofar as possible, any meeting and scheduling conflicts." In 1992, this requirement was stricken from the Rules.

(2) Recommendation: The House should publish a regular report noting the cumulative time members voted after the allotted time.

Specifically . . . The Office of the Clerk, using information derived from the electronic voting system, should publish a quarterly report noting the total amount of time individual members voted outside of the time allotted. Reporting on the cumulative time a member voted outside the announced voting window will allow for greater transparency and accountability.

(3) Recommendation: The Committee on House Administration and the Committee on Rules should conduct semi-regular, bipartisan international CODELs to learn about other legislatures and to facilitate better collaboration and understanding among committee members.

Specifically . . . Many legislative bodies face similar challenges related to scheduling, outdated technology, imbalance of power in their chambers that disenfranchises members, and other capacity issues. Other parliaments have chosen to address these problems in different ways from which the House could draw some lessons. Learning best practices from other institutions can lead to better problem-solving and reduce inefficiencies in existing processes.

(4) Recommendation: The Committee on House Administration should conduct an update session for new members well into the start of their first term

Specifically . . . An update session would allow new members to ask questions that may have arisen since New Member Orientation, to continue to bond as a class, and to allow members elected in special elections to participate.

PATHWAYS TO CONGRESSIONAL SERVICE

(5) Recommendation: The House should align travel-related expense reimbursement rules for members with standard business travel practices in the private sector and other parts of the federal government.

Specifically . . . This alignment can be accomplished through a change to the Members' Congressional Handbook (Handbook). In the Handbook, members of Congress have two duty stations: (1) their congressional district, and (2) Washington, D.C. The unique "dual duty station" designation for members precludes reimbursement for out-of-pocket costs incurred to cover official travel-related expenses while in Washington, D.C., for official business. Amending the Handbook to address the expenses associated with serving at two duty stations would align travel policies for members of Congress with congressional staff, other government officials, and the private sector. Reasonable reimbursement limits and ethics requirements should apply, and the reimbursement process should be transparent to the public.

FUTURE OF CONGRESSIONAL MODERNIZATION

(6) Recommendation: The House should provide a home for ongoing modernization work within the Committee on House Administration.

Specifically . . . The Committee on House Administration (CHA) is in the best position to ensure that the recommendations set forth by the Modernization Committee are put into practice. If adjustments are needed on the recommendations as they are implemented, CHA has the necessary jurisdiction and tools to do so. The subcommittee would be focused on issues within CHA's jurisdiction while a separate, periodic reform committee would focus on a broader mandate of House or Congress-wide issues. In the 102nd Congress (1991–1992), CHA formed a bipartisan subcommittee, the Subcommittee on Administrative Oversight, that existed through the 103rd Congress ending in 1994. The Chief Administrative Officer position, which was created in 1995, took on much of the Subcommittee on Administrative Oversight's work.

(7) Recommendation: The House should authorize a Modernization Select Committee at least every fourth Congress.

Specifically . . . Prior to the Select Committee on the Modernization of Congress being established in 2019, the Joint Committee on the Organization of Congress in 1993 was the last organized reform entity. As the pace of change accelerates, Congress needs to evaluate itself at more regular intervals. The House, with or without the Senate, should authorize a Select Committee with a mandate to evaluate the operations and efficiency of the institution.

V. COMMITTEE CONSIDERATION AND VOTES

CONSIDERATION

On November 17, 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.