

March 25, 2019

Sen. Richard Shelby, Chairman
Sen. Patrick Leahy, Vice Chairman
U.S. Senate, Committee on Appropriations
The Capitol, Room S-128
Washington, DC 20510

Re: FY 2020 302(b) Allocation for the Legislative Branch

Dear Chairman Shelby, Vice Chairman Leahy, and members of the committee:

On behalf of the undersigned bipartisan group of civil society organizations and individuals, we encourage you to increase the share of funding for the legislative branch as you determine 302(b) allocations for FY 2020. We firmly believe that investing in the legislative branch — which has suffered from a funding deficit and significant loss of institutional capacity in recent decades — is of key importance to the health of our democracy.¹

To fulfill its constitutional role, Congress needs adequate resources to meet its obligations to lead in federal policymaking, provide services for constituents, and conduct oversight that roots out waste, fraud, abuse, and malfeasance. Unfortunately, Congress struggles to retain expert staff, has undermined its support agencies and oversight capacity, and has delegated significant policymaking work to the administrative state.

The comparative decline in funding for the legislative branch is stark. While overall funds available to appropriators have increased by 10% over the last decade (adjusted for inflation), funds made available to the legislative branch subcommittees have decreased by 7%. The legislative branch — created as the most powerful and democratically accountable of the three branches — received less than 0.36% of the approximately \$1.33 trillion available to appropriators.

These underlying trends have precipitated a crisis. If Congress does not invest more in the legislative branch now, it likely will become incapable of serving as a co-equal branch of government in the future. Here are just some of the major challenges at Congress's doorstep:

1. **Crumbling infrastructure:** The Architect of the Capitol has made clear it will cost several billion additional dollars over the upcoming years for building renovations to keep Congress from literally falling apart. This is reflected in the AOC's FY 2020 budget request, which asks for an additional \$98 million. While this is not much compared to the overall federal budget, it is a huge amount for the tiny legislative branch, especially on top of ever-increasing security costs. These infrastructure needs will put an

¹ Daniel Schuman and Zach Graves, "The Decline Of Congressional Expertise Explained In 10 Charts," *Techdirt*.
<https://www.techdirt.com/articles/20181018/10204640869/decline-congressional-expertise-explained-10-charts.shtml>.

undeniable strain on other legislative branch functions if the appropriations baseline is not increased.

2. **Congressional modernization:** There are a number of efforts to make Congress a 21st century institution, starting with the recently enacted Congressional Accountability Act, the appropriation of funds to pay for interns, and the expansion of child care facilities. These are welcome first steps, but they are merely the start of the work that must be done to modernize employee benefits to improve retention, to address cybersecurity needs, to bring congressional information technology up to date, to better distribute the workload among a larger base of staff, and to rebuild and improve the legislative support offices and agencies.
3. **Science and technology:** Following high-profile hearings with Mark Zuckerberg and other tech CEOs, there has been significant new interest in reversing the decline of congressional policy expertise, especially in the area of science and technology. Indeed, a recent CMF survey of senior staff reported only 6% were “very satisfied” when asked if “Members have adequate time and resources to understand, consider and deliberate policy and legislation.”² Innovations in science and technology are a key driver of economic growth. Additional expertise and capacity in this area can help Congress better understand the tradeoffs of different policy approaches and create forward-looking policy frameworks in areas like privacy, cybersecurity, synthetic biology, and artificial intelligence. This capacity can also support the federal government’s responsible use and adoption of these technologies, improving efficiency, and delivering better value for taxpayers.

While the Framers envisioned Congress as the first among three co-equal branches, Congress’s capacity has declined to the point where it cannot fully meet its constitutional duties. It is also facing new challenges that threaten to strain existing resources beyond the breaking point. We therefore urge you help reverse this institutional decline and provide Congress with the resources it needs to serve the interests of the American people.

Sincerely,

Zach Graves,
Head of Policy, Lincoln Network

Daniel Schuman
Policy Director, Demand Progress

² Kathy Goldschmidt, “State of the Congress: Staff Perspectives on Institutional Capacity in the House and Senate,” Congressional Management Foundation.
http://www.congressfoundation.org/storage/documents/CMF_Pubs/cmf-state-of-the-congress.pdf.

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