

September 9, 2019

Senator Richard Shelby, Chairman
Senator Patrick Leahy, Ranking Member
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, Ranking Member Leahy, and members of the committee:

We encourage you to increase the share of funding for the legislative branch as you decide upon 302(b) allocations for FY 2020, especially now that the top line numbers for defense and non-defense discretionary spending have been determined. 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

While this letter does not suggest agreement or disagreement with the top line spending numbers, we firmly believe that the portion of federal spending that goes to the legislative branch must increase.

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.

Next year, non-defense discretionary spending will increase by 4.5% to \$632 billion.² To put this in context, Congress has cut the percentage of non-defense discretionary appropriations for the legislative branch from 0.85% in 2012 to 0.81% in 2019 even while the amount of non-defense discretionary appropriations grew by 5.97%. This year's legislative branch appropriations bill, reported out of committee in the House, only increases legislative branch funding by 3.6% increase, or \$135 *million*, compared to the overall 4.5% increase.

Congress should increase funding for the legislative branch by an additional \$300 million, which is only 1% of the *new* non-defense spending. While this amount would be a drop in the bucket of the new spending, it would help rebuild a devastated Congress.

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>.

² <https://www.rollcall.com/news/congress/white-house-hill-leaders-agree-two-year-budget-deal>

These underlying funding 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.

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 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. Congress's needs for cybersecurity and physical security alone require significant investment.

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. Congressional buildings must be safe for visitors and to support the conduct of official business. These infrastructure needs will put an undeniable strain on other legislative branch functions if the appropriations baseline is not increased.

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. 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 and support the federal government's responsible use and adoption of these technologies.

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 urge you help reverse this institutional decline and provide Congress with the resources it needs to serve the interests of the American people.

Sincerely,

Beck Center for Social Impact + Innovation at Georgetown

BPC Action

Campaign for Accountability

Citizens for Responsibility and Ethics in Washington

College to Congress

Consumer Action

Courage Campaign

Data Coalition

Demand Progress
Democracy for America
Government InformationWatch
GovTrack.us
Issue One
Lincoln Network
Media Mobilizing Project
NALEO Educational Fund
National Security Counselors
National Taxpayers Union
New America
Project On Government Oversight
Protect Democracy
R Street Institute
RootsAction.org
Senior Executives Association
Social Security Works
Sunlight Foundation
Transparency International
Win Without War
X-Lab

Cc: The Honorable Nita Lowey
The Honorable Kay Granger