

June 22, 2020

The Honorable Nita Lowey  
Chair  
Committee on Appropriations  
United States House of Representatives

The Honorable Kay Granger  
Ranking Member  
Committee on Appropriations  
United States House of Representatives

The Honorable Richard Shelby  
Chair  
Committee on Appropriations  
United States Senate

The Honorable Patrick Leahy  
Ranking Member  
Committee on Appropriations  
United States Senate

## Re: Strengthening the Legislative Branch by Increasing its 302(b) Allocation

Dear Chair Lowey, Chair Shelby, Ranking Member Granger, Ranking Member Leahy, and Members of the Committees on Appropriations:

We urge you to increase the funding available for the Legislative Branch by 10% as you determine 302(b) allocations for FY 2021. Over the last year, demands on Congress have significantly increased as relate to your response to the COVID-19 pandemic and increased constituent requests for assistance, managing the consequences of the economic downturn and overseeing significant amounts of new spending, and working through the legislative response to nationwide demonstrations and their underlying causes. The Legislative Branch, which has suffered disproportionately from underfunding and the loss of institutional capabilities in recent decades, is essential to the health of our democracy and must be strengthened to better serve the American people.<sup>1</sup>

To put this in context, money appropriated for non-defense discretionary purposes over the last 25 years has increased by 55%, but money appropriated for the legislative branch has increased at half that rate.<sup>2</sup> Within the legislative branch, funding increases have *not* been used to increase policy capacity, but have instead largely gone towards security and infrastructure. Since 1995, Capitol Police expenditures went up by 279% and Architect of the Capitol expenditures increased by 131%. The Capitol Police and Architect of the Capitol now amount to 23% of overall legislative branch funding, or \$1.16 billion. Funding for the entire legislative branch, excluding USCP and AOC, increased a mere 8% over the last ten years.

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<sup>1</sup> Daniel Schuman and Zach Graves, “The Decline Of Congressional Expertise Explained In 10 Charts,” *Techdirt*, committee funding is down by \$88 million, from \$327 million in the 111<sup>th</sup> Congress to \$239 million in October 18, 2018.  
<https://www.techdirt.com/articles/20181018/10204640869/decline-congressional-expertise-explained-10-charts.shtml>.

<sup>2</sup> These numbers are adjusted for inflation.

Spending on Congressional committees has decreased by 25 percent since the 111<sup>th</sup> Congress. House committee funding is down by \$114 million from its peak, decreasing from \$438 million in the 111<sup>th</sup> Congress to \$324 million in the 115<sup>th</sup> Congress.<sup>3</sup> Senate committee funding is down by \$88 million from its peak, decreasing from \$327 million in the 111<sup>th</sup> Congress to \$239 million in the 115<sup>th</sup> Congress.<sup>4</sup>

Personal offices have suffered as well. Inflation-adjusted spending on the House Member Representational Account is down by 21% since 2010, decreasing from \$786 million to \$615 million.<sup>5</sup> The Senate Official Personal Office Expenditure Account is down by 10% since 2010, decreasing from \$502 million to \$449 million, and would have fallen further but for the automatic offset based on state population size that goes to constituent service staff.

These trends extend back over a quarter-century, as committees have lost over 1,000 staff positions and support agencies have over 2,500. Compensation for key policy positions, such as Legislative Assistants, has also decreased noticeably in a time when the Washington, D.C. metro area has become a much more expensive place to live.<sup>6</sup>

To fulfill its constitutional duties, Congress must have sufficient 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, with a budget that is less than 1% of federal discretionary spending—of which only a small subset is spent on policymaking, oversight, and constituent services—Congress struggles to retain experienced staff and serve as a check on the Administrative State. Indeed, Congress is far weaker than it was even a quarter-century ago even as the challenges have become greater.

While this letter is not intended to suggest agreement or disagreement with the top line spending numbers, we firmly believe that the share of federal spending that goes to the Legislative Branch must increase.

Specifically, we urge you to increase funding available for the Legislative Branch by an additional 10%, or \$504.9 million, which is less than 1% of non-defense spending for FY 2021. While this amount would be a drop in the bucket and would not fully restore committees, personal offices,

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<sup>3</sup> This is in inflation-adjusted dollars. See Daniel Schuman, “How House Committees Get Their Money,” Demand Progress, January 25, 2019.

<https://firstbranchforecast.com/2019/01/25/how-house-committees-get-their-money/>.

<sup>4</sup> Daniel Schuman and Amelia Strauss, “How Senate Committees Get Their Money,” Demand Progress, August 23, 2019. <https://firstbranchforecast.com/2019/08/23/how-senate-committees-get-their-money/>.

<sup>5</sup> This is in inflation-adjusted dollars. See Daniel Schuman, “The Undermining of Congress,” Demand Progress, February 17, 2020. <https://firstbranchforecast.com/2020/02/17/the-undermining-of-congress/>.

<sup>6</sup> See, e.g., Raymond T. Williams and R. Eric Petersen, “Staff Pay Levels for Selected Positions in House Member Offices, 2001-2018,” Congressional Research Service, June 11, 2019. [https://www.everycrsreport.com/files/20190611\\_R44323\\_9a4ae984635668ca9378fa223ae5f7234325f8a9.pdf](https://www.everycrsreport.com/files/20190611_R44323_9a4ae984635668ca9378fa223ae5f7234325f8a9.pdf).

and legislative support agencies to their prior funding levels, it would be a downpayment on rebuilding Congress's lost institutional capacity.

We would welcome the opportunity to discuss this in greater detail. We have identified options that would help ensure that burdens placed on the Legislative Branch that benefit the entire federal government are shared equitably and accounted for properly.

Thank you for your consideration. To discuss this further, please contact Daniel Schuman, Policy Director for Demand Progress at [Daniel@DemandProgress.org](mailto:Daniel@DemandProgress.org) or Zach Graves, Head of Policy for the Lincoln Network at [zach.graves@joinlincoln.org](mailto:zach.graves@joinlincoln.org).

Sincerely,

Demand Progress  
Lincoln Network  
American Library Association  
American-Arab Anti-Discrimination Committee (ADC)  
Bipartisan Policy Center Action  
Citizens for Responsibility and Ethics in Washington (CREW)  
College to Congress  
Congressional Management Foundation  
Consumer Action  
Courage California  
Democracy for America  
Democracy Fund Voice  
DotGov.com  
Free Government Information  
FreedomWorks  
Government Accountability Project  
Government Information Watch  
GovTrack.us  
Issue One  
Justice Democrats  
Leadership Now Project  
Movement Alliance Project  
NALEO Educational Fund  
National Security Counselors  
National Taxpayers Union  
Niskanen Center  
Open The Government  
Pay Our Interns Action Fund  
Progress America

Project On Government Oversight  
Protect Democracy  
Public Citizen  
R Street Institute  
Revolving Door Project  
Science Advisors, LLC  
Senior Executives Association  
TechFreedom  
The Data-Driven Institute  
Win Without War  
X-Lab  
Zakon Group LLC

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Beth Noveck, The Governance Lab, New York University\*  
Brian Baird, Former Member of Congress\*  
DJ Patil, Former U.S. Chief Data Scientist\*  
Gerald Epstein, Former Senior Associate, Congressional Office of Technology Assessment\*  
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Jacqueline Kazil, Python Software Foundation\*  
Jillian Grennan, Duke University\*  
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