

Statement of Donald R. Wolfensberger  
Before the House Select Committee  
On the Modernization of Congress  
Wednesday, March 27, 2019

Chairman Kilmer, Vice Chairman Graves and members of the select committee:

First I want to commend you all on your appointment to this very important select committee and for accepting the challenge it presents to you. Second, I thank you inviting me to testify before you today on “Congressional Reforms of the Past and their Effect on Today’s Congress.”

Let me make clear from the start that the views I express today are solely my own and do not represent the views of either of the two institutions with which I am affiliated.

I would like to request that in lieu of a more detailed written statement I be permitted to insert in the hearing record a paper I prepared for use by the Bipartisan Policy Center’s Commission on Political Reform in February 2013 titled, “A Brief History of Congressional Reform Efforts.” I presented this in advance of today’s hearing for inclusion in members’ hearing folders.

What I would like to do today in my brief oral statement is to paraphrase some of the conclusions drawn from that paper as well as from my testimony before the Joint Select Committee on Budget and Appropriations Process Reform last May. I think you will find that both pieces fit nicely with today’s topic of lessons learned from past reform efforts in Congress.

In your letter of invitation you have asked me to comment specifically on what problems over the last 50 years various reform efforts were attempting to solve; implicitly, what worked and what didn’t work and why; what effects the reforms have had on the functionality of the modern Congress; whether Congress is better or worse in being responsive to constituents as a result of

these reforms; and whether even successful reforms have eroded over time or been discarded.

That's a pretty full plate for a five-minute summary, so I will commend you to the reading of my 11-page brief history and simply share with you now the conclusions I have drawn.

To sum up what has worked in past reform efforts: (1) There must be a perceived need for reform that will contribute to the improved functioning of the institution as a whole as well as enhance the legislative experience of individual members of both parties; (2) There must be a commitment among members of such a reform panel to check their partisan guns at the door; (3) private, informal meetings and briefings among members of bipartisan panels have helped build relationships and trust, away from the glare of TV lights; (4) soliciting the views and recommendations of members who are not committee members as to what they perceive the problems that should be addressed and what solutions they think may work will help to ensure broader buy-in once the panel makes its recommendations; (5) full bipartisan leadership backing is important throughout the process, from the takeoff to the landing; and (6) panels must be flexible and willing to compromise if they encounter unanticipated obstacles after they have reported their recommendations.

The underlying lessons I have learned from observing and participating in numerous reform panels over my years in Congress as well as what I have observed since I left the Hill for the safety and security of the think tank world, is that members and leaders will resist being led by procedural changes to places they don't want to go --namely political and electoral cul de sacs. For every rule change there is an exception, and those exceptions have a way of growing and becoming the new normal. Put another way, members and leaders will find ways to circumvent well-meaning reforms that they determine have more negative than positive political consequences. Most reforms that are touted as being quick fixes to turn around public

disapproval of Congress usually do not achieve a heightened level of public trust and confidence that some had predicted. That's because the public does not pay close attention to the procedural and process improvements Congress adopts, no matter how much they may carry a "good government" label. The people do pay close attention to whether Congress's performance improves in terms of delivering more effective problem-solving policy solutions.

Nevertheless, Congress will move on necessary reforms that will achieve better policy results if the public is genuinely engaged and outraged about a particular problem and Congress's lack of action on it. Better process can produce better policy results if Congress follows through on actually using those process changes instead of resting on its supposed reform laurels.

In conclusion, while conceding there are no panaceas or quick fixes, you should focus your energies and efforts on three or four of the most basic failures of the House and deliberate on options for addressing those weaknesses. To me, the areas that most need working on are budgeting timetables, the lack of adequate oversight and authorizing activity, the crowding out of Member initiative and participation in the legislative process by centralized leadership control, and inadequate staff resources and expertise. You may well have a different set of priorities, but carefully limit them to a manageable number given the shortness of time you have. I wish you well.

Thank you.