

The Supply and Demand for Analysis on Capitol Hill

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The congressional attitude toward policy analysis is not an all-or-nothing proposition but depends substantially on the conditions facing Congress. This article suggests that four conditions promote the demand for and supply of analysis on Capitol Hill: congressional independence from the executive branch, abundant and dispersed staff resources within the legislative branch, available analytic resources outside Congress, and a legislative process open to diverse interests and participants.

Anyone exposed to the ways and foibles of Capitol Hill might easily conclude that Congress and policy analysis are not made for each other. What hope there is for analysis seems to reside in the executive branch, where there is time for thinking and looking ahead, where the search for alternatives is comparatively broad and open, and where reason and information have some prospect of influencing decisions. If this executive bias is not explicitly embraced by the analytic professions, it is surely implied by their actions and interests. Until recently, the attention and work of analysts were oriented almost exclusively to the executive agencies. More than one critic has remarked that PPB—the Planning, Programming, Budgeting system launched in the 1960s to institutionalize planning and analysis in the federal budget process—was silent about the role of Congress.¹

Congress displays little on the surface to challenge the notion that the surer path to analytic success is through the administrative

1. On the neglect of Congress, see U.S., Congress, Senate, Committee on Government Operations, *Planning-Programming-Budgeting: Interim Observations*, 90th Cong., 2d sess., 1968.

process rather than the legislative thicket. Consider the steps ordinarily required for a bill to become a law. The process begins with the introduction of a bill, one of thousands offered in the same year. At this first step, statutory language is already rigidly in place; it would seem that the conclusion has already been reached. Then on to hearings, but only for the comparatively few bills that advance beyond the introductory stage. More often than not, most of the committee members are absent from the hearings, and those who are there pursue a disjointed line of questioning that yields a tangle of loose and dead ends. The session often opens with a prepared statement setting forth findings and conclusions, before any testimony has been received. Having arrived with his mind made up, the congressman often has also arranged a lineup of witnesses stacked in favor of his position.

As the measure advances through the legislative process, the inattention to analysis persists. At committee markups, congressmen wrangle over words but rarely over larger purposes or future outcomes. In reconciling their differences, they often opt for a compromise that is inferior to their original positions. The garnering of votes, not the quality of the "pork," seems uppermost in the legislative process. If the legislation makes it to the floor, its fate usually has been predetermined by the private exchange of commitments. By the time floor consideration begins, there are likely to be more indifferent than undecided members. Both types take their cues from colleagues, not from reasoned debate.²

LEGISLATING TO A DIFFERENT DRUMMER

The foregoing is part caricature laced with a big dose of reality. Congress is not a natural habitat for policy analysis. The temptation, then, is for analysts to concentrate on the executive branch, where the opportunities for making an impact on public policy are more favorable. Although an accurate count is impossible, there are probably few analysts who regard themselves as working for Con-

2. There is a vast and growing literature on the role and behavior of Congress, including classics such as Richard F. Fenno's *The Power of the Purse* (Boston: Little, Brown & Co., 1966); and Donald Matthews's *U.S. Senators and Their World* (Chapel Hill: University of North Carolina Press, 1960). Analysts who would serve Congress would do well to dip into this literature, which, despite occasional addiction to political science jargon, presents an accurate portrayal of Congress at work.

gress. The problem is not primarily one of staffing: although there are some critical gaps in its resources, Congress still has many thousands of employees on personal and committee staffs, plus thousands more in adjunct agencies—the General Accounting Office, the Congressional Research Service, the Office of Technology Assessment, and the new Congressional Budget Office. Nor does the problem hinge on a shortage of data—although analytic information often is in short supply, either because no one has it or because executive agencies tend to be reticent about searching out alternatives to their preferred course of action.

The problem is rooted in the institutional character of Congress as a representative, law-producing body. Propelled by pervasive political impulses of "Who gets what," Congress seems more concerned about the distributive effects of public policies than about *pro bono publico* benefit-cost ratios. Unlike the analyst who seeks to maximize aggregate national welfare, the legislator knows that it is *someone's* welfare that is to be benefited. This does not mean that congressmen are never concerned about the total public interest or that analysts are always insensitive to distributive effects; it means only that the legislative and analytic processes are not natural or easy partners.³

The beginning of wisdom about Congress is to recognize what Mayhew describes as "the electoral connection," the motivation of congressmen to pursue politics that enhance their prospects for reelection.⁴ This connection is strongest when distributive policies are at issue—when, for example, Congress is allocating discrete benefits to particular areas or target groups. It is ironic but not surprising that cost-benefit analysis made its first legislative appearance in connection with water resource policies, an arena in which the distributive ethic is particularly dominant. As Ferejohn demonstrates in his recent study of the Army Corps of Engineers, the costs of rivers and harbors often exceed the benefits.⁵ Congressmen cannot be expected to renounce their political aims for the sake of

3. The difference between analytic and legislative modes of choice is akin to the distinction between economic and political rationality in Paul Diesing, *Reason in Society* (Urbana, Ill.: University of Illinois Press, 1962).

4. David R. Mayhew, *Congress: The Electoral Connection* (New Haven, Conn.: Yale University Press, 1974).

5. John A. Ferejohn, *Pork Barrel Politics: Rivers and Harbors Legislation, 1947-1968* (Stanford, Calif.: Stanford University Press, 1974).

efficiency; nor can they be expected to support analysis that conflicts with their assessment of political reality.

In consonance with its distributive ethic, Congress is an institution in which power is widely shared, in which there are multiple points of access, and in which many interests have an opportunity to be heard. This diffusion of legislative power—accompanied by what political scientists have become accustomed to salute as patterns of reciprocity and specialization—accommodates the particularistic pressures impinging upon Congress. No one controls. In order to build a winning coalition on Capitol Hill, it is necessary to attract support from disparate interests. Not all congressmen who support a bill do so for the same reasons, and not always for reasons that would satisfy analytic standards. The political process of putting together a majority not only produces inconsistencies in legislation but also obscures legislative intent and complicates the task of evaluating program results.

ANALYSIS IN THE SERVICE OF LEGISLATION

Congress and the executive branch are different. The executive has the comparative advantage of putting things together, coordinating a variety of actors and problems, concentrating power in a few hands. The comparative advantage of a legislature is in the sharing of power, in the necessity that many wills be satisfied in order for one law to pass. Viewed from this perspective, the fragmentation and disarray of the legislative process are functional; they certainly are not aberrations that must be remedied away if Congress is to become an effective policymaking institution. A legislature is not just a multimember executive, nor does it exist only for the purpose of separating governmental power into two compartments. Its larger purpose is to diffuse power where the other branch concentrates it. The prospect, therefore, is for Congress to continue in its peculiar fashion.

Accordingly, a disposition toward policy analysis is more apt to be found in the executive branch than in Congress. So, reasons the analyst, why bother with 535 members when timely access to the right decision maker can bring analytic success? Why endure the frustrations of Congress when the unification of power and knowledge in the executive branch can enhance the quality of public choice?

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There are a number of compelling reasons why the issue should be resolved in favor of closer ties between the legislative branch and the analytic world. An obvious one is that it takes action by both branches to enact major changes in policy. If the legislative process were off limits to analysts, executive proposals based on analytic evidence probably would not survive intact. While Congress is not going to transfer legislative power to cadres of analysts, it can be swayed by analytic thinking, at least to the extent of rejecting the worst alternatives.

Moreover, Congress can play a useful role in stimulating agencies to conduct and utilize analysis. The disappointing career of PPB demonstrated that it is not easy to incorporate analysis into the decisional processes of government agencies. The budget process, in particular, can be very inhospitable to analytic penetration, even when support is forthcoming from the top. The evidence from the PPB years also is that executive agencies do not readily open their analytic books to legislative inspection. Agencies generally are willing to disclose the end products of their analytic work—the recommended course of action—but not the data that might justify other alternatives. Agencies also can be constrained in the range of alternatives they open to analytic examination, ignoring some possibilities that might be attractive from a congressional point of view.

The integrative tendencies of the executive branch reduce the number of points at which analysis can be injected into the decision-making process. Although this limited access might be a blessing to the analyst working for top officials who appreciate and use analysis, the situation can change overnight with a shift in executive positions. The agency that welcomes analysis today may be indifferent or hostile tomorrow; the planner or analyst who is in the center of things now may soon be pushed aside by a change in the palace guard. During the past decade, the status of analytic staffs has been quite unstable; there have been frequent reorganizations and shifts in fortune, and perhaps no analytic group has consistently enjoyed the limelight and top support. Unlike the budget maker who supplies essential services to executive authorities, the analyst often can be ignored without any immediate crisis.

The very fragmentation of Congress offers the analyst multiple points of access. While not all members hold equal power, the skill-

ful use of evidence by even a junior congressman can have an impact on the legislative outcome. Within the committee structure, jurisdictions are not so narrow as to allow for only one avenue of influence. In the case of federal spending, for example, there are literally dozens of pressure points, with power spread among the appropriations subcommittees in each house as well as among the various authorizing committees.

The diffusion of legislative power is often regarded as an obstacle to the realization of analytic purposes, but it can be turned into an advantage. As Lindblom and Wildavsky have long argued, the free competition of partisan interests can enhance rational choice by increasing the probability that relevant concerns will not be neglected.⁶ One way to generate a broad range of alternatives and to test them against various assumptions and values is to open the decisional process to partisans who have no claim to objectivity but vigorously advocate their particular interests. This is the manner of Congress, and it yields as abundant a crop of options as are seriously considered in the executive branch. There is hardly an important piece of legislation for which alternatives are not offered. The analyst who wants to assure that preconceived biases do not rule out important possibilities would do well to exploit the multi-sidedness of the legislative process.

Good analysis encourages the reconsideration of initial assumptions and objectives as the analysis progresses. While this iterative ideal is not always attained in practice, at least it encourages analysts to be open to new data and insights and to be aware of new constraints. In the political world, this type of reconsideration is apt to be found more in the legislative than the executive branch, if only because congressmen often must revise their initial positions in order to garner peer support. Although the language of a bill conveys a sense of finality, most important legislation goes through a number of mutations as various interests press their views. The political iteration allowed by the legislative process frequently works to assure that early assumptions will not go unchallenged and that sponsors will be able to modify their initial positions.

The fact that advocacy and analysis are different crafts does not

6. Charles E. Lindblom, *The Intelligence of Democracy* (New York: The Free Press, 1965); Aaron Wildavsky, *The Politics of the Budgetary Process* (Boston: Little, Brown & Co., 1964).

mean that they cannot be united in a common cause. Some of the keenest exponents of PPB have argued that a prime objective of analysis is to improve the outcomes of political bargaining by introducing a new set of participants—"partisan efficiency advocates"⁷—into the decision-making process. This concept of analysis, initially formulated for the executive branch, has even greater relevance for Congress, where many sides sit at the bargaining table and hammer out legislative products. The analyst who serves this table can contribute to the enrichment of advocacy only if he is willing to tolerate the fragmentation that is the essence of a legislature.

The place of analysis in the legislative process does not depend solely on its quality or availability. Many analyses are done but not used, and over the long run the supply will be determined as much by the demands of consumers as by the industriousness of the producers. Rarely are analysts able to write their own tickets in deciding the uses to which their work will be put. Like seedlings, analyses take root only when conditions are favorable, and the crop is harvested only when someone is motivated to reap its benefits.

National Defense: An Illustrative Case

There is a legislative market for analysis, and its conditions vary over time and policy area. This has been the case with national defense, an area in which Congress once was regarded as dormant but has been quite active in recent years. Each year the defense authorization bill occasions a "great debate" on defense policy that takes days and even weeks of floor time. Far more time is allotted to this measure than to most important legislation. During one year the focus was on U.S. forces in Europe; in another it was on the ABM system; a third concentrated on our policy in Indochina, and a fourth on strategic offensive forces. Whatever the focus, as the debate proceeds, analytic evidence of high quality is marshaled in behalf of one or another of the positions. Many floor amendments are put forth as congressmen seek support for alternatives to the official position. The caliber of debate—in terms of the utilization of data and analysis—is extraordinary by congressional standards.

In recent years, the analytic quality of legislative debate has been consistently higher in national defense than in any other policy area.

7. The term is taken from Charles L. Schultze, *The Politics and Economics of Public Spending* (Washington, D.C.: The Brookings Institution, 1968).

Yet, by some conventional measures, the preparedness of the Congress for an analytic posture would appear to be quite unfavorable. By comparison with other congressional committees, the two armed services committees are very inadequately staffed. In the 93d Congress, the House Armed Services Committee ranked 15th in staff size out of 21 standing committees of the House and was exceeded in size by "minor" committees such as Internal Security, District of Columbia, and Post Office and Civil Service.⁸ It outranked only the committees with limited or specialized jurisdiction, such as Rules, Science and Astronautics, and Standards of Official Conduct.

A comparable situation prevails in the Senate, where the Armed Services Committee is surpassed in staff size by 12 of the 18 standing committees.⁹ With barely two dozen staff members each, the House and Senate armed services committees do not appear to have sufficient analytic resources for their jurisdiction over defense legislation.

If analysis flourishes in the defense area, it is because a number of conditions favor it. In the following pages, I spell out five propositions relating to the supply and demand for analysis. These propositions rest on four relevant conditions: congressional independence, abundant and dispersed staff resources, the conduct of analysis outside of Congress, and the openness of the legislative process to diverse interests and participants. Where these conditions prevail—as in defense policy—the legislative demand for and use of analysis is likely to be high.

CONDITIONS FAVORING CONGRESSIONAL USE OF ANALYSIS

1. *Legislative demand for analysis is a function of congressional independence from the executive branch.* Congress can be a productive law-making body if it (a) follows the initiatives of the executive branch or (b) develops its own legislative programs. The first condition prevailed during the harvest years of the Great Society, when Congress enacted scores of important measures at the command of a strong president. Congress did not base its actions on

8. These data are taken from U.S., Congress, House, Select Committee on Committees, 93d Cong., 2d sess., *Committee Reform Amendments of 1974, Report to Accompany H. Res. 988*, H. Rept. 93-916, Part II (21 March 1974), p. 358.

9. Charles B. Brownson, ed., *1975 Congressional Staff Directory* (Alexandria, Va.: The Congressional Staff Directory, 1975).

analytic findings, because it was willing to go along with the administration's preferences. But when Congress wishes to exercise its own judgment, its receptivity to analysis is likely to increase, if only because analysis opens up alternatives to the president's position. This is exactly what happened in defense policy. As Congress asserted its independence from executive wishes, its utilization of analysis markedly increased.

One measure of independence is the extent to which Congress deviates from the president's budget requests, in particular the extent to which less money is appropriated than the president wants. Table 1 shows the dramatic turnaround that took place in congressional attitudes during the period between 1961 and 1975. In five of the seven fiscal years prior to peak Vietnam involvement, Congress voted more money than was requested by the president; since then, however, it has consistently appropriated amounts below the president's budget.¹⁰ The cuts have been as high as seven percent, and for controversial programs such as procurement or research and development, they have sometimes been 10 percent or higher.

TABLE 1. DEFENSE APPROPRIATION BILL

Year	Requested	Appropriated	Increase (Decrease)
1961	39,335,000,000	39,996,608,000	661,608,000
1962	42,942,345,000	46,662,556,000	3,720,211,000
1963	47,907,000,000	48,136,247,000	229,247,000
1964	49,014,237,000	47,220,010,000	(1,794,227,000)
1965	47,471,000,000	46,752,051,000	(718,949,000)
1966	45,272,844,000	46,887,163,000	1,614,319,000
1967	57,664,353,000	58,067,472,000	403,119,000
1968	71,584,000,000	69,936,620,000	(1,647,380,000)
1969	77,074,000,000	71,869,828,000	(5,204,172,000)
1970	75,278,200,000	69,640,568,000	(5,637,632,000)
1971	68,745,666,000	66,595,937,000	(2,149,729,000)
1972	73,543,829,000	70,518,463,000	(3,025,366,000)
1973	79,594,184,000	74,372,976,000	(5,221,208,000)
1974	77,250,723,000	73,714,930,000	(3,535,793,000)
1975	87,057,497,000	82,096,297,000	(4,961,200,000)

SOURCE: U.S., Congress Senate, Committee on Appropriations, *Appropriations, Budget Estimates, etc.*, annual volumes, 1961-1975 (Washington, D.C.: U.S. Government Printing Office).

10. For documentation of the congressional role in defense policy, see Arnold Kanter, "Congress and the Defense Budget: 1960-1970," *American Political Science Review* 66 (March 1972): 129-43.

The disposition to be independent can be whetted by access to ample analytic resources. The very process of analysis will generate alternatives to the president's preferences, and these can encourage congressmen to mark out their own positions. This also applies to the relationship between individual members and congressional leaders. An independent supply of analysis can stimulate members to diverge from the policies of their leaders, which is precisely what has happened in congressional action on defense legislation. Access to analysis has bolstered the independence of dissident members of the armed services committees and, particularly in the Senate, has enabled congressmen not serving on these committees to participate effectively in the annual debate on the defense authorization bill. Thus, it is not necessary that Congress as a whole demand analysis. This seldom happens, and it is not consistent with the dispersion of power within Congress. It suffices that individual committees or members want analysis for a particular program or measure.

However, the supply of analysis is not likely to be sustained unless there is a continuing demand for it from Capitol Hill. This was the dismal fate of PPB-spawned analysis in the late 1960s, when a lack of interest on the part of users resulted in a reduction of supply. The relationship between analytic supply and demand is bilateral: demand begets supply; supply stimulates independence; independence stimulates demand.

Understandably, congressional independence tends to wane when both the legislative and executive branches are controlled by the same political party, just as it tends to be spurred by a party split between Congress and the White House. The resurgence of congressional independence during the post-Watergate era has been due to a weakening of presidential leadership and to structural upheavals within Congress, especially in the House of Representatives. The former has made it safer for legislators to deviate from the White House lead; the latter has fractured the power structure within Congress and has encouraged members to seek influence through independence. While congressional independence has been much applauded recently, it remains to be seen whether this new vigor can withstand a restoration of presidential leadership or a reconcentration of legislative power in the House or Senate. There are national and state precedents for a return from legislative to executive supremacy, but Congress never before possessed the ana-

lytic capacity to maintain its independence in the face of the traditional presidential advantages in information, public opinion, and policy formulation. The present situation is distinctive in that Congress is moving to match its political independence with analytic independence from the executive branch. As for the distribution of power within Congress, although there have been periodic swings from fragmentation to cohesion, the vesting of members and committees with substantial analytic resources will make it difficult to return to a more disciplined legislative process in which members take their cues from leaders.

2. *Legislative demand for analysis is a function of staff resources, primarily because more resources facilitate independence from executive and legislative leadership.* The effects of staff resources on congressional operations are frequently misunderstood, because they are viewed in terms of relationships with the executive branch. A favorite theme of legislative reform is that Congress needs more staff in order to compete against the superior resources of the executive. When justifying more resources for itself, Congress typically points to the thousands of computers in executive agencies, to the tens of thousands at work in the Pentagon, to the sprawling bureaucracy in the Executive Office of the President. As the disadvantaged branch, Congress obviously has much to gain in arguing for more staff in terms of the discrepancy between executive and legislative resources.

The analytic justification for more staff seems to be: more staff for Congress means more analysts at work; more analysts means more analysis. One trouble with this formulation is its expectation that analysts will be hired for the new positions and, once employed, will continue to ply their analytic crafts. If staff numbers were the key factor, Congress should already have entered the analytic age. Table 2 traces the growth in House and Senate staffs over the past 20 years. Since 1954, Congress has tripled its personal and committee staffs, with the steepest increases coming since the Republican presidential victory in 1969. The totals in table 2 do not include any of the congressional service agencies. When these are added to the count, congressional staff numbers exceed 23,000.¹¹

11. It is hard to determine precisely how many persons in the congressional staff agencies are employed in behalf of Congress. Most employees of the General Accounting Office probably fit this category, but in the Library of Congress only the Congressional Research Service functions full time as a service agency for Congress.

TABLE 2. FEDERAL CIVILIAN EMPLOYMENT IN CONGRESS,
OCTOBER 1954 - OCTOBER 1974

October	Congress Summary	Senate	House
1954	5,635	2,061	3,574
1955	5,585	1,962	3,623
1956	6,307	2,342	3,965
1957	6,383	2,378	4,005
1958	6,598	2,516	4,082
1959	6,917	2,700	4,217
1960	6,791	2,643	4,148
1961	7,487	2,713	4,774
1962	7,857	2,889	4,968
1963	7,934	2,982	4,952
1964	8,091	3,071	5,020
1965	8,891	3,219	5,672
1966	9,484	3,294	6,190
1967	9,952	3,587	6,365
1968	10,078	3,632	6,446
1969	10,721	3,847	6,874
1970	11,274	4,140	7,134
1971	12,793	4,624	8,169
1972	13,602	4,626	8,976
1973	14,609	5,078	9,531
1974	17,728	5,284	12,444

SOURCE: U.S. Civil Service Commission, unpublished reports.

Staff makes a big difference in the functioning of Congress, but not necessarily in the advertised manner. Staff buys independence. Access to staff enables a member to participate more independently in committee and on the floor. A member might campaign for more staff of his own in order to free himself from a committee staff beholden to the chairman or to expand his legislative range beyond his committee assignments. Conversely, a committee chairman might prefer a small staff in order to restrict its scope to matters under his control and to thwart the independence of certain members.

Congressional activity in defense policy is instructive here. The staffs of the armed services committees have purposefully been kept small in order to curb committee independence from the Pentagon. Some members have been able to insert themselves into the defense policymaking process by detailing staff aides to full-time work on defense matters or by skillfully using the resources of congressional staff agencies.

Although proposals to augment congressional staff tend to be framed in terms of executive-legislative relations, the outcome is

bound to affect the distribution of power within Congress, and legislative controversy over staff will be sensitive to who is to benefit or lose from the enlargement. Thus, an early version of the legislation to establish the Congressional Budget Office (CBO) would have restricted that office to serving the new House and Senate budget committees. A competing version would have entitled all committees and members to CBO assistance. The enacted compromise sets up four categories of assistance, ranging from highest priority (to the budget committees) to limited assistance (to members).¹²

The impact of staffing on the distribution of power flared into open dispute at the start of the 94th Congress when 57 senators sponsored a resolution to increase the staff entitlements of senators on the basis of their committee assignments. In bitter debate on the Senate floor, the issue was explicitly drawn between the "haves" (mostly committee chairmen and ranking minority members) and the "have nots" (mostly junior senators):

What we are asking for, those of us who are junior Senators, those of us who have been here only a few years, is an equal shot with the senior Senators to committee staff that . . . we have the same access that the Senior Senators do to professional staff assistance.¹³

After several days of unusually acrimonious debate and seesawing roll calls, the Senate established staff entitlements based on committee membership. The effect of this change will be to increase the independence of previously disadvantaged senators and therefore stimulate their demand for analysis.

3. *The use of analysis by Congress is a function of the analytic resources available in executive agencies and private organizations.* Congress cannot be an oasis of analytic brilliance overcoming deficiencies in other branches of government. The extent to which Congress uses analysis depends at least as much on external capabilities as on what it does to bolster its own analytic resources. If very little analytic work is being done outside Congress, the prospect is

12. The priorities for assistance are spelled out in section 202 of the *Congressional Budget and Impoundment Control Act of 1974*, P.L. 93-344, 88 Stat. 304.

13. Remarks of Senator Packwood, 121 *Congressional Record* (daily edition, 10 June 1975), S. 10281.

dismal for much of it inside. On the other hand, if government agencies or private organizations are analytically active, Congress will be able to tap and exploit their findings for its own use.

For ample demonstration of this proposition, we can turn again to congressional action on defense policy in recent years. The level of legislative competence has been high primarily because analytic research has been quite advanced in the Department of Defense (DOD) and elsewhere. Especially in the major weapon area, DOD has a well-defined process for developing and appraising program proposals and for assembling analytic justification in support of its budget preferences. Outside of government, the Brookings Institution and various "peace" groups annually prepare alternatives to the president's budget. By utilizing these private resources, congressmen who disagree with the Pentagon's viewpoint have been able to introduce "counteranalyses" into the debate.

There are two primary, related reasons why the caliber of legislative discussion has not been as high in other policy areas. First, the conduct of analysis is not as advanced in other federal agencies as it is in DOD; and, second, private research organizations have not been as attentive to other policy issues as they have been to defense.

Congress can more easily exploit work done by others than carry the main burden for analysis by itself. The problem is not merely one of staffing levels or of the availability of analytic talent in Congress. No foreseeable augmentation of resources would be able to satisfy all the informational and research needs of Congress. Even thousands of professionals added to the congressional rolls would not be enough. In its use of analysis, Congress must function as a massive scanning machine, sucking in data and arguments from many sources and refining them into legislative material. In this role, Congress treats analysis much as it treats gossip, news, constituency mail, the local newspaper, etc. Everything is grist for the congressional mill, and analysis enjoys no preferred position by virtue of its esteem in intellectual circles. The legislative product will be a compound of analysis and countless other types of input. Some of that input will be of analytic caliber; much will not. All of it is potentially relevant to the legislative process. When it has a window to the outside, Congress best fulfills its representative role. And when the outside is rich in analytic resources, Congress, too,

can enrich itself. If Congress were blessed with a sufficiency of analytic resources, it might be tempted to close the window and live by its own wits and data.

The case for more indigenous legislative resources should not be grounded on aspirations for self-sufficiency. This status is neither necessary nor desirable. Rather, Congress should give itself enough resources to keep in touch with developments outside. It takes large numbers to monitor and convert to legislative use the burgeoning analytic work of others, and this is ample justification for more staff. This does not preclude Congress from conducting its own analyses, either to counter the preferences of the executive or to compensate for gaps elsewhere, but the main workload will be that of milling the analyses of others into a legislative product.

4. *The supply of analysis would be only marginally augmented by establishing a specialized congressional analysis agency.* Some reformers harbor the hope that the creation of a Rand-type organization (such as an Institute for the Congress) would transform Congress into a vigorous, self-sufficient, organizing branch. In line with the arguments made in support of the third proposition, I doubt that the establishment of a single center of analytic excellence would make more than a marginal difference in the overall performance of Congress. Nowadays, policy research is much too fragmented to allow any single organization to have the sort of commanding position that Rand enjoyed in its prime. As the most pluralist of institutions, Congress must draw analytic sustenance from many sources, most of which will continue to be nonlegislative. Moreover, it is doubtful that a new organization would be able to maintain both analytic purity and relevance for legislative policymaking.

One of the reasons for the persistent interest in creating an analytic institute for Congress is that none of the existing congressional institutions devotes itself exclusively to research. With one exception, each must allocate a substantial portion of its resources to the everyday interests of Congress and to recurring functions assigned to it by law. As service agencies, these institutions are not free to develop their own work agendas, and each has experienced the chronic problem of routine activities preempting analytic interests.

A congressional agency able to attend exclusively to analytic matters would have to be beyond the reach of individual members and committees and would have to be quarantined from the legis-

lative process, but the *quid pro quo* for its organizational freedom would be less opportunity to have an impact on legislative policies except when Congress happened to be involved in matters directly related to its primary research interests. This type of organization would have to be independent of Congress in order to be able to serve Congress in the manner it deemed appropriate.

On a limited scale and for very specialized activities, Congress might tolerate some measure of organizational independence. Of the four congressional staff agencies, the Office of Technology Assessment (OTA) conforms most closely to this model. Established in 1972, OTA has a staff of approximately 50, an annual budget of \$5 million, and a governing board consisting of the OTA director and 12 members of Congress. Most of OTA's work is contracted out, and while it is highly specialized, little of it differs from what might be done (or is already being done) under executive sponsorship. OTA might develop a counteranalytic role and its research might have a bearing on some congressional activities, but the overall impact would still be marginal in terms of the analytical supply available to Congress.

The General Accounting Office (GAO) is the largest of the service organizations, although it is difficult to estimate how many of its more than 5,000 employees are engaged in legislative work. GAO is assigned a large number of audit and accounting functions under law, but during the past decade it has sought to expand the scope of its audits and to provide a broader range of services to Congress. By dint of its accounting origins, GAO has been active in budget-related work, and it has lead responsibility for the design of budget and program information systems for the federal government. Legislation in 1974 gave GAO responsibility for augmenting the program evaluation capabilities of Congress, but this function is likely to blossom into a major activity only if Congress becomes more committed to program evaluation.¹⁴ Despite its enlarged role, GAO still applies only a fraction of its total resources to analytic work.

The Congressional Research Service (CRS) is the oldest of the service organizations, and its staff and scope have grown significantly since the enactment of the Legislative Reorganization Act of 1970. CRS operates as a general research organization, process-

14. See Title VII of the *Congressional Budget and Impoundment Control Act of 1974* for GAO's program evaluation duties, and Title VIII for its role in information systems.

ing more than 200,000 inquiries each year on virtually anything of interest to Congress. Most of its work is undertaken in response to congressional initiative, and any committee or member has a free claim on its resources.¹⁵ CRS suffers a persistent tension between its research and reference missions, between providing short-order responses and in-depth analysis of major policy issues. Although the amount and quality of its research tend to be underestimated, the bulk of the CRS research effort is devoted to the translation of research by others into congressionally useful form. In view of the proposition that most congressional analysis will originate from outside sources, this CRS service is essential for Congress, although it is not likely to win many accolades in the analytic world.

The Congressional Budget Office (CBO) is the newest staff agency, having begun operations in early 1975. CBO does not have a track record yet, and judgments about its future role would be premature. But within CBO there have already emerged tensions between the everyday routines of budgeting and long-term policy research.

Congressional service organizations face a dilemma similar to that of the analytic staffs of federal agencies in the 1960s. Wanting to be useful, the analysts found it necessary to trade away their research interests in order to participate in agency policymaking. In the congressional context, the problem is being muddled through by the organizations' performing both analytic and service functions for Congress. The mixture of these sometimes competing orientations has created tensions within each of the organizations (with the possible exception of OTA) and has compromised their commitment to analytic research. But straddling the issue enables the agencies to promote their analytic role to the extent compatible with other congressional demands for assistance.

Congressional analysts are removed from the centers of legislative power in the same manner that executive analysts tend to be distant from policymaking in their own organizations. The perennial problem of a weak market for analytic wares is compounded by the tendency of congressional committees to call for outside assistance primarily when they can't take care of a matter themselves or don't want to. Each of the service organizations gets work

15. However, CRS researchers operate under a number of "don'ts" proscribing certain types of assistance. Congressional access is also constrained by the availability of CRS time and staff.

that the committees want done, not necessarily because it is important research but because they need it for some current activity. When a committee feels competent in a matter or doesn't want outsiders involved in its work, it will solicit little analytic research from the staff organizations. Analysis thus becomes a residual function—perhaps practiced more in one of the service organizations than in another—but nowhere is it the predominant, pre-emptive mission.

5. *The demand for and use of analysis is a function of the openness of the legislative process to a multiplicity of interests and participants.* Because it sanctions the search for alternatives to established policies, analysis is not a policy-neutral process. Analysis will be most welcomed, therefore, when alternatives are wanted, when decision making is open to a diversity of views and interests. Once again, the defense example is germane; the rise in the use of analysis has coincided with congressional interests in alternatives to the official policy.

On Capitol Hill, there is a push to open up the legislative process to a much wider band of participants than once was permitted. The signs of the times include open committee meetings, joint referral of bills to two or more committees, and the expansion of personal staffs. Perhaps nowhere has the opening been more pronounced than in congressional action on the president's budget, an area that once was the nearly exclusive domain of the appropriations committees. If Congress has an annual debate on defense spending, it is because participation is much more open than it used to be. Among the factors making for an open process have been increased congressional access to previously privileged executive budget information, the trend toward annual and short-term authorizations, and establishment of the congressional budget process. The last of these brings into the arena a new set of congressional participants, the House and Senate budget committees; moreover, it vests the various legislative committees with a formal role in determining the congressional budget.¹⁶

16. Under the Congressional Budget Act, each standing committee of the House and Senate prepares its views and estimates on budget matters within its jurisdiction. Each year these recommendations go to the House and Senate budget committees by March 15, before the adoption of a congressional budget resolution.

In the past, the closure of the budget process to outside scrutiny was abetted by the inherent complexity of the process itself, the obscurantism of budget documents and tax codes, and the unwillingness of affected interests to invest in budget research and the gathering of data. There is much truth in the observation that the appropriations committees gained budgetary power by dint of long hours of hard work. On the tax side, the House Ways and Means Committee gained its advantaged status through a monolithic committee structure (no subcommittees), an insistence on closed rules for floor consideration of tax measures, and exclusive access to expert staff.

Much of this has been changed by the recent publication of readable and intelligent analyses of the federal budget and by the public offering of alternatives to the official requests. One milestone was the publication of *Counterbudget* by the National Urban Coalition in 1971; another has been the annual *Setting National Priorities* series of the Brookings Institution. These have inspired numerous interest organizations to issue their own budget studies and alternatives each year.

Change has been most dramatic on the tax side of the budget. With expansion of the membership of the House Ways and Means Committee, its establishment of subcommittees, and relaxation of the closed rule, wider participation has begun to emerge.

On the expenditure side, it is vital that a nonbudgetary forum be available for policy analysis, because the routines and pressures of the budget process make it very difficult to inject analysis into the debate. It is not surprising that analytic debate on defense policy is centered on the authorizations rather than the appropriations stage.

AN UNCERTAIN CONCLUSION

For Congress, analysis is a sometime thing. The five propositions set forth in this article point to increased receptivity to analysts and their work on Capitol Hill. Yet most of the legislative process continues to be driven by nonanalytic forces. The balance between analysis and other factors will be struck differently for different times and issues. Hence, the conclusion can only be uncertain.

But in this paper I have tried to suggest that Congress is not likely to become either captured by or alienated from analysis. The argument that Congress will not become a major user of analysis is as

untenable as the position that a new analytic era is just over the horizon. The more reasonable conclusion is that the supply and demand for analysis will depend on a number of circumstances. Congress will be attuned to analysis more in some policy areas than in others—more when the issues are highly technical and are not perceived primarily as distributional in character, less when the issues demand comparatively little technical expertise and the distribution of costs and benefits among identifiable interests is foremost. However, in no major instance is it likely that the legislative decision will be grounded exclusively on analytic evidence. Analysis will always have to compete with other inputs to the legislative process.