

## **Recommendations for Strengthening the Senate** **117th Congress**

This report contains 83 recommendations to make the Senate more efficient, effective, transparent, and inclusive. It is the result of numerous conversations with Senate experts, members of civil society, and staff. The recommendations include provisions to:

1. Strengthen Senate floor and committee deliberations
2. Modernize Senate operations and transparency
3. Improve staff onboarding and retention
4. Increase ethical practices
5. Improve Congressional technology and cybersecurity
6. Manage Congress as an institution

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## **TOP TEN RECOMMENDATIONS**

1. **Establish An Office of the Whistleblower Ombudsman.** The Senate should establish an Office of the Whistleblower Ombudsman that develops best practices for whistleblower intake by Senate offices and provides training to Senate offices on how to safely and confidentially receive information from whistleblowers. The House of Representatives created a parallel office in the 116th Congress.
2. **Remote Deliberations.** The Senate should allow remote deliberations during emergencies, providing for fully remote deliberations and voting on the floor and in committees in the event of an emergency that makes physical presence unsafe.
3. **Human Resources Office.** The Senate should create a central Human Resources Office inside the Office of the Sergeant at Arms that, among its many other duties, would administer programs including paid parental and family leave, student loan repayment and reimbursement, as well as oversee job announcements and provide shared HR services. It also would play a role in establishing pay guidelines for staff.
4. **Select Senate Committee on the Modernization of Congress.** The Senate should create a Select Committee on the Modernization of Congress, similar to the select committee in the House during the 116th Congress. The select committee should examine operational functions to help improve efficiency in the Senate and strengthen the Senate's capacity to fulfill its constitutional duties.
5. **TS/SCI Security Clearances for Staff.** Each senator of a committee that oversees classified matters (e.g. SASC; Foreign Relations; HSGA; Appropriations Subcommittee on Defense; or Appropriations Subcommittee on State, Foreign Ops, and Related Programs) should be afforded one personal office staffer with TS/SCI clearance to support the senator on relevant matters before that committee.
6. **Docs.senate.gov.** The Senate should create a central repository for many official Senate floor and committee documents. It should be managed independently of the parties and acts as a long-term repository and public-access point for official records. The House of Representatives has a similar repository, managed by its Clerk, at docs.house.gov.
7. **Congressional Budget Justifications.** Congressional Budget Justifications received by the Senate from its support offices and agencies should be published online in a central

location.<sup>1</sup>

8. **Senate Office of Congressional Ethics.** The Senate should establish an independent ethics watchdog charged with investigating ethics matters within a relatively short time frame that are to be reported to the Senate Ethics Committee for consideration. A similar entity, the Office of Congressional Ethics, was created by the Rules of the House of Representatives.
9. **Senate Inspector General.** The Senate should establish an Office of the Inspector General that is responsible for making recommendations for improving the performance, accountability, and integrity of Senate financial, administrative, and technology-based operations. This will be achieved through independent audit, advisory, and investigative services in a nonpartisan manner. It should serve to identify and help mitigate significant risks to the Senate; highlight opportunities for improving the efficiency of Senate operations; and serve as a constructive critic, helpful advisor, and positive change agent. A similar entity was created in the House of Representatives in the 1990s.
10. **Legislative Branch Data Coordination Office.** The Senate should establish a Legislative Branch Data Coordination Office, directed by a Senate Data Coordination Officer. The Senate Data Coordination Officer would be appointed by the Sergeant at Arms, cooperate with their House counterparts, and be responsible for improving technology collaboration inside the Senate and across the Legislative Branch.

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<sup>1</sup> Federal agencies are currently required to publish their Congressional Budget Justifications online. This applies a similar rule to Congressional agencies.

# 1. MODERNIZE SENATE FLOOR AND COMMITTEE DELIBERATIONS

## *Senate Floor Deliberations*

1. **Remote deliberations.** The Senate should provide for remote deliberations that support voting on the floor and in committees in the event of an emergency that makes physical presence unsafe.
2. **Machine readable legislation.** The Senate should encourage the publication of legislative documents in machine readable formats.
3. **Comparative Print Project.** The Senate should join the House's Comparative Print Project, which is a technology tool that enables users to see in real time how a proposed amendment would modify a bill or a proposed bill would change the law.<sup>2</sup>

## *Data, Technology, and Committee Operations*

4. **Committee reports.** A list of agency reports requested in committee report language or required by law — including the subject matter of the report, when it is due, and the date it was submitted — that should be compiled in a tabular electronic format and provided to all Members of a Committee on a regular basis. In addition, a complete list of all reports requested and required by all Senate committees should be maintained by the Secretary of the Senate and made available to all Senate offices and to the general public. (Note that the Clerk of the House maintains a partial list.) Furthermore, on a regular basis, committees should provide copies of all submitted reports to the Secretary of the Senate, which should maintain an archive. That archive should be available to all Members of the Senate except when the committee directs otherwise.
5. **Subpoena Power and Contempt.** The Office of Senate Legal Counsel should make recommendations to the Senate concerning legislation that should be enacted by Congress that would strengthen its statutory contempt powers. It is encouraged to consult with internal and external experts with respect to those recommendations, which should specifically address allowing a non-Department of Justice official to independently evaluate and bring before a federal judge matters concerning contempt. It should also address whether and under what circumstances expedited review should be written into the law.

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<sup>2</sup> Pursuant to clause 12 of Rule XXI of H.Res.5 (115th Congress), Comparative Prints for Bills and Joint Resolutions Considered on the Floor <https://www.congress.gov/115/bills/hres5/BILLS-115hres5eh.pdf#page=15>

6. **Joint Leadership Group.** The Joint Leadership Group, which directs the activities of the Office of Senate Legal Counsel, should make publicly available information concerning its interventions in directions to intervene in court proceedings. In addition, the Office of Senate Legal Counsel should publish online basic information about the Joint Leadership group, and also, when deemed appropriate, publish its views on matters that concern the Senate.
7. **Automated voting.** To expedite committee voting, the Senate should explicitly authorize committees to use automated voting methods for deliberations when senators are physically present in the meeting room.
8. **Public participation.** Each hearing announcement should specify how the public can send information — such as public testimony or letters — to the committee for use as part of its proceedings. Committees also should be encouraged to publish this contact information on their respective websites. To the extent appropriate, the committee may include such communications in its official record of the proceedings.
9. **Nonpartisan Archivist/Librarian.** Each standing and select committee should make use of a qualified professional to serve as a non-partisan archivist/librarian, who is responsible to both the majority and minority for keeping track of all official communications from the committee and submissions to the committee as well as any committee documents that may exist. This person may serve in a shared capacity with other committees.
10. **Remote reporting of measures, recommendations, and nominations.** All committees require a majority of members to be physically present to report measures, recommendations, or nominations out of committee. If a situation arises where the Senate cannot meet in person, committees should have rules in places to allow measures and recommendations to be reported out of the sub/committee without requiring a senator's physical presence.
11. **Committee vote website.** The Senate should support the creation of a central website that contains all recorded committee votes alongside the amendments/bills on which a vote is taken.
12. **Committee voting as structured data.** Committee votes should be recorded in a structured data format and published in a central database that is available to the public.

## **Transparency**

13. **Video proceedings for markups.** The Senate should require video of Senate Committee legislative mark-ups be broadcast online contemporaneously with committee proceedings.

14. **Transcripts.** An unofficial, searchable transcript of committee proceedings should be publicly available within 24-hours of the end of a proceeding, in addition to any video or audio that may be released to the public.
15. **Electronic spreadsheets of appropriations bills.** Draft legislative language and favorably reported appropriations subcommittee and full committee legislative text should be accompanied by an electronic spreadsheet that shows in tabular form each spending line item to be considered. For each item, the spreadsheet should reflect not only currently proposed spending but also spending on that line item on an annual basis over at least the last two decades, adjusted and unadjusted for inflation. The spreadsheet should be made publicly available prior to a markup at least 24 hours in advance, and within 24 hours of the completion of a proceeding.

## **Security Clearances**

16. **Clearance availability.** The Senate should track and release to the public a report on the number of staff who have clearances, how long it takes to receive a clearance, and the level of the clearance.<sup>3</sup>
17. **Release of classified information.** Any committee with jurisdiction over information deemed classified by the executive branch may recommend and prompt a vote on the Senate floor to release that information, in a process that parallels that available to the Senate Select Committee on Intelligence.
18. **TS/SCI security clearances for staff.** Each senator on a committee that oversees classified matters (e.g. SASC; Foreign Relations; HSGAC; Appropriations Subcommittee on Defense; or Appropriations Subcommittee on State, Foreign Ops, and Related Programs) should be afforded one personal office staffer with TS/SCI clearance to support the senator on relevant matters before that committee.<sup>4</sup>
19. **Declassification.** The Senate should explore various mechanisms by which it could declassify information (as opposed to current procedures by which information could be released). This likely would require legislation to enable. In conjunction with the National Archives' Information Security Oversight Office, the Senate should explore the creation of an office focused on declassifying Senate documents and materials held by the Senate that pertain to historical or recent actions. This office should be responsive to requests from Members and the public as well as review historical materials in Congressional archives that may be of public or historical interest.

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<sup>3</sup> A comparable report is publicly available for executive branch agencies.  
<https://www.govinfo.gov/content/pkg/CRPT-116hrpt64/pdf/CRPT-116hrpt64.pdf>

<sup>4</sup> For more on clearances in Congress, see "A Primer on Congressional Staff Clearances," Daniel Schuman and Mandy Smithberger, February 5, 2020  
[https://s3.amazonaws.com/demandprogress/reports/A\\_Primer\\_on\\_Congressional\\_Staff\\_Clearances\\_2020-02-05.pdf](https://s3.amazonaws.com/demandprogress/reports/A_Primer_on_Congressional_Staff_Clearances_2020-02-05.pdf)

## ***Congressional Calendar***

20. **Revised calendar.** The Senate should adopt a 3 week on 2 week off calendar, with appropriate exceptions as determined by the Majority Leader. This would minimize member travel time, maximize time in DC and time in home states, and provide for more predictable operations.

## ***Expert Advice***

21. **Establish An Office of the Whistleblower Ombudsman.** The Senate should create an Office of the Whistleblower Ombudsman that would develop best practices for whistleblower intake for Senate offices and provide training to Senate offices on how to safely and confidentially receive information from whistleblowers. This would parallel the creation of a comparable office in the House of Representatives in the 116th Congress.<sup>5</sup>
22. **Interactions with academics and applied researchers.** The Senate should examine how to facilitate questions by congressional committees to academics and other experts. Any effort should include training academics and other experts to present answers to Congress in a timely and digestible fashion. It should in some ways mirror the work of the United Kingdom with respect to calls for written evidence.<sup>6</sup>
23. **Office of Technology Assessment.** The Senate should endorse establishing the creation of an office that plays a similar role to that formerly filled by the Office of Technology Assessment. In doing so, it should consider broadening who may make requests of that office and how best it might be structured.

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<sup>5</sup> As required by Sec. 104 (e)(3) of H.Res.6 (116th Congress), Office of the Whistleblower Ombudsman, <https://www.congress.gov/116/bills/hres6/BILLS-116hres6eh.pdf#page=42>

<sup>6</sup> See. Guide for witnesses giving written or oral evidence to a House of Commons select committee, February 2016 <https://www.parliament.uk/documents/commons-committees/witnessguide.pdf>; Committee inquiries: Open calls for evidence <https://www.parliament.uk/business/committees/inquiries-a-z/current-open-calls-for-evidence/>



## **2. MODERNIZE SENATE OPERATIONS AND TRANSPARENCY**

### ***Select Committee on the Modernization of Congress***

1. **Select Senate Committee on the Modernization of Congress.** The Senate should create a Select Committee on the Modernization of Congress, similar to the select committee in the House during the 116th Congress.<sup>7</sup> It should be tasked to investigate, study, hold public hearings, and develop recommendations on how to make the Senate more effective, efficient, and transparent on behalf of the American people. It should have full-time staff, have at least a two-year lifespan, and draw from the lessons of its House counterpart.

### ***Transparency and Record Keeping***

2. **Tracking legislative vehicles.** The Clerk of the Senate should maintain a publicly-available table in machine-readable format that identifies when bills are used as legislative vehicles for other bills. This would make it easier to track when an amendment in the nature of a substitute replaces the text of one bill with the contents of another, thereby facilitating congressional and public understanding of the legislative process.
3. **Congressional budget justifications.** Congressional Budget Justifications received by the Senate from its support offices and agencies should be published online in a central location.<sup>8</sup>
4. **Senate Inspector General.** The Senate should establish an Inspector General responsible for making recommendations for improving the performance, accountability, and integrity of Senate financial, administrative, and technology-based operations by performing independent audit, advisory, and investigative services in a nonpartisan manner. It should serve to identify and help mitigate significant risks to the Senate; highlight opportunities for improving the efficiency of Senate operations; and serve as a constructive critic, helpful advisor, and positive change agent.
5. **Archived Senate committee videos.** The Senate should update technology that allows Members, staff, and the public to access videos of Senate committee proceedings. It should ensure that all current and historical videos are properly provided to the Library of Congress for archiving, and made publicly available on commonly-used video platforms.

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<sup>7</sup> As required by Sec. 201 of H.Res.6 (116th Congress), Select Committee on the Modernization of Congress <https://www.congress.gov/116/bills/hres6/BILLS-116hres6eh.pdf#page=46>

<sup>8</sup> Federal agencies are currently required to publish their Congressional Budget Justifications online. This applies a similar rule to Congressional agencies.

It should tag videos with the proper meeting ID number.

6. **Archived video of Senate floor proceedings.** The Senate should ensure videos of its current and historical floor proceedings have all been provided to the Library of Congress and are publicly available online.
7. **National Archives document access.** The time whereby committee approval is required to access committee documents held by the National Archives should now be 10 years; and each committee should establish and publicly announce a process and point of contact to initiate requests to documents that need committee approval.
8. **Support agency report access.** The Senate should mandate that all annual, semi-annual, and other regularly recurring reports on activities from its legislative support offices be made available online, on a website like docs.senate.gov, subject only to necessary redactions to protect national security or individual privacy.

## Modernize Staff Operations

9. **E-Hopper.** The Senate should provide for electronic submission of legislation, extensions of remarks, bill co-sponsorships, and similar information. An electronic submission system like this exists in the House of Representatives.<sup>9</sup>
10. **Co-sponsorships.** The Senate should provide means for Senators to receive requests to co-sponsor bills and sign-on electronically.
11. **Room reservations**
  - a. **Centralized portal.** The Senate should maintain a portal that lists all meeting, hearing, and non-designated rooms in the Senate, the CVC, and the LOC, a calendar that indicates in real-time when the room is available or occupied, and an online mechanism for requesting a reservation of the room. This also should include basic information about the room, including the configuration, dimensions, and number of seats.
  - b. **Digital request and fulfillment.** The request mechanism should be fully digital, with requests, transmission of responses, and transmission of booking confirmations all sent via the portal.
  - c. **Non-congressional events.** If a room reservation is fulfilled by a non-congressional entity, this information should be displayed on the portal.

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<sup>9</sup> See House Speaker Pelosi's Dear Colleague to All Members on Electronic Submission of Floor Documents, April 6, 2020 <https://www.speaker.gov/newsroom/4620>

12. **Flag request portal.** The Senate should develop an online portal for flag requests that allows users to see where a flag is in the fulfillment process, encompassing all stages within both the Flag Office and the Senate Office Supply Store.
13. **Digitized tour requests.** The Senate should administer a system that digitizes and simplifies the tour request systems to minimize time wasted, constituent confusion, and security issues.
14. **“Dear Colleague” access.** The Senate should establish a central website for disseminating and publishing “Dear Colleague” letters sent to all Senate offices, with a limitation on public access when the sender so chooses.<sup>10</sup>

### ***Enhance Senate Buildings/Capitol Complex***

15. **Public restroom access.** The Senate should oversee a study examining the number of restrooms in the Senate buildings, the ratio of men’s restrooms to women’s restrooms, and feasibility of adding additional women’s and family restrooms.
16. **Accessibility.** The Senate should review the accessibility of its offices for ADA compliance.

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<sup>10</sup> Dear Colleague letters are often available from private services where lobbyists pay for access. Everyone should have equal access to these documents regardless of ability to pay.

### **3. IMPROVE STAFF ONBOARDING AND RETENTION**

#### ***In General***

1. **Personal, committee, and leadership staff unionization.** The Senate should explore unionization of personal, committee, and leadership staff. Within 1 year, the Senate should put in place the regulation issued by the Office of Congressional Workplace Rights (formerly the Office of Compliance) that sets forth a process by which personal, committee, and leadership, and some support office staff may unionize.<sup>11</sup>
2. **Demographic information.**
  - a. **New staff.** All new staff should provide demographic information upon their hiring and other information requested by the Human Resource Office. This information would be used to analyze staff pay rates, diversity, and retention.
  - b. **Current staff.** All current staff should provide demographic information that would be used in support of tracking staff pay rates, diversity, and retention.

#### ***Staff Benefits***

3. **Paid Family and Medical Leave.** All Senate congressional and support office staff with at least one year tenure should be eligible for 10-weeks of paid family and medical leave at 2/3s the regular pay rate.<sup>12</sup>
4. **Educational loan repayments.** Each Senate personal, committee, leadership, and legislative service organization staffer should be eligible for educational loan repayment at an annual rate of \$10,000, up to \$80,000 in aggregate. It should apply to all public loans regardless of status (repayment, deferral, forbearance), and be available for ongoing education. The benefit should be available to any full time staffer with one year of service, and the benefit or amount of payment should not be up to the discretion of an individual office. Funds should come from a central fund administered by the SAA.

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<sup>11</sup> The law setting forth the unionization process is codified at 2 USC § 1383 <https://www.law.cornell.edu/uscode/text/2/1383>; the adoption of the regulations is available in the Congressional Record at H10019 (September 4, 1996) <https://www.govinfo.gov/content/pkg/CREC-1996-09-04/pdf/CREC-1996-09-04-pt1-PgH10019-4.pdf>

<sup>12</sup> It is our understanding that paid parental leave is available to all congressional staff starting in October 2020. Current law provides paid family and medical leave for congressional staff through the end of this year for ten weeks at 2/3s the regular pay rate. <https://www.ocwr.gov/sites/default/files/FFCRA%20Covered%20Employee%20notice%204-1-20.pdf>. For a discussion on recent implementation of the paid parental leave policy in the executive branch, see “What feds need to know about the upcoming paid parental leave program,” Federal News Network (August 7, 2020), <https://federalnewsnetwork.com/benefits/2020/08/what-feds-need-to-know-about-the-upcoming-paid-parental-leave-program/>.

5. **Ongoing Benefits.** When a Senator leaves office, any staffer who was employed by the office in a full time capacity over the prior 180 days to that departure should be eligible to receive 60 calendar days of paid health care after the departure goes into effect.
6. **Pay Scale.** Maximum staff pay should be decoupled from the Member pay rate, and set at the annual rate of basic pay for Level 2 of the Executive Schedule.<sup>13</sup>
7. **Congressional pay bands.** The Senate Human Resources Office should create broad pay bands and promotion schedules for personal and committee office staff that draw inspiration from those available within the executive branch, with the SOPOEA and funding made available to committees adjusted accordingly.
8. **Child care.** Guarantee every Senate and support office staffer has access to child care for all children under the age of 2, whether at the congressional child care center or via a subsidy for private care.
9. **Housing stipend.** The Senate should explore providing a housing stipend to staff and Members based on OPMs locality adjustments for Washington, D.C., with costs paid out of a central fund administered by the SAA.

### ***Shared/Temporary Staff***

10. **Intern funding and hiring practices.** The Senate should require that all interns be paid the local minimum wage, that hiring announcements should be advertised in a central online location, and that anti-nepotism rules should apply to the hiring of interns.
11. **Executive Branch fellows and designees.** Fellows or designees paid for by the executive branch should not be permitted to become an agency liaison to Congress or to lobby Congress for three years after the end of the fellowship. All fellows and designees should be required to register with the Clerk, who will make publicly available the name of the fellow, the office in which they are placed, their role, the rate of pay, and the department/agency/office placing the fellow.
12. **Fellowship registration.** Any person receiving a fellowship should register the fellowship with the Clerk, who should make publicly available the name of the fellow, the office in which they are placed, their role, the rate of pay, and who is funding the fellowship — both the immediate employing organization and the ultimate source of funds. Support offices and agencies are permitted to have fellows. Fellowships are not permitted to be funded by entities that engage in political activities (i.e. campaign work) or that have an affiliate that engages in political activities. For fellowships funded by the

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<sup>13</sup> Executive Schedule - ES Level 2 Pay  
[https://www.federalpay.org/ses/level-2#:~:text=The%20Executive%20Schedule%20\(ES\)%20sets,the%20head%20of%20an%20agency.](https://www.federalpay.org/ses/level-2#:~:text=The%20Executive%20Schedule%20(ES)%20sets,the%20head%20of%20an%20agency.)

executive branch, the fellow may not engage in lobbying activities in Congress within three years of the end of the fellowship.

13. **Create an Intern Resource Office.** The Senate should create an Intern Resource Office to oversee intern-related matters. It should be responsible for advertising internships; reaching out to historically underrepresented communities; providing guidance, training, support, and assistance to interns regarding their work environment; and gathering demographic and other data about interns employed by the Senate.

## **4. INCREASE ETHICAL PRACTICES**

1. **Office of Senate Ethics.** The Senate should establish an independent ethics watchdog charged with investigating ethics matters and making findings of facts within a relatively short time frame that are to be reported to the Senate Ethics Committee for consideration and ultimately made publicly available. This would ensure that matters relating to Ethics are properly elevated for investigation. A similar entity, the Office of Congressional Ethics, was created by the Rules of the House of Representatives.<sup>14</sup>
2. **Senate Office of Public Records.** All records held by the Senate Office of Public Records (SOPR) that are available to the public and generated or received starting in the 116th Congress should be publicly available on the SOPR website.
3. **Sexual relationships with committee staff.** The Senate should extend the ban on having sexual relationships with staffers to any Senator who serves on a committee from having sexual relations with any committee staff member.
4. **Floor and gym access.**
  - a. **Indicted and/or formally charged.** Former Senators who have been indicted or formally charged with a felony that carries a potential sentence should not be allowed access to the Senate floor, the Senate Member gym, or any other amenities granted to current and former Senators.
  - b. **Resignations.** In addition, former Members of Congress who resigned while an ethics investigation was pending should be denied access to the Senate floor and Senate Member gym unless they successfully petition and the Senate Ethics Committee votes to grant them access.
5. **Lobbying.** Lobbying forms should be modernized to ease filing and address common filing errors.<sup>15</sup>
6. **Publish the SOPOEA as data.** The semi-annual Senators' Official Personnel and Office Expense Account report, which is published online as a PDF, should also be published online in a structured data format, such as a CSV. The House of Representatives has

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<sup>14</sup> The House of Representative passed H.Res.895 (110th Congress) on March 11, 2008 to establish the Office of Congressional Ethics. <https://www.congress.gov/110/bills/hres895/BILLS-110hres895eh.pdf>

<sup>15</sup> The GAO has identified a number of commonly-made mistakes in LDA forms in a series of reports going back years. See, e.g., "Observations on Lobbyists' Compliance with Disclosure Requirements," GAO-20-449, <https://www.gao.gov/products/GAO-20-449>. Some of these errors could easily be addressed by improving how the forms are designed, automatically validating some data fields for obviously erroneous and non-compliant answers, and other straightforward steps.

published their equivalent document, the Statement of Disbursements, as a CSV since January 2016.<sup>16</sup>

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<sup>16</sup> For historical context on the House of Representatives, see “House makes spending data available in easy-to-use format,” Sunlight Foundation, June 1, 2016 and “House of Reps’ Spending Info Is Now Online as Data” by Daniel Schuman, Medium, May 31, 2016 <https://medium.com/demand-progress/house-of-reps-spending-info-is-now-online-as-data-4f5788e34f2a#.sw1wf67un>



## **5. IMPROVE CONGRESSIONAL TECHNOLOGY AND CYBERSECURITY**

### **1. Legislative Branch Data Coordination Office.**

a. **Purpose.** The Senate should create a Legislative Branch Data Coordination Office, directed by a Senate Data Coordination Officer and, should the House establish a corresponding position, be coordinated in conjunction with the House.

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b. **Operation.** The office should be responsible for supporting efforts to coordinate the Bulk Data Task Force; tracking datasets released by the legislative branch; providing advice, guidance, and encouragement to offices regarding the publication of legislative branch information as data; supporting the annual Legislative Data and Transparency Conference; and supporting and providing assistance to the public with finding and obtaining legislative data. It should serve as a forum for convening relevant internal stakeholders to facilitate coordination of strategies, procurement, and knowledge-sharing; consulting with internal and external experts; and as a clearinghouse for appropriately routing technical inquiries, issues, and ideas.

c. **Staff.** The Senate Data Coordination Officer should be appointed by the Sergeant at Arms.

2. **Docs.senate.gov.** The Senate should create a central repository for many official Senate floor and committee documents that is managed independently of the political parties and acts as a long-term repository and public-access point for official records. The House of Representatives has a similar portal, managed by its Clerk, at docs.house.gov.<sup>18</sup>

3. **Technology vendor central point of contact.** The Senate should create a single, publicly-named point of contact for all new and prospective vendors that wish to do business with any component of the Senate that is responsible for providing assistance, advice, and guidance on working with the Senate across the various silos.

4. **Questions for the record.** All questions for the record should be electronically available online in a central website and capable of being submitted electronically.

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<sup>17</sup> For a detailed discussion of how this could work, please see our testimony before the Senate Legislative Branch Appropriations Subcommittee (April 30, 2020),

[https://s3.amazonaws.com/demandprogress/testimony/Demand\\_Progress\\_Testimony\\_S\\_Leg\\_Br\\_Approps\\_FY\\_2021.pdf](https://s3.amazonaws.com/demandprogress/testimony/Demand_Progress_Testimony_S_Leg_Br_Approps_FY_2021.pdf).

<sup>18</sup> U.S. House of Representatives Document Repository <https://docs.house.gov/>

5. **Electronic cosponsors.** The Senate should update its procedures to enable Senators to electronically add or remove their name as a bill cosponsor.
6. **New offices.** The Senate should increase support for new offices as they set up their technology infrastructure by supporting the hiring of an archivist/digital records expert. Among other things, that person should process incoming and outgoing official communications, manage a robust information architecture of files and records, and facilitate an appropriate archiving process henceforward.
7. **Real-time floor information.** The Senate should consider creating a parallel to the House of Representatives' app DomeWatch<sup>19</sup>, which provides real-time information regarding House floor activity and other legislative developments..
8. **Congressional Digital Service.** Technology is at the heart of congressional operations. However, Congress's offices and agencies operate under unusual circumstances that add additional needs and constraints to the use of technology services. Just as the Executive branch has responded to this need through the creation of a U.S. Digital Service, so too the Senate should consider whether the legislative branch should create available to itself a specialized group of technologists, designers, and others experts who can support its internal and public facing operations. Accordingly, the Senate should form a task force that evaluates whether a Congressional Digital Service Office should be created, and if so, under what circumstances.

## Cybersecurity

9. **Requirement for training.** At least once per year, the Chief Administrative Officer should carry out a cybersecurity training program under which each individual who has access to the Senate Network (including each Senator, officer, employee, intern, and vendor of the Senate) receives an appropriate amount of cybersecurity training. In addition, training should include counterintelligence training.
10. **Individual account security.** Allow for cybersecurity support and training for the non-official individual accounts of Senators and congressional staffers in their private capacity. Frequently, non-official accounts are used for official activities or may provide a window into congressional activities; additional support would close a significant loophole.
11. **Cloud storage.** The Senate should formally assert speech or debate clause protection over information owned or used by congressional offices but stored in the cloud.

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<sup>19</sup> <https://domewatch.us/home>

## ***Protecting Confidential Congressional Work***

12. **Secure identification cards.** The Senate should examine the practicality and feasibility of administering secure identification cards instead of the current practice that utilizes an ersatz identification chip that is laminated onto the card.
13. **Confidential communications.** The Senate should establish a task force to recommend appropriate measures to support and protect the confidential communications of congressional candidates/campaigns.
14. **Executive Branch surveillance.** The Senate should establish a working group to consider whether to prohibit/defund the executive branch from surveilling congressional offices without an Article III court order.
15. **Foreign Influence.** The Senate should assess the counterintelligence and foreign influence risks associated with foreign government-funded travel by congressional staff, in particular the Mutual Education and Cultural Exchange Act. Such assessment should be done in consultation with the Intelligence Community and Federal Law Enforcement.

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### **16. Cybersecurity tools.**

- a. The Senate should make available a hardware authentication device, such as a Yubikey, to every person employed by or contracting to the Senate who uses a computer inside the Senate network.
- b. The Senate should require that two-factor authentication be enabled for access. It further should make available appropriate password management tools, which would allow staff to manage and store lengthy passwords and support the management and appropriate rotations of passwords in offices.
- c. The Senate should require encryption-by-default on all official work devices.
- d. The Senate should encourage secure, encrypted communications among legislative support agencies and offices that provide support to the Senate.

## ***Outside Technology***

17. **More secure tools.** In circumstances where the Senate does not prohibit a congressional office from using technology that has not been officially approved by the

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<sup>20</sup> This is based on a recommendation from Volume 5 of the Senate Select Committee on Intelligence Report on Russian Active Measures Campaigns and Influence in the 2016 Election, p. 935, in the section entitled “Protect Government Employees from Foreign Influence Efforts,” [https://www.intelligence.senate.gov/sites/default/files/documents/report\\_volume5.pdf](https://www.intelligence.senate.gov/sites/default/files/documents/report_volume5.pdf).

SAA but prohibits the expenditure of funds to purchase a license to use that technology, such prohibition should be lifted when (1) there is a free version of the program used or that could be used by the congressional office, and (2) the non-free version provides a higher level of cybersecurity than the free version.

18. **Open source.** The Senate Rules Committee and the Senate Ethics Committee, in consultation with appropriate support offices, should issue an open source code policy that is published online and regularly updated. The policy should address a number of questions. Under what circumstances are offices permitted or restricted from using and deploying open source code? May Members or other offices contribute to an online code repository, and, if so, under what circumstances? What restrictions, if any, should be placed on feedback or comments or feature requests made by congressional offices in publicly-available open source code repositories? There should be an opportunity for public comment as the proposal is drafted.

## **6. MANAGE CONGRESS AS AN INSTITUTION**

### ***Human Resources Office***

1. **Purpose.** The Senate should create a Human Resources Office (HR office) inside the SAA.
2. **Operation.** The HR office should be responsible for:
  - a. Administering paid parental and family leave, student loan repayment and reimbursement, and other shared HR services.
  - b. Providing guidance on pay floors for various positions within personal, committee, and leadership offices.
  - c. Providing support for hiring and being a central point for all job announcements.
  - d. Coordinating with the newly created Senate Office of Diversity and Inclusion, Office of Employee Assistance, Office of Employee Advocacy, Office of Congressional Workplace Rights, Finance Office, the newly created Intern Resource Office, and the Child Care Center.
  - e. Maintaining a list of mandatory trainings, who must take the training, the frequency by which they must be completed, and a link to where they can be found.
  - f. Creating a universal onboarding process for new staff that addresses topics like what resources are available to staff, managing common activities (e.g., booking rooms), etc.
  - g. Overseeing the Vital Statistics on the Senate.
  - h. Providing guidance on other resources available for offices to promote more inclusive environments for their teams, including lists of practitioners available to facilitate staff retreats, mental health services, and 1:1 executive leadership training for members and staff.

### ***Office of Diversity and Inclusion***

3. **Purpose.** The Senate should create an Office of Diversity and Inclusion that mirrors the one created by the House of Representatives for the 116th Congress.<sup>21</sup>
4. **Operation.** The Office should create a diversity plan which would include recruiting and hiring policies to foster a diverse workforce, a survey to evaluate diversity in all Senate offices, and a proposal for an Advisory Council that would work to inform the office. The Office should also regularly submit a Senate diversity report to Senate leadership that is also made available to the public.

## **Employment**

5. **Vital statistics on Congress.** The Senate should publish, in a structured data format, its own vital statistics on Congress, in conjunction with the House when appropriate. This work can be overseen or take place in coordination with the Human Resources Office and other relevant offices. These vital statistics should contain:
  - a. Demographics of Members of Congress.
  - b. Demographics of personal, committee, leadership, and support office staff.<sup>22</sup>
  - c. Committee data, such as funding levels and number of staff.
  - d. Staff and operating expenses.
  - e. Historical reporting on spending by line items for the legislative branch.
  - f. Historical spending information on the 302(b) allocations for the legislative branch and a breakdown of defense versus non-defense appropriations spending.
6. **Job announcements and hiring tracking.** Senate personal, committee, and leadership offices should be required to post job announcements on the Senate's online job announcement bulletin. The HR office should track the time from initial announcement to hiring, with appropriate job and demographic data, and publish the anonymized data.
7. **Senate staff contact database.** The Senate should create and continuously update a staff contact database that contains the name, title, office, phone number, email address, and issues on which every staffer works. The database should be available inside the Senate firewall and a public-facing version, with email addresses redactions, should be publicly available. A similar publicly-available database already exists for the House of Representatives.<sup>23</sup>

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<sup>21</sup> As required by Sec. 104(d)(1) of H.Res 6 (116th Congress), Office of Diversity and Inclusion <https://www.congress.gov/116/bills/hres6/BILLS-116hres6eh.pdf#page=39>

<sup>22</sup> Senate Democrats currently have the Senate Diversity Initiative, which provides assistance for Senate Democratic offices to bolster a more diverse workforce. The Initiative collects and publicly releases demographic data from every Senate Democratic Caucus office. The latest Senate Democratic diversity survey results were released on June 30, 2020 <https://www.democrats.senate.gov/about-senate-dems/diversity-initiative/democratic-staff-survey-results-2020>

<sup>23</sup> See <https://directory.house.gov/#/>