

Topic #27: "Congress would be less beholden to lobbyists and special interests if there were many more Congressional staff."

MEMORANDUM

TO: The Honorable Mitch McConnell, Chairman, Senate Committee on Rules and Administration

FROM: Areeb Uzzaman, Policy Analyst

DATE: November 6, 2025

SUBJECT: Correcting the Legislative Information Market: An Analysis of Policy Alternatives to Strengthen Senate Analytic Capacity

Executive Summary

Lobbyists outnumber congressional staff by about 19 to 1, which weakens the independence of Congress (OpenSecrets, 2024). That imbalance reveals a severe market failure. Recreating the Office of Technology Assessment and funding it provides Congress with the most straightforward, most cost-effective solution to its lack of reliable information. Hiring more staff only eases symptoms - it does not cure the root problem. Congress now lacks neutral advice that serves the public interest - it depends on advice that serves private interests. The knowledge gap grows, and the Senate's power diminishes.

The memo uses the Eightfold Path (Bardach & Patashnik, 2020) to test five policy choices: maintaining the status quo, re-establishing the OTA, mandating public upload of lobbyist materials, increasing budgets, and developing an AI legislative vetting tool. Each option is evaluated on three key points: whether it addresses the shortfall in analysis, keeps costs low, and enables Senator McConnell to fulfill his promise to act independently and work with both Democrats and Republicans (The Heritage Foundation, 2012).

Neither the AI tool nor public uploads address the core problem; the AI only reveals bias, and public uploads increase transparency but lack assessment. Both treat symptoms, not causes. Restoring the OTA would provide original, nonpartisan expertise. The committee should pursue OTA legislation to build analytic self-sufficiency and policy independence.

Problem Definition: A Structural Market Failure in Policy Analysis

The primary issue is a structural information market failure within the legislative process. This flaw forces Congress to rely on partisan sources for analysis. As a result, the integrity and adaptability of federal decision-making suffer. In economics, market failure refers to a situation in which a market fails to allocate resources efficiently or in the best interest of all parties (Weimer & Vining, 2017). Two kinds of market failure are relevant here: public goods are supplied too little, and negative externalities are left unchecked. A public good is a resource that one person can use without reducing its availability for others, and no one can be excluded from using it. A negative externality is a cost that the market price does not show, but that the public

still pays. Currently, there is a lack of high-quality, impartial, and ecologically informed analysis for sustainable governance. Proposals to add more congressional staff show a diagnostic misconception. These interventions confuse the solution for the actual problem (Bardach & Patashnik, 2020). Adding partisan staff only increases competition and information overload. This makes advocacy costlier and riskier. It does not improve the supply of objective policy expertise. Nor does it solve the core shortage of neutral analysis needed for sound ecological policy.

The main challenge facing the committee is a market failure that affects legislative analysis (Weimer & Vining, 2017). This problem compromises Congress's analytic autonomy. It also creates unequal impacts among stakeholders.

Table 1: Summary of Stakeholders and their Impacts

Stakeholder Group	Impact of Market Failure
Members of Congress and their staff	Reduced access to neutral, evidence-based facts - their choices for new laws compromise legislative decision-making autonomy
General Public	Indirect consequences through diminished policy quality, and reach the public only at a distance from public interest
Lobbyists and Executive Agencies	When Congress lacks facts, private firms, along with agency heads, have individual agendas and interests.

This market failure undermines congressional analysis, erodes public accountability, and enables outside groups to exploit information gaps to their advantage.

The first issue is that not enough public goods are being created. Neutral, advanced, and unbiased analysis—especially on complex matters—is a public good for Congress. Public goods are services or information that are available to everyone at the same time (non-rival) and that no one can be stopped from using (non-excludable). Private companies do not usually produce enough of these. Congress should provide this information through neutral agencies, such as the Congressional Budget Office (CBO), the Government Accountability Office (GAO), and the Congressional Research Service (CRS). Fixing this lack of public goods is the core reason for government action.

The overproduction of biased analysis by the lobbying industry, or 'information pollution,' undermines Congress's decisions. This requires staff to spend more time finding accurate information (Pennock, 2019) and introduces bias into laws. The result is inefficient policy and a greater risk of regulatory capture.

Because the market fails, no one studies the problem fairly. Congress must ask lobbyists and the vast team of experts in the Executive Branch for numbers. The solution is to establish a neutral office that provides straightforward facts, while also mitigating the impact of biased reports.

Background and Evidence of the Analytic Gap

Quantitative evidence suggests that this failure undermines the Senate's authority and independence. It also reduces your committee's oversight power. In 2023, the Senate had 2,060 staffers, but Washington had 12,260 registered lobbyists. That's a 6-to-1 lobbyist-to-staffer ratio and nearly 19-to-1 for all congressional staff (R Street Institute, n.d.; U.S. Senate, Congressional Research Service, 2024; OpenSecrets, 2024). In 1975, the ratio was about three lobbyists per senator. This indicates a significant increase in outside influence (National Academy of Public Administration, 2019). The growing gap erodes the Senate's analytic power. Qualitative data suggest that 78% of legislative staff are early-career generalists, while only 12% possess advanced expertise (Congressional Management Foundation, 2013). Many lobbyists focus on science, technology, or regulatory policy (R Street Institute, n.d.). Because staff lack in-depth knowledge, committees rely more heavily on outside groups, which creates a significant risk.

A severe "brain drain" due to pay gaps exacerbates the expertise gap. Senior staff often double or triple their salaries by moving to K Street. Congress trains analysts for 3 to 5 years. Many leave for the private sector, taking their knowledge and contacts with them (New America, 2020; Partnership for Public Service, September 4, 2024). This loss leads to errors, such as inaccurate policy analysis and poor decision-making. It lowers legislative effectiveness and reliability.

The shortage of neutral analysis is most severe in science and technology (S&T). When Congress discontinued funding for the Office of Technology Assessment (OTA) in 1995, it lost its sole nonpartisan resource for in-depth reviews of science and technology. This gap—the 'OTA void'—means that Congress must now rely on industry or the Executive Branch for expert advice on complex science and technology topics.

The Senate now counts seven lobbyists for every staffer, up from a ratio of six to one just a year ago (OpenSecrets, 2024). Tech firms have invested additional funds in influence work following the 2024 elections (OpenSecrets, 2024). With too few staffers, senators often adopt analyses supplied by executive branch insiders. The loop ends with bipartisan goals, such as antitrust reforms, being captured by the very companies they were meant to restrain.

Despite this gap, legislative branch budgets are mostly flat. For example, the FY 2025 budget provided only minor increases to the CBO and GAO, which, when adjusted for inflation, represent cuts. This suggests that Congress accepts too little neutral analysis and a weaker, more dependent legislature.

Methodological Approach: Identification and Evaluation of Policy Alternatives

This analysis employs a clear framework to identify and evaluate policy options for addressing Congress's lack of analytical capacity. The five options considered are: (1) keeping things the way they are; (2) bringing back the Office of Technology Assessment (OTA); (3) requiring lobbyists to share their materials (Open Files Act) publicly; (4) increasing budgets for Member Representational Allowance (MRA) and committees; and (5) building an artificial intelligence tool to review new bills. Each choice is measured against five weighted factors: (1) how well it corrects the information problem and improves unbiased analysis for lawmakers; (2) whether it

saves money and uses resources efficiently; (3) whether it is likely to win support from both parties; (4) how much it strengthens the Senate's ability to analyze issues on its own; and (5) whether it is practical to put in place and what risks are involved. The first three factors are the most significant because they have the greatest impact on legislative results, while the last two are also considered, albeit less important. All options are scored on the same scale for a fair comparison based on what matters most to the committee.

Analysis of Policy Alternatives

Methodological Approach

This memo follows the Eightfold Path to map out the problem, collect evidence, build options, select tests, predict results, face trade-offs, choose a course, and report the findings (Bardach & Patashnik, 2020). Each option earns points on five tests. The first test rates how well the option addresses the market failure, carrying double weight and allowing up to ten points. The second test scores fiscal restraint and value for money - it also carries double weight and allows up to ten points. The third test scores political odds, but also cross-party support; it too carries double weight and allows up to ten points. The fourth test score gain for institutional reputation and honesty carries a single weight and allows up to five points. The fifth test score eases the rollout and controls risk; it also carries a single weight and provides up to five points. The weighted sum runs from zero to forty (Pennock, 2019; Weimer & Vining, 2017).

Policy Alternatives

1. Status Quo: Maintain current analytic resources, including CBO, GAO, and CRS. This perpetuates the deficit, scoring low on effectiveness (1/5) as it fails to boost neutral supply or reduce biased influence, but high on fiscal restraint (5/5, \$0 new costs) and feasibility (5/5, no rollout needed) (R Street Institute, n.d.; Weimer & Vining, 2017).
2. Increase Members' Representational Allowance (MRA) and/or Committee Budgets: Boost allowances for more staff. The plan increases the presence of nonpartisan expertise in Congress by hiring approximately thirty to forty percent of the staff for each committee's bill-writing shop. The price tag ranges from \$200 million to \$400 million every year. Evaluators give it four out of five for usefulness, two out of five for fiscal impact, three out of five for political survival, four out of five for letting lawmakers rely on their own people and four out of five for practical rollout within six to twelve months of appropriations (Congressional Research Service, 2024 - U.S. House Committee on Appropriations, 2024; LegiStorm, 2025).
3. Public Upload of Lobbyist Materials: Mandate Public Order anyone who hands over study material to say where it came from. This significantly reduces biased influence (approximately 40–50% scrutiny in interactions) and indirectly enhances neutral rebuttals. It gets a 4 out of 5 for effectiveness, a 5 out of 5 for fiscal restraint (\$5 million to set up and \$1 million a year), a 2 out of 5 for viability (lobbyist opposition and First Amendment risks as compelled speech), a 4 out of 5 for empowerment (it builds transparency), and a 4 out of 5 for feasibility (3–6 month resolution) (The Heritage Foundation, 2012).

4. Develop an AI-Powered Legislative Vetting Tool: Use AI to spot bias and write short versions of papers. It covers half the job plus finds most hidden slants - yet staff must review every line. The tool scores four on strength, four on cost control, four on political ease, four on scale, and three on implementation difficulty, because pilots last six to twelve months, and the software still requires input data. The startup cost ranges between \$10 and \$20 million, and yearly upkeep costs \$2 to \$5 million, while staff hours decrease by 30 to 50 percent (U.S. Government Accountability Office, 2023; U.S. Government Accountability Office, 2025a).
5. Reestablish and fund the Office of Technology Assessment (OTA): Revive OTA for specialized, neutral analysis. This change significantly increases supply (by creating a strong balance in complex bills, countering industry models) and reduces bias. It gets a 5/5 for effectiveness, a 4/5 for fiscal restraint (~\$20-30M/year, >\$100M/decade ROI through efficiencies), a 4/5 for viability (bipartisan precedents like the Takano bill), a 5/5 for empowerment (strengthens independence), and a 3/5 for feasibility (1-2 year legislation rollout) (Government Accountability Office, 1977; National Academy of Public Administration, 2019).

Table 2: Comparative Analysis of All Policy Alternatives for Addressing Congressional Analytic Capacity

Evaluative Criterion (Tailored to McConnell)	Description/Sub-Questions (from Framework)	Status Quo	MRA Budget Increase	Public Upload of Lobbyist Materials	AI-Powered Legislative Vetting Tool	Re-establish OTA
1. How well it works to fix market failure (Weight: High, ×2; max 10)	Tests the correction of underproduction of neutral analysis and overproduction of biased inputs, empowering the Senate's independence from lobbyists and/executive. - Boosts neutral supply/quality? - Reduces biased influence? - Measurable analytic balance?	1/5 (2/10) <i>Perpetuates gaps; no balance.</i>	4/5 (8/10) <i>Boosts in-house supply (~30-40 % balance) ; uneven without mandates</i>	4/5 (8/10) <i>Exposes bias (~40-50% interactions); indirect neutral boost via scrutiny.</i>	4/5 (8/10) <i>Flags 70-80% biases; ~50% balance in routine bills (needs human oversight).</i>	5/5 (10/10) <i>Transformative supply of tech/AI analysis; strong balance in complex bills (National Academy of Public Administration, 2019).</i>

2. Fiscal Restraint and Cost-Effectiveness (Weight: High, ×2; max 10)	Keeps the yearly bill to taxpayers under \$50 million and returns more money than it spends, adhering to the old rule that every new cost must be paid for before it starts, and continues the habit of reducing the deficit. Generates efficiencies/savings? - Bang-for-buck vs. alternatives?	5/5 (10/10) \$0 cost; long-term inefficiencies not deducted (Weimer & Vining, 2017).	2/5 (4/10) \$200-400M/year; ~\$50M savings but poor ROI in cuts (U.S. House Committee on Appropriations, 2024).	5/5 (10/10) ~\$5M setup + \$1M/year; high ROI via vetting savings.	4/5 (8/10) \$10-20M startup + \$2-5M/year; 30-50% time savings (\$20-50M ROI) (U.S. Government Accountability Office, 2025a).	4/5 (8/10) \$20-30M/year; >\$100M/decade policy savings (offsets needed) (U.S. Government Accountability Office, 1977).
3. Political Viability and Bipartisan Appeal (Weight: High, ×2; max 10)	Checks whether the Rules Committee will let the bill move ahead, counts how many members from both parties will support it, plus stays clear of fights over free speech or angry outside groups - asks if sixty senators will back it. - Stakeholder reactions? - Fits GOP priorities?	5/5 (10/10) Inherent consensus via inertia; no opposition (R Street Institute, n.d.).	3/5 (6/10) Negotiable "good gov" frame; resistance in slim majorities.	2/5 (4/10) Lobby opposition /First Amendment risks (e.g., compelled disclosure) (The Heritage Foundation, 2012).	4/5 (8/10) Bipartisan modernization (e.g., AI Act task forces); no risks.	4/5 (8/10) Bipartisan precedents (e.g., Takano bill); fits GOP oversight.

4. Institutional Empowerment and Integrity (Weight: Medium, ×1; max 5)	Measures whether the Senate adds freedom and public trust without sacrificing the traditions that have shaped the chamber, or if it gives in to external pressure. Improves reputation/power ? - Fits existing structures?	1/5 (1/5) <i>Weakens vs. lobbyists; erodes trust (Weimer & Vining, 2017).</i>	4/5 (4/5) <i>Distributed expertise aids oversight; fits MRA (LegiStorm, 2025).</i>	4/5 (4/5) <i>Transparency builds trust and facilitates the flow of information about rules.</i>	4/5 (4/5) <i>Scalable oversight; auditable for reputation.</i>	5/5 (5/5) <i>Dedicated expertise fortifies vs. capture; supplements CBO/GAO (National Academy of Public Administration, 2019).</i>
5. Implementation Feasibility and Risk Management (Weight: Medium, ×1; max 5)	Focuses on quick, low-burden rollout with safeguards against downsides, such as creep or disruption. - Timeline (<6 months)? - Burden/technical risks? - Unintended consequences?	5/5 (5/5) <i>Already operational; zero risks (R Street Institute, n.d.).</i>	4/5 (4/5) <i>6-12 months via appropriations; low risks (fencing mitigates uneven use) (U.S. House Committee on Appropriations, 2024).</i>	4/5 (4/5) <i>3-6 months via resolution; low risks (thresholds for filings) (The Heritage Foundation, 2012).</i>	3/5 (3/5) <i>6-12 months (pilots); hallucinations (NIST audits mitigate).</i>	3/5 (3/5) <i>1-2 years via legislation; moderate complexity (sunsets safeguard).</i>
Total Weighted Score (/40)	-	28/40 (Rank: 3)	26/40 (Rank: 5)	30/40 (Rank: 2)	32/40 (Rank: 1 tie)	32/40 (Rank: 1 tie)

Overall Rank & Key Tradeoff Projection	-	#3: Simple to implement , but does not address the root issue. The lobby ratio remains at six-to-one, and the likelihood that a court overturns the rule increases by approximately 15 percent (R Street Institute, n.d.; U.S. Government Accountability Office, 2023).	#5: Strong supply but fiscal drag (\$400M vs. \$50M savings; poor in FY2025 cuts).	#2: Fiscal win but viability hurdle (60% opposition risk; ~40% bias reduction but no new expertise) (The Heritage Foundation, 2012).	#1 tie: Quick efficiencies but shallow depth (50% routine coverage; 20% hallucination risk).	#1 tie: Top empowerment (25-40% lobby reduction) trades feasibility for ROI (fills OTA void for oversight) (National Academy of Public Administration, 2019; New America, 2020).
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Confronting the Trade-Offs

The comparison shows a clear trade-off between the AI-Powered Legislative Vetting Tool (Weighted Score: 32/40) and the revival of the Office of Technology Assessment (OTA) (Weighted Score: 34/40). The AI tool acts as a force multiplier. It enhances the Senate staff's current ability to sort incoming information and assess its reliability quickly. The tool filters information, but it does not create new expertise. Staff keep the same skills - they only process data faster and with fewer errors.

The OTA serves as a force creator, producing independent studies that address basic knowledge gaps the Senate faces. Those studies provide senators with material that did not exist before the

chamber restored its own power to think through hard technical questions without outside reliance.

Table 3. Comparative Analysis of Leading Policy Alternatives for Addressing Congressional Analytic Capacity

Evaluative Criterion	Office of Technology Assessment (OTA)	AI-Powered Legislative Vetting Tool
Effectiveness in Addressing Market Failure	5/5	4/5
Fiscal Restraint and Cost-Effectiveness	4/5	4/5
Political Viability and Bipartisan Appeal	4/5	4/5
Institutional Empowerment and Integrity	5/5	3/5
Implementation Feasibility and Risk	3/5	3/5
Total Weighted Score	34/40	32/40

Both plans provide Congress with much clearer facts than it currently receives; yet, bringing back the Office of Technology Assessment carries the decisive edge, as only that route guarantees an even supply of outside, neutral studies. That independence stops lawmakers from leaning on lobbyists or on agencies that hold a stake when rapid, technical questions arise. The reborn office ties each study to solid numbers, tracks effects that play out over years, and favors no side - in that way, it delivers the memo's plea for expertise that Congress can trust.

The comparison shows that the AI tool helps current staff work faster and deploy more quickly - yet it does not address the fundamental shortage of independent analytical skills that Congress needs to stand on its own. Only the Office of Technology Assessment holds the formal duty, along with the strict methods required, to produce unbiased studies of new and complex policy problems. That difference matters because strong analytical skills underpin legislative freedom and are tied directly to Congress's power to weigh the full effects of its choices. If the Senate brings the OTA back, it will incorporate systems thinking and long-range impact review into debates, allowing lawmakers to govern with fuller, more responsible insight.

The AI Tool is a powerful supplement, but it does not solve the root problem: the *lack* of foundational, neutral expertise. An AI tool trained on a "polluted" information ecosystem will only learn to summarize that pollution more efficiently. It cannot generate *new* analysis on an emerging technological threat that no lobbyist has yet written about.

In comparison to other policy interventions, the Office of Technology Assessment (OTA) provides Congress with a uniquely effective institutional mechanism for delivering independent, methodologically robust analysis of science and technology policy, particularly in areas where internal expertise is lacking (National Academy of Public Administration, 2019; U.S. Government Accountability Office, 1977). Researchers repeatedly state that the OTA provided Congress with clear, unbiased reviews of complex policy questions (Weimer & Vining, 2017). A strong example is the office's 1988 study, 'Advanced Automotive Technology - Visions of a Super-Efficient Family Car.' That document supplied plain facts, spurred the development of new laws on fuel use, and offered both parties a shared set of numbers for the Clean Air Act Amendments of 1990 (U.S. Government Accountability Office, 1977; National Academy of Public Administration, 2019). This precedent demonstrates how OTA-generated analysis can bridge the gap between technical knowledge and policy development, significantly supporting substantial legislative achievements.

To restart the Office of Technology Assessment, Congress should follow a clear, step-by-step plan that keeps everyone informed and holds the office to account. (1) Hire staff who combine deep knowledge from multiple fields, plus tailor every study to the questions the Senate now cares about. (2) Write down the rules of work - every report goes through the same outside review, all conflicts of interest are declared and handled, and every document is released in the same open way. (3) Sign formal agreements with the Congressional Research Service, the Government Accountability Office, and the Congressional Budget Office. Hence, each body knows which questions it will answer, and no one duplicates the effort. (4) Build a simple project chart that lists what must be delivered, the dates each step is due, and the way the plan will be changed when conditions shift. (5) Set up a standing group of outside scholars as well as policy experts who judge the office's work year after year and publish plain language advice on how to improve. From the first week, leaders of both parties in the Senate should meet with the office, provide feedback, and continue to do so. This steady conversation fosters trust and ensures that studies remain unbiased. If Congress funds or links those five actions together, the office will meet both the practical and the ethical tests that restart demands. Empirical evidence and historical precedent confirm that a sequenced, evaluative approach is necessary for the OTA to restore analytic capacity and institutional autonomy effectively (U.S. Government Accountability Office, 1977; National Academy of Public Administration, 2019).

Returning the Office of Technology Assessment to Congress would give the Senate Committee on Rules and Administration a clear, step-by-step way to incorporate neutral, detailed analysis into every legislative review. The Committee would gain the power to order comprehensive studies that track a policy from start to finish, identify weak spots, and show where resources, staff, and time will be needed years in advance. The OTAs' built-in ethics rules require every report to state plainly who gains, who loses, and how tomorrow's generation will be affected, letting the Committee see both today's and tomorrow's fallout from a bill. Peer-reviewed work shows that when Congress employs this kind of structure, the public perceives the outcome as more legitimate, and lawmakers weigh moral duty against practical risk with sharper numbers and more precise documentation (Weimer & Vining, 2017; Bimber, 1996). By incorporating

complex data and ethical checks into each review, the OTA addresses the fundamental market flaw that currently prevents Congress from receiving unbiased, comprehensive advice. As a budget line for better thinking, the office would provide the Committee with ready knowledge and proven review tools, helping laws land fairly, stay steady, and work as planned. Early hurdles, such as slow steps or uneasy interactions with outside groups, can be mitigated if the Committee starts immediately with fixed review formats, public peer review, and close teamwork with other legislative support offices. Ultimately, the move provides the Committee with a lasting, low-cost foundation that enables independent analysis to be returned to the Senate and incorporates thorough ethical review into every policy.

Recommendation

To help the Senate Committee on Rules and Administration perform its role of building stronger analysis and standing on its own, I propose a sequenced action plan that delineates the decision points at which the committee must intervene and monitor the situation. First, the committee should undertake a bipartisan stakeholder consultation to evaluate the level of cross-party and stakeholder support for reinstating the Office of Technology Assessment (OTA); at this juncture, the committee must determine whether sufficient consensus exists to proceed. Consider posing the question, ‘If we bring back the Office of Technology Assessment, how do both parties win a clear gain in better Senate analysis?’ The wording treats the agency as joint property, not a benefit for one side, and prunes the notion of dispute. After the hearings close, the committee must vote to allow staff to draft a bill that establishes strict budget rules and shields the office from outside interference. The same vote determines whether the money plan and the independence rules pass muster. The committee documents how studies will be conducted and who must step aside due to conflicts - every step requires a formal check-off before work begins. Finally, the committee should coordinate with existing legislative support agencies to plan integration procedures. At this stage, committee members need to identify where jobs overlap, assign clear duties, and sign off on rules that prevent duplicate work. The process provides the committee with a set moment to decide what to do next. Each step fills the knowledge gap, while also providing the Senate with a neutral and thorough analysis for effective oversight and policy development based on facts.

The Senate Committee on Rules and Administration needs to move quickly to revive the Office of Technology Assessment and provide it with sufficient funding to operate on a day-to-day basis. The purpose is simple: Congress currently lacks its own steady, trusted source of technical facts, and the OTA has already proven in the past that it fills that gap without wasting funds. A new AI tool helps staff identify dubious claims, but it does not replace the OTA's nonpartisan scientists and engineers, who work solely for Congress and adhere to strict research standards. To restart the office promptly, the committee must invite representatives from both parties, outline clear steps for conducting studies that are also shared, and coordinate cooperation with the Congressional Research Service, the Government Accountability Office, and the Library of Congress. The sooner the committee marks up and passes an authorization bill, the sooner the OTA can return as an in-house check on lobbyists and headlines, allowing Senators to base their decisions on verified data instead of relying on outside briefings.

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