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Looking to the Future
The Challenge to Congress

A White Paper

Congress and the Future Project

January 2009

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The John Brademas Center for the Study of Congress

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Executive Summary

With the looming array of potential crises facing the United States, Congress must play a central and critical role in meeting the challenges important to sustaining the future of America: national health care, the stability of Social Security, threats to the environment, energy supply and prices, immigration, food and water resources, infrastructure deterioration, and improvements to national security, to name just a sample of these.

In order to enhance their capacity to properly address these complex future-oriented issues, the following major institutional changes are necessary.

- Focus attention more squarely on the challenges that lie ahead, and strengthen analytical and predictive capabilities.
- Nurture consensus-building procedures to bridge partisan divisions and electoral disincentives that all members face.
- Take advantage of genuine opportunities for future-oriented action.

The Brademas Center for the Study of Congress, after concluding a two year comprehensive project focused on these issues, offers the following recommendations to Members of Congress and their staff:

- **Bring the Future into Focus**

1. Create a National Foresight Agency to be established in the Executive Office of the President. The agency would advise the president on pressing future concerns and integrate these concerns into the annual budget and executive program initiatives through a collaborative effort with OMB and other executive agencies.
2. Offer voters the opportunity to participate in discussions and prioritization of future concerns. Congressional and Presidential candidates, through utilization of news media and citizens, should express their views on legislation and policies concerning the future.
3. Through Congressional encouragement, universities, national foundations, think tanks and the news media should direct attention and resources to future challenges. In doing so, a national consensus should be formed already prioritizing significant issues.

- **Prevent Political Paralysis**

1. When considering policy responses to long-term tribulations that will require a significant financial commitment, Congress should consider a broader use of trust funds for revenue building.
2. To limit political backlash, Congress should seek to spread costs and benefits over the long-term through scheduled tax increases and benefit cuts, where possible and prudent; decreasing short-term political liabilities.
3. In the face of crisis, as with the current financial crisis, Congress should not offer mere stop-gap responses, but instead put forward plans to significantly restructure these failed programs to meet long-term objectives.
4. Triggers should be used for long-term policy, causing forced-action, which would initiate a proposal from the President and consideration from Congress when critical warnings are issued from program stewards, such as the Medicare Trustees or the Defense Base Closure and Realignment Commission.

- **Meeting the Challenges**

1. Congress should establish a new legislative support agency to provide early warning and essential understanding of impending future problems.
2. In order to plan for and understand the challenges of the 21st century, a bipartisan commission should be appointed by the president in consultation with Congressional leaders to study the personnel needs of the federal government to ensure proper recruitment and training of the federal workforce.
3. Congress must provide proper training for senior staff in order for these significant long-term implications to be properly addressed. This would include scenario analysis, assumption-based planning and robust decision making when considering public policies.

Introduction

When the Constitutional Convention finished its business in September 1787, the oldest of the delegates, Benjamin Franklin of Pennsylvania, expressed an optimism that has been a hallmark of American national life ever since. He pointed to the painting of half a sun on the back of the chair from which George Washington had presided over the convention and said he had often wondered whether it was a rising or a setting sun, but was convinced, in light of the work of the assembly, that it was a rising sun.

Such optimism about the future is harder to come by today, especially where the shape of the future is dependent on present action by the federal government. Government in the first decade of the 21st century is heavily burdened by substantive and political complexity. Nothing is simple; every force seems to generate an equal and opposite counter-force. In performing even the routine tasks of enacting a budget, filling executive and judicial offices, and renewing expiring legislation the machinery of government grinds slowly and fitfully. Simple house-keeping is no longer simple.

But the new president and the 111th Congress elected in 2008 will face a list of other challenges, even more daunting than the routine tasks that have hamstrung recent Congresses. There has accumulated over recent years an agenda of complex issues with enormous future consequences that Congress has been unwilling or unable to address. The 2008 election has indicated the high

importance that American citizens place on national health care, the stability of Social Security, threats to the environment, energy prices, immigration, and a lengthy list of other concerns that cloud America's future.

Faced with complexity, uncertainty, and an absence of consensus, Congress usually responds with inaction. But long-term inaction is cancer. The longer a meaningful response to these concerns is postponed, the more difficult they will be to address and resolve.

Why does Congress so often shun complex issues with potent future impacts? Are there problems in the organization and operations of Congress that ill fit it to deal with the future? If so, what is the potential for congressional reform? And what specific changes might Congress make to better align its operations with the substantive challenges facing the American people in the years ahead?

These are the questions that have animated the Congress and the Future Project of the John Brademas Center for the Study of Congress at New York University. This project has engaged the attention and efforts of some of America's leading students of Congress, experts on many substantive issues with long-term implications, and some of the country's most experienced hands at predicting and managing the future consequences of contemporary actions.

In the pages that follow, we will attempt to provide some guidance to Congress as it seeks better ways to manage the future agenda that is so critical to American citizens. Specifically, we will

- Explain the problems that Congress and the country now face as we look to the long term.
- Draw from the 20th century history of congressional reform the central lessons about the capacity of that institution to adapt to changing responsibilities.
- Examine the current state of organization and procedures in Congress to identify disincentives to effective responses to long-term challenges.
- Offer an agenda of recommendations to improve the way Congress copes with the future.

The Policy Challenge

America has historically been an optimistic country and, to most Americans, the future was a desirable destination: a place where opportunities would expand, wealth would grow, and children could enjoy better lives than their parents. But in recent years that optimism has dimmed. To many Americans today, the future is a place filled with risk and danger, with weighty questions floating in vast sea of uncertainty. How will we manage and afford the income and health challenges of old age? How tolerant will the natural environment be of the growing abuse it endures? How will we fuel our increasingly energy-dependent society? And so on.

For the first time, many Americans have come to believe that the future will not be better than the past or the present, that our children will not have better opportunities and a better quality of life than we have enjoyed. A national opinion poll commissioned by this project focused especially on immigration, terrorism, energy, Medicare, Social Security, treatments for new diseases, global warming, and repairing the nation's roads and bridges. It found that Americans are gripped by profound concern for the challenges that lie ahead and often lack confidence that the institutions of government will be able to meet those challenges. A survey of 1,000 Americans shows the patterns.

- More than 80% of Americans were very or somewhat worried about the future of Social Security, energy, Medicare and

immigration; more than 70% expressed concerns about terrorism, new diseases, and global warming.

- Fewer than half the American people thought Congress is paying enough attention to most of these future concerns.
- More than half the American people doubted that Congress has enough information to act on these long-term concerns.
- When asked whether Congress was doing a very good job on these issues, overwhelming majorities answered “no.”
- The vast majority of Americans wanted Congress to act now on these long-term issues.

Americans across the political spectrum—Republicans and Democrats alike—are worried about the future, disappointed in Congress’s failure to act on long-term issues, and concerned whether Congress has the knowledge and deliberative capacity to deal effectively with these issues.

The meaning is clear. The accumulation of delay and postponement weighs more heavily with each passing year. Soon it will become unbearable. Preparing for a threatening set of future challenges is a test of democratic governance as severe as any ever faced by Congress.

Issues

Congress is not alone. Many institutions—corporations, universities, state and local governments, charitable agencies—are struggling to find better ways to

predict and prepare for the future. Like Congress, most of them are burdened with traditional structures that complicate engagement with problems that are cross-jurisdictional and cross-generational. Every day, corporate executives must ask how much they can subtract from this month's bottom line to prepare for new challenges that are years down the road. And like the Congress, they face enormous uncertainties about the costs and benefits of actions designed for the long term.

But the magnitude of the issues we face as a country sets the task facing the Congress apart from the more narrow focus of other institutions. The following list suggests some of the most significant issues the Congress must address as it guides the country's preparations for the future.

Social Security. The first wave of baby boomers becomes eligible for Social Security benefits in this decade; the demands on this program will grow dramatically in the following years. Based on current projections, the federal government will have to begin drawing down the Social Security trust fund to pay benefits around 2018, with the trust becoming depleted around 2040 at which point payroll taxes will cover only three quarters of benefit payments. Because changes made now will require decades to take effect, Congress must begin to tackle reform of the system now.

Members of Congress have been debating a variety of options that include raising the retirement age on future retirees, raising payroll taxes in one of several ways, changing the formula for calculating cost-of-living increases,

making cuts to the guaranteed benefits and creating some form of personal savings accounts. There are plenty of options, but not the will to act.

Health care. The number of Medicare beneficiaries has been growing since the creation of the program in 1965. With the aging of the Baby Boomers, it is anticipated that there will be nearly 70 million beneficiaries in 2025, more than 20% of the population. Medicare expenditures will double as a percentage of the GDP. The elderly, of course, are not alone in facing the burden of rapidly increasing health care costs. The country faces a wide range of questions about how to fund and how to manage its health care system. The questions loom larger—and the solutions more daunting—with each passing year.

Environmental policy. When the environmental movement began in the 1960s, Congress was often in the lead, with the Clean Water and Clean Air Acts, the National Environmental Protection Act, and the Endangered Species Act. Over the last decade, however, environmental policy has been made by presidential executive order, rules adopted by the Interior Department and Environmental Protection Agency, and the resolution of lawsuits in the federal courts. Land use policies, exploration and exploitation of natural resources, storage of nuclear wastes: these and many other environmental challenges find their way onto the congressional agenda much more frequently than legislative action moves them off it. Citizen interest in environmental protection remains high, but great challenges lie ahead. The ability of Congress to develop balanced, comprehensive, and creatively funded solutions will be of paramount

importance in meeting those challenges.

Energy. Congress continues to debate a new generation of energy policies, even as it struggles to balance competing demands from consumers, environmentalists and the energy industry. The cost of a barrel of oil has more than doubled in this decade, yet the reliance on foreign sources is undiminished. As foreign economies grow, especially in Asia, the worldwide demand for oil continues to drive up the price. Using agricultural crops to produce alternative fuels—corn for ethanol, for example—is one response, but it has contributed to a significant increase in food costs. America has unexploited oil resources, but efforts to make them productive face potent environmental challenges. And, though the future challenges mount steadily, America lacks a comprehensive, balanced national energy policy.

Immigration. There are fewer hot-button political questions right now than immigration. There are pressing issues that must be debated in any reform of immigration policy—enhancing national security through “smart” border and interior enforcement; creating and expanding legal means of entry for both temporary and permanent immigration; addressing the growing unauthorized resident population throughout the United States; and working cooperatively with countries of origin to develop opportunities at home. All of these cut across partisan and ideological lines. And the decisions have great consequences for the American work-force of the future and for the kind of society it will support.

But all of the political debate about immigration has produced little consensus, and even less action.

Infrastructure. The tragedy of the collapse of the I-35W bridge in Minneapolis in 2007 was a wake-up call about the long-term impacts and costs of an aging infrastructure in America. The construction of a federal highway system was approved by Congress more than a half century ago. It was a significant example of foresight by Congress and the president working together. Few public policies have had a greater impact on the country. Now, however, many of the highway system's components are aging or are ill-designed to meet contemporary needs. In 2005 the American Society of Civil Engineers (ASCE) rated 160,570 bridges, or just over one-quarter of the nation's 590,750-bridge inventory, as structurally deficient or functionally obsolete. Other components of the national infrastructure are in similar need of repair or updating, as a mobile population continues to grow. But even a tragedy like the Minneapolis bridge collapse has failed to inspire new approaches to infrastructure maintenance.

National security. The period between the end of the Soviet empire in the late 1980s and the terrorist attack of September 11, 2001 appears now to have been but a respite between great national security threats. In many ways, the challenge of terrorism is as complex and terrifying as the Cold War. National security policy is always a combination of short and long-term concerns. Meeting immediate threats must be balanced with planning for long-term needs.

The development of new strategic forces and new tactical weapons systems can take a decade or more. Few agencies of government think about the future or plan for it as systematically as the Department of Defense. But even there the policy choices are very hard because costs are great and there is much we do not know about the character and capacity of the adversaries we will face.

Other issues. Across the entire spectrum of public policy, future considerations and concerns loom large. Will we have an adequate and affordable food supply for growing domestic and international markets? How can we ensure that water resources will meet the need of expanding population especially in the fast-growing and drier climates in the West? Will we be prepared to meet the housing, assistance, and medical needs of a rapidly aging population? What will the federal response be to the failure of many American schools to prepare our children for a changing economy and increasingly diverse society? How will public policy cope with the perplexing demands of new technologies that allow human cloning, create entire new systems for distributing entertainment media, and threaten our privacy as never before?

The future has always posed great challenges to public policy makers. But the weight of those challenges has never been heavier than it is at the beginning of a century where the pace of change seems to accelerate constantly.

The Character of Complexity

The long-term problems the country faces, though they range widely across the policy landscape, have some characteristics in common.

Cost-benefit asymmetry. The benefits or effects of long-term policy-making may not be felt for years, but many of their costs are immediate. Dealing with such issues forces government to convince the American people that they should pay today for benefits they will not receive until well into the future. In some cases, the burden is even greater: government must convince the current generation of citizens to pay for benefits that will redound to future generations. Global climate change is an example. Policies designed to slow the process of climate change will incur immediate costs, but the effects of the policies will unfold slowly and the real benefits will not be experienced for many years, perhaps for decades.

Uncertainty. The deeper into the future a problem extends, the greater the uncertainty about its magnitude, its potential threat, the possibilities for success in addressing it, and the propriety of alternative policy choices. Uncertainty is the common burden of all policy planning for the future, but for legislators that uncertainty has two dimensions. One is *substantive uncertainty* about how well policy will work and how much it will cost over time. Some future problems have manageable substantive uncertainty. With nuclear waste storage, for example, or fortifying the financial stability of Social Security, the

nature of the problem and the options for solution are reasonably predictable. In other areas, however—meeting long-term national security needs and coping with climate change—the character of the problem and the potential effectiveness of various policy options are less clear.

The other dimension is *political uncertainty* about who will benefit and who will lose politically for addressing a long-term problem. The apparent myopia of legislators is often primarily political. Their distance vision may allow them to see future needs and even to crystallize potentially effective responses. But their near vision is clouded by the political consequences of action. The best interests of the country in addressing its long-term needs may conflict with the career interests of legislators who must make the hard policy choices.

Cross-cutting. Many of the most significant of the future challenges the country faces are cross-generational, multinational, and cross-jurisdictional. They trespass the boundaries of institutions. They simply do not fit the normal ways in which governments divide their labor for problem solving. In the United States, we have traditionally separated domestic and international policy. But climate change, terrorism, immigration, and food and water shortages do not observe those artificial separations. Large-scale, long-term problems defy traditional categorization. Addressing them will require significant rethinking of how we organize policy analysis and policy choice.

Absence of crisis. Americans have a long and successful history of responding to crisis. The stock market crash, Pearl Harbor, the Arab Oil

Embargo, the Social Security crisis of 1983, 9/11: all of these were action-forcing crises which led to significant policy actions to address immediate and future needs. Crisis shines a bright light on problems and it can overwhelm resistance to change. But many of the long-term problems we face today have developed slowly over time, the result of population growth and other demographic and secular evolutions; small changes accumulate into great problems. Occasionally a moment of apparent crisis may occur, as in 1983 with Social Security, but normally such action-forcing moments are absent.

Costs of delay. The longer that policy making for the future is delayed, the greater the problems become and the harder the solutions are to design and achieve. Had the “rescue” of Social Security in 1983 looked more boldly to the future, by altering the COLA formula, or tying the age of eligibility more directly to changing life expectancies, the future task of stabilizing Social Security would not be so large today. If the energy crisis of the 1970s had inspired a comprehensive plan for slower growth in consumption and faster development of domestic energy sources, the future task of energy independence would be less daunting than it now appears. Delay exacerbates problems and complicates solutions.

The challenge that Congress faces in addressing these long-term issues is not without precedent. Issues with potent future impacts are standard fare on the national agenda. But the number of such issues, their substantive and

political complexity, and the costs of failure to address them effectively have never been so large.

Institutional Problems

If a group of wise architects were to design an institution with genuine aptitude for analyzing America's future needs and creating policies to meet them, it would not resemble the contemporary Congress. Whatever its other strengths and contributions, the modern Congress is ill-suited to address the future. Its internal organizational structure is counter-productive to that task. Its analytical capabilities are deficient. And its members are governed by institutional and political incentives that compel them to avoid complex planning for the future. Enhanced capacity for long-term analysis and planning can only follow from legislative reform. Different outcomes require different inputs, and those will only occur when Congress is ready to change the way it does the nation's business.

Congress has sometimes stepped up and squarely faced the future: Social Security, Medicare, environmental protection, the Employee Retirement Income Security Act (ERISA), and the federal highway system are examples. But most of those forays into the future are not recent. There is little in its recent performance to suggest that the contemporary Congress has the proper

organization or the right set of political incentives to confront the looming challenges of the future. That makes this a propitious time to focus on the foresight capabilities of Congress and to suggest ways to strengthen its capacity for long-range analysis and decision making. That is the task we seek to perform here.

Resource Problems

Adequate preparation and planning for the future require a significant analytical capability. The future is complex and uncertain; the dimensions of the problems it will pose are hard to weigh and measure. Policy targeting is imprecise. The surest way to make wise public policy for the future is to employ the best possible tools and techniques of prediction, assessment, and risk management.

The Congress is not without intellectual capital for assessing future needs. Its individual members have never had more formal education or greater access to society's knowledge base. If Congress is unable to make reasoned decisions, it is most certainly not because of ignorance among its members.

Nor is the problem a shortage of intellectual input. Members of Congress often feel overwhelmed by the tide of information that flows into their offices. As interest groups and think tanks multiply in Washington and across the country, they generate a torrent of problem analysis and policy suggestion. Few

members have the time to review or respond to anything more than a tiny portion of this flood.

What the contemporary Congress lacks is the capacity to focus and the ability to prioritize its concerns. In past reform eras, the Congress created support agencies to meet its information needs and to help it formulate reasonable collective judgments. When it needed more and better information to support its legislative and oversight activities, it created the Legislative Reference Service. When it was unable to audit agency financial activities, it created the General Accounting Office. When it could not generate independent financial projections, it established a Congressional Budget Office. The practice of building research and analytical resources to support its primary responsibilities has a long history on Capitol Hill.

But there has been little recent activity on this front, and the older support agencies--the Government Accountability Office, Congressional Research Service, and Congressional Budget Office have never been stretched thinner. The past ten years have witnessed a steady erosion in virtually every resource needed to make good policy. Whether by intent or accident, good intentions or bad, Congress has not allowed its primary support agencies to keep pace with the vast growth in its needs, especially its need for reliable information and prognostication for future planning. The one support agency specifically tasked with helping Congress anticipate and plan for the future, the Office of Technology Assessment it created in 1972, was abolished in 1995.

The executive branch provides no antidote to this. While some departments and agencies do look to the future in their planning, there is no central focus for this in the executive bureaucracy or the White House. On those occasions when presidents seek to address future issues, they normally employ temporary commissions for this purpose. Some of those commissions have provided admirable analysis and recommendations. But their fleeting status makes them imperfect mechanisms for calling sustained public and congressional attention to future needs.

Structural Problems

Congress is an institution where the centrifugal forces nearly always trump centripetal forces. What Prof. Woodrow Wilson wrote more than 120 years ago remains fundamentally true today: "Congress in session is Congress on public exhibition, whilst Congress in its committee rooms is Congress at work." Reliance on its standing committees has often served Congress and the country well. The committee system permits a division of labor and the development of specialization and expertise about the subjects within each committee's jurisdiction.

But the committee system, at least in its current permutation, is a form of organization ill-suited to effective analysis and policy making for many of the country's most threatening future concerns. The committee system rigidly observes jurisdictional boundaries over which many of those issues freely

trespass. Congress has long observed the separation between international and domestic issues, but most future-oriented issues pay little heed to that dichotomy. In Congress taxing and spending matters are assigned to one set of committees, policy analysis and substantive legislation to another. But the most challenging of the future issues integrate all of those concerns.

Congress has been burned in the past when it sought to address issues that overlapped committee jurisdictions. The energy crisis of the 1970s revealed that nearly three dozen committees and subcommittees in Congress had some jurisdiction over energy matters. Only an ad hoc arrangement permitted some temporary respite from turf warfare. On matters of homeland security in this decade, Congress also had to struggle with the rigidity of committee boundaries.

More recent developments in Congress exacerbate its structural inappropriateness for dealing with complex future problems. Finding suitable solutions to those problems will require extensive debate and deliberation. This will be essential to devising the compromises and balanced sacrifices that such solutions will require. But the cotemporary Congress has allowed its capacity for deliberation to shrink steadily. The regular order of the past in which committees held extensive hearings, engaged in careful mark-up sessions to draft responsible legislation, took their bills to the floor for focused debate and amendment, and then joined with colleagues from the other house in representative conference committees to hammer out final compromises exists now almost wholly in memory.

The demise of the regular order has left a situation in which committee hearings and deliberation are limited and often hurried, bills are thrown together into massive omnibus legislation, and floor debate is truncated. At each stage the minority party has been largely excluded from meaningful participation and has had little option other than obstructionism. It is a legislative process that complicates rather than facilitates the difficult task of addressing substantive and politically complex issues of the future.

The transparency of congressional activity is another characteristic of the modern Congress that adds to the problem of legislating for the future. The reformers of the 1960s and 1970s who sought to open the Congress to public view had the best of intentions. They believed that the national legislature should be accountable to the people it represents and that recording each member's vote on every issue, opening committee sessions to the press and public, and televising floor sessions would help accomplish that objective.

Although the transparency of the contemporary Congress has brought many benefits, it also complicates legislative policy making. When members are scrutinized every minute for every statement they make and every vote they cast, they have little flexibility to change their positions on issues or to compromise in the short term for accomplishment in the long-term. When committees could mark-up bills behind closed doors, when floor votes on amendments were determined by teller or voice vote and the positions of individual members were not recorded, when members' statements were not broadcast to the country and

recorded forever on videotape, compromise and consensus building were easier. We certainly do not want to return to those days, but the sunshine reforms that have made Congress a more accountable institution have affected its capacity for legislative policy making. On complex issues, requiring the imposition of sacrifices on constituents, that weakness is especially glaring.

No institutional audit of Congress can overlook its awkward processes for producing the federal budget. The Congress alters its budget process nearly as often as it enacts a new budget. Nothing has defied its grasp so routinely as the search for a rational and comprehensive budget process. The Budget and Accounting Act of 1921 put the president in the driver's seat in proposing an annual budget to the Congress. In 1974, with the Budget Reform and Impoundment Control Act, Congress sought to reassert its own constitutional role as keeper of the country's finances. But it found little success and the 3 decades of budget deficits that began late in the 1960s were a constant reminder of its insufficiencies. Much tinkering occurred in the years that followed, but effective budget management remains elusive.

All of the future-oriented issues described here have significant financial implications. Addressing them effectively will require careful and comprehensive financial planning and allocation of resources. But a budget process that is heavily focused on the short term, that divides government into 13 structural categories for appropriations purposes, and that rigidly separates

spending and revenue calculations deeply complicates the task of planning for future national needs.

Member Incentives

All members of Congress, but especially those in the House, live in a land of close horizons. The next election is always just ahead. Today's vote or speech will always be an object of close scrutiny by tomorrow's election opponent. The desire to get reelected, the concern for what political scientists call "career maintenance," is always near the top of the short list of incentives that govern the behavior of members of Congress. Voting against the short-term interests of one's constituents may look like political courage to editorial writers; it looks like political suicide to members of Congress.

As members see it, the path to the future is full of landmines and pitfalls. Congress avoids action on looming future issues not because members are unaware of them or underestimate their significance. Indeed, even a superficial survey of the campaign rhetoric of members of Congress turns up abundant references to "energy independence," "securing the future of the planet," "stabilizing Social Security," "getting our fiscal house in order," and many similar references to long-term challenges. The problem is that the rhetoric rarely yields effective action when the election is over.

A major part of the explanation for that is that dealing effectively with future concerns requires members of Congress to do something that most of

them find excruciatingly difficult: to ask their constituents to make financial and other sacrifices today for benefits that may not arrive until well into the future, perhaps even beyond their lifetimes.

Global climate change is a case in point. Most environmental experts believe that public policy can significantly alter long-term trends in climate change. But they also believe that such alterations will require very significant expenditures over several decades to produce effects that won't be fully realized for a generation or more. And while the costs are direct and significant—that is, tax bills will rise—the benefits are diffuse and uneven. Citizens who live in low-lying coastal areas or hurricane paths might be convinced that climate change is a serious problem worthy of current investments. Others who live in cold northern climates might not find the prospect of shorter winters at all troublesome.

Social Security offers a similar example. The crisis in Social Security financing is predicted to come two or more decades from now when most of the members of the Baby Boom generation have left the workforce and are receiving Social Security benefits. The crisis can be averted, in the minds of most actuaries, by such measures as raising payroll taxes, slowing the growth in benefits, or postponing the age of eligibility. But any of those measures would impose individual costs now for collective benefits that would not be realized for decades.

That is the challenge with nearly all future-oriented issues: current costs, future benefits; direct costs, diffuse benefits. Most citizens do not feel directly or immediately threatened by these long-term problems. Climate change has not affected their lifestyles. The Social Security checks arrive every month as promised. The grocery stores are stocked with food. Gas is available at the corner station. So when the politician comes around saying we've got to pay up now to stave off disaster in the future, it's a very hard sell. And because it's such a hard sell, most members to Congress choose to avoid it.

The difficulty in building support for future-oriented public policies is exacerbated by the very low levels of public trust in Congress. Some measure of faith is essential for the American people to believe that they are not being swindled when their elected officials ask them to make contemporary sacrifices in exchange for the promise of future benefits. But that kind of faith is hard to come by now, and has been for many years.

When we buy life insurance, we have faith that the insurance company will pay our beneficiaries when we die exactly the amount we have paid for. When we get inoculations for our children, we have faith that the shots we pay for today will protect them against the specified diseases in the future. When we buy tires that are certified to last for 50,000 miles of driving, we have reasonable confidence that they will last that long. Americans have experience in spending money today for benefits in the future. But that experience is rooted in trust, in demonstrated performance that justifies our faith.

But the level of trust in Congress, rightly or wrongly, justifies little such faith. A large portion of the population simply does not believe the Congress when it says there is a crisis looming that requires bold (and expensive) action. And many Americans do not trust the Congress to produce in the future the benefits that it promises in the present.

Yet another characteristic of contemporary Congresses aggravates the difficulty in legislating for the long-term: the intense partisanship of electoral politics and legislative decision-making. None of the major future issues described here can be adequately addressed without significant political compromise. But in the poisonous partisanship of recent Congresses, such compromise—even on minor matters—has rarely been achieved.

Many members of the House now represent districts that have been shaped by their state legislatures to guarantee significant majorities of one party or the other. In the House, reelection requires a strong and steady response to each member's partisan base. In the Senate, too, the dominant electoral strategy of contemporary politics is not to seek the center but to turn out the base. The middle ground seems to have vanished from contemporary legislative politics; but that middle ground is where compromise is possible and where solutions to complex problems usually take root. A Congress that is sharply divided along partisan lines is not an institution well-suited to preparing the country for future challenges. But that is what we see all too often in Washington today.

Contemporary politics have yielded an outcome that diminishes even further the Congress's capacity for effectively addressing long-term concerns: the small size of congressional majorities. Bold legislative action is rare in our history. Most public policy making is incremental. We do a little more or a little less today of what we've done in the past. The rare exceptions have nearly always come at moments in history when one party or the other had large majorities in Congress.

In the years before World War I, large Republican majorities established the outlines of modern economic regulation with antitrust legislation, the Food and Drug Act, the Federal Trade Commission, and the Federal Reserve Act. The Democratic majorities of the New Deal era expanded the federal role in American life to provide relief from the depression and to restructure the country's economic system to prevent future economic catastrophes. And in the 1960s, the Democratic majorities of that era elaborated the modern welfare state, provided for the health care needs of the elderly, faced up to the task of protecting the environment and rebuilding the cities, and secured through legislative fortification the equal rights guarantees of the Constitution.

Contemporary Congresses face challenges not unlike those facing the Congresses of these earlier periods. But their ability to act boldly to meet those challenges is significantly constrained by the brutal partisanship of our time, fought out in a Congress where neither party has had a majority large enough to afford it the latitude that bold action requires. Few members of Congress find

much incentive for leading aggressive legislative charges when their own troops are so thin and the opponent's are so abundant.

Possibilities for Reform

To some, the present dilemma seems insoluble. How can a Congress--in the current political environment, with such structural deficiencies, and with such constraining member incentives--possibly address effectively the complex issues that loom ahead? We do not underestimate the magnitude of the task, but we take heart from the history of Congress—a history full of examples of Congress adapting to change and responding to challenge.

The American Congress always has been and always will be a work in progress. In each generation of members are some who feel stifled by their inheritance of procedural and organizational constraints. When their numbers mount or their frustration boils, they seek an outlet through the process of legislative reform. Change comes slowly to Congress, almost never with dramatic intensity. The beneficiaries of the status quo guard their benefits jealously; the seekers of change rarely have the power and skills to take them away. So the struggle for reform is part of the natural cycle of congressional life. Each reform creates the seeds of its own obsolescence. One reform effort ends; new pressures for reform begin to build almost immediately.

Since World War II, the Congress has changed in many ways. Some of the alterations have been evolutionary, often caused by external forces to which Congress reacted (television, the decline of political parties, a Cold War). Other changes have come from the inside, the product of reform efforts and the

outcome of power struggles. There is no single model of congressional change. The proper characterization is that Congress is an organic institution, sensitive to its environment and to the needs and desires of its members. Change is common, but episodic.

In the past century, largely through internal reform efforts led by members themselves, the Congress has gone through three broad phases of organization. In the phase that ended in 1910, power was tightly concentrated in the hands of party leaders, especially the Speaker of the House and the Majority Leader of the Senate. In the next phase which lasted into the early 1970s, power devolved to committees and especially to committee chairs. The current phase features a great deal of independence for individual members and a significant role in the legislative process for subcommittees. There are no power centers in the contemporary Congress to match those of the two earlier phases. It is hard for Congress to act when no one has real and durable power to forge legislative majorities.

The Congresses of the early 20th century, indeed even into the 1960s, were capable of significant legislative accomplishment when conditions were ripe for that. The Congresses of the 1950s enacted an average of 828 public laws; those in the 1960s averaged 739. But reform trends in recent decades have diminished that capacity. The Congresses of the 1990s and this decade have averaged less than 500 new public laws. The bold legislative action required to address the complex challenges of the future has rarely been more difficult to generate.

The most promising corrections, such as restoring power to party leaders, lengthening congressional terms, converting to multi-year budgeting, are also the least likely to be accomplished. Those would require centralizations of authority in Congress and would threaten the independence of individual members. Since only the members can change the operations of their institutions, it is unlikely that many will line up to diminish the freedom of action and the individual resources that have been established in the past 40 years.

To enhance the capacity of Congress to address complex future-oriented issues the institution must make changes in its structure and procedures that retain most existing power relationships in Congress but allow the institution to:

- Focus its attention more squarely on the challenges that lie ahead
- Strengthen its analytical and predictive capabilities
- Nurture consensus-building procedures that will help to bridge the partisan divisions in Congress and overcome the electoral disincentives that all members face.
- Take advantage of genuine opportunities for future-oriented action.

The following recommendations offer suggestions of ways in which Congress might accomplish these objectives. We can imagine many variants of these recommendations, but we believe they offer an outline of the kinds of measures the Congress must undertake if it is to enhance its capacity to give future needs due consideration in legislating for the nation.

Recommendations

The federal government, and the Congress especially, can do a better job of preparing the country for the daunting challenges that lie ahead. But that cannot be accomplished without change in the organization and procedures of government. Three changes in particular are essential.

Bringing the Future into Focus

New structures must be created and new procedures adopted to allow Congress—in some ways, to *force* Congress—to focus on the future. The current reality is that no one in Congress, or anywhere else in Washington, is responsible for the future. While every major decision has future consequences, those are rarely the primary focus of decision making. Not surprisingly, the needs of the future are often finessed completely or sacrificed to the political exigencies of the present. Future concerns and considerations will gain a more prominent role in policy making only when there are experts and advocates for whom they are the primary focus and only when the American people are fully engaged in the discussion of future challenges and potential responses.

1. To provide national leadership in planning for the future, a National Foresight Agency should be established in the Executive Office of the President, headed by an Assistant to the President. This agency would

advise the president on important future concerns and work with OMB and other executive agencies to integrate future planning into the annual budget and executive program initiatives.

2. To give voters ample opportunities to participate in discussions of the future, the national political parties should adopt a futures agenda as part of their preparation for quadrennial elections. Candidates for Congress and President should be encouraged by the news media and by citizens to express their views on the issues contained in these agendas and to identify the policy responses they support.
3. The news media, national foundations, think tanks, and universities should seek to direct their attention and their resources to important future challenges. In so doing, they should seek especially to help forge national consensus on the need to address these critical issues and around prudent policy responses.

Discussion. The Congress does not operate in a vacuum. The level and intensity of its attention to matters of future consequence depends on a shared concern with those matters by other major participants in the political process. The role of the president as an initiator of the legislative agenda has grown to prominence over the past half century. If the President is focused on the future,

it's very likely the Congress will be as well. We believe, therefore, that a small agency in the Executive Office of the President, with the future as its primary concern, will significantly aid in the flow of ideas and recommendations from the president to the Congress. This follows a model that has often worked well in national security, domestic, environmental, and economic policy: identify key policy areas in which the President can provide initiatives for Congress, then create the necessary staff to ensure that such initiatives are thoughtfully developed and clearly presented.

Future issues will grow in importance in Congress only when they have reached heightened visibility and concern among the people served by Congress. We believe that the political parties and the news media can contribute to this heightened visibility by making future issues a more central focus of their discussions. There are many ways to accomplish this, including those we recommend here. What is most important, however, is that these important participants in the national political dialogue see the task of preparing to meet future challenges as an important responsibility in which they share.

Preventing Political Paralysis

Congress must rescue the future from the strangulating constraints of contemporary legislative politics. One of the great burdens of the current legislative process is the constant sacrifice of long-term benefits to short-term costs. Congress has rarely been willing to pay now for benefits that come later.

The character of contemporary decision making is a primary cause of that: decentralized into narrow jurisdictions, highly transparent, freighted with individual electoral calculations. It is no simple matter to change the way Congress makes policy, but occasional circumnavigations of routine decision-making have helped in the past to prepare the country for the future and might well be employed with greater frequency and purpose in the years ahead.

4. When policy responses to long-term problems will require significant future expenditures, Congress should consider broader use of trust funds as vehicles for building revenues in preparation for those anticipated expenditures.
5. To minimize political opposition to policies responding to long-term problems, Congress should seek, where possible and prudent, to spread costs as well as benefits over the long-term—for example, by scheduling tax increases or benefit cuts for the future.
6. When crises occur, Congress should take advantage of the opportunities they afford, not merely for stop-gap responses, but for significant restructuring of programs to meet long-term objectives.

7. Congress should experiment with wider use and a wider range of action-forcing practices, like military base closure procedures or the triggers in the Medicare Act that require the President to propose and the Congress to consider expedited legislation to address growing costs when the Medicare Trustees issue an official “Medicare funding warning.”

Discussion. We do not underestimate the political difficulties Congress faces in legislating for the future. There are few areas in which rational preparation for future challenges can occur without imposing immediate costs. Since that is a fact of life, we believe that Congress needs to bring two essential ingredients to its work on the future. One is creativity, especially in the search for ways to push the cost of future programs beyond the near-term. The hard political swallow that some of these programs require can be mitigated with creative proposals that seek to align temporally the costs and the benefits they yield.

Trust funds are a device for accomplishing that. So, too, are initiatives that schedule costs (tax increases, reduced benefits, delayed eligibility) beyond the current political horizon. Here we see the Social Security “rescue” of 1983 as something of a model, especially in its raising of the age of full eligibility—a policy choice that had little immediate impact on any beneficiary, but great cost savings down the road.

A second essential ingredient in future planning is aggressive seizure of opportunities. We believe that there are occasional moments of great opportunity in planning for the future and Congress must grasp those more fully than it sometimes has in the past. No one likes a crisis, but they occur with some regularity in the affairs of the nation and they are pregnant with opportunities for building solid foundations for the future. A steep spike in the cost of energy, a looming shortfall in a trust fund, an environmental disaster, a terrorist attack, the collapse of a bridge on a major highway: all of these are opportunities for Congress to focus national attention on difficult future challenges and to take advantage of that attention to propose and push forward programs to better meet future needs.

One of the promising ways in which Congress has begun to prepare for the future is by the introduction of action-forcing techniques that provide a way around legislative gridlock. Bipartisan commissions that help place unavoidable items on the congressional agenda are an example of this approach. We believe there may be promising new policy areas in which this approach has yet to be tried. Congress has begun, too, to experiment with triggers in legislation that force action when a precondition occurs. This is akin to Congress setting an alarm for itself, forcing the institution to confront a problem that may have escaped its collective attention in the absence of such a trigger. We hope that Congress will continue to look for ways to employ this device to help it to prepare early responses to long-term problems.

Knowing the Challenges

Congress needs to possess a better understanding of the realities of the future. Members of Congress are highly sensitive to the realities of the present, but few have so keen an understanding of or interest in the future. Given the gap in understanding, it is not surprising that the known reality often trumps the unknown, that the exigencies of the present so often outweigh the needs of the future in congressional decision making. One antidote is to enhance the Congress's capacity to predict, assess, and grasp the importance of the challenges and opportunities that lay over the immediate horizon. Only when Congress can see future needs and opportunities with some measure of clarity can it begin to weigh them against the present and make thoughtful choices that effect a prudent balance between the two.

8. To provide early warnings and essential understanding of potential future problems and opportunities, Congress should establish a new legislative support agency, the Office of Future Analysis. The agency should be non-partisan and staffed with substantive experts who are well-versed in the techniques of long-term analysis and planning.
9. A bipartisan national commission should be appointed by the president in consultation with congressional leaders to study the personnel needs

of the federal government to ensure the recruitment and training of a federal workforce equipped to plan for and manage the complexity of 21st century challenges.

10. Congress should provide for training of its senior staff in the language and techniques of long-term analysis and planning. Scenario analysis, assumption-based planning, robust decision making and other similar techniques should become part of the routine consideration of public policies with significant long-term implications.

Discussion. Our study of Congress's role in preparing for the future has left one profound impression, perhaps above all others. It is that America has a government that is poorly trained to analyze the problems of the future and poorly adapted to prepare carefully to address them. Governmental inadequacy in this regard is especially glaring in comparison with other institutions in our society that now invest heavily in their own planning for the future and in training their workforces to look ahead creatively, to assess risk, and to manage uncertainty. There is little evidence of significant effort in any of the branches of government to establish a future orientation of this sort in the federal workforce.

We believe, therefore, that success in preparing for the future has to begin with immediate efforts to build competence throughout the government to recognize future challenges, to size them up, and to develop rational approaches

to meeting them. Congress should start with its own staff and support agencies. The quality of much that gets done in Congress depends heavily on the skills and creativity of congressional staff. But there has never been any systematic attention paid to training congressional staff in the language and skills of future analysis. We believe that is a serious oversight that requires immediate remedial action

A good place to start, in our view, is the establishment of a congressional support agency with responsibility for focusing congressional attention on the future. The Office of Future Analysis we have recommended here would have its own staff of professionals who are highly trained in the techniques of future analysis. It would conduct studies and hold seminars for members and staff of Congress to identify the dimensions of looming future problems and different approaches to addressing those. It would also be a place where staff workshops could be held to provide training for committee and personal staff who advise members on issues with significant future consequences. Congress might experiment as well with other approaches to this. We can imagine, for example, that some of the best public policy schools and think tanks might be invited to offer short, intense programs of training in future analysis for congressional staff.

Equally important in focusing the federal government on its responsibility to prepare for the future is the role of the executive branch workforce. We are in a time of great transition in the executive bureaucracy with many senior retirements occurring and new approaches to recruiting and retention under

consideration. It is important, we believe, to ensure that the opportunity is not lost here to ensure that the federal workforce now under construction is adequately equipped to meet the needs of the future and is possessed of skills sufficient to ensure ample consideration of and preparation for those needs. We believe that this is a concern of sufficient magnitude to require the attention of a bipartisan national commission, not unlike the Hoover Commissions of yore, to contemplate the reconstruction of a federal workforce appropriate to the needs of the 21st century.

Conclusion

The future comes at us irresistibly. Some of the challenges it poses are well-known and their impacts and costs largely predictable. Others threaten with less clarity and less certainty about their pace and magnitude. But all require our immediate attention, and most demand our immediate action. For if we fail to act soon and in significant proportion, the challenges of the future will become the crises of the present.

The Congress has two primary responsibilities in managing the nation's preparation for its future. First, it must define the problems and imagine potential solutions. To do so effectively, it must equip itself with sufficient analytical and predictive capability to gauge the character and dimensions of the burdens the future will impose. And it must reorient its decision-making procedures to ensure that future issues are prominent on its agenda and that it has the capacity to act on them.

Second, the Congress must engage the American people in an on-going dialogue and debate about the nation's preparation for the future. Americans have to be helped to understand the problems they will face in the decades ahead, and they have to engage in processes of education and deliberation that will enable them to see and to support the need for present sacrifices as essential preparation for future challenges and threats. Current practices in Congress and in national politics often do not meet this need; significant changes are necessary

if the American people are to engage the future boldly lest they become its victims.

We offer here and in the papers that support these conclusions a set of analyses of the challenges we face and a group of recommendations for improving the Congress's ability to respond effectively. All Americans have a high stake in the issues we raise here and in challenging their Congress to take the lead in paving a firm path to the future and in restoring the sense of optimism that has so long been one of the defining characteristics of the American experience.

Appendix

The John Brademas Center for the Study of Congress

The mission of the John Brademas Center is to foster the cross-disciplinary study of Congress, in part by opening an ongoing dialogue between scholars, policymakers and the public and to promote a greater understanding of the role of Congress among both the academic community and the public. Funded in part through a \$1.3 million unrestricted appropriation enacted with bipartisan support in 2004, the Center is committed to evidence-based understandings of how the House and Senate can faithfully discharge their constitutional responsibility to make the laws with the resources needed for wisdom, courage, and reason.

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Background Analyses Commissioned for this Project

Sarah A. Binder (Professor of Political Science, The George Washington University), “Can Congress Legislate for the Future?”

Paul K. Davis (Principal Researcher, RAND Corporation), “Rethinking Defense Planning”

James A Dewar (Senior Policy Analyst, RAND Corporation), "Improving Legislation on Long Range Issues"

Leon Fuerth (Research Professor of International Affairs, The George Washington University), "Congress and the Climate Crisis: A Case for Forward Engagement"

Jason Furman (Senior Fellow, The Brookings Institution), "Coping With Demographic Uncertainty"

William A. Galston (Senior Fellow, The Brookings Institution), "Why President Bush's 2005 Social Security Initiative Failed, and What it Means for the Future of the Program"

Paul C. Light (Paulette Goddard Professor of Public Service, New York University), "Public Opinion Toward Legislating for the Future"

Robert Lempert (Senior Scientist, RAND Corporation), "Creating Constituencies for Long-Term, Radical Change"

G. Calvin Mackenzie (Goldfarb Family Distinguished Professor of Government, Colby College), "Congressional Reform in the Post-War Era: A Brief History and Some Lessons"

Kenneth R. Mayer (Professor of Political Science, University of Wisconsin-Madison), "The Base Realignment and Closure Process: Is it Possible to Make Rational Policy?"

Michael O'Hanlon (Senior Fellow, The Brookings Institution), "The Politics of Defense Planning"

Steven W. Popper (Senior Economist, RAND Corporation), "Adapting Social Security Policy for the Long Term"

Barry Rabe (Professor of Public Policy, Gerald Ford School of Public Policy, University of Michigan), "Can Congress Govern the Climate?"