

MEMORANDUM

October 5, 2020

To: Select Committee on the Modernization of Congress

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**Subject: Recommendations of the Select Committee on the Modernization of Congress:
Potential Routes to Implementation by the House**

Introduction

This memorandum responds to your request for an assessment of 52 specific recommendations adopted by the House Select Committee on the Modernization of Congress as well as supplemental material about those recommendations that committee staff provided to CRS. For each recommendation, the Committee requested three pieces of information: (1) a preliminary assessment of the House committee(s) that would potentially exercise jurisdiction over subject matter being addressed in the recommendation; (2) whether legislation would be needed to implement the recommendation or whether it could be achieved via alternative means; and (3) the relevant CRS staff member to whom questions concerning a particular recommendation can be directed. This information is presented below in **Table 1** and **Table 2**. **Table 1** encompasses those recommendations agreed to by the Committee at its business meeting held on July 31, 2020, and **Table 2** contains the Committee's recommendations from its meeting on September 24, 2020.

The information in this memorandum in general is drawn from publicly available sources and may be of general interest to Congress. As such, all or part of this information may be provided by CRS in memoranda or reports for general distribution to Congress. Your confidentiality as a requester will be preserved in any case where this occurs.

Select Committee Recommendations: Potential Avenues of Implementation and Caveats

A number of the recommendations of the Committee could be implemented in more than one way, and in most cases the enactment of legislation would not be required to potentially achieve the Committee's desired result. For instance, a particular recommendation could be presented to the House in the form of a House resolution (H.Res.) to amend the standing rules, or alternatively the matter could be addressed in the Speaker's announced policies at the start of a new Congress¹ or through protocols of the majority

¹ The Speaker's announced policies for the 116th Congress (2019-2020) were printed in the *Congressional Record* on January 3,

leadership² or the Rules Committee.³ Some recommendations could perhaps be accomplished through changes to the party rules of the Democratic Caucus and the Republican Conference, or by adjustments to the rules of particular standing committees.⁴

Additional avenues could also be pursued, including through the conduct of oversight, the inclusion of committee report language directing particular recommendations be implemented, and through the congressional budgeting and appropriations process. More informal options are available as well. For instance, given the role of the Majority Leader in scheduling the business of the House, some of the scheduling-based recommendations of interest to the Modernization Committee could be implemented through negotiations and commitments to make the desired adjustments to the House schedule.

Entries in the “Avenues of Implementation” column of **Table 1** and **Table 2** should not be viewed as comprehensive or exhaustive because in many cases more than one avenue could be taken to achieve a preferred outcome. This column instead reflects whether or not legislation would be required to implement the recommendation. In many cases it would not. The analysis in this memorandum reflects a preliminary analysis, based on the information available and given the Committee’s requested timeline for the memo. CRS experts listed in the final column are available for further consultation.

The lack of a legislative requirement for implementation, however, does not imply that implementation would be simple, without tradeoffs, or without opposition. It also does not address the technical feasibility or cost of the proposal. Some of the recommendations touch on subject areas that have challenged Congress for decades. Using scheduling as an example again, while the Majority Leader has the authority to establish the House calendar, the House has struggled for decades to establish a calendar that meets the needs of a diverse membership and accounts for a complex workload and factors beyond the control of the House (e.g., actions of the Senate and President, natural disasters, national or international events).

Others recommendations might challenge the traditional deference to Members and committee chairs to operate their offices in the manner they view as most appropriate, and efforts at standardization may not be enforceable or may be met with resistance. More informal, although non-binding, changes may be an option. For example, the Committee on House Administration has adopted model policies and sample agreements for various aspects of House staffing.

Even where not specifically addressed in **Table 1** and **Table 2**, implementation of any of these recommendations may have direct or indirect costs that might be discussed during consideration of the annual legislative branch appropriations bills.

Finally, some of the items contained in these recommendations may already be implemented in some form in the House, or may already be under review by additional House entities.

Jurisdictional Caveat

Assessments of committee jurisdiction provided in the tables below should be viewed as preliminary. They are based on CRS’s assessment of the subject matter being addressed in a particular

2019, pp. H198-H201, and are available at: <https://www.congress.gov/116/crec/2019/01/03/CREC-2019-01-03-pt1-PgH198-10.pdf>.

² Legislative protocols of the majority leadership for the 116th Congress are available at: <https://www.majorityleader.gov/content/116th-congress-legislative-protocols>. GOP leadership protocols are at: <https://www.republicanleader.gov/protocols/>.

³ Protocols of the House Rules Committee for the 116th Congress are available at: <https://rules.house.gov/rules-and-resources/rules-committee-protocol>.

⁴ Rules of House Committees for the 116th Congress have been compiled and printed as Rules Committee Print 116-25, which is available at: <https://www.govinfo.gov/content/pkg/CPRT-116HPRT36537/pdf/CPRT-116HPRT36537.pdf>.

recommendation as it relates to subjects contained in House Rule X, which defines the subject matter jurisdiction of the House’s standing committees.⁵ In the absence of bill text, it can be difficult to determine with any real certainty how a measure would be referred upon introduction. The House Parliamentarian is the sole definitive arbiter of House rules, including the jurisdiction of its committees under Rule X, and should be consulted if a formal opinion is desired on how a particular recommendation might be referred if introduced as a stand-alone bill or resolution.

The “committee jurisdiction” column relates to the subject area addressed generally, even if no legislation would be required for implementation of the recommendation or if the subject matter is more regularly addressed by House leadership rather than at the committee level.

Table I. Recommendations Adopted at the Business Meeting on July 31, 2020

#	Recommendation ^a	Committee Jurisdiction ^b	Potential Avenues for Implementation	CRS Contact for Further Discussion
1	Each office should have a continuity of operations plan, including minimum safety requirements and an emergency communications plan, that is made available to all staff so offices continue functioning for the public.	House Administration	No legislation required. Extensive emergency preparedness planning, including continuity planning and model office plans, have been established by the House Sergeant at Arms (HSAA) and the United States Capitol Police Board (USCPB), pursuant to a joint, bipartisan leadership directive issued in September 2000 and ongoing leadership direction.	R. Eric Petersen, epetersen@crs.loc.gov
2	Ensure that staff have the most up-to-date technology and equipment to continue effectively working on behalf of constituents in the event of a disruption or emergency.	House Administration	No legislation required.	R. Eric Petersen, epetersen@crs.loc.gov
3	Establish regular maintenance plans for office technology, so the equipment and technology needed during remote operations and telework is functional.	House Administration	No legislation required.	R. Eric Petersen, epetersen@crs.loc.gov
4	Crisis communications guidelines for constituent communication, including outreach plans for extended telework periods, should be approved and shared with all Member offices.	House Administration	No legislation required.	R. Eric Petersen, epetersen@crs.loc.gov

⁵ On rules and procedures governing House committee jurisdiction and the referral of measures, see CRS Report R46251, *Committee Jurisdiction and Referral in the House*, by Mark J. Oleszek.

#	Recommendation ^a	Committee Jurisdiction ^b	Potential Avenues for Implementation	CRS Contact for Further Discussion
5	To help streamline casework requests and help constituents better access federal agencies and resources, the House should implement a secure document management system, and provide digital forms and templates for public access.	House Administration	No legislation required. In any administrative effort to develop such a system, the House might weigh the relative benefits of providing information from a central resource against Members' preferences to develop and deploy casework support to their constituents from their offices.	R. Eric Petersen, epetersen@crs.loc.gov
6	The House should prioritize the approval of platforms that staff need for effective telework, and each individual staff member should have licensed access to the approved technology.	House Administration	No legislation required, although additional licenses could require funding in the legislative branch appropriations act.	R. Eric Petersen, epetersen@crs.loc.gov
7	Committees should establish telework policies on a bipartisan basis.	House Administration	No legislation required.	R. Eric Petersen, epetersen@crs.loc.gov
8	The House should make permanent the option to electronically submit committee reports.	Rules	No legislation required.	R. Eric Petersen, epetersen@crs.loc.gov
9	Expand the use of digital signatures for a majority of House business, including constituent communications.	Rules House Administration	No legislation required.	R. Eric Petersen, epetersen@crs.loc.gov
10	Committees should develop bipartisan plans on how technology and innovative platforms can be best incorporated into daily work.	House Administration	No legislation required.	R. Eric Petersen, epetersen@crs.loc.gov

#	Recommendation ^a	Committee Jurisdiction ^b	Potential Avenues for Implementation	CRS Contact for Further Discussion
11	A bipartisan, bicameral task force should identify lessons learned during the COVID-19 pandemic and recommend continuity of Congress improvements.	Rules	<p>Pursuant to joint bicameral leadership authorities, the HSAA and the USCPB and other House officers and officials have established after-action reporting processes designed to assess House contingent operations, to derive lessons learned and opportunities for improvement. These efforts typically take place within each chamber, and the Senate has broadly parallel processes administered by the Senate Sergeant at Arms (SSAA).</p> <p>In the event that Congress chooses to supplement existing authorities and capacity in this area with a Member-led entity, it might be necessary to adopt a concurrent resolution.</p>	R. Eric Petersen, epetersen@crs.loc.gov
12	Continuity, telework and cybersecurity training should be given to all new Members of Congress.	House Administration	No legislation required.	R. Eric Petersen, epetersen@crs.loc.gov

Source: CRS analysis of recommendations of the Select Committee on the Modernization of Congress.

Notes:

- a. Text of recommendations was obtained from <https://modernizecongress.house.gov/committee-activity/business-meetings/business-meeting-073120> for recommendations adopted at the business meeting on July 31, 2020. Additional information on each recommendation may be available in the reports or prints from the Select Committee.
- b. Assessments of committee jurisdiction should be viewed as preliminary and are based on CRS's assessment of the subject matter being addressed in a particular recommendation as it relates to subjects identified in House Rule X, which defines the subject matter jurisdiction of the House's standing committees. The House Parliamentarian is the definitive arbiter of House rules, including the jurisdiction of its committees under Rule X, and should be consulted if a formal opinion is desired. The assessments are based on the text of the recommendations listed on the Select Committee's website, supplemented by information provided by the Select Committee to CRS. The "committee jurisdiction" column relates to the subject area addressed, even if no legislation would be required for implementation of the recommendation.

Table 2. Recommendations Adopted at the Business Meeting on September 24, 2020

#	Recommendation ^a	Committee Jurisdiction ^b	Potential Avenues for Implementation	CRS Contact for Further Discussion
1	Establish specific committee-only meeting times when Congress is in session.	House Administration	No legislation is required. The House Majority Leader traditionally announces the annual, weekly, and daily floor schedules.	Ida A. Brudnick, ibrudnick@crs.loc.gov , 7-6460
2	Create a common committee calendar portal to help with scheduling and reduce conflicts.	House Administration	No legislation is required. House officers could be directed to establish a portal by House leadership, the Committee on House Administration, or through appropriations report language. This change may require funding in the legislative branch appropriations act. Conforming changes to the House Rules might be required.	Ida A. Brudnick, ibrudnick@crs.loc.gov , 7-6460
3	Establish specific days – or weeks – where committee work takes priority.	Rules House Administration	No legislation is required. The House Majority Leader traditionally announces the annual, weekly, and daily floor schedules.	Ida A. Brudnick, ibrudnick@crs.loc.gov , 7-6460
4	Ensure there are more days spent working than traveling.	Rules House Administration	No legislation is required. The House Majority Leader traditionally announces the annual, weekly, and daily floor schedules.	Ida A. Brudnick, ibrudnick@crs.loc.gov , 7-6460
5	The congressional calendar should accommodate a bipartisan member retreat.	House Administration	No legislation is required for changes to the calendar. ^c The House Majority Leader traditionally announces the annual, weekly, and daily floor schedules. The Committee on House Administration might provide direction and oversight for any such retreat.	Ida A. Brudnick, ibrudnick@crs.loc.gov , 7-6460
6	Offer staff certifications, in additions to trainings, through the nonpartisan Congressional Staff Academy.	House Administration	No legislation is required. House officers could be directed to offer certifications by the Committee on House Administration or through appropriations report language. Additional staffing and funding may be required.	Ida A. Brudnick, ibrudnick@crs.loc.gov , 7-6460

#	Recommendation ^a	Committee Jurisdiction ^b	Potential Avenues for Implementation	CRS Contact for Further Discussion
7	Provide institution-wide, standard onboarding training for new employees, including required training.	House Administration	No legislation is required to offer training. House officers could be directed to offer standard training by the Committee on House Administration or through appropriations report language. Any requirement for staff to complete the training may require adoption of a House resolution.	Ida A. Brudnick, ibrudnick@crs.loc.gov , 7-6460
8	Remove constituent communications costs from Member office budgets and create a shared account for communications.	House Administration	This change would require funding in the legislative branch appropriations act. If it requires a new shared account, an administrative provision in the legislative branch appropriations act might be necessary. It might also require a reevaluation of the Members' Representational Allowance (MRA) formula used by the Committee on House Administration to allocate funds to each Member office. Conforming statutory language might be required (e.g., 2 U.S.C. §5341 and 2 U.S.C. §503).	Ida A. Brudnick, ibrudnick@crs.loc.gov , 7-6460
9	Reevaluate the funding formula and increase the funds allocated to each Member office.	House Administration	This change would require funding in the legislative branch appropriations act and reevaluation of the MRA formula used by the Committee on House Administration to allocate funds to each Member office. The House Appropriations Committee reports accompanying the FY2020 and FY2021 legislative branch appropriations bills included related language. ^d	Ida A. Brudnick, ibrudnick@crs.loc.gov , 7-6460
10	Establish a nonbinding, voluntary pay band system for House staff that includes a salary floor and average salary for each position in Member offices. Regular surveys should be done to ensure the most up-to-date salary information.	House Administration	No legislation is required to establish nonbinding, voluntary pay bands or to conduct surveys.	Ida A. Brudnick, ibrudnick@crs.loc.gov , 7-6460

#	Recommendation ^a	Committee Jurisdiction ^b	Potential Avenues for Implementation	CRS Contact for Further Discussion
11	Expand access to health insurance for congressional staff.	House Administration Energy and Commerce Ways and Means	Section 1312(d)(3)(D) of P.L. 111-148 states that the only health plans available to Members of Congress and certain congressional staff are those plans created under the act or offered through an exchange established under the act. Pursuant to the regulations implementing this section, Members and staff may elect to be covered through the DC Health Link. ^e Depending on the change desired, expansion may require an amendment to P.L. 111-148, a change in interpretation or designation of employees covered by that section, and a discussion between the Office of Personnel Management and House officers about feasibility of administering proposed changes.	Ida A. Brudnick, ibrudnick@crs.loc.gov, 7-6460
12	Provide more financial stability for congressional staff enrolled in the federal student loan program.	House Administration Ways and Means Education and Labor	The portion of this recommendation that would extend the federal student loan payment suspension authorized by the CARES Act (P.L. 116-136) would require either legislation or administrative action. ^f The portion of this recommendation that would exclude employer-sponsored student loan repayments from federal taxation would require legislative action (amending Title 26 of the USC). ^g Changes related to funding or allocation may involve the House Appropriations Committee and the Committee on House Administration.	Alexandra Hegji, adhegji@crs.loc.gov, 7-8384 Margot Crandall-Hollick, mcrandallhollick@crs.loc.gov, 7-7582
13	Staff pay should be delinked from Member pay and a new cap specific to staff should be established.	House Administration	P.L. 116-94 adjusted the maximum rates of compensation for certain congressional staff (2 U.S.C. §4532). The Order of the Speaker of the House (issued January 27, 2020) also establishes pay levels and maximum rates of pay.	Ida A. Brudnick, ibrudnick@crs.loc.gov, 7-6460

#	Recommendation ^a	Committee Jurisdiction ^b	Potential Avenues for Implementation	CRS Contact for Further Discussion
14	Allow Congressional Member Organizations to access benefits, and hire one intern to help support their work.	House Administration	Depending on the nature of the benefits, access may require no legislation, direction from Committee on House Administration, or adoption of a House resolution. ^h An intern hire would require funding in the legislative branch appropriations act. It might also require changes to 2 U.S.C. §5322a.	Sarah Eckman, seckman@crs.loc.gov, 7-1834
15	Publish a list of active Congressional Member Organizations annually to ensure transparency in the policy making and caucus creation process.	House Administration	No legislation is required. The Committee on House Administration currently publishes and updates a list of Congressional Member Organizations on its website, although it does not provide a separate list of “Eligible Congressional Member Organizations.” ⁱ	Sarah Eckman, seckman@crs.loc.gov, 7-1834
16	Incentivize committees to experiment with alternative hearing formats to encourage more bipartisan participation.	House Administration Rules	No legislation is required. Incentives could be budgetary or promote access to the floor by rules change.	Mark J. Oleszek, moleszek@crs.loc.gov, 7-7084
17	Committees should hire bipartisan staff approved by both the Chair and Ranking Member to promote strong institutional knowledge, evidence-based policy making, and a less partisan oversight agenda.	House Administration	No legislation is required if a committee voluntarily chose to hire nonpartisan staff. The Committee on House Administration considers committee funding requests and reports a House resolution providing biennial funding levels for each committee. House Rule X, clause 9, provides for the current allocation of funding and staffing between the majority and minority.	Ida A. Brudnick, ibrudnick@crs.loc.gov, 7-6460
18	Committees should hold bipartisan pre-hearing committee meetings.	Rules House Administration	No legislation is required. Could be implemented at the committee level.	Mark J. Oleszek, moleszek@crs.loc.gov, 7-7084
19	Encourage subcommittees to pilot rules changes that could have a positive effect committee-wide.	Rules House Administration	No legislation is required. Could also be implemented through changes to full committee rules.	Mark J. Oleszek, moleszek@crs.loc.gov, 7-7084
20	Bipartisan Member retreats should encourage committee agenda-setting and civil decorum.	House Administration	No legislation is required. Could be implemented at the committee level.	Mark J. Oleszek, moleszek@crs.loc.gov, 7-7084

#	Recommendation ^a	Committee Jurisdiction ^b	Potential Avenues for Implementation	CRS Contact for Further Discussion
21	Establish committee-based domestic policy CODELS.	House Administration	No legislation is required. Authority exists for committees to travel domestically, but resource limitations and public perception limit travel.	R. Eric Petersen, epetersen@crs.loc.gov
22	To encourage thoughtful debate and deliberation, establish a pilot for weekly Oxford-style debates on the House floor.	Rules House Administration	No legislation is required. Could be implemented through the Majority Leader's scheduling prerogative.	Mark J. Oleszek, moleszek@crs.loc.gov , 7-7084
23	Provide Members and staff with training for debate and deliberation skills.	House Administration	No legislation is required. Could be implemented at the committee level or through party leadership.	Mark J. Oleszek, moleszek@crs.loc.gov , 7-7084
24	Identify how increased regulatory and legal resources could help strengthen the role of the legislative branch.	House Administration Oversight and Reform	This change could require a range of actions depending on the specifics of the proposal.	Michael J. Garcia, mgarcia@crs.loc.gov , 7-3873
25	Facilitate a true system of checks and balances by ensuring the legislative branch is sufficiently represented in the courts.	Rules Judiciary	This change could require a range of actions depending on the specifics of the proposal.	Valerie Brannon, vbrannon@crs.loc.gov , 7-0405
26	Establish a district exchange program to allow Members to use the Members' Representational Allowance for traveling to other Members' districts.	House Administration	Depending on detail and implementation, this may require a change in 2 U.S.C. §5341 or in its interpretation by the Committee on House Administration.	Ida A. Brudnick, ibrudnick@crs.loc.gov , 7-6460
27	Increase capacity for policy staff, especially for Committees, policy support organizations and a restored Office of Technology Assessment (OTA).	House Administration Appropriations	This change would require funding in the legislative branch appropriations act. It might also impact committee funding allocations adopted in the biennial committee funding resolutions. Depending on detail, updates to Title 2, chapter 15, of the U.S. Code might also be required (related to OTA).	Ida A. Brudnick, ibrudnick@crs.loc.gov , 7-6460
28	Reduce dysfunction in the annual budgeting process through the establishment of a congressionally-directed program that calls for transparency and accountability, and that supports meaningful and transformative investments in local communities across the United States. The program will harness the authority of Congress under Article One of the Constitution to appropriate federal dollars.	Rules Budget Appropriations	Depending on detail and implementation, this may require enactment of legislation, a change in House rules, or only a change in congressional practice.	Megan Lynch, mlynch@crs.loc.gov , 7-7853

#	Recommendation ^a	Committee Jurisdiction ^b	Potential Avenues for Implementation	CRS Contact for Further Discussion
29	Require an annual Fiscal State of the Nation.	Rules Budget	As written: No legislation is required. If requiring an address to Congress: Depending on detail and implementation, this may require the enactment of legislation or passage of a concurrent resolution.	Grant A. Driessen, gdriessen@crs.loc.gov, 7-7757; Megan Lynch, mlynch@crs.loc.gov, 7-7853
30	Require a biennial budget resolution.	Budget Rules	Legislation would be required to make formal changes to the congressional budget process.	Jim Saturno, jsaturno@crs.loc.gov, 7-2381
31	Implement a deadline for Congress to complete action on a biennial budget.	Budget Rules	Legislation would be required to make formal changes to the congressional budget process.	Jim Saturno, jsaturno@crs.loc.gov, 7-2381
32	Enhance the budget submission process from the executive branch.	House Oversight and Reform Budget	Depending on detail and implementation, this may require enactment of legislation (31 U.S.C. §1105)	Clinton T. Brass, cbrass@crs.loc.gov, 7-4536; Grant A. Driessen, gdriessen@crs.loc.gov, 7-7757; Megan Lynch, mlynch@crs.loc.gov, 7-7853
33	Evaluate the effects of the biennial budget process to expediting congressional work.	Budget House Administration	No legislation is required. Could be implemented at the committee level.	Jim Saturno, jsaturno@crs.loc.gov, 7-2381
34	Strengthen budget enforcement through the reconciliation process.	Budget	Legislation would be required to make formal changes to the congressional budget process.	Jim Saturno, jsaturno@crs.loc.gov, 7-2381
35	Allow more information to be included in the budget resolution.	Budget	No legislation is required, unless making formal changes to the contents of a budget resolution.	Jim Saturno, jsaturno@crs.loc.gov, 7-2381
36	Identify areas in the U.S. Capitol Complex that could benefit from architectural modernization.	House Administration Transportation and Infrastructure	No legislation required. Ongoing consultation on physical plant and potential modifications of congressional buildings occurs between the Architect of the Capitol (AOC) and leadership, authorizing committees, and the House Appropriations Committee Subcommittee on Legislative Branch, as appropriate.	R. Eric Petersen, epetersen@crs.loc.gov

#	Recommendation ^a	Committee Jurisdiction ^b	Potential Avenues for Implementation	CRS Contact for Further Discussion
37	Develop a practice of negotiating House district office leases to lower costs, improve consistency of rental rates and save taxpayer dollars.	House Administration	No legislation required. Some negotiation occurs, but identification of district office space outside of federal buildings and negotiation of cost is typically left to individual Members. Further coordination between the Committee on House Administration, House officers, and the General Services Administration (GSA) might be accomplished without legislation.	R. Eric Petersen, epetersen@crs.loc.gov
38	Establish a Congressional Digital Services Task Force to examine the need for and role of a specialized group of technologists, designers, and others to support the House's internal and public facing operations.	House Administration	No legislation required.	R. Eric Petersen, epetersen@crs.loc.gov
39	Make permanent the Bulk Data Task Force and rename it the Congressional Data Task Force.	House Administration	No legislation required.	R. Eric Petersen, epetersen@crs.loc.gov
40	Identify changes made to House operations due to the COVID-19 pandemic and determine what – if any – additional changes should be made.	House Administration Rules	No legislation required, depending on the format used for identifying changes. Could be implemented by establishing an investigatory panel though a change in House rules, committee rules, or appointments made by the Speaker.	Mark J. Oleszek, moleszek@crs.loc.gov , 7-7084 Ida A. Brudnick, ibrudnick@crs.loc.gov , 7-6460

Source: CRS analysis of recommendations of the Select Committee on the Modernization of Congress.

Notes:

- a. Text of recommendations was obtained from <https://modernizecongress.house.gov/committee-activity/business-meetings/business-meeting-092420> for recommendations adopted at the business meeting on September 24, 2020.
- b. Assessments of committee jurisdiction should be viewed as preliminary and are based on CRS's assessment of the subject matter being addressed in a particular recommendation as it relates to subjects identified in House Rule X, which defines the subject matter jurisdiction of the House's standing committees. The House Parliamentarian is the definitive arbiter of House rules, including the jurisdiction of its committees under Rule X, and should be consulted if a formal opinion is desired. The assessments are based on the text of the recommendations listed on the Select Committee's website, supplemented by information provided by the Select Committee to CRS. The "committee jurisdiction" column relates to the subject area addressed, even if no legislation would be required for implementation of the recommendation.
- c. One exception pertains to terms of office and the timing of assembling, which is established by the 20th Amendment to the Constitution (<https://constitution.congress.gov/browse/amendment-20/>).
- d. The FY2020 report stated: "Analysis of Members' Representational Allowances: The Committee believes that the formula used to calculate the MRA is due for a review and re-examination. For example, one issue that merits study is whether the MRA adequately supports the cost of district office rent in districts where there is no Federal office space available for rent and districts with above-average market rents. The Committee understands that the CAO is conducting an analysis of the MRA formula and looks forward to the results of that analysis." (U.S. Congress, House Committee on Appropriations, Legislative Branch Appropriations, 2020, report to accompany H.R. 2779, 116th Cong.,

1st sess., 2019, H.Rept. 116-64 (Washington: GPO, 2019), p. 7). The FY2021 report stated: “Analysis of components of the MRA: In H. Report 116-64, the Committee directed the CAO to produce and submit to the Committee a report on the adequacy of district office rent allocations in the MRA in districts where there is no Federal office space available for rent and districts with above-average market rate rents. The Committee looks forward to receiving this report in a timely manner.” (U.S. Congress, House Committee on Appropriations, Legislative Branch Appropriations, 2021, report to accompany H.R. 7611, 116th Cong., 2nd sess., 2020, H.Rept. 116-447 (Washington: GPO, 2020), p. 7).

- e. See the final rule on implementation (Office of Personnel Management, “Federal Employees Health Benefits Program: Members of Congress and Congressional Staff,” 78 Federal Register 60653, October 2, 2013) and subsequent information provided by the House Chief Administrative Officer and Senate Disbursing Office. Additional available CRS products on this provision include: *Health Coverage for Members of Congress and Congressional Staff: OPM Provides Some Answers*, CRS Legal Sidebar, August 12, 2013; and CRS Report R43194, *Health Benefits for Members of Congress and Designated Congressional Staff: In Brief*, by Ada S. Cornell. See also <https://dhealthlink.com/>.
- f. The CARES Act required the Department of Education (ED) to automatically suspend all payments on Direct Loans and ED-held Federal Family Education Loan program loans through September 30, 2020. While the CARES Act did not provide for a suspension of payments on ED-held Perkins Loan program loans, ED applied a similar suspension to such loans. On August 8, 2020, President Trump directed ED to take action “to continue the temporary cessation of payments” on federally held student loans through December 31, 2020. (U.S. President (Donald Trump), “Continued Student Loan Payment Relief During the COVID-19 Pandemic: Memorandum for the Secretary of Education,” 85 Federal Register 49585, August 13, 2020.) ED subsequently updated its guidance to borrowers, stating that to effectuate the President’s directive, the payment suspension would be extended through December 31, 2020. (ED, “Coronavirus and Forbearance Info for Students, Borrowers, and Parents,” <https://studentaid.gov/announcements-events/coronavirus>, accessed October 2, 2020). For additional information, see CRS Report R46314, *Federal Student Loan Debt Relief in the Context of COVID-19*, by Alexandra Hegji.
- g. Generally, employer provided student loan repayment benefits are subject to federal taxation. The CARES Act included a provision which allows employers to provide up to \$5,250 in tax-free student loan repayment benefits for 2020. For more information see “Exclusion for certain employer payments of student loans” in Table I of CRS Report R46279, *The Coronavirus Aid, Relief, and Economic Security (CARES) Act—Tax Relief for Individuals and Businesses*, coordinated by Molly F. Sherlock.
- h. H.Res. 6 (116th Cong., agreed to January 9, 2019), section 103(p)(2)(C) addresses the participation of employees of “Eligible Congressional Member Organization” in the student loan repayment program and the promulgation of regulations by the Committee on House Administration.
- i. Committee on House Administration, “Congressional Member and Staff Organizations,” <https://cha.house.gov/member-services/congressional-member-and-staff-organizations>; and “Eligible Congressional Member Organization Handbook,” <https://cha.house.gov/member-services/handbooks/eligible-congressional-member-organization-handbook>.