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JOB DESCRIPTION FOR A MEMBER OF CONGRESS

Written by

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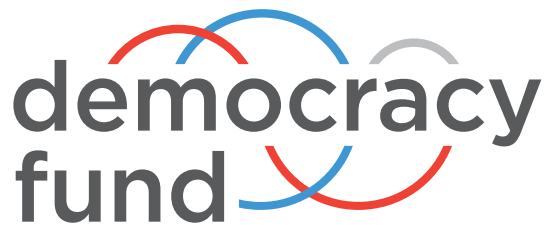
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Introduction

“I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.”

—Congressional Oath of Office

Every two years, more than one thousand Americans run for a seat in the U.S. Senate or House of Representatives. They work tirelessly for months—sometimes years—for the opportunity to serve in our national legislature. Most of them are inspired individuals committed to making a difference for their constituents, the country, and the world through public service. Once they arrive in Washington, they usually have a clear sense of what they want to accomplish, though many may not be fully aware of the breadth of their new job.

What exactly does a Member¹ of the United States Congress *do*?

In the 2012 *Global Parliamentary Report: The Changing Nature of Parliamentary Representation*, the authors note that “Being an elected politician remains one of the few professions for which there is no job description, and there are few guides as to whom, how or what a politician should represent.”² Of course, there are many sources of information about Congress, how Senators and Representatives vote and construct public policy, how a bill becomes a law, and whole fields of political science dedicated to analyzing the product of Members’ work, but few address the basic components of the job.

The Congressional Management Foundation (CMF) decided to remedy this gap by creating a job description, vetted with former and current congressional staff, for Members of Congress. While such documents exist for the most common House and Senate personal office positions, until now none has existed for a Senator or Representative. Though we do not propose it as the definitive word on the role Senators and Representatives play in our democracy, we envision it as a means for current and future Members of Congress, staff, and citizens to think about what legislators do, and serve as a reminder of their commitment to public service.

¹ A common error is to associate the term “Member of Congress” with “Member of the House of Representatives.” In fact, a Senator is a Member of Congress. Throughout this document, “Member” will refer to both Members of the House and Senate.

² *Global Parliamentary Report: The Changing Nature of Parliamentary Representation*, Inter-Parliamentary Union and United Nations Development Programme, Greg Power and Rebecca A. Shoot, April 2012. (<http://archive.ipu.org/dem-e/gpr.htm>)

Constitutional Requirements

While there is no detailed job description for a Member of Congress, their powers are enumerated in one place: the United States Constitution. Under Article I of the Constitution,³ the following are explicit congressional responsibilities:

- Making laws;
- Raising revenue, authorizing & appropriating federal funds, and managing the federal debt;
- Providing for the common defense;
- Providing for the general welfare;
- Regulating commerce among the states and with foreign nations;
- Establishing the federal court system and defining federal crimes;
- Declaring war and maintaining and regulating the military;
- Directing a Census every ten years;
- Impeaching federal officers, including the President (House only);
- Trying impeachments (Senate only); and
- Advising and consenting to treaties and appointments of judges and federal officials (Senate only).

Additionally, to serve as a Member of the House of Representatives, an individual must be twenty-five years old and have been a citizen for seven years. Similarly, to serve in the Senate, an individual must be thirty years old and have been a citizen for nine years.

³ For more information on the Constitutional role of Congress, as well as a comprehensive list of congressional responsibilities, see Article 1 of the U.S. Constitution, particularly Section 8. (<https://www.archives.gov/founding-docs/constitution-transcript>)

Responsibilities

Serving as the trustees of a nation comprised of more than 325 million people spread out over 3.8 million square miles, Members of Congress also perform a myriad of responsibilities in addition to those enumerated by the Constitution. Generally, Members' current duties can be grouped into seven functions:

1. Representation
2. Legislation
3. Investigation/Oversight
4. Management
5. Politics
6. Collaboration
7. Leadership

The following pages outline each individual function with supporting responsibilities.

Representation

As representatives, Members of Congress are responsible for promoting the interests of their constituents throughout the public policy process and providing direct services to constituents. They must broadly understand the concerns, challenges, and opportunities facing those they represent and allow that to inform their actions in Congress. Primarily, representatives:

- **Understand the impact proposed legislation, appropriations, nominations, and other congressional actions may have on their district/state.** Members must research and analyze all proposed congressional actions through the lens of the likely impact on their constituents.
- **Understand constituency demographics, trends, and needs.** Through research and analysis, proactive outreach, and listening sessions, Members can ensure they broadly understand the characteristics and circumstances of those they represent. This responsibility requires soliciting a wide range of views, data, and ideas from a variety of constituents and experts on how best to address the district/state needs.
- **Educate and inform constituents.** Senators and Representatives are responsible for helping their constituents understand how Congress and the rest of government work and how federal, state, and local components interact. They must also explain important issues and legislation to constituents, and the possible impact of public policy on their communities, especially at the federal level. In addition, Members of Congress have a responsibility to explain how they are advocating for their district/state.
- **Engage constituents in public policy.** Senators and Representatives are the face of our national public policy process for many of their constituents, and, as such, have a responsibility to encourage their constituents' participation in civic activities and the discussion of public policy.
- **Provide direct services to constituents.** Members of Congress provide a range of services to individual constituents, often acting as an ombudsman to intercede with a government agency or private sector entity on a constituent's behalf to help resolve a problem—a practice known as “casework” in Congress. Casework may include helping constituents navigate federal program requirements, combat unfair practices, recover after natural disasters, or deal with an emergency. Other common services include: responding to constituent inquiries and emails; writing letters of recommendation or commendation for constituents; managing orders of American flags flown over the U.S. Capitol; nominating constituents for U.S. military academies; and scheduling tours of Washington, D.C. attractions. Still another type of constituent service is through special projects work, such as helping local governments, businesses, and organizations learn of, understand, apply for, and obtain federal grants or contracts.

Legislation

In their legislative capacity, Senators and Representatives must: develop public policy ideas and steward them through the legislative process in Congress; assess, propose amendments to, and vote on legislative proposals offered by their colleagues; offer advice and consent on federal nominations and treaties (Senate); and make informed public policy decisions that are in the best interests of their constituents and the nation. Effective legislators:

- **Establish legislative goals and priorities.** Most Members of Congress develop ideas for public policy before they arrive on Capitol Hill and communicate those ideas during their campaigns. However, no Member can advance public policy proposals in every area of constituent need and personal interest so, once elected, they must establish their legislative priorities and stay focused on them.
- **Recognize emerging legislative needs.** Through the course of their work, Senators and Representatives frequently learn of new issues that require public policy solutions. In addition to pursuing their established legislative priorities, they must stay attuned to emerging problems, trends, and needs in their constituencies and in society at large, and balance pursuing their established goals against addressing newly-identified problems.
- **Understand public policy issues.** Senators and Representatives cannot become experts on every public policy issue, but they must be as well-informed as possible, as they are required to vote on all matters in their committees, subcommittees, and on their chamber's floor. To do the best job possible, they must gather and analyze the best available information, consult experts, and make decisions that will provide the greatest good for their constituents and the country at large.
- **Take positions on legislation and public policy issues.** Whether or not they offer legislation on a public policy issue, through their votes, Members of Congress make policy choices on all provisions considered in their committees, subcommittees, and chamber. Additionally, they often must take public stances on high-profile issues, whether or not legislation is being considered.
- **Develop and steward public policy through the legislative process.** Translating an idea into a feasible federal program or public policy is considered the core function of a legislator. Senators and Representatives must design bills and amendments that are workable, affordable, and acceptable to their colleagues. The process requires them to not only understand the public policy issue, but also master the rules and protocols of their chamber, and how to navigate leadership, colleagues, and coalitions to translate their ideas into law.
- **Review the public policy impacts.** A Member's responsibility for public policy does not end once a bill becomes public law. They must also analyze its implementation, assess the law's impact on constituents and society, and develop fixes when needed.

Investigation/Oversight

The Supreme Court has held that, in order for Members of Congress to carry out their Constitutional duties and make informed decisions, they have broad authority to conduct investigations and exercise oversight. Members can explore challenges, problems, and improprieties in the public and private sectors, assess the efficiency and effectiveness of public laws and federal programs, scrutinize federal spending, and evaluate nominations for public office. It is also through investigations and oversight that Members can hold public and private entities accountable to society and develop new public policy and legislative solutions to strengthen communities.⁴ To be effective in their investigative and oversight duties, Members:

- **Identify problems in the public or private sectors.** Senators and Representatives should be alert to problems identified through constituent complaints, scandals, disasters, reports by experts or the media, routine oversight exercises, or other means. They may spot a wide range of issues including such matters as poorly run federal programs, abusive practices by private businesses, defective taxes, technology problems, serious crimes, or unfair trade. It is often through the efforts of individual Members that problems in need of resolution are raised to the attention of committees, Congress, and society as a whole, and bipartisan efforts are undertaken to address them.
- **Establish investigation and oversight priorities.** Just as they must determine their legislative priorities, so too must Senators and Representatives establish their investigation and oversight priorities, taking into consideration their interests, constituent needs, and available resources. Setting priorities helps ensure limited resources and staff are directed where needed. It also helps Senators and Representatives determine which committees will best position them to advance their objectives.
- **Conduct research and oversight.** Both individually and through their committees, Members of Congress have significant authority to research problems, gather facts, and analyze legal and policy issues. They can also obtain assistance from such bodies as the Congressional Research Service (CRS), Government Accountability Office (GAO), federal agency Inspectors General (IGs), and committee staff. Only committees and subcommittees can issue subpoenas to compel documents or testimony, but individual Members can request information and conduct limited oversight inquiries.
- **Ask questions at hearings.** Many Members carry out their investigative and oversight duties by attending hearings. Congressional hearings often examine agency actions, private sector abuses, spending or tax issues, or matters related to Presidential nominations. It is through these hearings that Congress can obtain information, establish facts, and hold public and private sector entities accountable. Senators and Representatives who attend hearings are responsible for asking the questions that facilitate fact-finding and accountability. If Members do not do their homework to understand the issues and ask informative, probing questions, Congress and the public will not get the information needed to understand and address the problems at hand.

⁴ The Levin Center at Wayne Law (<https://law.wayne.edu/levin-center>) and the Project on Government Oversight (POGO) (<http://www.pogo.org/coi/resources/>) offer a wealth of resources for Senators, Representatives, and their staffers to use to understand and conduct effective investigation and oversight.

Management

Congress is not a simple or straightforward institution. It is composed of more than 600 individual personal and committee offices that make all their own decisions about priorities, strategy, staffing, management, and operations. When they are elected to Congress, Senators and Representatives essentially become CEOs of independently-owned and operated small businesses. While their work is supported by the entire Legislative Branch, they are responsible for most of the operational and management decisions for their offices. As employers and managers, Members of Congress:

- **Recruit, hire, train, and retain staff.** Talented and experienced employees are the most valuable assets in any knowledge-based workplace, and Congress is one of the most complex, information-rich knowledge-based workplaces in the world. Senators and Representatives are solely responsible for identifying and recruiting the talent they need and ensuring they perform as effectively as possible for as long as possible. High turnover in any organization is a loss, but on Capitol Hill, every staffer who leaves takes with them institutional knowledge that can take significant time and effort to rebuild.
- **Establish office priorities.** Members' staffing and management priorities will follow from the priorities they set in their other roles. They must hire staff and establish operations that support what they hope to accomplish during their tenure in Congress. A Representative whose priorities emphasize constituent service will need a very different staff and office structure than one aiming for a particular committee chairmanship or to excel in oversight investigations.
- **Establish an organizational structure and operations to accomplish specified goals.** Every Member of Congress has a specific budget for their operations, and they must decide how to allocate and manage it. Will they hire experienced staff with extensive policy expertise or less experienced policy generalists? Will they allocate more resources to their district/state offices or will they spend more on communications and outreach from Washington, D.C.? Will they rely primarily on a chief of staff or routinely meet with multiple staffers? The structure they create must reflect and support their goals and management style. Essential management tools include an office organizational chart and chain of command, personnel policies, and policies for setting, delegating, and overseeing projects and tasks.

Politics

Though the word “politician” can turn off many people, politics is at the core of democratic practice. It is the art of rhetoric, negotiation, and compromise to accomplish mutually-agreeable solutions to social problems. In a democratic system where there are three equal branches, two legislative chambers, and 535 voting legislators—none of whom have absolute authority over the others—politics is the only way to get things done. Politics is also associated with campaigning and elections, a selection process inherent to a functioning legislature. Of course, a Member of Congress spends time during their term in office running for re-election, by raising funds, attending events, and all the other activities that candidates engage in to win elections. However, this report is not a job description of a candidate for office. Nonetheless, Members of Congress do have a *political* responsibility as a legislator. To fulfill their duties and accomplish their goals, Members must establish their positions and authority in the hierarchy of their political parties, both in Congress and in local and national politics. Successful politicians:

- **Build relationships with party leadership.** Even before they are elected, congressional candidates usually affiliate with a political party or develop relationships with party officials and leaders to access party resources and gain support. Once in Congress, Senators and Representatives must foster relationships with congressional leaders who can help them with committee assignments, building support for their own priorities, and fostering relationships with their colleagues.
- **Shape and promote party positions and priorities.** Most Senators and Representatives, even self-identified independents, associate with one of the two major parties and help advance that party’s political agenda. Members can use a variety of means to do so, including voting for the party’s leaders at the start of a new Congress, helping shape and advocate for party positions and priorities, participating in party retreats and other activities, and voting with the party on key legislation or nominations.
- **Help maintain or regain majority status in Congress.** When a party is in the minority in Congress, it encounters much more difficulty in advancing its positions and agenda, so Members affiliated with a party are responsible for helping to build party support and infrastructure that maintains or regains its majority status. Activities include ensuring the Member’s own re-election; helping raise funds and build support for other candidates within the party; and scouting for and encouraging promising candidates.
- **Build bipartisan relationships.** Politics is the art of the possible, and in the House and Senate, Members usually need bipartisan support to achieve their objectives. For that reason, many Senators and Representatives build relationships with Members on the other side of the aisle, especially Members from the same state. Many also cosponsor bipartisan legislation, conduct bipartisan oversight, and seek to develop a reputation for reaching across political divides.

Collaboration

While Congress is comprised of diverse individuals with varied life experiences, their shared commitment to public service is reflected in the joint development of public policy. Yet legislation passes in the House only if a majority of Members support it. And Senate rules and the common use of the filibuster in the modern era generally require nearly all *substantive legislation* to be passed with bipartisan support. This means collaboration (within parties, between parties, and between chambers) is essential. To be successful, Members must build relationships and coalitions to advance their professional goals. Effective collaborators:

- **Build trust among constituents, staff, colleagues, and stakeholders.** Trust is the foundation of relationships, and relationships are the primary means for Senators and Representatives to advance their professional goals. Building trust requires, among other characteristics, providing reliable information and keeping commitments.
- **Generate support for policies, goals, and legislation.** Developing public policy is a long process that typically involves the engagement of many individuals and groups along the way. Senators and Representatives must identify and build rapport with key stakeholders, enlist their support on specific projects, and work with them to craft and promote policy proposals and legislation.
- **Organize and manage coalitions.** Achieving policy outcomes typically requires a sustained effort and base of support, usually through coalitions. Coalitions are alliances that come together around a particular issue or action. They can take many forms, including groups of constituents or trade associations, academic or organization leaders, agency professionals, co-sponsors of legislation, or members of a committee or legislative caucus. To keep coalitions together, Members must effectively keep them engaged and manage their expectations, levels of effort, and ongoing actions.
- **Negotiate with those who disagree.** Collaboration is not only about working with supporters, but also about negotiating with those with different or opposing views. One of the most important skills a Senator or Representative can have is the ability to work with naysayers and convince them to go quiet or become backstage or even open supporters. It is difficult for a Member to accomplish any goals in Congress without being able to work with those who disagree.

Leadership

As representatives in our national legislature, Senators and Representatives are widely viewed as leaders whom people throughout the country look to for guidance and inspiration. They are also the models, stewards, and defenders of the Legislative Branch of our democracy. Through their leadership, Senators and Representatives must nurture and facilitate U.S. democracy by understanding the Constitution, upholding and exercising Congress' role and authority, and promoting our national values. Leaders in Congress:

- **Uphold the Constitution.** At their swearing-in, Senators and Representatives take an oath to support and defend the Constitution. Carrying out that responsibility requires an extensive understanding of the Constitution and Congress' role in helping to maintain separation of powers and checks and balances among the branches of government. Members are the stewards of our democracy, and their leadership requires understanding and upholding Congress' keystone role in it.
- **Establish leadership priorities.** As with all of their roles, Members must set priorities to maximize their effectiveness. Attempting to demonstrate leadership on multiple issues risks failing to demonstrate true leadership on any one issue. In choosing their leadership priorities, some Members seek to assert community leadership among their constituents. Others focus on becoming a national policy expert on a specific issue or within a particular committee, or a leading advocate for a specific group or cause. It's important to decide proactively and move strategically in a chosen direction.
- **Inspire others.** Whether or not they view themselves as such, Senators and Representatives are widely viewed as national leaders and will be looked to for guidance and inspiration by constituents, staff, and others around the country. Members must be mindful that, even if they do not see themselves as inspirational, they will be seen that way by others. Their actions, words, and demeanor—positive or negative—will be subject to public scrutiny and can have a much broader impact than intended.
- **Serve as models for U.S. democracy, culture, values, and conduct.** In many respects, all elected officials are the embodiments of American society. Their leadership and conduct will be viewed throughout their constituencies, the country, and the world as representative of the people of the United States, and they need to serve in an ethically and historically responsible manner. This requires an understanding of the responsibilities, processes, norms, and precedents of the Senate and House of Representatives, as well as a sense of current democratic sentiment in the country.

A Final Note to Members

No one person can excel at every function of their jobs. Effective public servants determine their areas of focus, create strategic plans to achieve their goals, and execute their plans to ensure measurable outcomes that benefit their constituents. Yet, like many other Americans who work long hours often away from home, Members of Congress make sacrifices that take an incredible toll on their family and friends.

In a survey conducted by CMF and the Society for Human Resource Management, 86 percent of House Members surveyed report spending too little time with friends and family.⁵ Long hours, intense policy debates, and personal sacrifices—including splitting their time between Washington, D.C. and home—means Members must be mindful of making time for personal relationships and needs to avoid burnout.

Members can carve out moments every week to improve (or not severely damage) their personal well-being. But it requires discipline, the ability to say “no,” (which can be challenging for politicians), and a supportive and trustworthy staff.

As CMF often tells freshman members, if you do not balance your priorities, you’ll become one of two types of Members of Congress: in a safe district, you’ll become an *ineffective* Member of Congress; and in an unsafe district, you’ll become a *former* Member of Congress.

Our hope is that this job description will assist in averting both options. Rather than overwhelm current and future public servants, we hope this guide serves as a foundational framework for assessing your priorities as a public servant. If you commit yourself and your staff to balancing the presented functional areas, you will likely be in a better position to not only assess your performance, but also gain a greater sense of accomplishment. And, it might even make it more likely you’ll get “re-hired” by your constituents.

5 *Life in Congress: The Member Perspective*, a Joint Research Report by the Congressional Management Foundation and the Society for Human Resource Management, 2013. (<http://congressfoundation.org/lic/member>)

Acknowledgements

How We Developed This Document

Developing a job description for a Member of Congress is no easy task. We started with our existing knowledge of Congress. Our four-person project team collectively has more than 80 years of experience working with and for Congress. Together, we developed a concept and workshopped it with the rest of the CMF staff. We thank our colleagues at CMF, especially Brad Fitch and Nicole Folk Cooper, for their contributions and assistance on this project.

The result was then vetted with our “Subcommittee of Geniuses.” Seven respected current and former congressional staffers from both sides of the political aisle, with more than an aggregate 140 years of experience with Congress provided feedback on the concept, and two of them provided input into drafts of this job description. We thank the following individuals and organizations for providing us their expertise:

- **Elise Bean**, Washington Co-Director of the Levin Center at Wayne Law, spent 29 years working for Sen. Carl Levin (D-MI).
- **Dan Diller**, Director of Policy at The Lugar Center, spent 20 years in the Senate working for both Sen. Richard Lugar (R-IN) and the Senate Foreign Relations Committee.
- **Nadeam A. Elshami**, Policy Director at Brownstein Hyatt Farber Schreck; former Chief of Staff to House Democratic Leader Nancy Pelosi (D-CA), spent 25 years on Capitol Hill.
- **Phil Flewallen**, Management Consultant; spent eight years in the U.S. House of Representatives as Deputy Chief Administrative Officer.
- **Chris Nehls**, Ph.D., Senior Systems, Research and Learning Associate for the Governance Program at Democracy Fund.
- **Judy Schneider**, Specialist on the Congress at the Congressional Research Service, has 42 years of Capitol Hill experience, and previously served on committees in both the House and Senate.
- **Patty Sheetz**, former CMF Management Consultant, spent 18 years on Capitol Hill, including Chief of Staff to Rep. Don Ritter (R-PA), Rep. Gil Gutknecht (R-MN), and Rep. Jeff Fortenberry (R-NE).

Selected Additional Resources

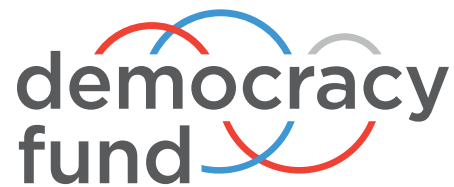
In addition to the people and organizations listed above, we consulted many resources describing the compensation, benefits, and work environment of Members of Congress when developing this document. For those wanting to learn more about how Congress works, we encourage you to review these materials. These documents include but are not limited to:

- *Congressional Salaries and Allowances: In Brief*, Congressional Research Service. (<https://crsreports.congress.gov/product/pdf/RL/RL30064>)
- *Health Benefits for Members of Congress and Designated Congressional Staff: In Brief*, Congressional Research Service. (<https://crsreports.congress.gov/product/pdf/R/R43194>)

- “How Congress Cuts Its Own Budget,” *National Journal*, 8/3/15. (<https://www.theatlantic.com/politics/archive/2015/08/how-congress-cuts-its-own-budget/455979/>)
- *Life in Congress: The Member Perspective*, a Joint Research Report by the Congressional Management Foundation and Society for Human Resource Management, 2013. (<http://congressfoundation.org/lic/member>)
- *Managing the 2012 Budget Cuts in House Offices*, Congressional Management Foundation, 2011. (<http://congressfoundation.org/managing-house-budget-cuts>)
- *Retirement Benefits for Members of Congress*, Congressional Research Service. (<https://crsreports.congress.gov/product/pdf/RL/RL30631>)
- *Setting Course: A Congressional Management Guide*, Congressional Management Foundation, 2018. (<http://congressfoundation.org/publications/setting-course>)

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