

Building Greater Trust and Civility



**Report of the 108th Congress
Stennis Congressional Staff Fellows**

Building Greater Trust and Civility

A level of trust and civility is necessary for democracy to work well and for governance to be effective. Without a basic shared framework of mutual understanding, trust and civility, legitimate public action is very difficult to initiate or sustain. The 108th Congress Stennis Congressional Staff Fellows — senior staff leaders drawn from both chambers and from both sides of the aisle — worked together to explore the core question: *how to build greater trust and civility both within Congress and across society?*

Successive groups of Stennis Fellows, beginning in the 103rd Congress ten years ago, have underlined that the challenge of building trust and civility is becoming both more important and more difficult in the face of 21st century realities that include:

- The increasing fragmentation of our society, and growing gaps between rich and poor, leading to a multiplication of groups with very different values, assumptions and worldviews, and too little life experience in common;
- A proliferation of single interest organizations advocating narrow viewpoints;
- The burgeoning role of the media with its tendency to accentuate conflict;
- Greater partisanship and polarization within Congress and other governing institutions;
- The effects of a cascade of corporate scandals that undermine confidence;
- A rising tide of public cynicism and mistrust of institutions of all sorts (business, religious, charitable and media as well as political);
- Increases in disrespect and rudeness, and a decline in common courtesy that Americans report in their dealings with government, business and each other; and

- A greater sense of insecurity and uncertainty in the aftermath of 9/11 and in the midst of a war on terrorism that may continue for a long time.

As Stennis Fellows of the 108th Congress, we set and pursued our own learning agenda within this broad theme, looking ahead to the next ten years and focusing on ways to build greater trust and civility both within Congress and across society.

Learning Journey

We were drawn in roughly equal numbers from the House and the Senate and from both sides of the aisle, and represented a diverse range of backgrounds and political perspectives. Despite these very different starting points, Fellows quickly found we could work together effectively and find common ground, building on our shared respect and concern for the institution of Congress. That common ground grew throughout the period of Fellowship. In the words of one Fellow, “It’s rejuvenating to find other people who actually care about working across the aisle on big issues.” Another Fellow said, “The Stennis Fellows are different people from different backgrounds . . . yet so close in their beliefs and feelings about the institution. If staff can bridge the gap of trust and civility, so can Members.”

To explore how best to build greater trust and civility both within Congress and across society, we examined four specific topics through a series of retreats, small group meetings and roundtables with leading outside experts:

- Using dialogue to build trust;
- The historical context of trust and civility;
- Rules of engagement that impact trust and civility; and
- External influences on Congressional trust and civility.

A list of the sessions held during the Fellowship and the outside experts involved is included on page 17.

Using dialogue¹

Throughout the Fellowship we experimented with using dialogue, which the 107th Congress Stennis Fellows had recommended as one powerful way to build trust and civility both within Congress and more broadly.² We found that the best way to understand dialogue is by contrasting it with its opposite — debate or advocacy.

| Advocacy/Debate | Dialogue |
|--|--|
| <p>Assuming that there is one right answer (and you have it)</p> <p>Combative: attempting to prove the other side wrong</p> | <p>Assuming that others have pieces of the answer</p> <p>Collaborative: attempting to find common understanding</p> |
| <p>About winning</p> <p>Listening to find flaws and make counter-arguments</p> | <p>About finding common ground</p> <p>Listening to understand and find a basis for agreement</p> |
| <p>Defending your assumptions</p> <p>Criticizing the other side's point of view</p> | <p>Bringing up your assumptions for inspection and discussion</p> <p>Re-examining all points of view</p> |
| <p>Defending one's views against others</p> <p>Searching for weaknesses and flaws in the other position</p> | <p>Admitting that others' thinking can improve one's own</p> <p>Searching for strengths and value in the other position</p> |
| <p>Seeking an outcome that agrees with your position</p> | <p>Discovering new possibilities and opportunities</p> |

¹ The discussion of dialogue and the charts in this section are drawn from the *Dialogue Essentials* workshop provided by Viewpoint Learning (www.ViewpointLearning.com).

² See the report of the 107th Congress Stennis Fellows, *Building on Common Ground: Balancing Debate and Dialogue in Congress*.

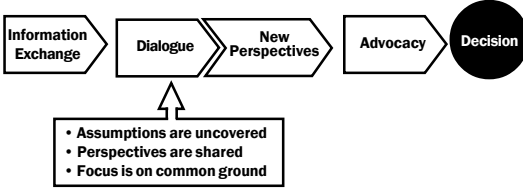
A key to using dialogue effectively is to recognize that it does not replace debate, advocacy, negotiation or decision-making; it *precedes* them. Dialogue creates the shared language and framework, the mutual trust and understanding that enable subsequent debate, negotiation and decision-making to be more productive. Dialogue, in other words, is a step that can be added where appropriate to create greater trust and civility, better debate and better decision-making.

Dialogue and Decision-Making: Adding the Missing Step

Traditional Decision-Making Model:



When Dialogue is Added:



We tried to practice dialogue during all sessions of the Fellowship. In addition, many of us undertook experiments, trying to apply dialogue on the job and then reporting the results to other Fellows. Generally we found that dialogue helped in a wide variety of practical circumstances, especially when it could be applied before the debate or negotiation had been fully engaged. It is a valuable tool that we plan to use more widely and hope that others will try.

Key trends affecting trust and civility

In the course of the Fellowship we identified a number of key trends and changes over the last several years that have had a significant impact on trust and civility both in Congress and society.

1. The growing influence of the media, in particular the 24-hour news cycle, leading to:

- An oversimplification of complex issues into sound bites;

- An emphasis on conflict and confrontation;
- The demand for instant response with little time for reflection; and
- The proliferation of news outlets with a partial viewpoint — and, as more citizens rely only on those news outlets whose perspective agrees with their own, a further fragmentation in the understanding of issues across society.

2. Greater social and cultural fragmentation (“Me The People”), including:

- A decline in the perceived importance of the “greater good” and of community;
- The growing power of special interests;
- The weakening or loss of mediating institutions; and
- The breakdown of shared standards of behavior and civility.

3. A political culture of winning at any cost, characterized by:

- Misuse of information to score political points;
- Using procedural rules to block majority rule and to stifle minority views;
- Demonizing the opposition;
- Violations of unwritten rules, norms and traditions;
- Greater concentration of power in the hands of the leadership;
- A weakening of the committee process;
- Less bipartisanship;
- A lack of genuine debate;
- Redistricting to create safe seats, where incumbents can win by playing to their base and have little incentive (and some real disincentives) to reach across the aisle; and

- The weakening of social bonds and trust between members of different parties.

4. Related to this divisive political culture is the subordination of governing to what amounts to a permanent campaign, which gives rise to:

- Greater emphasis on politics over policy substance;
- Growing reliance on polls;
- The effects of almost continuous campaign fundraising;
- The growth and influence of the political consulting industry;
- Increases in the number and influence of special interests; and
- All of which are reinforced by the close political margins in both chambers.

As a result of these trends and many more, Congress is becoming less relevant, respected and trusted. Moreover, as we looked ahead ten years and tried to imagine what the situation would be like if we remain on this course; we saw a future that few of us would want, characterized by:

- Greater polarization and a disappearance of the more moderate middle of the political spectrum;
- Less focus on policy, more on politics and “PR”;
- Even greater influence of money;
- More disconnected voters as public perception of Congress deteriorates;
- Increased power of special interests;
- More segmented media playing to ever smaller sub-groups, reinforcing social fragmentation and making a truly national conversation ever more difficult; and
- Greater difficulty in attracting good people to serve in Congress either as Members or as staff.

A better future

Senator Stennis had a plaque on his desk inscribed with the words, “Look Ahead.” It has become a motto both for the Stennis Center and for the Fellows program. As the Fellows began to “Look Ahead” to define the kind of future we would like to see, we found much common ground that transcends the boundaries of party and chamber. In particular, we would like to see a future of strengthened trust and civility, in which there would be:

1. A more deliberative and bipartisan legislative process, characterized by:

- Greater emphasis on policy over politics;
- Clearer separation between campaigning and governing;
- New and strengthened non-partisan oversight mechanisms;
- A stronger role for individual Members of Congress;
- Strengthened committees and subcommittees where substantive deliberation can more easily occur;
- A more consistent committee work schedule (setting aside consistent times when Members of Congress are in town to do committee business);
- Increased efforts to develop and retain professional staff;
- More social interaction both among Members of Congress and among staff across chamber and party lines;
- Developing the norm that bipartisan and bicameral legislating is the desired process, with special recognition and rewards for efforts that increase bipartisanship, trust and civility.

2. Enhanced public participation and a more engaged and informed electorate:

- Encouraging voters to be more involved;

- Developing/re-empowering political parties at the grassroots level;
 - Making greater use of field hearings and other mechanisms designed to foster more direct interaction with the public outside of Washington.
3. **A stricter lobbying code of conduct with better disclosure and assistance for groups who cannot afford lobbyists;**
 4. **Better and more balanced media reporting;**
 5. **An end to the most extreme forms of negative campaigning (campaigning that goes far beyond what is required to point out distinctions between candidates);**
 6. **And generally better exchange, broader participation and better dialogue, creating a legislative process that produces better outcomes for the country and brings with it greater respect for Members and for Congress.**

Next Steps

Moving toward a future with more trust and greater civility will require:

- **Increasing public engagement and participation;**
- **Strengthening deliberation within Congress; and**
- **Providing recognition and rewards for efforts that increase trust and civility.**

The Fellows identified a number of practical steps that we and others can take to advance these three goals (unless otherwise indicated, we propose that each of these steps be taken during first session of the 109th Congress if not before).

Increasing public engagement and participation

1. Congress should designate October as Civic Awareness Month (this designation should be made before the end of the 108th Congress), which would include:

- Members visiting schools to talk about the election and governance process;
- Schools organizing mock elections;
- Sponsoring student essay contests in each Congressional District, with the winning entries to be inserted into the Congressional Record;
- Developing a “Junior Civic Leader” program to encourage school-age children to become more aware of civic responsibilities;
- Activities by celebrities and the media to increase awareness of civic responsibilities;
- Coordinated activities with state government; and
- Encouraging popular TV shows to do special episodes on civic awareness.

2. Create a bipartisan National Council on Voter/Citizen Participation.

- The Council would provide an annual report to Congress on ways to increase participation;
- Members would include the Congressional Leadership, chairmen and ranking members of relevant committees, representatives from the States, academics and other experts;
- Issues to examine include:
 - ◆ *Who is not participating and why?*
 - ◆ *Does it make sense and would it help to adopt more non-partisan forms of redistricting, like the current process in Iowa?*
 - ◆ *How can or should new technologies, including the Internet, be used to facilitate voting and participation?*
 - ◆ *What kinds of awareness programs are most likely to help (for example, a “take your child or friend to vote” campaign)?*
 - ◆ *Should the voting age be changed to 17, so students can have their first voting experience (with their friends) before they graduate from high school?*
 - ◆ *Explore possible changes in the electoral calendar, for example:*
 - *Should the early voting period be longer and should absentee or mail ballots be used more?*

- *Would it be helpful to change Election Day to the weekend (as Louisiana does now)?*
- *Should the dates and the sequence of primary elections be changed to increase voter interest (for example, rotating which primaries come first)?*
- *Does it make sense to stagger poll opening and closing hours in each time zone so that most polls open and close simultaneously (as Canada has done recently), and/or to limit or ban exit polls and the calling of elections before polls have closed across the country?*
- ◆ *What are the best practices from other democracies, and other ways to enhance citizen engagement from which we can learn? Given the central responsibility of the States for many of these questions, one product of the Council might be a uniform election code that would then be submitted to the States to consider.*

3. Authorize the Federal Election Commission to administer challenge grants for the best efforts by different states to increase participation.

- The FEC would submit a report on grants 180 days after the election both to Congress and to the National Council on Voter/Citizen Participation.
- The challenge grants program should be authorized from 2005 to 2010 and then reevaluated.

4. Bring government to the people.

- Increase the use of field hearings, with local witnesses and targeted outreach (starting in a non-election year).
- Develop an improved and consolidated web page for access to all government information and services.

5. Explore other means to increase citizen engagement and improve dialogue with the public.

Strengthening deliberation within Congress

1. Conduct bicameral, bipartisan legislative policy retreats for Members of Congress and staff.

- The Congressional Research Service should be designated to provide support on organization, design, briefing papers, experts, and logistics, with direction from the leadership (CRS already runs programs for new Members).
- The norm should be established that all Members spend some time at these retreats.
- Members' accounts would have an allocation for attendance at legislative policy retreats that could not be used for other purposes. If not used for a retreat these funds would be returned to the Treasury.
- It will be essential to educate the media on the purpose and value of these retreats.

2. Make structural and procedural changes within Congress to foster greater trust, civility and deliberation (begin in the 109th Congress with full implementation by the 111th).

- The Congressional leadership should form a special task force of senior Members of Congress and Parliamentarians to review all House and Senate rules and protocols to better protect both the rights of the minority to have a voice and the rights of the majority to govern, and to encourage greater deliberation, trust and civility.
- The special task force should also be asked to examine ways to strengthen the role of committees as forums for deliberation. For example:
 - ◆ *Should there be a requirement that no floor action be taken until 5-10 days after a bill has been reported?*
 - ◆ *Should one day each week be designated for committee work only — no floor action on that day?*
 - ◆ *Should attendance at committee meetings be reported publicly, and should the press be*

encouraged to scrutinize committee transcripts for attendance and votes?

- At the same time, the task force and the leadership should encourage existing committees to promote greater trust and civility:
 - ◆ *The focus would be on five committees — House and Senate Rules Committees, House and Senate Ethics Committees, and the House Administration Committee.*
 - ◆ *Look for opportunities for these committees to work together to improve overall trust and civility.*
- The leadership should establish a priority legislative plan at the beginning of each Congress listing the priority items to be taken up in the first session and in the second session (as the Senate generally does already). This plan would be updated periodically as required to provide a shared understanding of the leadership's legislative priorities.

3. Encourage C-SPAN to provide more coverage of committee hearings including field hearings (possibly even establish a C-SPAN 4 for that purpose). Coverage should include in-depth presentations by chairmen and ranking Members of committees, followed by questions from experts and the public.

4. Create more opportunities for relationship building among Members of Congress and also among staff across the boundaries of chamber and party.

- Hold more bipartisan field hearings and fact finding trips that engage the public at the grassroots level — and find better ways to ensure the press understands the value of these efforts;
- Create more opportunities for Members of Congress and their families to get to know each other and to build relationships;
- Provide incentives to attract and retain professional staff (for example, more professional development opportunities); and
- Develop more programs like the Stennis Congressional Staff Fellows, and explore the

possibility of comparable programs for Members of Congress.

5. Establish a bipartisan blue ribbon commission to examine ways to reduce the negative impact of the permanent campaign and of campaign fundraising, and to recommend legislative and structural changes that would reduce the influence of the campaign in the legislative function. The commission would be composed of former Members of Congress, parliamentarians, former heads of Congressional campaigns, the media, and others with relevant experience and expertise.

The questions to be examined include:

- *How can we ensure federal election law is fairly implemented and fully enforced, and improve the efficacy, efficiency and reliability of the Federal Election Commission?*
- *Should there be and can there be restrictions on fundraising during the legislative session?*
- *Should there be further restrictions on the degree to which staff can be engaged in fundraising, and should the Hatch Act be extended to Congressional employees?*
- *Are there other indirect ways to reduce the influence of campaign funding.*
For example:
 - ◆ *Can the media help to reduce the importance of money, through reporting on contributions and through provision of airtime free or at reduced cost?*
 - ◆ *Can greater citizen engagement be used to counter balance the influence of money?*
 - ◆ *To what degree can stricter and more immediate disclosure of donations help?*
 - ◆ *Should the tax credit for small contributions be reinstated as a way to reduce the influence of large donors?*
- *What lessons can be learned from the ways in which other democracies control the influence of campaign fundraising, and separate campaigning and governing?*

Providing recognition for efforts that increase trust and civility

1. Create prestigious awards to recognize efforts that promote greater trust and civility in Congress.

- Create a selection panel composed of outstanding former Members of Congress.
- Seek the cooperation of existing outside groups that might co-sponsor awards.
- Engage the media in the process, possibly establishing a Committee of Correspondents to participate in selection and in raising the profile of the awards.
- The Stennis Center and Stennis Senior Fellows could provide support in creating and administering these awards.
- Awards could be made to Members of Congress, committees, subcommittees and staff.
- Multiple awards should be given in both the first and second sessions of each Congress.

2. Develop and implement a civility scorecard.

- Encourage an independent group such as the Congressional Quarterly or National Journal to develop the scorecard.
- Encourage a major foundation to fund grassroots organizations to promote greater civility, and possibly to fund the scorecard.

Conclusions

The steps toward greater civility and trust outlined in this report are not meant to be comprehensive and, by themselves, cannot resolve the challenge of building greater trust and civility. It is important to be clear on these limitations, because they also point to areas where others can contribute much.

As a practical matter we decided to focus our efforts on changes *within* Congress, which is where we thought we could make the biggest difference. As we have learned, though, lack of trust and civility in Congress is closely related to declining trust and civility in society, and both will need to be addressed if we are to make lasting improvements.

Even within Congress, there are critical issues we did not have the time or resources to address in the depth they require. Foremost among these is the role of the permanent campaign and the negative effects of campaign fundraising. These questions require much greater attention, and it is important to find ways to do this without triggering more partisan acrimony.

In the end, as many of the experts with whom we met emphasized, the levels of trust and civility within Congress depend on the Members — in the words of one: “We end up with the kind of Congress the Members give us.” Making changes will depend ultimately on Members’ determination that this is an area where change is required.

Nonetheless, we believe that the steps outlined in this report can make a real difference, and we plan to work together, following our period of Fellowship, to advance as many of those ideas as we can. We have learned in carrying out our day-to-day responsibilities that trust and civility are more than nice things to have; they make a real difference in what we can accomplish together. Moreover, if changes are not made soon, we believe it will become more and more difficult to find good people to serve on Capitol Hill either as Members of Congress or as staff, further undermining the ability of the institution to do its essential job in our democracy.

We came from both chambers, from both sides of the aisle and from very different backgrounds, but in the course of our Fellowship we found that our shared commitment to the institution of Congress and its critical role in our democracy far outweighed our differences. The Stennis Fellowship provided an all too rare opportunity for us to step outside of our normal roles, share experiences, explore new ideas and learn from each other. It provided a space for dialogue, within which we were able to build, in microcosm, the kind of trust and civility we hope will grow more widely both in Congress and across society. We also found that maintaining the dialogue requires real work and attention — it is easy to slip back into familiar patterns — but that the increased trust, civility, insight and ability to work together that result more than justify this effort.

In the end, perhaps the best way to understand dialogue is to experience it. We hope that many others in Congress can have the sort of experience we have had during our period of Fellowship, and that this sort of dialogue also can take place more regularly not just in Congress, but in other parts of our society and between Congress and the public. The need is urgent to find ways to strengthen trust and civility both within Congress and across society. To make a difference we need to start from where we are. We each can make a contribution from any starting point. We invite you to consider what you can do to help address this challenge, starting from where you are.

Meetings of the 108th Congressional Staff Fellows Program

1. Fellows met first in July 2003 to get acquainted and to define their Learning Agenda.
2. To set the stage for exploring their Learning Agenda, Fellows participated in a November workshop on “Dialogue Essentials” led by Steven Rosell and Mark Gerzon from Viewpoint Learning.
3. The Fellows pursued their Learning Agenda in four roundtables with outstanding resource persons:
 - Historical Context: Changes in Trust and Civility (December 2003)*
 - ◆ Dr. Richard A. Baker
Senate Historian
 - ◆ Dr. Patrick Towell
Center for Strategic and Budgetary Assessments
 - Rules of Engagement that Foster Trust and Civility (February 2004)*
 - ◆ Brian Lamb
Chairman and CEO, C-SPAN
 - ◆ Burdett Loomis
Chair, Political Science Department
University of Kansas
 - External Influences on Congressional Trust and Civility (March 2004)*
 - ◆ The Honorable David Skaggs
Executive Director, Center for Democracy and Citizenship Program, Council for Excellence in Government
 - ◆ Ruth Wooden
President, Public Agenda
 - Rules of Engagement that Impact Trust and Civility (March 2004)*
 - ◆ The Honorable Dale Bumpers
Arent, Fox, Kintner, Plotkin and Kahn, PLLC
 - ◆ The Honorable Bob Michel
Hogan and Hartson LLP
4. Fellows visited the USS JOHN C. STENNIS aircraft carrier at sea in November 2003 and March 2004.
5. Fellows worked together first in small groups in May of 2004 and then at a two-day retreat and subsequent half-day session in The Capitol in June to synthesize what they had learned and to produce this report.

108th Congress

Stennis Fellows

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Stennis Congressional Staff Fellows Program

The Stennis Congressional Staff Fellows Program, sponsored by the Stennis Center for Public Service, is a practical, bipartisan leadership development experience for senior-level staff of the United States Congress. Established in the 103rd Congress (1993-1994), the Stennis Fellows Program brings together chiefs of staff, committee staff directors, legislative directors, and others to explore ways to improve the effectiveness of the institution of Congress. A new class of 24 to 28 Stennis Fellows is selected competitively from each Congress. A Member of Congress must nominate each Fellow. The Fellows class is balanced with nearly equal numbers from both political parties and both chambers.

The Stennis Fellows Program focuses on the future challenges of Congress as an institution and the leadership role played by senior Congressional staff in meeting those challenges. Stennis Fellows meet periodically over a fifteen-month period, and examine issues of their own choosing. The program invites nationally and internationally renowned experts to meet and dialogue with the Stennis Fellows. While learning from these outside authorities is a unique opportunity, a primary benefit of the program is the learning and relationship building that takes place among the Stennis Fellows themselves.

Stennis Center for Public Service

The Stennis Center for Public Service was created by Congress in 1988 to promote and strengthen public service leadership in America. The Stennis Center is headquartered in Starkville, Mississippi, with an office in Washington, D.C. Programs of the Stennis Center are funded through an endowment plus private contributions.

The Stennis Center's mandate is to provide development and training for leaders in public service, including Congressional staff, and to attract young people to careers in public service leadership. The Stennis Center accomplishes its mission through conferences, seminars, special projects and leadership development programs.