

Knowledge and Power

Congress is awash in policy information. No institution in the United States is the focus of a greater volume of studies and analysis exploring public problems and recommending solutions. The flow of information through the office of even the most junior legislator can be overwhelming. Analysis of policy problems arrives in a river of books, papers, articles, memoranda, reports, videotapes, and electronic mail. It is presented in hearings, in private meetings, through the electronic “Net,” at fund-raisers, in phone conversations, and over meals in Washington’s restaurants.

Behind this flood is an enormous corps of policy experts. The experts have many designations—researcher, analyst, scientist, economist, professor, advisor, staff member. Many do not work for Congress directly, but are located in think tanks, lobbying organizations, corporations, universities, and, most importantly, in the agencies of the executive branch. The numbers of these external experts have increased dramatically in recent decades. At the end of World War II, only a handful of private policy think tanks were at work in Washington; at the end of the Cold War there were over one hundred, the largest ones spending tens of millions of dollars annually on the analysis of policy problems.¹ Several thousand advisory committees of experts have sprung up, forming what has been called the “fifth branch” of government.² This growth in think tanks and advisory committees has been outpaced by the explosion in interest groups, which provide studies and analyses—brains—along with their infamous brawn. The sevenfold growth in the number of groups since the mid-70s³ has not only produced historic changes in how elections are financed and run, but has also provided new

channels through which expert information about policy can reach legislators. The commissioning of studies has become a part of the price of admission to policy debates for some interest groups.⁴

An internal corps of experts also provides information to Congress, generating their own analysis as well as distilling the external flood for legislators. Committee staff, personal staff, and experts at the legislature's three analytic agencies—the Congressional Research Service, the Congressional Budget Office, the General Accounting Office—provide the backbone of Congress' information-gathering system and make it the most well-staffed legislature in the world.⁵ The spectacular growth in staff is one of the most commonly cited features of the modern Congress. Even after consolidation of committees and subcommittees and staff reductions in 1995, Congress' staff was about five times larger than at the end of World War II.

THE ROLE OF EXPERTS IN CONGRESS

Perhaps the most remarkable feature of these internal and external experts for Congress is that their roles in policy-making are somewhat of an enigma. Experts clearly have the potential to shape every step in the congressional policy process. They can influence agendas by their contributions to what Kingdon calls the "policy stream," and by helping define what is a problem and what is not.⁶ Experts have the potential to influence legislators' policy preferences by illuminating connections between choices and political outcomes, and they can shape public dialogue by contributing to discourse about politics. They can shape the success of policy implementation, not only by their contribution to the content of legislation, but also by their role in oversight and appropriation activities.

But to say that experts can and sometimes do shape policymaking in all these ways reveals very little about the real nature of experts' power and about their actual impact on policy outcomes. Studies of roll-call voting, elections, agenda-setting, oversight, and even staffing arrangements have failed to produce a useful portrait of the role of expertise in the congressional policy process or of the strategies and goals of experts themselves. For instance, a common claim from research on Congress is that legislators are rarely well-informed about public policy, because the system of electoral incentives to which they respond does not reward the acquisition of substantive knowledge, and instead encourages empty position-taking. Moreover, the great demands on legislators' time are believed to prevent the development of more than a superficial understanding of complex problems. Congress is traditionally described as the branch of government least capable of informing its work with policy analysis and substantive expertise.⁷ Congress'

comparative advantage is said to be consensus, compromise, and representation, rather than expertise, analysis, and administration.⁸

Yet this common view appears to contradict the fact that Congress has built itself such an extensive system of experts over the last two decades, expanding the size and capability of its staff, and establishing new internal agencies. Indeed, legislators themselves often advance the view that expertise is a significant force in legislative politics. Former Speaker Jim Wright has written that there is "a direct link between knowledge, power, and the Congress."⁹ Russell Long, Chair of the Senate Finance Committee for fifteen years, provides a memorable example. Respected not only for his political skills, he has been called an "inspired maestro" for his extensive knowledge of the tax code.¹⁰ During debate over the landmark Budget Reform Act of 1974, Senator Lee Metcalf, Chair of the Joint Committee on Congressional Operations, remarked in a floor statement that "information is the name of the game in budget control."¹¹

One need look no further than the debate over any major piece of legislation, from the successful tax reform bill of 1986 to the failed health care reform bills of 1994, to find anecdotal corroboration of Wright's and Metcalf's claims. The influence of experts is found in the structure and content of legislation, in its timing, even in the strengths of political coalitions. Fenno's now historical portrait of committees provides the most authoritative support for these observations. Fenno found that specialization and the development of substantive expertise increase the power of individual members of Congress in their pursuit of reelection, public policy, and professional influence and status.¹²

So Congress is said to be institutionally disinterested and ill-suited to the acquisition and use of policy expertise, but it nonetheless is immersed in a tide of expertise that is visible at every step of the legislative process. Experts continue to gravitate toward a Congress often believed not to be listening. And legislators are said to find expertise not particularly useful to their political pursuits, but have nonetheless developed policy staffs and dedicated information-gathering and -analyzing agencies.

These contradictions are characteristic of the muddled state of affairs in our understanding of the politics of expertise in contemporary American government, especially in the case of Congress. While matters of expertise have always attracted the attention of a few researchers, their efforts have generally made limited headway in producing useful claims about what experts do, why they do it, and what difference it makes. This is particularly true for Congress, where the public often expects legislators to be both Burkean trustees informed by the best expert analysis, and instructed delegates responsive directly to constituent's wishes, as well or ill informed as they may be. The "limits on policy analysis," to use Lindblom's term, have

been well documented in critiques of rational, deductive models of policy-making.¹³ These critiques have shown the fallacy of believing that scientific techniques are adequate or sufficient for treating problems in the realms of values.

But rejecting the plausibility of linear, reductionist models of the policy process does not explain much about the role of the immense volume of analysis and information about policy that is nonetheless directed at Congress—almost as if the institution did make policy in a rational, analysis-driven fashion. Nor does it indicate much about how experts respond to their environment or what arrangements for informing policy might be most attractive normatively. Studies of “knowledge utilization” in politics have sought to provide an empirical portrait of this problem by attempting to uncover patterns in the use of expert knowledge by political actors, including members of Congress.¹⁴ But despite a number of claims about correlations among variables for forms of knowledge use, issue salience, degree of political conflict, and so forth, these studies have left an unconvincing literature characterized by inconsistent findings and no underlying theoretical foundation.¹⁵ Knowledge utilization studies make a case that the relationship between information use and political conditions is chaotic, complex, and non-linear, rather than simple or straightforward.

THE PROBLEM OF POLITICIZATION

This book is an exploration of one aspect of these problems concerning the politics of expertise, in the setting of the U.S. Congress.¹⁶ Its primary subject is a problem that surfaces in virtually every discussion of expertise and politics, whatever the context, and that lies beneath the surface of many empirical and normative aspects of the politics of expertise: neutrality and politicization. Whether experts are neutral and “objective” or politicized and “biased” is a question that is never far from any conversation about expertise in politics. The traditional ideal of the policy expert is someone who brings the neutral authority of science to bear on policy. Indeed, acknowledging the distinction between expert and non-expert requires acceptance of a technical standard of knowledge in which objectivity is an important part.

Yet few serious observers of politics believe that facts and values can be separated cleanly. Scientists need not work for the Tobacco Institute for their motives to be questioned. Decades of very public battles among experts over the environment, social problems, and almost every other policy issue, have demonstrated the capacity of experts to bring political alliance and commitment to their work. It is common to ask whose experts should be believed, whether expert claims must be discounted because of the political

interests of the experts themselves, and how government can best elicit advice from experts that is unshaded by partisanship or ideology.

These problems lie at the root of many issues involving the politics of expertise. This book's main purpose is to offer an explanation for one kind of variation in patterns of politicization and neutrality on the part of experts. It examines factors that shape the provision of expertise and experts' performance against the standard of political disinterestedness. Along the way, the book looks at how information is used in politics, at its place in the policy process, and at its contribution to institutional politics within Congress and between Congress and the executive. It examines questions about what legislators want from experts, and about how their demands shape what experts do.

By focusing on the subject of expert neutrality and politicization, this study examines what I believe to be the core dynamic in the politics of expertise, namely the relationships between experts and politicians. The chief premise of this study is that one cannot understand information in politics divorced from an understanding of the relationship between the experts who produce it and the policy-makers who use it. Questions about expertise are sometimes framed abstractly, in terms of inherent connections between knowledge and power. Inquiring just about Bacon's nexus between information or expertise on the one hand, and policies or political decisions on the other, as is often done, frames the problem inadequately. It is the underlying relationship between producers and users of information that is where the links between power and information are forged. Expertise is not a disinterested and detached resource to political actors; nor is its legitimacy purely a function of technical credibility. As we will see throughout this discussion, when legislators talk about expertise, they almost invariably speak in terms of its origins. They do not understand analysis, policy studies, and other forms of expert information in isolation from their understanding of the people who have produced it. Knowledge does not itself necessarily convey power; rather, power frequently lies in the relationship between producers and consumers of knowledge. Gaining a better understanding of basic questions about the politics of expertise, then, requires a close look at that relationship.

There is a prevailing view about the state of politicization of experts, and it serves as a starting point for my analysis. In the traditional view, experts tend to grow more politicized and less neutral the longer they are exposed to politics and the closer they come to the exercise of power. Not really a theory so much as an observation or article of faith, this view holds that neutrally competent, politically uncommitted experts and administrators cannot exist in a state of equilibrium with political patrons.¹⁷ Policy-makers are believed to want experts to serve their political needs, not to provide neutral pronouncements that may hurt their political objectives as much as

help them. Politicians' demands for politically supportive expertise tends to root out neutral experts and replace them with politically loyal experts; hence, a long-term trend toward the increasing politicization of experts develops. In this view, the goal of informing government with the best expert information, unshaded by partisanship, is not fully attainable in the long run.

This book argues that the prevailing view of the increasing politicization of expertise is inadequate. It is an approximation that holds under certain circumstances, and it leads to overly pessimistic conclusions. In particular, it is not helpful in understanding the politics of expertise in Congress. Consider the following illustration. The Office of Management and Budget (OMB), created in 1921 as the Bureau of the Budget, was originally designed as a neutral, expert source of information for the President. In its early days, the Bureau was by all accounts the very embodiment of neutral expertise. But under the influence of a succession of presidents starting with Franklin Roosevelt, the Bureau grew steadily more partisan and politically loyal. Now, as OMB, it has foregone any serious claim to neutrality and disinterestedness; it is an expert ally of the president. On the other hand, the Congressional Budget Office (CBO), intended as a legislative analogue to OMB, has experienced a nearly opposite history. After its creation in 1974, CBO devised a strategy for asserting neutrality and non-partisanship. By most accounts, it has grown less politicized over time, not more so.¹⁸ By no means is CBO perfectly neutral, nor has it completely escaped charges of partisanship. But throughout much of its history, the agency has attempted to position itself publicly as a neutral policy expert, and few would doubt that it has developed a stronger claim of neutrality and bipartisanship than has OMB.

Similar contrasts between other parallel agencies are available. For example, in 1957, the Eisenhower administration created an office to provide expert advice on national security affairs and other issues, called the President's Science Advisory Committee (PSAC). Like OMB, PSAC was created with an aura of neutrality and technical objectivity. But that aura soon clashed with White House demands for loyalty, and PSAC ran afoul of a succession of presidents in the 1960s. In 1973, the Nixon administration abolished the office, because it had failed to demonstrate sufficient commitment to the President's policies. PSAC failed where OMB succeeded, because the former insisted on neutrality as a strategy, while the latter abandoned it.

Like OMB, PSAC also had a congressional analogue, intended by some to replicate the presidential office in the legislature: the Office of Technology Assessment. Just like CBO, this agency evolved since its creation in the direction of neutrality. It developed a strategy involving public professions of disinterestedness and non-partisanship. Rather than lead to its de-

mise, this strategy contributed to a decade-long string of successes and praise from legislators and other policy experts.

These illustrations suggest that the politics of expertise is substantially more complicated than suggested by the traditional view of a secular trend toward politicization and the centralization of control over experts. Some experts grow more politicized over time and some less. In some cases, politicization appears functional for survival while in others it may be a recipe for organizational failure. The relationship between experts and politicians may evolve in several directions. What accounts for this fact?

The main argument of this book is that the answer lies in the nature of experts' relationships with politicians, and more specifically, in the institutional context of those relationships. Some institutional settings tend to elicit greater degrees of politicization from experts than others, regardless of the character of political decision-makers for whom the expertise is produced and regardless of the political inclinations of experts themselves. In debates over the desirability of politicians' attempts to evoke politicized or depoliticized expertise from subordinates, the influence of the larger institutional context of their relationships has received little attention. This book suggests that the character of the relationships between experts and politicians might be shaped more by institutional arrangements than the choices or styles of individual politicians and experts. This book argues that structure does indeed shape action, and despite the popularity of that construct in social science, it has generally been missed by students of policy analysis and the politics of expertise. Congress, I argue, shows how an institution with a highly pluralistic distribution of power tends to reward experts who provide broadly applicable, politically uncommitted expertise. In Congress, experts are likely to be sanctioned for displaying favoritism and rewarded for signaling neutrality. In the Executive Office of the President, by contrast, experts face a different set of incentives. They are likely to be sanctioned for displaying lack of commitment and rewarded for providing expertise designed to further a focused set of political interests.

One of this book's conclusions is that despite its reputation for being too highly politicized to be conducive to responsible policy expertise, Congress is actually quite successful at producing neutrally competent advisors. In fact it is better equipped than the executive branch to inform policy debates with balanced expert views.

THE OFFICE OF TECHNOLOGY ASSESSMENT

There are several ways that these matters might be examined empirically. For instance, one might survey policy-makers about informational needs, or

examine the content of expert studies provided under different institutional arrangements. The approach used here is a case study, designed to detail the life cycle of an expertise-providing organization in Congress. The case analyzes the strategies adopted by a group of policy experts in response to demands for information placed on them by legislators.

The case is that of the Office of Technology Assessment, or OTA. Created in 1972, OTA was the product of congressional reorganization efforts of the early 1970s. It emerged out of two strands of reform: a desire to improve the content or "intelligence" of policy, as PSAC had done for the Eisenhower administration, and a desire to strengthen Congress' hand against the executive branch. Congress terminated OTA's operations in 1995, during the appropriations battles over implementing the Republican budget-balancing plan. The agency has the ignominious distinction of being the only congressional support office to have completed a cycle of birth and death.

OTA's work over two decades was not well known to the public, and there is almost no scholarly literature on the political logic of the agency's function in the legislature. But it developed a committed following on Capitol Hill that served as its internal constituency. One of its directors once commented jokingly that among congressional institutions, "OTA is larger only than the U.S. Botanic Gardens." The agency was the source of personnel for several high-level appointments in the Clinton administration, including John Gibbons, who left the position of agency head to become Assistant to the President for Science and Technology in 1993. As a Senator, Vice President Al Gore was one of the agency's chief patrons, and was responsible in large part for the transfer of personnel from OTA into the White House in 1993.

OTA's only formally stated mission was to provide expert analysis and information to Congress, and for this reason the organization provides a good focus for a study about the relationship between legislators and experts. Its technocratic title reflected the interest of some of the sponsors of its original authorizing legislation in scientific and technological matters, but the name grew to be something of a misnomer, because the agency provided expertise about policy problems of all kinds. While the agency was a cornerstone of the national science and technology policy network in Washington for over a decade, the bulk of its activities involved policy problems well beyond the confines of that policy area. Its studies addressed health care, energy policy, environmental issues, land and resource management, international trade, and defense. Nearly every committee of Congress occasionally relied on OTA for information, from the Budget and Appropriations Committees to Veterans Affairs.¹⁹

One of OTA's most visible and controversial contributions occurred on the day that the House passed the Brady Handgun Control Act of 1991, in

one of the major legislative battles of the 102nd Congress. On the morning of the very close vote, *The New York Times* and *The Washington Post* both cited OTA in support of their editorial endorsements of the "Brady Bill" over the National Rifle Association's alternative bill. They wrote that the agency's research showed that the NRA's scheme was impractical and that the Brady Bill represented more sound policy. Interestingly enough, this kind of recognition by the nation's newspapers of record is a highly prized marker of influence at most Washington think tanks, but for reasons we will see, was not welcomed at the tiny OTA.

OTA's formally stated mission, providing objective analysis of policy problems, can obscure the politically dynamic role the agency played. It participated in the formulation of policy agendas, as legislators used its expertise to gauge the likely significance of policy problems. It was drawn into jurisdictional jockeying among committee chairs maneuvering for position and signaling one another of their intentions. The agency participated in oversight activities, when legislators used its expertise to review the claims and activities of executive agencies.

Matters of neutrality and the politicization of expert competence were in many ways the organizing principles of OTA's daily operations. The political environment in which OTA was to operate became clear even before the agency had begun operations. For instance, in the fall of 1973, when OTA's first appropriation was considered in Congress, the ranking Republican on the House Appropriations Committee, Elford Cederberg, opposed funding the agency and brought progress on establishing the agency to a halt. OTA's chief sponsor, Senator Edward Kennedy, stood in favor, and the two deadlocked the appropriations conference. Cederberg had opposed the idea of a new agency for Congress from the beginning, and portrayed OTA to his colleagues as a boondoggle by the ambitious Kennedy. After a number of futile efforts to out-manuever Cederberg, Kennedy's office eventually devised a strategy for rescuing the agency from Cederberg's grasp. Kennedy staffers arranged for the appointment of J.M. Leathers, an executive of Dow Chemical, to an advisory committee set up to help steer OTA. Dow was an important corporate constituent in Cederberg's Michigan district, and when Leathers expressed his enthusiasm for serving on the committee—if OTA got off the ground—Cederberg capitulated and the conference approved the funding. Against a background like this, the agency struggled to find an operating strategy that would protect its annual appropriations and inoculate it against attacks like Cederberg's, and protect it against charges that it was manipulated by legislators like Kennedy.

My account of OTA's development of that strategy is not intended as an exhaustive documentation of the details of the agency's history. Although the essential outlines of the agency's life are presented here, I focus on the

political logic of the agency's role in Congress, rather than on its internal stories. My interviews with congressional and agency personnel, as well as my examination of documentary materials, have been designed to illuminate the agency's interaction with legislators. To be sure, understanding this interaction requires an examination of how OTA organized itself internally, what processes of inquiry it used, and how it staffed itself. Where I have judged these matters important to understanding the politics of expertise in Congress, I discuss them here. Some topics that I do not examine closely are techniques of policy analysis employed by OTA staff, matters of its disciplinary mix of experts, incentives and career paths within the agency, and so on. I chose to include material on the politics of policy analysis rather than on policy analysis itself.

It is also not my intent to establish a general theory of the politics of expertise that applies to all cases and all circumstances. This work focuses on captive experts: those within the boundaries of political institutions. More specifically, it focuses on congressional support agencies, a feature of the legislature about which surprisingly little is known, and whose presence helps to distinguish Congress from most other legislatures. Private sector experts, and those in between—at quasi-governmental organizations—are beyond the scope of this study. They are indeed important, but I have left them for another time.

It is doubtful whether a single case study can fully substantiate a theory, and so some care must be taken in interpreting the evidence presented here. My intent is first to derive from some considerations of Congress a more satisfactory thesis about the politics of expert politicization than has been available. The second step in my approach is to explore that thesis through the case study, shedding light on its plausibility and implications.

To support the generalizability of my case study, I also provide mini-case studies of the other three congressional support agencies. If my account of the politics of expertise is sound, then it should also apply to the Congressional Research Service, the Congressional Budget Office, and the General Accounting Office. For the most part, these agencies are much better known than is OTA, and I rely mainly on secondary sources, supplemented with interviews, to test my explanation for these agencies.

The next chapter, chapter 2, develops an account of the politics of expertise and information. It returns to the illustrations of OMB and PSAC set out above, presents the standard account of expert politicization, and argues why it is inadequate. It then presents my own framework, based on assumptions and observations about the nature of politics and expertise.

Chapter 3 provides a descriptive overview of OTA and a brief look at some of the ways that legislators used the information the agency produced. It raises the issues of credibility and trust in the relationship between OTA

and members of Congress. It shows that the utility of policy information from OTA was limited almost exclusively to one phase of the policy-making process. This chapter should be of interest to those who want a brief summary of OTA as an agency. Those already familiar with the agency or less interested in a descriptive portrait should turn their attention to the following chapter.

Chapter 4 describes the origins of OTA and explores its functions in the context of the system of separation of powers. It discusses the importance of congressional-executive relations in motivating legislators' demands for expertise from OTA. This chapter also provides a brief comparison of OTA to agencies in Europe that have been modeled after it, and points out distinctions that stem from differing institutional contexts. The chief claim of this chapter is that the goal of improving the content of policy through analysis is often inseparable from the institutional goal of maintaining congressional independence from the executive.

Chapter 5 explores the matter of neutrality and politicization. It examines OTA's development in the context of congressional partisanship, describing how OTA attempted to position itself in the face of competing policy demands from Republicans and Democrats. It describes the emergence of a strategy for responding to legislators' demands for control over the production of information, following the agency's near collapse in the late 1970s.

Chapter 6 continues the characterization of OTA's strategy for survival in the congressional environment, focusing on the committee system. It shows how heterogeneous demands for information from many committees reinforced OTA's choice of strategies for survival as an information agent.

Chapter 7 describes how OTA came to be abolished in 1995. It discusses how the agency became a target in efforts to balance the budget, and traces the rather remarkable appropriations cycle in which funding for the agency was eliminated.

Chapter 8 provides brief comparisons between OTA and the three other congressional agencies, the Congressional Budget Office, the Congressional Research Service, and the General Accounting Office. It shows how attempts by legislators to control information production have produced similar strategies for survival at these agencies. The comparison reinforces my conclusions about OTA, and suggests that the agency's experiences are indeed representative of a general pattern in Congress.

Chapter 9 provides concluding observations and draws lessons from the record of OTA as a case study in the politics of expertise.