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The Use of Task Forces in the House

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Summary

Task forces, long used by both House parties, come in various sizes and shapes. Typically, they are created by the majority and minority leadership to accomplish diverse goals. Renewed attention is being given these informal entities because of their recent larger role in House politics and policymaking. On the one hand, leadership task forces are flexible devices for addressing problems that do not fall neatly within committees' jurisdictional boundaries. On the other hand, a system of standing committees is well suited for providing continuity and expertise to congressional policymaking and for overseeing the administration of laws. In short, there appears to be a role for both in the House's committee system.

During the 104th Congress, wider use of party task forces was an important and somewhat controversial initiative of Speaker Newt Gingrich. A proponent of "adhocracy" in the Information Age, the Speaker employed task forces in part to expedite action on the Republican agenda, especially during the 100-day period associated with House consideration of the Contract With America. Standing (or permanent) committees were sometimes bypassed by the Speaker's appointment of informal work groups during and beyond the Contract period. Although data about task forces are sparse, their use in the next two Congresses appeared to decline.

Evolution of the House Committee System

Before discussing the House's recent use of task forces, it is worth reviewing broad evolutionary trends in the committee system itself. These trends illustrate not only the dynamic character of the committee structure; they highlight the recurrent shift of power between parties and committees. This dynamic likely influences the extent to which task forces are employed by either party. The report will then discuss the use of task forces during selected years when Democrats or Republicans controlled the House. The paper will close with summary observations about the role of task forces in the legislative process.

During early Congresses, the House functioned largely through temporary ad hoc committees. "At least three hundred and fifty were raised in the Third Congress."[1] Then the House devised a permanent system of standing committees. Permanent committees were simply better suited than ad hoc panels to cope with increases both in the House's membership and in the scope and complexity of legislative business.

Significantly, a system of permanent committees changed the way the House allocated authority within the chamber. Party leaders soon had to contend with growing numbers of committee leaders. For much of the nineteenth century, however, there was a close connection between party and committee structures. The Speaker, for instance, chaired the Rules Committee. Plus, he had the authority to name everyone else to the standing committees, including the chairmen. This system of party power coordinating committee power prevailed until the famous 1910 "revolt" against the arbitrary rule of Speaker Joseph Cannon, R-Ill. (1903-1911). Cannon was stripped of much of his authority, power was decentralized, and committee chairmen (who were soon selected by a nearly inviolable seniority custom) acquired significant autonomy.

In that era of committee government, powerful committee chairmen significantly dominated lawmaking in virtually all substantive arenas. Committee chairs rather than party leaders largely shaped and controlled the House's agenda and policies. Speakers were compelled to bargain with committee chairs if they wanted to achieve their partisan or policy objectives. As Speaker John W. McCormack, D-Mass. (1962-1971), told freshmen lawmakers: "Whenever you pass a committee chairman in the House, you bow from the waist. I do."[2]

The era of committee government began to give way in the late 1960s and 1970s to a system of "subcommittee government." The influx of many new lawmakers, who allied themselves with senior Members dissatisfied with the status quo, produced changes that trimmed the power of the chairs and strengthened subcommittees and various central party organs, such as the Democratic Caucus and Republican Conference. For instance, power was spread to many subcommittee chairs, and full committee chairs were subjected to secret ballot election by the majority party caucus.

Concurrent with the decentralization of authority came centralizing tendencies (agenda-setting, committee assignment authority, the power to refer measures to more than one committee, and more), which became more prominent during the Speakerships of Thomas O'Neill, D-Mass. (1977-1987), Jim Wright, D-Texas (1987-1989), and Thomas Foley, D-Wash. (1989-1995). These centralizing trends accelerated during the speakership of Newt Gingrich, R-Ga. (1995-1999), and were a prominent feature of the GOP-controlled House. Today, House decision making is no longer as committee centered as it once was. Suffice it to say that standing committees are arguably subjected to a broader and wider array of chamber influences, such as leadership task forces, than ever before.

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[1] Lauros G. McConachie, Congressional Committees (New York: Thomas Crowell Co., 1898), p. 124.

[2] Wall Street Journal, May 3, 1979, p. 1.

Task Forces During Democratic Control

Task forces came into contemporary prominence during the tenure of Speaker O'Neill. It was then that scholars and others began to focus increasing attention on the O'Neill innovation.[3] Speaker O'Neill used task forces to forge consensus, draft legislation, involve noncommittee and junior members in issue areas, coordinate strategy, and promote intraparty communication. "Work on a task force is thought to be especially likely to influence junior members, to teach them the value of joint action under the aegis of the party," wrote a congressional scholar.[4]

Democratic leaders (O'Neill, Wright, and Foley) established partisan and bipartisan task forces, far more of the former than the latter. (They even created a new party post: task force coordinator.) Two examples of partisan task forces illustrate the range of purposes for which they were created. In 1985, after the GOP-controlled Senate attached the Gramm-Rudman-Hollings (GRH) deficit reduction plan to a House-passed bill raising the federal debt ceiling, Speaker O'Neill appointed "a bill-writing task force" to "handle the political hot potato tossed at the House by the Senate action."[5] The House Democratic alternative to GRH was presented at a House-Senate conference on the legislation. Two years later, after the Supreme Court declared part of the GRH law unconstitutional, Speaker Wright named a task force headed by Majority Leader Tom Foley to "recommend ways to improve the...congressional budget process."[6]

In addition, the Democratic Caucus frequently created task forces. In the aftermath of Ronald Reagan's 1980 presidential victory, the caucus chairman established task forces to address the party's priority issues.[7] Growing use of task forces by the caucus and party leaders eventually triggered the ire of several committee chairmen. Four committee chairmen publicly expressed their displeasure at the trend and convened a meeting of all chairmen with legislative jurisdiction to discuss this matter. "This task force disease has become contagious," declared Ways and Means Chairman Dan Rostenkowski, D-Ill.[8] Concern about the use of task forces prompted the Democratic Caucus of the 102nd Congress to adopt the following party rule:

> The standing committee or committees of jurisdiction of the House of Representatives shall have the right, for a period not less than five legislative days, to consider, review, and report on any legislative measure developed by any ad hoc Task Force appointed or designated by the Speaker or other officer of the House or Democratic Caucus.

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[3] See, for example, Barbara Sinclair, "The Speaker's Task Force in the Post-Reform House of Representatives," American Political Science Review, June 1981, pp. 397-410.

[4] Barbara Sinclair, Majority Leadership in the U.S. House (Baltimore: The Johns Hopkins University Press, 1983), p. 138.

[5] Los Angeles Times, October 11, 1985, p. 8.

[6] Congressional Quarterly Weekly Report, July 4, 1987, p. 1438.

[7] See Paul S. Herrnson and Kelly D. Patterson, "Toward a More Programmatic Democratic Party? Agenda-Setting and Coalition-Building in the House of Representatives," Polity, Summer 1995, pp. 607-628.

[8] The Washington Post, April 18, 1991, p. A19.

Worth noting is that the GOP regularly created task forces during its four decades as the House minority party. With Democrats in charge of the standing committees, Republicans often employed task forces to formulate policy alternatives, provide leadership opportunities for GOP lawmakers, conduct their own public hearings, and otherwise devise ways and means to advance party interests. In 1965, GOP task forces "issued press releases, held hearings on policy issues, conducted studies (including a white paper on Vietnam), criticized the administration, and developed policy proposals."[9]

Task Forces During the GOP-Controlled 104th Congress

During the 104th Congress, the GOP majority advanced initiatives to change the structure and culture of the House. Part of that effort involved party initiatives to hold committees accountable to the GOP Conference and to top party leaders. Not only was the House's early legislative agenda set by the Contract With America, which was both devised and advanced by leadership task forces, but throughout much of that Congress the Speaker and other party leaders demonstrated a willingness to circumvent standing committees to advance Republican priorities. Fundamentally, there was an acceleration during the 104th Congress in the shift of power from committee chairs to the party leadership–and to the Republican Conference as a whole. More use of task forces was an important manifestation of this trend.

Task forces became increasingly important under Speaker Gingrich "because the Speaker," according to Rep. Bob Barr, R-Ga., "is much more active than other Speakers have been in putting together members with a particular interest."[10] Typically, task forces were created by the Speaker on his authority as party leader. They were generally staffed by aides of the chair and the Members appointed to the task force.

The traditional goals behind the creation of such ad hoc groups–moving high priority legislation to enactment, for instance–still applied, but additional objectives also were evident in their establishment. One, for example, involved outreach. An entertainment task force was established "to improve relations between the GOP and traditionally liberal Hollywood."[11] Another motivation was electoral. The Speaker created the California Task Force, composed of the state's entire 25-member GOP delegation, in part because of the state's electoral importance and its economic and social impact on the nation.[12] Still another assignment was to craft a legislative agenda. For instance, a GOP task force developed an anti-poverty agenda designed to reinvigorate economically hard-pressed urban areas. Called "Project Hope and Opportunity," the Republican anti-poverty agenda emphasized the role of grass-roots organizations rather than federal or state governments in revitalizing poor urban communities.[13]

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[9] Charles O. Jones, The Minority Party in Congress (Boston: Little, Brown and Co., 1970), p. 158.

[10] The Hill, February 22, 1995, p. 3.

[11] The Washington Times, March 16, 1995, p. A10.

[12] The Washington Post, March 5, 1995, p. A23.

[13] Elizabeth Shogren, "House GOP Agenda to Shift to Plight of Poor," Los Angeles Times, November 6, 1995, p. A1.

Task forces usually dilute the traditional prerogatives of committees and their chairs. For example, the Speaker handpicked eight lawmakers to serve on an ad hoc "Design Group." They drafted "sensitive Medicare legislation outside normal committee channels."[14] As Commerce Chairman Thomas Bliley, R-Va., said: "This bill, right from the start, was written in the speaker's office."[15] Task forces, remarked an aide to the Speaker, were devices for "finessing some institutional obstacles to decisionmaking."[16]

The minority Democrats also employed task forces. A Democratic drafting group, for instance, bypassed Democrats on the Ways and Means Committee and devised a comprehensive welfare reform bill that was endorsed by the Democratic Caucus. This approach to policymaking would not have succeeded when Democrats were in the majority, according to Democratic Caucus Chairman Vic Fazio, Calif. "We were deathly afraid of interfering with committee chairmen," he said. "But with Republican control, we need to broaden the base on every issue in the Caucus. Our goal is to empower our Members."[17]

The mid-1990s shift in power from standing committees to party leaders and ad hoc groups was triggered by various factors, including the willingness of rank-and-file members to grant authority to the leadership. The second session of the 104th witnessed somewhat more emphasis on the committee system. An aide to the Speaker observed: "When we first came in [and] there was a lot of excitement, we said, 'Oh, let's create a task force.' Now we're more sophisticated and know better how to use the committees."[18]

Task Forces Since the 104th Congress

Since the 104th Congress, there has been a drop-off in the number of GOP leadership task forces. Although there is no single source, so far as is known, that identifies the formation of leadership task forces, published reports indicate that during the last two years of the Gingrich speakership these task forces were established: (1) Budget Leadership Task Force; (2) Y2K Task Force; (3) China-MFN Working Group; (4) Task Force on Bank Modernization; (5) Task Force on Sexual Harassment in the Military; (6) High Technology Working Group; (7) Working Group on Health Care Quality; (8) Task Force for a Drug-Free America; and (9) the Tobacco Task Force. The minority party, too, created several task forces during this period, such as the Democratic Caucus Budget Task Force. A handful of bipartisan task forces was also established during this period, such as civility, ethics, and the Hong Kong transition.

By comparison with Speaker Gingrich's "top down" management style, which sometimes meant that the committee process was circumvented, Speaker Dennis Hastert, R-Ill., has stressed the "regular order" and generally restored committees' policymaking

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[14] The Washington Post, October 29, 1995, p. A26.

[15] Ibid., October 20, 1995, p. A4.

[16] The Hill, February 22, 1995, p. 3.

[17] National Journal, April 22, 1995, p. 974.

[18] The Hill, March 6, 1996, p. 1.

prerogatives. Still, there have been instances when Speaker Hastert has bypassed committees to bring legislation to the floor.[19] Further, while the Speaker has de-emphasized use of task forces, published reports indicate either the formation or the continuation of several informal party groups: (1) the North Korea Advisory Group; (2) the Entertainment Task Force; (3) Working Group on the Minimum Wage; (4) High Technology Working Group; (5) Task Force on Labor Issues; (6) Anti-Drug Working Group; and the (7) Working Group on Health. In addition, there were at least three bipartisan task forces: the Hong Kong transition; Working Group on Youth Violence; and Appointment of a House Chaplain.

Under the auspices of the Democratic Caucus, ten party task forces were established: Social Security; Census; Defense & Military Personnel; Education; Livable Communities; Health; Medicare; Financial Services; Crimes & Drugs; and Campaign Finance Reform (see the Caucus's Web site: [http://dcaucusweb.house.gov]. Periodically, the minority leader has named informal party groups, such as the High-Tech Advisory Committee.

Summary Observations

"As the world is changing," wrote former Speaker Gingrich, "we need to be flexible and find ways to get people with competence in a room together to solve problems."[20] Clearly, task forces are flexible and adaptable devices for addressing problems that do not fall neatly within committees' jurisdictional boundaries. Informal groups can complement and supplement the regular committees. Relevant expertise can be mobilized from the House's membership to address issues which crosscut the responsibilities of several standing committees.

On the other hand, a system of standing committees is well suited for providing continuity, expertise, and representation to congressional policymaking and for overseeing the administration of laws. Members' careers, reputations, and actions are often shaped by their committee work. These permanent structural units, then, serve important institutional and individual purposes. In sum, there appears to be a role for both adhocracy and permanency in the House's committee system.

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[19] See Richard E. Cohen, "Crackup of the Committees," National Journal, July 31, 1999, pp. 2210-2217.

[20] Roll Call, November 16, 1995, p. 5.