

# **Annual Report of the Congressional Research Service of the Library of Congress for Fiscal Year 2011**

**to the Joint Committee on the Library  
United States Congress**

**Pursuant to  
Section 321  
Public Law 91-510**

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**March 2012**



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## **I. CRS SERVICE TO CONGRESS**

The mission of the Congressional Research Service is to serve Congress by providing research and analysis on all current and emerging issues of national policy. CRS work is governed by timeliness, authoritativeness, objectivity, balance, and nonpartisanship. The Service has the responsibility of ensuring that Congress has available the best possible information and analysis on which to base its policy decisions.

### **CRS ALIGNMENT WITH THE WORK OF CONGRESS**

CRS analysts, attorneys, and other professionals align their work with the congressional agenda from the moment a new issue arises, then continue to meet the needs of lawmakers throughout all stages of the legislative process.

Members and committees know they can depend on the continuous access to CRS expertise, whether it be through a phone call, an email, a personal briefing, a confidential memorandum, a consultation, delivery of expert testimony, support for hearings and investigations, evaluation of data, examination of legislative options and proposed programmatic changes, legal analysis, or by searching active CRS products and services on the Service's Web site available 24 hours a day.

CRS offers a unique, multidisciplinary perspective to policy problems. The Service is structured to ensure that data are sound, that assumptions and qualifications are clarified, and that findings inform the legislative issues at hand, with implications and options identified. Throughout its deliberations Congress draws on the CRS capacity to integrate the insights of various disciplines into a coherent whole. Members rely on this expertise, not only to assess independently the outside opinions advocated before them, but also to complement their own experience and knowledge, and that of their staff, to ensure that the judgments made by the legislative branch are well informed.

This report describes how CRS aligns its work with that of Congress to serve Members and committees most effectively and includes the steps the Service has taken to ensure the continued success of that alignment.

### **INDICATORS OF CRS PERFORMANCE**

CRS completed more than 760,000 responses to requests and service transactions for Members and committees in FY2011 — a number that includes analysis and information requests, product requests, electronic services, and seminars. The Service's performance this fiscal year can be measured with a focus on these products and services in the following table.

## CRS Products and Services for Congress, FY2011

<b>Total Completed Requests and Services Provided</b>	<b>763,076</b>
Analysis, information, and research requests <sup>1</sup>	76,060
Confidential and custom writings prepared	3,396
In-person briefings, consultations, and testimony completed (number of participations by CRS staff)	5,344
Responses primarily by telephone	37,451
Responses primarily by email	26,446
Other (background and other materials)	3,423
Seminar, institute, and training participants	12,316
Client visits to the CRS home page	674,700
<b>Congressional Distribution Products and Services</b>	
New products prepared <sup>2</sup>	566
Products updated	3,515
Titles available at year end	7,881
Copies distributed <sup>3</sup>	1,298,182
Seminars, institutes, training (number of events)	436
<b>Legislative Information System (LIS) Activity</b>	
Number of bill versions summarized	7,760
<b>Congressional Offices Served by CRS (Percentage of Total)</b>	
Members	100%
Committees <sup>4</sup>	96%

<sup>1</sup> Analysis, information, and research responses are created for specific clients upon their request.

<sup>2</sup> Only includes formal written reports.

<sup>3</sup> A product is considered distributed when it is opened by a client on the CRS Web site.

<sup>4</sup> Often 100 percent of Member offices and standing committees receive personal service each year; this year the Joint Committee on the Library and the Joint Committee on Printing did not request any custom work.

Source: Mercury Request Management System, WebTrends, and other CRS data.

### OUTLINE OF THIS REPORT

The remainder of this report provides highlights of CRS legislative research on key policy issues before Congress and management initiatives during FY2011. Included also are budget components, descriptions of human resources and staff development, types of support provided, CRS organizational structure, and a list of CRS products prepared during the fiscal year.

## II. FY2011 HIGHLIGHTS IN LEGISLATIVE SUPPORT

The following discussion summarizes selected CRS milestones in legislative assistance for FY2011.

### MAJOR ISSUES OF THE YEAR

***The Budget, Debt, and Deficit.*** At the beginning of the year CRS supported the continuing congressional debate over the FY2010 federal budget. In addition to broad analyses of budget trends and the impact of recent legislation, experts addressed specific issues such as the impact of freezing nonsecurity discretionary spending, the role of tax expenditures in budgeting, and options for examining the budget from a longer-term perspective. When congressional attention turned to the question of raising the federal debt limit and averting a default on government debt, CRS supported information requests on the composition of federal debt, the history of the debt limit, and the effects of reaching the debt limit on government operations and the economy. The Service provided briefings and seminars on topics such as the long-term sustainability of the debt and deficit, approaches to address the long-run budget deficit, and the ability to stimulate economic expansion through reductions in the size and scope of government. CRS attorneys addressed the effects of a lapse in federal funding on government operations and the potential legal consequences of a failure to raise the federal debt limit. Congressional action culminated on this issue with the passage of the Budget Control Act of 2011 (P.L. 112-25).

***Economic Stimulus and Job Creation.*** As Congress began debate on extension of the Bush tax cuts legislation (the Economic Growth and Tax Relief Reconciliation Act of 2001, P.L. 107-6; and the Jobs and Growth Tax Relief Reconciliation Act of 2003, P.L. 108-27), CRS analyzed the potential policy and economic consequences of the cuts as well as their expiration or possible extension, and provided seminars and briefings addressing the cuts. Support included examination of the revenue, distributional, and macroeconomic effects of various legislative proposals to extend all or a portion of the tax cuts. CRS experts analyzed the relative efficacy of options to provide economic stimulus and the extent to which the stimulus could be achieved through reductions in the size and scope of government and direct transfers to state governments. CRS also assisted with job creation legislation by analyzing the economic impacts of general approaches for reducing unemployment as well as the expected impact of specific employment, investment, and business incentives.

***Wall Street Reform and Consumer Protection.*** Issuance and implementation of rules promulgated by federal agencies in the wake of financial reform legislation were topics of considerable interest in the 112<sup>th</sup> Congress. CRS responded to lawmakers' concerns by interpreting and analyzing the executive orders and statutory requirements that govern the federal rulemaking process and by tracking particular regulations upon request. Following passage of the Dodd-Frank Wall Street Reform and Consumer Protection Act (P.L. 111-203), CRS tracked rulemaking regarding consumer financial protection as well as securities and derivatives regulation. Assistance included CRS attention to the functioning of commodities markets and measures to contain speculation that might be destabilizing prices in the energy and other markets. CRS also assisted with oversight of Dodd-Frank implementation in banking, notably debit card interchange fees.

Other activities ranged from multiple seminars on banking and financial intermediation to legal consultation on issues such as standards of conduct applicable to brokers, dealers, and investment advisers; hedge funds; and the authority of the Secretary of the Treasury to exercise the powers of the Consumer Financial Protection Bureau pending appointment of the Director. In addition, CRS supported Member offices while banking practices adapted to both the general regulatory overhaul of the financial sector and the changed business environment that emerged following the financial crisis.

***Implementation of Health Reform.*** The 112<sup>th</sup> Congress continued to deliberate on health reform, ranging from technical corrections to major amendments of the comprehensive health reform law enacted in March 2010 (the Patient Protection and Affordable Care Act (P.L. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, P.L. 111-152, jointly referred to as ACA). Congress has responsibility for oversight of ACA implementation and thus monitors legal challenges to the law. CRS continued to provide support by a team of attorneys, analysts, and information professionals who provided a range of information including broad overviews of ACA analyses of major provisions such as Medicare and provisions relating to mental health and substance use, as well as more narrowly focused topics such as the interaction of ACA with other health care laws and provisions that relate to physician supply. The Service also analyzed implementation activities such as development of regulations, new programs and grants, and budgetary aspects and implications of ACA. Information professionals established collaborative online work spaces and alerts to enhance effective use of shared information.

***Housing Finance.*** The continued weak housing market and the lagging economic recovery prompted some in Congress to press for action on reforming housing finance, while others expressed concern about the risk of reform efforts weakening the housing sector further. CRS experts assisted Congress with hearings on mortgage market issues and with analysis of options regarding the future disposition of Fannie Mae and Freddie Mac as well as other elements of mortgage markets such as covered bonds, the conforming loan limit, and commercial real estate lending. The Service also assisted lawmakers with their deliberations on alleged improprieties in the underwriting, securitization, and foreclosure processes of the large number of mortgages that had gone into default. CRS attorneys synthesized varying state foreclosure laws, analyzed evolving litigation and resulting judicial opinions stemming from the mortgage market collapse, and assessed the highly complex legal relationships between the many parties that make up the market.

***Employment and Training.*** Because of the slow pace of the economic recovery and the nation's persistently high unemployment rates, Congress sought analysis and information on the characteristics of unemployed workers and on programs and policies that might help unemployed workers secure work. In response, CRS analyzed the characteristics of the long-term unemployed and unemployed youth, potential employment effects of direct spending job creation strategies, and the efficacy of and participation in training programs available for unemployed workers. CRS also briefed Congress on performance accountability systems, performance outcomes, benefits for dislocated workers, the relationships among varied federal education and training programs, and the effects of changes in the Workforce Investment Act (P.L. 105-220).



***Unemployment Compensation.*** Concern about the increasing number of workers facing exhaustion of unemployment benefits and the general trend of growth in long-term unemployment prompted Congress to examine the overall structure of both permanent and temporary extended unemployment benefits. CRS experts prepared comparative analyses of proposals to extend and expand the temporary benefits and addressed the poverty-alleviating effects of unemployment benefits. Congress also sought CRS expertise pertaining to proposals affecting unemployment insurance programs, the status of federal and state Unemployment Trust Fund (UTF) accounts, the interaction of federal laws regarding UTF loans to states, and increased federal unemployment taxes. Key sources were added to the CRS Web site to ensure access to related information.

***Immigration.*** With unemployment soaring, a number of states and localities enacted measures to address unauthorized immigration. CRS attorneys and analysts briefed Congress on legal issues pertaining to hiring unauthorized aliens, the authority to enforce civil provisions of the Immigration and Nationality Act, federal alien registration requirements, the right of states and localities to opt out of the Department of Homeland Security's Secure Communities program, and procedures for removing illegal aliens. Attorneys also provided support on issues relating to the implementation of federal immigration law in the U.S. territories, Iraqi refugees, alleged human trafficking by contractors and subcontractors working for federal agencies overseas, temporary worker categories, and variations of the proposed DREAM Act (S. 952, H.R. 1842), which would provide conditional residency to qualified illegal alien students to attend an institution of higher learning.

When the Administration released a series of memoranda reiterating U.S. Immigration and Customs Enforcement priorities for the apprehension, detention, and removal of aliens, CRS examined the assertion that such prosecutorial discretion leads to more unauthorized migration. The Service also provided expert testimony on the factors that drive unauthorized migration to the United States.

***International Economic Challenges.*** CRS provided assistance to Congress on a broad range of issues in the areas of international trade and finance throughout the fiscal year. Four issues requiring close support of CRS experts were the U.S. free trade agreements with Colombia, Panama, and South Korea; the Greek and European sovereign debt crisis; reauthorization of the U.S. Export-Import Bank and broader U.S. export promotion issues; and China's currency regime and U.S.-China trade relations. CRS analyzed and consulted on other issues commanding congressional attention, including export controls, international finance and post-financial crisis developments, trade-related labor issues, intellectual property rights, trade preference programs, trade and jobs, and trade remedies.

***Middle East.*** The Middle East and North Africa entered an era of rapid, dramatic, and fundamental change in FY2011. The region began a transformation from steady though undemocratic rule by autocratic regimes in power for decades to a period of unrest and uncertainty — an era popularly known as the “Arab Spring.” These shifts challenged long-standing assumptions and realities on which many years of U.S. policy and legislation had been based and required new examination of issues. CRS helped Congress examine these events and their widespread implications for U.S. policy and legislation. Among the issues were questions of whether it was advisable and legal to intervene militarily in the unrest in Libya, how to support and encourage democracy in traditionally autocratic states without fostering instability,

how to maintain and strengthen ties to countries in which the citizens resented U.S. policies that they viewed as having protected their former oppressors, and how to maximize the political and economic benefits from aid to the region in a time of shrinking budgets and growing demands. CRS experts also assessed the impact of the closely related issue of growing Palestinian demands for quicker progress toward statehood.

***Challenges from China.*** Congress drew on CRS expertise as it explored China's increasingly growing influence on the global stage. Analysts responded to congressional concerns about China's domestic situation — the forthcoming transition in Chinese leadership, human rights, the treatment of intellectual property, and product safety concerns. Issues stemming from China's international posture included U.S.-China relations, China's policies on counter-terrorism and global warming, and China's relations with critical countries such as North Korea and India. CRS provided assessments on such military and security issues as China's naval modernization that could threaten the U.S. military presence in East Asia, the contending territorial claims in the East and South China Seas that could be a potential flashpoint for regional conflict, and China's stance on the challenges of proliferation.

***Military Operations in Iraq, Afghanistan, and Libya.*** CRS analysts continued to provide Congress with expert assistance in oversight and funding for U.S. military operations in Afghanistan, Iraq, and Libya. CRS specialists, often fresh from in-country research, provided Members with detailed support on such issues as U.S. strategy in Afghanistan, governance and security in the country, and the implications of the planned drawdown of forces there. Assistance on Libya included analysis and insight regarding the U.S. and NATO military operations in Libya, as well as extensive consultative work on war powers, no-fly zones, and the strategy and options facing the NATO-led coalition.

With CRS support, Congress continued to focus on how military operations in Iraq, Afghanistan, and Libya were changing, the costs involved, and their overall impact on defense spending. One issue that grew in importance and for which CRS was able to offer a unique perspective from extended in-country experience was the conduct of wartime contracting in these military operations. CRS analysis on this issue pointed to a need for the Department of Defense to reform its oversight policies governing contractors on the battlefield, especially private security contractors.

***Violent Jihad-Inspired Terrorism and Countering Radicalization.*** As the number of homegrown violent jihadist plots increased and the November 2009 Fort Hood shootings continued to generate congressional oversight, Member interest focused on investigation into the Federal Bureau of Investigation's (FBI) intelligence functions. In response, CRS analyzed the continuing homegrown violent jihad-inspired terrorism phenomenon and the FBI's role in countering terrorism. As a result of the finding that official measures for jihadist or non-jihadist homegrown terrorist activity do not exist, CRS developed a metric for measurement of this activity. Experts also researched federal counter-radicalization programs and conducted a state-by-state analysis of these programs to assist Congress in carrying out its oversight responsibility.

***Foreign Assistance Operations.*** Funding levels for the relatively small international affairs account became a target for potential cuts in discretionary spending as Congress concluded action on FY2011 funding and began deliberations over FY2012 spending levels. Meanwhile, the Obama Administration proposed, for the first time, a new designation of "Overseas

Contingency Operation” funds for Afghanistan, Pakistan, and Iraq, separate from the “core” international affairs budget. While these developments unfolded, CRS analysts led research to analyze and interpret budgetary information and trends. One issue for which CRS provided ongoing support was U.S. foreign assistance funding in Africa, including responding to the humanitarian crisis in the Horn of Africa, the crisis in the Darfur region of Sudan, and issues related to the referendum and declaration of independence by South Sudan in July 2011.

***Natural Disasters.*** Several devastating natural disasters both at home and abroad spurred congressional interest and action in relief efforts, long-term damage, and economic assessments. In response to flooding of the Mississippi and Missouri Rivers and their tributaries and flooding in the northeastern United States resulting from Hurricane Irene, combined with above-average runoff from spring snow melts, CRS analyzed and provided information on flood operations of the U.S. Army Corps of Engineers, the rebuilding of levees, and federal relief efforts for those affected by the floods. CRS attorneys addressed legal issues relating to flood damage caused by destruction or failure of federal levees. CRS also supported Congress with research on federal assistance to states during severe wildfires in the southwest, including funding supporting fire control efforts to assist states and private landowners and to help rehabilitate and restore burned areas and assist with economic losses. In addition, CRS responded to congressional concerns regarding the Fukushima earthquake with analysis and information on the tsunami warning system, the threat of damage to the U.S. coastline, and the possibility of a similar offshore earthquake occurring in the United States. Analysts evaluated implications of the Japanese nuclear incident on overall U.S. nuclear energy policy and steps taken by the U.S. Nuclear Regulatory Commission to increase the safety of U.S. reactors.

***Food Safety.*** When Congress passed the Food Safety Modernization Act (P.L. 111-353) to protect the nation’s food supply and amend the structure and authorities of the Food and Drug Administration (FDA) and the Federal Food, Drug, and Cosmetic Act (21 U.S.C.), CRS experts worked with lawmakers to examine policy options concerning FDA authority. Issues examined included recalling contaminated food products, operating surveillance systems for outbreaks of foodborne illness, establishing preventive controls at food processing facilities and farms, developing traceability capacity within the nation’s food distribution channels, increasing the number of FDA inspections at domestic and foreign food facilities, and overseeing foreign companies that supply food imports.

***Student Financial Aid.*** When the 112<sup>th</sup> Congress enacted the Budget Control Act of 2011 (BCA, P.L. 112-25) it made major changes to student financial aid programs authorized under the Higher Education Act (P.L. 89-329). Among the prominent changes, Congress terminated the authority to make subsidized Stafford student loans to graduate students and to offer certain loan repayment incentives under the William D. Ford Federal Direct Loan program. Money was provided, however, to support Pell Grants. CRS prepared estimates of the distributional effects of proposed changes to Pell Grant award rules and estimates of the effects on borrowers of reductions in student loan subsidies and repayment incentives. CRS also analyzed several other proposals that received consideration in the context of appropriations deliberations that would have made additional adjustments to student aid programs in support of deficit reduction.

***National Security.*** CRS attorneys worked closely with Congress during the debate surrounding the long-term reauthorization of expiring antiterrorism provisions of the USA PATRIOT Act (accomplished by P.L. 112-14). They analyzed legislative proposals and advised

on the effect of interpretations of legal authorities in recent court cases. They also analyzed the government's invocation of the state secrets privilege in litigation involving national security. In addition, CRS legal experts addressed provisions of the new START arms control treaty, declarations of war and authorizations to use force, and separation-of-power issues related to decisions to go to war as well as congressional authority to influence the conduct of military operations. Among other support on national security issues, attorneys analyzed controversial detainee measures in the National Defense Authorization Act for FY2012 (S. 1253, H.R. 1540) and briefed Congress on legal implications of the use of unmanned aerial vehicles in targeted killing operations.

***Transportation.*** Attempts to enact new multi-year authorizations of the Federal Aviation Administration and the Department of Transportation's surface transportation programs during a time of fiscal stringency consumed much congressional attention in the past year. CRS analysts addressed such diverse issues as possible reforms to the Essential Air Service program, the potential for attracting private investment to transportation projects, motor fuel tax revenues, and ways to reduce time required to complete major surface transportation projects. CRS experts assisted with issues pertaining to the security of the transportation system, such as evaluating the advantages and disadvantages of types of passenger screening equipment; weighing proposals for privatization of airline passenger screening; and screening of air cargo and imported maritime containers.

***The Judiciary.*** CRS assisted Congress with analysis, information, and briefings at all stages of the process of impeaching two federal judges, tracked judicial nominations during a period of historically high levels of judicial vacancies, and maintained a database recording the status of current and past judicial nominations. Analysts presented a seminar on presidential appointments and Senate consideration of nominations. Other support was provided on issues related to judicial administration, the nomination and confirmation of lower court judges, the level of appropriations for the federal judiciary, possible measures to assure the security of the courts, and the creation of additional judgeships in relation to the workload of the federal courts.

## **OTHER RESEARCH: FOREIGN RELATIONS, DEFENSE, AND TRADE**

***Defense Spending and Defense Budget.*** As lawmakers considered defense budget and spending questions, CRS experts provided a range of services in responding to the impact of possible budget shortfalls. Among the issues they addressed was the continuing ability of the Department of Defense to pay U.S. troops and conduct military operations in Iraq and Afghanistan. CRS examined the potential impact of various options for reducing spending on defense budget choices and long-term U.S. defense policy. CRS also provided analysis on increasing development costs associated with weapons programs ranging from the Army's Ground Combat Vehicle to the F-35 Joint Strike Fighter to the Navy's Littoral Combat Ship.

***Nuclear Arms Control and Nonproliferation.*** During the debate over the ratification of the new START nuclear arms control treaty, CRS provided analysis and information to the Senate on the full range of political, security, and technical issues raised during the deliberations. Experts in the Service prepared a major study on the impact of worldwide sanctions on North Korea's nuclear program and briefed Congress on civil nuclear energy cooperation and the

impact of Japan's post-earthquake nuclear incident on worldwide nuclear cooperation. Other issues supported by CRS included control of dual-use technologies, especially because of the Obama Administration's initiative to reform the nation's export control system; worldwide energy cooperation; the Defense Department's Prompt Global Strike capabilities; and the implications of budget pressures on the nuclear weapons stockpile.

***Missile Defense and NATO.*** Missile defense continued to draw the attention of Congress, particularly in light of the Obama Administration's plans to guard against the threat of ballistic missiles to Europe and the Mediterranean with the deployment of radar and interceptors in Europe. NATO's adoption of such a capability, and its close integration with the U.S. Phased Adaptive Approach, prompted Congress to request CRS assistance throughout the year. Issues supported by the Service included command and control protocols, technology transfer, participation by Russia in a regional missile defense architecture, and the extent to which European allies contribute to the common effect.

***Implications of Osama bin Laden's Death.*** The killing of al Qaeda founder Osama bin Laden by U.S. forces in Pakistan in May 2011 resulted in renewed interest in U.S. global counter-terrorism efforts and near- and long-term implications of bin Laden's death on U.S. security interests. CRS experts analyzed implications of bin Laden's demise for al Qaeda and for U.S.-Pakistan relations, legal and military considerations surrounding the operation, the state of the core al Qaeda organization as well as its global affiliates, and possible broader implications for U.S. national and homeland security. A CRS seminar series examined the terrorist threat ten years after September 11, 2001, and the U.S. response to risks emanating from potential terrorist operations within U.S. territory or against U.S. interests overseas.

***Violence in Mexico.*** Ongoing drug trafficking-related violence in Mexico continued to be a focus of congressional attention in FY2011. The escalation in violence continued its upward trend throughout the country, including along the U.S.-Mexico border. In response to congressional requests to examine the causes of the escalating violence and its potential evolution into an armed insurgency, CRS provided supporting analysis related to the role and character of Mexico's drug cartels; U.S. drug policy and antitrafficking programs; and the flow of guns, drugs, and money across the U.S.-Mexican border. CRS also assisted lawmakers as they monitored both the possible "spillover" of increased border violence into the United States as well as implementation of the Mérida Initiative, the major U.S. government policy to counter the region's rising crime and drug violence.

***Libya.*** CRS attorneys contributed legal analysis to a report on no-fly zones in Libya, addressed issues raised by an Administration proposal to authorize the vesting of certain Libyan government assets for humanitarian assistance in Libya, and prepared analyses outlining precedents and authorities for vesting foreign assets, including how the assets have been used. These attorneys also analyzed the progress of the Libyan Claims Settlement Agreement and related issues as Congress sought to make frozen funds available with the goal of increasing the total amount payable to successful claimants.

***Emerging Risks, Threats, and Powers.*** In addition to offering analysis and information on unfolding events, CRS provided Congress with perspectives on emerging issues that lawmakers are likely to confront in the future. Examples of work to address nascent or not yet fully developed risks and threats include a seminar on cybersecurity and globalization, evaluation of

implications of the appearance of the Stuxnet computer worm, and assessments of the impact of potential use of radiological dispersal devices (“dirty bombs”). CRS also addressed the increasing global influence and greater role of countries such as China, India, Brazil, and South Korea.

## **DOMESTIC SOCIAL POLICY**

***Health Spending.*** Persistent cost increases over time for Medicare, Medicaid, and other health programs, including Department of Veterans Affairs and Department of Defense health programs, prompted Congress to seek CRS analysis of proposed budgets as lawmakers prepared legislative proposals to reduce spending through major structural reform. CRS response to congressional concerns included analysis and information on the spending and financing of these programs, examination of legislation addressing reduction in physician reimbursement rates, and a seminar on entitlement spending.

***Programs to Address Home Foreclosures.*** Home mortgage default and foreclosure rates remained high throughout the year, and Congress considered a number of policies addressing foreclosures and their relationship to housing markets. As Congress weighed the possibilities of eliminating existing initiatives, making changes to them, or adopting new initiatives, CRS informed the debate by preparing comparisons of current programs and providing information on their structure, costs, and reach. This effort included testimony on performance and funding metrics related to selected programs. CRS experts also identified options for structuring various initiatives and analyzed their potential effects.

***Food and Drug Administration (FDA) User Fee Reauthorization.*** As Congress began consideration of user fee reauthorization, CRS analysts and attorneys supported Member concerns about FDA laws and the industries it regulates, encompassing topics such as drug imports, the security of the drug supply chain, alternative processes for drug and device review, and the potential consequences of proposed policy changes. Among other activities, CRS briefed Congress on FDA user fees and regulation of medical products, provided briefings on related topics, and reported on the safety of drugs targeted for children.

***Public Health and Emergency Preparedness.*** Congress last revised the nation’s laws governing public health and medical emergency management with the Pandemic and All-Hazards Preparedness Act of 2006 (PAHPA, P.L. 109-417), which reflected lessons learned from the response to Hurricane Katrina. As appropriations authorities for many of PAHPA’s provisions began to expire and Congress began the reauthorization process, CRS examined the federal role in preventing bioterrorism, managing mass casualty incidents, stockpiling medical drugs and supplies, and assuring a safe food supply, among other challenges. CRS continued to work with Congress as it focused on the most pressing issues in PAHPA reauthorization: ensuring an adequate and well-trained workforce as budgets contract and the continued participation of private companies in developing drugs, vaccines, and antidotes needed following a terrorist incident.

***Elementary and Secondary Education Act (ESEA).*** In support of congressional efforts to develop legislation to amend and extend the ESEA, CRS conducted briefings on major programs and issues related to the legislation, ranging from testing to teacher quality. CRS analyzed the

ESEA funding allocation formulas and the potential effects of making adjustments to these formulas, examined the implications and technical requirements associated with the use of value-added modeling techniques in teacher accountability systems, and examined educational accountability issues in the context of reauthorization of the ESEA. CRS experts also supported Congress as it refined proposals to make substantial alterations to educational accountability provisions enacted under the No Child Left Behind Act (P.L. 107-110).

***Social Security.*** CRS continued to assist Congress in interpreting features of the Social Security program such as the special minimum benefit and proposals for reform such as mandatory coverage of newly hired state and local government employees. Several CRS experts contributed to a compilation of key inflation-indexing elements in federal entitlement programs, including Social Security, to inform the debate on a deficit reduction proposal. In spring 2011, when the federal government faced a potential shutdown due to a possible lapse in appropriations, a major concern was the potential impact on payment of Social Security benefits. The Service assisted by drawing on historical precedents and current agency information. Similarly, in summer 2011, when timely payment of Social Security benefits became a matter of concern and Congress reached an impasse on efforts to increase the federal debt limit, CRS provided guidance with a comprehensive report on the potential effects of reaching the debt limit on government operations, including Social Security.

***Disability Benefits.*** Programs created by the Ticket to Work and Work Incentives Improvement Act of 1999 (P.L. 106-170), along with an extension of the Social Security Administration's demonstration authority, were intended to assist individuals with disabilities return to the workforce. In 2009, ten years after the legislation, fewer than one-half of 1 percent of beneficiaries returned to work. Congress thus held hearings to address the low return rate. In preparation for these hearings CRS provided an analysis of current challenges in implementing the Ticket to Work program, including disincentives inherent in current program rules. CRS also prepared an overview of projects implemented to test the impact of changes to the current Social Security Disability Insurance and Supplemental Security Income programs whose enrollments have continued to swell.

***Pensions and Retirement Income Security.*** Adequacy of retirement income remained a concern as the economy made a weak recovery. To assist Congress, CRS experts analyzed the effects of the expiration of the Making Work Pay tax credit on low-income wage earners as well as the advantages and disadvantages of allowing easier access to retirement accounts before retirement. As pension funding became increasingly burdensome for state and local governments, CRS reviewed legislative proposals to increase disclosure requirements for the pension plans of state and local government workers. CRS attorneys fielded legal and constitutional issues that may arise when fiscally stressed public pension plans attempt to address underfunding by modifying plan benefits. The Service provided support as Congress considered reform of the Pension Benefit Guaranty Corporation and studied the effects on workers' pension benefits in the case of terminated pension plans that are acquired by the Corporation. Attorneys also answered numerous congressional requests concerning controversial proposed regulations issued by the Department of Labor that were intended to broaden the definition of fiduciary under the Employee Retirement Income Security Act of 1974 (ERISA, P.L. 93-406).

Several deficit reduction committees, including the National Commission on Fiscal Responsibility and Reform (the Simpson-Bowles Commission) and the Debt-Reduction Task

Force (the Rivlin-Domenici Commission), considered policy changes to federal pensions since this entitlement program constitutes a significant source of non-Social Security, non-health mandatory expenditures. Congress called upon CRS to analyze these deficit reduction recommendations, examine other legislative proposals, and describe the available menu of policy options to reduce federal pension costs.

***Benefits and Services for Veterans.*** Issues concerning returning servicemembers from Afghanistan and Iraq, other veterans, and their families remained high priorities for Congress. CRS provided information and analysis on available programs and a variety of issues, including access to mental health care services, outreach to veterans, suicide prevention, post-9/11 veterans educational assistance, and transition assistance for servicemembers and veterans. Following enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010 (P.L. 111-137), CRS reported on changes to the original bill and the reasons for, and consequences of, those changes. CRS also provided analysis to inform congressional oversight of the implementation of the Family Caregiver Program of the Caregivers and Veterans Omnibus Health Services Act of 2010 (P.L. 111-163).

CRS advised lawmakers on issues ranging from the status of certain retired reservists, often referred to as “gray area” retirees, to the presumptive connection of certain illnesses and conditions for purposes of calculating eligibility for veterans benefits, to how disability compensation for veterans is treated in divorce proceedings. Veterans courts — courts focusing on providing treatment, rather than punishment, to veterans who commit certain nonviolent crimes, such as some drug offenses — were also a source of congressional inquiries. CRS studied state initiatives to establish such courts and how the courts could be implemented at the federal level. CRS also advised Members on proposed legislation, the Victims of Agent Orange Relief Act of 2011 (H.R. 2634), which would greatly expand the number of veterans eligible for compensation from Agent Orange exposure.

***Health and Compensation Benefits for 9/11 Responders.*** Since shortly after the September 11, 2001, attacks in New York City, CRS has worked with Congress on issues related to assisting persons who were injured or became sick as a result of their work in the World Trade Center rescue, recovery, and clean-up efforts. The James Zadroga 9/11 Health and Compensation Act of 2010 (P.L. 111-347) and the 9/11 Victims Compensation Fund provide medical coverage for responders and certain New York City residents. Since the legislation has been enacted CRS has continued to assist with implementation timetables, compliance with legislative deadlines for implementation, and the impact of legislation such as the Budget Control Act (P.L. 112-25) on available funds for the legislation’s programs. CRS continues to monitor the growing body of research into the health effects of the World Trade Center response and serves as a link between this academic research and policymakers in Congress.

***Older Americans Act.*** Nutrition and supportive services programs that can assist older Americans in maintaining their independence and remain active in the community, such as those authorized under the Older Americans Act (OAA), remain of interest to Congress. The OAA Amendments of 2006 (P.L. 109-365) reauthorized all OAA programs through the end of FY2011. CRS assisted Congress in preparation for OAA reauthorization with a range of activities including consultation, information, and analytical support on such issues as home-delivered and congregate nutrition services, the long-term care ombudsman program, as well as a seminar and hearings support on related concerns.



***Low-Income Populations and Programs.*** The most recent census data reveal that the nation's poverty rate for 2010 reached its highest level in the past seventeen years. Congress called on CRS to examine trends in how varying economic conditions, coupled with changing policies and funding of federal programs targeting low-income individuals, have affected subpopulations such as female-headed families, noncustodial fathers, and vulnerable youth. CRS analysis of more than twenty years of U.S. Census Bureau data showed that a dramatic transformation occurred regarding the welfare, work, and poverty status of single mothers, and that the interaction of multiple federal programs and benefits influenced those changes. CRS experts also examined current cash and non-cash aid programs for low-income persons and analyzed trends in federal spending on programs for low-income individuals and families over the past forty years, then put those trends in the context of the changing approaches to low-income federal policy over that period.

***Child Welfare.*** Through enactment of the Child and Family Services Improvement and Innovation Act (P.L. 112-34) at the end of FY2011 Congress extended federal funding authority for several programs that support child welfare-related child and family services. Congress also renewed the previously expired authority of the Department of Health and Human Services (HHS) to grant waivers of federal child welfare policy requirements, which allow states to demonstrate alternative ways of meeting federal child welfare policy goals. CRS worked closely with congressional committees throughout the year by answering questions about the status of services being provided in the states and ways in which federal law could be adjusted to meet policy goals. Among other assistance, CRS experts provided overviews and analyses of child welfare programs and funding trends and developed detailed comparisons and analyses of draft and introduced legislation.

## **GOVERNMENT AND THE ECONOMY**

***Small Business and Small Business Administration.*** CRS analysts provided close support to Congress as it developed legislation, prepared for hearings and markups, and eventually enacted the Small Business Jobs Act of 2010 (P.L. 111-240). Assistance included consultation, reporting, and tracking competing legislative proposals to address the efficacy of federal tax policy, promoting small business economic growth, the effectiveness of the Small Business Administration (SBA) in providing small business enhanced access to capital, and the SBA's implementation of the small business economic stimulus contained in the American Recovery and Reinvestment Act of 2009 (ARRA, P.L. 111-5).

***Energy Taxation.*** During congressional debate on taxation of the energy sector CRS provided analyses on expansion of tax benefits for renewable energy and scaling back incentives for fossil fuels. This work included analyzing the current policy context in relation to the historical context and to the broader context of energy subsidies. More targeted analytic support focused on the relative level of energy tax incentives across fuel sources and types of technology, the effectiveness of short-term provisions enacted in ARRA, and tax policy options to reduce the cost associated with investment in renewable energy.

***Congressional Administration.*** CRS continued to provide analysis and information to Congress on the administration and management of Member offices and other legislative branch

institutions. Research focused on congressional staffing levels, service tenure, and mass communication and mailings. Briefings were held on a range of topics, from the legislative branch budget, administrative processes, and chamber officers to congressional printing, and casework. In other work analysts and attorneys addressed congressional queries on congressional advisory commissions, training of congressional staff, and Capitol Hill and district office security.

***Campaign Finance and Election Reform.*** CRS supported Congress with analysis and briefings after the Supreme Court issued its decisions in the *Citizens United v. Federal Election Commission* case, which allows corporations and labor unions to fund political advertisements calling for election or defeat of federal candidates. Congress called on CRS expertise as it held hearings on the proposed DISCLOSE Act (Democracy is Strengthened by Casting Light on Spending in Elections Act, H.R. 5175 and S. 3628), and when both chambers considered congressional and presidential public financing legislation. During congressional hearings on election reform proposals CRS experts contributed to such issues as absentee voting, voter registration, Internet voting, state compliance with various provisions in the Military and Overseas Voter Empowerment Act (P.L. 111-84), and the United States Election Assistance Commission. CRS attorneys and analysts also briefed Congress on congressional redistricting, including legal challenges to congressional districts and constitutional requirements.

***Census Bureau, Apportionment, and Redistricting.*** Congress sought CRS assistance as it developed a framework to understand the policy and legal ramifications of the 2010 census, including the constitutional requirement regarding who must be counted for purposes of apportionment, the legal and policy effects of the census count on federal and state programs (such as the low-income housing tax credit and the HUBZone small business contracting program), and the law and policy regarding congressional and state redistricting. CRS legal and policy experts prepared research, analysis, and in-person briefings addressing other specific Member and committee concerns about the 2010 census and the American Community Survey and presented a seminar for Congress on the census, apportionment, and redistricting issues.

***Congressional Oversight of the Executive Branch.*** Through written products and consultations CRS supported congressional oversight of the executive branch, an area of heightened congressional interest in the current context of fiscal austerity and cutbacks in federal programs and expenditures. Topics included Administration initiatives to improve interagency collaboration, particularly but not exclusively, in homeland security and national security; oversight of the Intelligence Authorization Act of FY2010, as passed in FY2011 (P.L. 111-259); and personnel suitability for sensitive positions and security clearances. The Service also covered appropriations and rescissions for agencies throughout the government, assisted with congressional responses to potential presidential vetoes as well as the number of and requirements for presidential appointments, and helped revise the *Congressional Oversight Manual*, a comprehensive reference dating from the late 1970s on reviewing, monitoring, and supervising the implementation of public policy.

***Executive Branch Organization.*** In response to inquiries concerning plans to revise executive branch organizational structure, CRS prepared anticipatory reports and briefings regarding expected proposals by the Obama Administration to reorganize federal government functions and organizations related to trade and competitiveness and to reduce and reshape the federal bureaucracy. Organizational changes related to health care reform and financial

regulatory reform legislation enacted during the 111<sup>th</sup> Congress, such as the establishment of the Independent Payment Advisory Board and the Consumer Financial Protection Bureau, were subjects of other CRS research during this period. In addition, CRS experts looked at alternative approaches to interagency collaboration in such areas as national security and homeland security. These experts also provided close support regarding resolution of financial challenges facing the U.S. Postal Service, proposals for creating national commissions and study panels to examine a variety of policy issues and developments, and reorganization of the Department of the Interior.

***Federal Financial Management.*** CRS provided expertise supporting congressional interest in federal financial management issues, particularly those with the potential to reduce federal spending or increase funds flowing into the U.S. Treasury. One such issue was improvement in the management of federal real property, including the disposal of unneeded federal buildings, the acquisition of space through construction and leasing, and access to real property data as a tool for increased congressional oversight. Work continued on other issues, such as implementation of the Improper Payments Elimination and Recovery Act of 2010 (P.L. 11-204) and on attainment of unqualified audit opinions on the annual financial statements of twenty-four major executive branch departments and agencies, in accordance with the Chief Financial Officers Act of 1990 (P.L. 101-576), as amended by the Government Management Reform Act of 1994 (P.L. 103-356).

***U.S. Postal Service.*** Congress regularly sought assistance from CRS on a broad range of postal issues. Members traditionally have taken interest in the operations of the U.S. Postal Service (USPS), including the number of days of mail delivery, services provided, and local facilities. The Postal Service's serious financial difficulties and concurrent cost-cutting and proposed service reductions have greatly heightened congressional interest in postal policy and the role the USPS may play in the future. CRS provided Congress with briefings on postal issues and assisted with support in preparation for hearings by addressing disparate postal issues, including post office closures, postal finances, USPS employee pensions and health care, and pending postal reform legislation.

***Government Information Policy.*** Congress consulted often with CRS regarding access to and protection of government information in preparation for hearings examining whether agencies are implementing the Freedom of Information Act (FOIA) in ways that are consistent with congressional intent. These hearings addressed adequacy of information laws and policies to protect government information that is critical to national security, contains trade secrets, or includes information on infrastructure such as federal computing systems. CRS experts responded to requests pertaining to FOIA processing and policies, the creation and operations of the federal government's more than 1,000 federal advisory committees, and implementation of President Obama's Open Government Initiative. In addition, the Service provided briefings on how federal use of new technologies such as Facebook, Twitter, and YouTube affect compliance with federal recordkeeping laws, and examined the statutes and policies related to presidential libraries.

***Federal Pay and Personnel.*** Federal employee pay, especially as it relates to comparability with the private sector, and across the federal government, is an issue of perennial congressional interest. CRS examined changes in the federal workforce during the past ten years, the comparability of performance appraisal and pay for language instructors at the Defense Language Institute and Foreign Service Institute, and various debt-reduction proposals related to

the federal workforce. CRS also supported Congress on other federal personnel issues, including the size of the federal workforce, the Telework Enhancement Act of 2010 (P.L. 111-292), incentive payments for voluntary separation, human resource management software used by the Office of Personnel Management, and personnel management at the Department of Homeland Security.

***Flood Insurance.*** CRS experts assisted Congress in its deliberations to reform and renew the National Flood Insurance Program (NFIP). Post-disaster government relief to aid the uninsured rose to historical levels in 2011 as a result of flooding along the lower Mississippi and upper Midwest in the spring and the Northeast and Atlantic coast in the summer and fall. During this period CRS provided analytical assistance as Congress conducted a comprehensive review and reauthorization of the NFIP. CRS specialists helped Members identify reforms designed to enable the Federal Emergency Management Agency (FEMA) to better address U.S. flood risks and analyzed ways to improve residents' understanding of the risk and economic consequences of flooding as well as FEMA's approach to mapping flood risks associated with levees that do not meet federal accreditation requirements. A CRS seminar examined ways to strengthen the coordination between FEMA, the U.S. Army Corps of Engineers, and the U.S. Department of Agriculture to reduce losses from flooding.

***Federal Disaster Relief Funding.*** The current fiscal climate, coupled with the destruction wrought by floods, large tornado outbreaks, hurricanes, and wildfires during the year, prompted Congress to consider whether or not disaster relief funding should be offset. CRS provided direct support to Congress during the height of the debate late in FY2011 when FEMA's Disaster Relief Fund (DRF) began to run out of money. The provision for additional funding to the DRF was linked to the passage of the first continuing resolution for FY2011. Besides providing multiple consultations and analyses concerning the operation of the DRF and the historical provision of disaster relief funding, CRS addressed the question of whether or not previous Congresses had regularly offset disaster relief funding. CRS also reported on the history of offsets in emergency supplemental bills appropriating funding to the DRF back to 1990 and demonstrated that the practice is rare.

***Federal Grants Management.*** The current federal fiscal situation precipitated renewed interest by Congress in several aspects of grants management, including the design and inherent mechanics of specific federal grants. CRS analysts provided direct support to Congress throughout the year as it developed ideas and conceptualized strategies for improving the performance of federal grants, provided testimony at a hearing considering options for pre-award transparency and oversight, and supported Members drafting provisions in several bills introduced on these issues.

## **RESOURCES, INDUSTRY, AND THE ENVIRONMENT**

***Agriculture Policy and Deficit Reduction.*** As Congress began deliberations on legislation to replace the expiring 2008 farm bill, CRS agricultural analysts provided expertise on topics covered by the bill, including farm commodity support, conservation, trade, rural development, nutrition, credit, energy, livestock, and horticulture and organic agriculture. Congress called on the Service to assess the implications of deficit reduction proposals that would eliminate, reduce,

consolidate, or significantly alter federal support for the farm sector. CRS analysts assessed a range of alternatives to current farm programs that would entail less federal spending yet could enable farmers to manage risks associated with agricultural production, conserve agricultural resources, and participate in export markets.

***International Agricultural Development and Trade.*** Continuing high food prices and a global financial crisis focused attention on the large number of poor and malnourished people worldwide. CRS supported Congress with analysis of the role U.S. assistance plays in meeting short-term needs of poor, hungry people and in promoting international agricultural development. Specifically, CRS addressed the effects of reduced foreign aid spending on the Administration's global food security initiative (Feed the Future) and the ability of the United States to respond to emergency humanitarian food needs in famine-affected countries and regions such as the Horn of Africa. CRS agricultural experts also assisted Congress by analyzing potential economic effects of free trade agreements with South Korea, Colombia, and Panama; by interpreting the farm trade provisions in the agreements; and by assessing the impacts of mutual reduction in farm trade barriers on U.S. crop and livestock producers.

***Natural Resources: Water and Land.*** A growing human population, fish and wildlife needs, recurrent drought, flooding, and evolving public fiscal and environmental interests continue to increase pressures on available water resources and aging infrastructure. These issues span multiple states, and many congressional requests for CRS assistance touch on the intersection of the federal Endangered Species Act (P.L. 93-205; 16 U.S.C. Sections 1531-1543) and ongoing management of federal water resources infrastructure such as dams and diversion facilities and conflicts between different water users. The Service addressed aquatic ecosystem restoration, such as efforts to restore the Chesapeake Bay, the Great Lakes, and the California Bay-Delta, and provided information on Bureau of Reclamation and U.S. Army Corps of Engineers' budget, appropriations, and program and policy issues. CRS also supported Congress as it considered such questions as how much land the federal government should own, how to protect natural resources and nearby communities from large-scale climatic changes, and when and how to collect and distribute fees for land and resource uses.

***Energy Policy.*** When crude oil prices again topped \$100 per barrel and gasoline prices rose to more than \$4 per gallon, energy policy issues were high on the congressional agenda. Much of the energy debate in Congress focused on proposals to increase domestic production by opening more areas to oil and natural gas development. CRS analysts supported Congress as Members debated tax credits for oil and natural gas companies, oil imports from Canada through the Keystone pipeline, and financial speculation in the marketplace. CRS attorneys reported on required regulatory approvals and the roles of federal and state governments.

Despite natural gas prices falling below \$4 per thousand cubic feet, developers continue to expand the U.S. resource base: in particular the Marcellus shale formation of the Northeast, the Barnett and Eagleford shale in Texas, and the Bakken formation in North Dakota. Unconventional gas shale and shale oil development depends on advanced horizontal drilling and hydraulic fracturing technologies, and Congress drew on CRS expertise as Members investigated possible resulting groundwater and surface water contamination, water demand, and gas emissions, at the same time as they considered the need to increase regulatory oversight by the Environmental Protection Agency (EPA).

***Electric Utilities.*** During the past year CRS provided Congress with analysis of major issues facing the electric utility sector, with a focus on implications of environmental regulations, industry infrastructure concerns, reliability, and cybersecurity. Congress called on CRS with concerns about EPA regulations addressing cross-state pollution from electric utilities, primarily controlling smog from upwind sources, as well as mercury and other hazardous air pollutants. Congress also expressed concern about decades of delay in controlling the impact of upwind sources on downwind communities. Other topics of interest to lawmakers included power plant closures and the effects on grid reliability, electric power transmission capabilities, and industry compliance strategies to ensure cybersecurity.

***Energy Efficiency and Renewable Energy.*** Congressional concern about the national debt and deficit was reflected in a major cut in FY2011 spending for the Department of Energy's (DOE) Office of Energy Efficiency and Renewable Energy, and the House enacted an additional cut for this office in FY2012 spending. CRS tracked this action as part of its analysis of energy and water development appropriations. The DOE Loan Guarantee Program (LGP) for commercial renewable energy projects also experienced a cutback with the expiration of a \$2.5 billion subsidy provided by the American Recovery and Reinvestment Act (P.L. 111-5). CRS analyzed a proposal to expand the LGP into a Clean Energy Development Administration as well as a proposal to establish several new appliance efficiency standards.

***Biofuels.*** Federal support for biofuels, especially corn ethanol, has been an issue in Congress for decades. Much of the congressional attention in FY2011 focused on the expiration of the federal tax incentives for biofuels, which have been the subject of a contentious debate, especially the most significant tax incentive, the Volumetric Ethanol Excise Tax Credit. CRS provided analysis as lawmakers considered a proposal to eliminate this tax credit six months early to save the Treasury approximately \$3 billion in tax expenditures. CRS support throughout the debate included analysts and attorneys collaborating from multiple divisions.

***Environmental Policy.*** CRS assisted as the House debated a number of measures intended to limit EPA's regulatory activities, especially those promulgated under the Clean Air Act regarding interstate transport, power plant emissions, hazardous pollutants, and greenhouse gas control. Among other issues, CRS specialists responded to questions on state and regional actions to regulate emissions, cap-and-trade bills, and international dimensions of emissions issues. CRS assisted Congress as it considered legislative options to regulate coal combustion waste (e.g., coal ash), evaluated possible EPA regulations using its existing authority to classify coal combustion waste as "hazardous," and addressed concerns about federal action in an area traditionally regulated by states.

***Science and Technology.*** As congressional policymakers grappled with reducing the federal deficit, they also worked to invest in science and technology for the future. CRS experts supported Congress as it enacted a sweeping reform of U.S. patent law (the Leahy-Smith America Invents Act, P.L. 112-29) by analyzing existing patent law and policy options. The Service also assisted with intellectual property concerns in response to congressional consideration of the availability of lower-cost versions of biopharmaceuticals. Other areas for which CRS offered expert analysis included new nuclear and radiation detection technologies, existing and planned federal laboratory construction, and U.S. global nuclear detection architecture and other science and technology issues pertaining to the Department of Homeland Security.

***Telecommunications, Broadband, and the Internet.*** Telecommunications and Internet technology policy analysis and assessment continued to be of interest to Congress in FY2011. CRS offered expertise as lawmakers addressed the availability of broadcast spectrum for commercial and public use, such as creation of a national 911 emergency response system, as well as net neutrality, broadband deployment, and Internet use and restrictions in foreign countries.

***Industrial Competitiveness.*** As government support to the automotive industry wound down, Congress frequently called on CRS analysts to provide advice on the role of the Troubled Asset Relief Program in the restructuring of General Motors, Chrysler, Chrysler Financial, and the former General Motors Acceptance Corporation (now Ally Bank) and on the disposition of the government's holdings in those companies. Separately CRS research on federal funding for domestic manufacturing of electric vehicles and vehicle batteries led to numerous briefings, a seminar, and consultation on various proposals to support technological development in the automotive industry.

***Korea-U.S. Free Trade Agreement.*** During negotiations on the Korea-U.S. Free Trade Agreement, Congress sought unbiased information from CRS during a time when both proponents and opponents of the agreement were pressing Congress, making balanced analysis and information critical. Analysts from several divisions prepared in-depth reports on such topics as the proposed rules of origin for automotive products, the potential for illicit imports from North Korea, and the differences in South Korean trade agreements with the United States and with the European Union.

CRS attorneys reported on how international trade agreements become binding both domestically and internationally and the traditional, constitutional, and statutory roles of Congress in that process. Attorneys also reported on fast track consideration of trade agreements and whether implementing legislation that includes changes to a previously submitted agreement qualifies for fast track consideration. These attorneys, working collaboratively with analysts elsewhere in the Service, organized and conducted a series of briefings on the Korean Free Trade Agreement.

## **LAW AND JUSTICE**

***Tax Law.*** To assist Congress in addressing the nation's economic and fiscal conditions, CRS attorneys continued to provide analysis of significant tax provisions in previous legislation — the Emergency Economic Stabilization Act of 2008 (P.L. 110-343) and the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) — as Congress monitored the effects of these laws. Attorneys also provided legal and constitutional analysis of proposals to address the current economic and budgetary conditions, including options for fundamental tax reform, methods to provide administrative flexibility in federal tax law as a tool to respond to changing circumstances, and ways to provide tax-related assistance to those areas of the country facing difficult economic conditions.

***Civil Rights and Discrimination.*** CRS attorneys analyzed the “Don't Ask, Don't Tell” policy and the various and ongoing cases contesting the constitutionality of this military policy, an issue that has been of interest to Congress as its repeal is implemented. In addition, in

response to instances of harassment and bullying in schools on the basis of sexual orientation, CRS attorneys responded to numerous requests for congressional assistance regarding protections available under existing law, including Title IX and the proposed Student Nondiscrimination Act (H.R. 2876).

***First Amendment/Free Speech.*** CRS provided in-depth legal analysis of the implications of the Supreme Court’s decision in *Snyder v. Phelps*, and advised Members on approaches to restricting protests at military funerals that would be consistent with the Court’s opinion.

***Constitutional Law.*** The Service supported the congressional agenda through analysis of the U.S. Constitution and its applications to areas of interest to Congress. In particular, House Rule XII, Clause 7(c) requires that all bills and joint resolutions must be accompanied by a statement setting forth “as specifically as practicable the power or powers granted to Congress in the Constitution to enact the bill or joint resolution.” CRS attorneys responded to this mandate by reporting on how House offices can comply with the rule and further facilitated such compliance by speaking at caucus meetings, delivering seminars, and working with individual congressional offices.

***Intellectual Property.*** CRS attorneys analyzed the constitutionality of Sections 3, 5, and 18 of patent reform legislation, the Leahy-Smith America Invents Act (P.L. 112-29). These sections, respectively, shift the awarding of U.S. patents from the “first-to-invent” system to the “first-inventor-to-file” system; expand the “first inventor defense” in the Act into a broader “prior user defense”; and subject certain business method patents to a transitional post-grant review proceeding. In response to congressional interest in the Anti-Counterfeiting Trade Agreement being negotiated by the U.S. Trade Representative and nearly forty foreign countries, CRS attorneys addressed concerns that the executive agreement could be inconsistent with provisions of federal intellectual property law or would impede current and future legislative efforts in the area of reform of damages for patent infringement or access to orphaned copyrighted works.

***Privacy, Data Security, and Cybersecurity.*** CRS attorneys assisted with legal analyses as Congress considered legislation to safeguard sensitive online personal data and notify consumers about data breaches, including analysis of state data breach laws, federal preemption of state laws, and enforcement of data security laws by state attorneys general. Attorneys advised Congress on the application of existing federal privacy statutes to new media of communication and information storage, including Web-based email, social networking, Twitter, cloud computing, and online advertising. These attorneys analyzed the application of the Electronic Communications Privacy Act of 1986 (ECPA, P.L. 99-508) to the collection of data online and legal issues — criminal, jurisdictional, and data security. They advised lawmakers regarding proposed legislation to regulate data collection by online advertisers and on legal barriers to information sharing in the cybersecurity context.

***Government Procurement.*** Due in part to the persistently high unemployment rate, there was significant congressional interest in the Buy American Act (41 U.S.C. Sections 8301-8305), the Berry Amendment (H.R. 2955), and other domestic preferences in federal procurement. CRS attorneys tracked agency waivers of the “Buy American” provisions of the American Recovery and Reinvestment Act (P.L. 111-5) and worked with lawmakers drafting or considering legislation to augment existing domestic preferences. These attorneys also addressed issues



pertaining to waste, fraud, and abuse in federal contracting, including proposals to alter or diminish preferences for various small business entities.

***Gun Control and the Second Amendment.*** CRS attorneys and analysts provided consultation and written support on a range of gun control and Second Amendment issues, including the requirement for gun dealers in the Southwest border states to report to the Bureau of Alcohol, Tobacco, Firearms, and Explosives certain multiple sales of rifles; oversight of gun trafficking investigation; gun ownership by individuals on terrorist watch lists; and gun ownership by individuals with felony or misdemeanor criminal convictions.

***Nuclear Waste Litigation.*** CRS attorneys provided analysis and consultation on legal issues arising from the potential termination of the Yucca Mountain nuclear waste facility. Congress relied on CRS legal expertise regarding such issues as the federal government's contract liability concerning nuclear waste pickup and disposal, the Secretary of Energy's authority to withdraw the Yucca Mountain construction license application, the Nuclear Regulatory Commission's obligations pertaining to review of the license application, the effect a license withdrawal would have on future government liability, and appropriations issues associated with the Yucca Mountain program.

***Indian Law.*** Congress sought CRS legal expertise and policy assistance to address implementation of the Tribal Law and Order Act (P.L. 111-211), historic legislation aimed at increasing the authorities and resources of tribes to enhance tribal justice systems. CRS experts also supported Congress on topics of continuing interest relating to Indian affairs such as Indian water rights, the Indian Health Service, the Indian Child Welfare Act (25 U.S.C. Sections 1901 et seq.), energy projects in Indian country, and gaming on newly acquired Indian lands.

***Abortion.*** Through all stages of the legislative process CRS attorneys assisted Congress with the No Taxpayer Funding for Abortion Act (H.R. 3, S. 906), including comparisons with existing law and preparing questions for hearing witnesses. These attorneys addressed the use of local District of Columbia funds to pay for the elective abortions of indigent women in the city. CRS also formed a team made up of analysts and an attorney to address the legal and policy implications associated with this Act and the Protect Life Act (H.R. 358, S. 877).

### **III. MANAGEMENT INITIATIVES**

Fiscal year 2011 saw significant progress in implementing a number of management initiatives, including a change in leadership and creation of an advisory committee structure, comprehensive measurement of CRS performance, enhanced congressional access to CRS products and services, creation of new Web site services to improve the congressional user experience, and contributions to Library-wide initiatives.

#### **RETIREMENT OF THE CRS DIRECTOR**

Daniel P. Mulhollan retired in April 2011 after 42 years of federal service to Congress. He was CRS director for the last 17 years of his tenure. As director, Mr. Mulhollan led research to support congressional deliberations on all policy issues before Congress. Under his leadership CRS developed a Web site exclusively for Congress to display analytic and information products and services in an interactive environment. His accomplishments include aligning the CRS workforce to the needs of Congress, creating a successful workforce succession effort to ensure continuity of service to Congress, overseeing development of a collaborative research environment in CRS, and establishing partnerships with major universities to enhance the agency's research capacity at minimum cost. The then-deputy director, Mary Mazanec, served as acting director through the end of the fiscal year. She was subsequently appointed CRS director by the Librarian in December 2011.

#### **STRATEGIC PLANNING**

In this fiscal year the Library implemented a new strategic plan covering 2011-2016. CRS contributed to the establishment and implementation of the plan by defining and leading five Library-wide annual objectives and supporting fifteen others. CRS also provided input on developing and refining Library-wide strategic planning processes.

The CRS-led objectives addressed (1) assessment of client needs and alignment of products and services with the congressional agenda (specifically, the implementation of personalization features on the CRS Web site), (2) identification of data needs relevant to issues on the congressional agenda, (3) preparation for development of a next-generation legislative information system, (4) identification of criteria for assessing timeliness, breadth, depth, and collaboration in products and services for Congress (see "Development of Key Indicators" below), and (5) assessment of client needs for mobile device access to products and services on the CRS Web site.

#### **DEVELOPMENT OF KEY INDICATORS**

In accordance with the Library's Strategic Plan annual objective commitment, CRS formed a group with representation from divisions and offices throughout CRS to identify, measure, and report four measures of its performance: breadth, depth, timeliness, and interdisciplinary

collaboration. By the end of the fiscal year the group developed initial definitions of these measures, recommendations for quantifying each measure using an issue-based approach, and several case studies tracking responses to Congress on selected policy issues during FY2011. Five categories of work were examined: major legislation, anticipatory issues, unanticipated issues, appropriations, and work that is unique to CRS.

## **ESTABLISHMENT OF ADVISORY COMMITTEES**

Early in the fiscal year CRS management launched an effort to consolidate existing work groups into overarching advisory bodies to eliminate groups with overlapping missions and focuses. The advantages of this cohesive strategic approach are to produce efficiencies, promote a more comprehensive evaluation and strategic plan to address internal concerns, and permit broader participation by relevant divisions and infrastructure offices. The five advisory committees address, respectively, business requirements, human resources and work environment, research and CRS products and services, information systems, and client outreach and communication. Among the projects undertaken by these committees were studies focusing on peer review, workforce composition, a pilot retention survey, and a pilot study on enhanced executive summaries for CRS products.

## **OUTREACH AND CONGRESSIONAL COMMUNICATION ACTIVITIES**

The client outreach and communication committee (mentioned in the paragraph immediately above) undertook a number of new activities in FY2011. At the start of the 112<sup>th</sup> Congress the committee drafted communications to returning Senators, as well as senior professional staff, chairs, and ranking members of committees in both chambers. The committee also reviewed and endorsed planning for in-person outreach visits to Hill offices, documented and coordinated outreach activities, served as a review panel for the LIS4Congress Twitter pilot, and examined proposals for enhancing CRS service to Congress.

## **CRS WEB SITE IMPROVEMENTS**

CRS launched a new feature on its Web site, “MyCRS,” which makes it easier for Congress to place requests online, track policy issues, and receive notifications of new products and register for CRS events. Congressional staff can personalize their use of CRS resources by subscribing to selected topics and choosing which types of resources are most relevant to their needs. Searches that users expect to return to frequently can be saved and retrieved on demand. New Web site content includes RSS feeds for new and updated reports as well as DVDs of recorded events, video briefs with streaming video content, and key sources to provide informational context associated with legislative policy issues.

Improved features that make the CRS Web site more user friendly include enhanced capabilities to place requests, register for events, access appropriations status tables (also available on BlackBerry mobile devices), and register for Federal Law Update sessions. The

Service also improved Congressional Operations pages and related issue links on the right rail, and added an enhanced BlackBerry mobile interface.

### **STREAMLINED PHONE SYSTEM AND MERCURY UPDATE**

In January congressional callers accessing the CRS main line, 7-5700, were offered a streamlined system that provided more immediate assistance. The new system provides a zero option, which bypasses menu options and immediately connects the caller to a congressional relations specialist. The phone system offers an after-hours mailbox that collects messages when the CRS Inquiry Office and LaFollette Congressional Reading Room are closed. The system uses the Library's dial-by-name option, thus reducing the duplication of effort in maintaining a separate dial-by-name function.

A new, robust search, Mercury Online Help, was created and made available to CRS staff in March to assist current and new Service staff in using the internal request tracking system. The information provided can be both browsed and searched.

### **LEGISLATIVE INFORMATION SYSTEM (LIS) ENHANCEMENTS**

For more than one-and-a-half years, CRS has collaborated with other Library service units to define a Library Web strategy and prepare an information architecture strategy for three core areas of content: national library, copyright, and legislative information. Participants in this effort used this strategy to develop a technical plan that includes initiating the next generation LIS platform and services.

### **TEXT ANALYSIS PROGRAM (TAP)**

The Service developed an internal, Web-based program to enable CRS staff to identify similarities in congressional bills. TAP covers bills introduced from the 103<sup>rd</sup> Congress to date. It provides rankings of bills according to individual searches within a specific Congress. The TAP tool, based on a Pisces search engine, has several uses: it finds similar bills in current or previous Congresses and bills that are identical to or have been incorporated into another bill. It compares bills by providing a side-by-side view of two bills showing their similarities and differences, and it searches bill text. The tool is a complementary system to the LIS.

### **DATA ACQUISITION**

Research and analysis on public policy issues require acquiring, managing, and retaining authoritative data to verify or compare policy impacts. In FY2011 CRS took the lead in developing a strategy for data acquisition and management. The information-gathering phase revealed the need for a broader consideration of data acquisition and management, and consequently three other Library service units joined the project at the end of the fiscal year. The

effort has resulted in intra-Library cooperation and cohesiveness and established a framework for more efficient service to clients by maximizing existing resources and limiting duplication of effort.

## **HUMAN RESOURCES**

CRS participated in the Library's Human Capital Flexibilities Working Group (HCFWG) tasked with recommending and reviewing human resource initiatives to optimize organizational effectiveness. This past year the HCFWG focused on increasing workforce diversity and strengthening first-level supervision. CRS staff reviewed and provided substantive input into the implementation plan for the Library's Multi-Year Affirmative Employment Program Plan. CRS also assisted several HCFWG subgroups developing recommendations to improve the selection process and provide training programs for first-level supervisors.

## **TECHNOLOGY ENHANCEMENTS FOR CRS STAFF**

CRS implemented several internal security enhancements during the past year: a change from short to longer pass phrases and installation of a new security system for virus scanning as well as intrusion detection and prevention. As part of a word processing upgrade on all work stations, staff were issued encrypted laptops with docking stations that can be used by analysts to work from remote locations. CRS also increased the number of BlackBerry devices given to analysts to facilitate communication with congressional staff.

## APPENDIXES

### A. FY2011 BUDGET, RESOURCES, AND OTHER FUNDING

In FY2011 CRS had an appropriation of \$111 million available for expenditure. Approximately 88.3 percent of the fiscal year's expenditures supported staff salaries and benefits.

CRS received \$98,000 from The John D. and Catherine T. MacArthur Foundation in partial support of *Legislative Issues and Procedures: the CRS Seminar for New Members*, the official policy orientation for newly elected House Members of the 112<sup>th</sup> Congress. This January 2011 program provided an overview of the policy issues likely to be on the legislative agenda for the 112<sup>th</sup> Congress as well as an introduction to legislative procedures.

## **B. WORKFORCE MANAGEMENT AND STAFF DEVELOPMENT**

CRS continued to invest in strategic and comprehensive programs and initiatives to strengthen its human capital capabilities in attracting, developing, and retaining a quality workforce. To that end, the Service developed and implemented targeted recruitment to attract a highly qualified and diverse workforce, and expanded its outreach to fill key leadership and other critical positions. For current staff CRS continued to utilize its Performance Assessment System (PAS) to facilitate and manage an effective performance management process, provided staff training to develop and expand skills, and ensured new staff were partnered with a mentor to support their acclimation to the Service. CRS continued its efforts to recognize employees for their exemplary performance in support of the organization's mission to serve Congress. CRS also implemented an employee exit interview process to capture staff retention strategies.

### **RECRUITMENT AND SELECTION**

CRS filled several key positions throughout the Service using traditional merit selection processes. CRS also relied on special hiring programs designed to attract the nation's top graduate students and address succession planning. In addition, CRS utilized temporary appointments and volunteers to meet short-term and intermittent staffing requirements.

Thirty-two permanent/indefinite positions filled in the Service's research divisions and offices via merit selection included one assistant director, one deputy assistant director, and three section research managers. The twenty-seven remaining professional and administrative hires represented a variety of analytical disciplines as well as information technology, information research, library science, legislative analysis, and project management specialties. The thirty-two permanent/indefinite hires included sixteen women (50 percent) and three minorities (9 percent).

CRS hired seven temporary employees including three women (43 percent) and three minorities (43 percent). Additionally, throughout the year some fifty volunteer interns assisted CRS staff in providing research and reference support in response to requests from Congress regarding public policy issues.

***Succession Planning Programs.*** The Service reintroduced its Graduate Recruit Program, a program designed to recruit a diverse pool of talented graduate students for CRS careers. The FY2011 program included eleven vacancy announcements for positions in a variety of analytical disciplines throughout the research divisions, as well as financial and human capital management positions in infrastructure offices. A total of 355 applicants applied to one or more vacancy announcements, and sixty applicants were invited to interview following a rigorous application review process. Employment offers were extended to eleven candidates, and all of them — including five women (45 percent) and two minority candidates (18 percent) — accepted the employment offers and began working at CRS by summer 2011. Having demonstrated successful performance in their initial summer appointments, these graduate recruits began converting to permanent positions in fall 2011.

CRS continued to participate in the U.S. Office of Personnel Management-administered Presidential Management Fellows (PMF) program, a program designed to attract the nation's top graduate students to careers in public service. CRS converted three PMFs to permanent

appointments (two of those converted were women, including one who had previously rotated from another agency). CRS hosted four PMFs from other agencies, including three women (75 percent), on developmental rotations to CRS research divisions, and sent its two current PMFs, both women, out on developmental rotations: one to a House committee and the other to an executive branch agency.

***Diversity Efforts.*** As part of ongoing recruitment and diversity outreach efforts, CRS hired seven summer interns through its 2011 Student Diversity Internship Program. All interns were minorities including four women (57 percent).

The Service continued to use the pool of minority recruitment sources from which it draws to advertise permanent positions and develop stronger ties with various groups and organizations to promote CRS positions more effectively. New efforts during the fiscal year included the creation of the CRS Diversity Recruitment Council to help facilitate the exploration of other solutions, approaches, and practices related to identifying diverse candidates for open positions.

## **PERFORMANCE MANAGEMENT**

CRS aligned all senior-level management performance plans to the Library's FY2011-FY2016 strategic plan and is completing the alignment of the remaining employees' plans. This alignment to the Library's strategic plan allows for a manager's or employee's responsibilities to map to the Library's overall goals and contribute to organizational effectiveness.

With the rollout of the enhanced Performance Assessment System (PAS) completed in FY2010, CRS focused its efforts on ensuring approved performance plans for all employees, and monitoring the timely completion of progress reviews, performance evaluations, and individual development plans. These increased efforts afforded several opportunities to further educate and train managers and staff on performance management responsibilities and expectations, to include continuous feedback to employees on performance, and to apply performance standards when evaluating employee performance. During the course of these activities, CRS also identified measures to streamline further the PAS for added efficiency.

## **STAFF TRAINING AND PROFESSIONAL DEVELOPMENT**

CRS developed a one-stop information portal on the Service's intranet to make available training opportunities, tools, and resources for staff to plan their professional development and career growth.

Organized by training category, staff can find information on CRS-sponsored training, supervisory training, leadership development, and many other types of training opportunities — both internal and external to CRS. The information provided also gives staff access to a development planning tool and the Library's new Skillport site that contains more than 2,000 courses on a variety of job-related topics.

***CRS-Sponsored Training Opportunities.*** CRS offered numerous in-house courses including Appropriations and the Budget Process, Professional Writing, Critical Thinking, Presentations



Training, and Reviewing Other People's Writing. These courses represent the core curriculum for staff hired as research analysts. CRS staff also attended the Service's Legislative Process Institute.

CRS continued its lunchtime discussion program to provide staff with an opportunity to network with colleagues and learn about issues and policy matters before Congress. These lunchtime discussions also focused on opportunities to improve CRS products by delivering information and analysis through multimedia and using enhanced graphics to convey highly complex analysis.

***Mentoring Program.*** The CRS mentoring program continued its successful pairing of new employees with experienced CRS colleagues to provide advice and assistance in acclimating to the Service. In addition to the mentor/mentee pairing, each new employee had an opportunity to participate in nine information sessions throughout the year to learn more about CRS operations, policies and procedures, as well as attend five varied discussions focused on working and interacting with congressional clients. These café session topics included planning and conducting a CRS seminar for Congress and conducting briefings for congressional Members. During the course of the year, thirty-one mentors and thirty-one mentees participated in the program.

## **STAFF RECOGNITION**

CRS supports the recognition of superior employee performance in achieving the Service's mission and goals and is committed to offering recognition programs that encourage staff motivation and engagement while ensuring consistency and fairness across the Service.

During the year, 274 CRS staff members (some of whom were recognized more than once) received 314 special achievement and fifty-three on-the-spot awards in recognition of their exceptional contributions. This recognition emphasized Service-wide collaboration on issues of major congressional concern including an analysis of Japan's 2011 earthquake, tsunami, and nuclear disaster; a debate on the debt limit; and flooding in the upper Midwest and lower Mississippi Valley.

The Service also recognized exemplary employee performance with six honorary awards, forty-two outstanding evaluations, and thirty-eight quality step increases in pay. The annual CRS Awards Ceremony was held on June 15, 2011, and included a presentation of the sixth annual Director's Award. This award is given in recognition of an individual's or small group's excellent work in direct or indirect support of the Congress. Award recipients are nominated by their colleagues, and a panel reviews the nominations and submits recommendations to the CRS Director for decision. The Acting Director presented the award for calendar year 2010 to a Specialist in Congress and the Legislative Process. The award recipient received this honor for tirelessly providing high-quality, high-level analysis to Members of Congress and their staff and committees; working through meaningful collaboration and cooperation across the Service; mentoring colleagues; and sharing passion and devotion to Congress as an institution.

## **STAFF RETENTION**

CRS completed an employee survey examining employees' work experiences to determine whether opportunities existed to enhance employee retention. This survey followed an earlier Library-wide survey conducted in 2008 that raised concerns about staff retention. The survey results indicated that the majority of employees enjoyed working for CRS. However, constructive recommendations for improving the work environment were also provided.

A CRS-wide Human Resources and Work Environment Advisory Committee was tasked with identifying and prioritizing action items to enhance staff retention. One of these action items was the development and implementation of a formal employee exit interview protocol to obtain data from separating employees that would inform and enhance recruitment and retention strategies. This employee exit interview was implemented in fall 2011.

## **C. TYPES OF CRS SUPPORT TO CONGRESS: RESEARCH SERVICES AND PRODUCTS**

Throughout FY2011 CRS provided Congress with analysis, research, and information to support its policymaking needs in the formats described below.

### **CONGRESSIONALLY DISTRIBUTED PRODUCTS PROVIDING RESEARCH AND ANALYSIS ON LEGISLATIVE ISSUES**

*Reports for Congress.* Reports for Congress, analyses, or studies on specific policy issues of congressional legislative interest, are often prepared to address issues raised in numerous congressional inquiries. Reports clearly define issues in legislative contexts. The basic requirements of these and other CRS written products are relevance, accuracy, objectivity, and nonpartisanship. Analysts define and explain technical terms and concepts, frame the issues in understandable and timely contexts, and provide appropriate, accurate, and valid quantitative data. A summary appears on the first page of each report. CRS reports are available online to the congressional community. Active reports are updated as events occur for issues that are of ongoing interest to Congress and are archived when they no longer reflect the current legislative agenda. These archived products remain available to Congress (searchable) to provide background and historical context.

*Congressional Distribution Memoranda.* These memoranda are prepared when the interest of a relatively small number of congressional readers is anticipated or when the transiency of the issue and the product make its inclusion as a listed CRS product inappropriate. If an issue becomes important to a larger congressional audience, the product may be recast as a CRS report.

### **ELECTRONICALLY ACCESSIBLE PRODUCTS AND SERVICES**

*CRS Web Site.* The CRS Web site provides 24-hour access to CRS products listed by current legislative issue and accessible through online searching. The site provides access to CRS reports, analyses of annual appropriations legislation, a guide to legislative procedures, online registration for CRS seminars, and information on other services. The Web site also offers links to constituent services-related information as well as legislative, legal, and basic resources for work in congressional offices. Recently added Web products include DVDs of CRS recorded seminars, a Twitter feature showcasing new CRS work (CRS4Congress), and a CRS BlackBerry application to view contents of CRS reports. In operation since the 104th Congress, the CRS Web site is accessible only to House and Senate offices and other legislative branch agencies.

*Appropriations.* CRS experts working on appropriations continued to provide comprehensive legislative analysis and tracking for the twelve regular Senate and House bills. In FY2011 they also assisted Congress with continuing resolutions, supplementals, and the budget resolution. The Service also provides access to a CRS appropriations status table for tracking legislation.

***Floor Agenda.*** The Floor Agenda, a weekly compendium of CRS products relevant to scheduled or expected floor action in the House and Senate, is available on the CRS Web site under “On the Floor,” and through email subscription to all Members, committees, subcommittees, and congressional staff. All CRS products listed on the Floor Agenda were linked for electronic access to subscriber desktops.

***CRS Programs Electronic Mailing List.*** Launched in FY2001, this email notification system provides subscribers with descriptions of upcoming CRS programs and links to online registration forms.

***Legislative Information System.*** The Legislative Information System (LIS) was available for the first time on Capnet at the beginning of the 105th Congress. The system provides Members of Congress and their staff with access to the most current and comprehensive legislative information available, as well as integrated access to CRS reports. It can be accessed only by the House and Senate and the legislative support agencies. The LIS has been developed under the policy direction of the Senate Committee on Rules and Administration and the House Committee on House Administration. It has been a collaborative project of the offices and agencies of the legislative branch, including the Secretary of the Senate and the Clerk of the House; the House Chief Administrative Officer and the Senate Sergeant at Arms; the Government Printing Office; the Congressional Budget Office; the Congressional Research Service; and other service units of the Library of Congress. CRS has responsibility for the overall coordination of the retrieval system; the Library of Congress Office of Strategic Initiatives is responsible for its technical development and operation.

***LIS-TIPS.*** This email notification system delivers search advice, announcements of LIS enhancements, and requests for user participation in developing enhancements and usability testing, including occasional polls of user preferences.

## **RESPONSES TO INDIVIDUAL MEMBERS AND COMMITTEES**

The Service also responds to requests for custom services from Members and committees and their staff. Frequently this is done by CRS analysts in the form of confidential policy and legal analyses, usually in memorandum format; consultations in person or by phone; and briefings on virtually all legislative and policy issues, each tailored to address specific questions directed to CRS by a requesting Member, committee, or their staff.

***Confidential Memoranda.*** Confidential memoranda are prepared to meet a specific congressional request and are often designed to meet the needs of the congressional reader with a high level of expertise in a given topic. These memoranda are prepared for the use of the congressional requester, and CRS does not distribute them further unless the recipient gives permission. The memorandum format is often used by CRS attorneys, for example, to respond to highly focused inquiries about the legal implications of statutory provisions, proposed legislation, or executive actions.

***Individual Staff Briefings.*** Individual or group staff briefings constitute another form of tailored response to congressional inquiries. CRS staff provide in-person briefings to Members and committees on specific policy issues. These briefings, for example, might focus on bills in

formulation, foreign or domestic policy issues before Congress, the legislative process, congressional operations, or general orientations to CRS services and products.

***Telephone and Email Responses.*** Telephone and email responses to inquiries are a vital element in CRS interactions and consultations with Congress. CRS experts are directly accessible by phone or email; on a given day the Service responds to numerous calls and emails and provides information that may range from a statistic or a name to a short briefing or an interactive discussion analyzing alternatives for response to an issue. CRS goals in these instances are to provide expertise, ease of access, and personalized immediate response.

***Briefing Books.*** Briefing books may be prepared for use by congressional delegations (CODELs) traveling abroad and are collections of materials that support specific purposes of a congressional trip. They may contain a variety of materials — maps, selected products such as CRS reports, and brief tailored written work, which can contain background and current issues regarding U.S. relations with specific countries on the trip, as well as questions Members might ask when meeting with government and other officials.

## **SEMINARS, INSTITUTES, AND OTHER PROGRAMS**

***Seminars.*** CRS conducted seminars for Members and staff on a wide array of public policy issues. These seminars featured a combination of CRS and outside experts to explore various facets of public policy issues. Highlights of the year included the following public policy seminars: “Change in the Middle East: Implications for U.S. National Security,” “Surface Transportation Reauthorization,” “Basics of Banking and Bank Regulation,” “How to Read the Constitution,” “Water Markets and Transfers,” “The Proposed U.S.-South Korea Free Trade Agreement (KORUSFTA): Issues for Congress,” “Immigration Enforcement within the United States,” “Emerging Issues in Energy Policy,” “Change in the Middle East: Implications for U.S. National Security (Update),” Nigeria’s 2011 Elections: Prospects and Challenges to a Credible Vote,” “The Outlook for the Electric Vehicle: Prospects for a New Industry,” “Presidential Appointments and Senate Consideration of Nominations: Procedures and Current Issues with Executive Branch and Judicial Nominations,” “The Nuclear Security Agenda and Nonproliferation Assistance: The Nuclear Security Agenda,” “U.S. International Food Aid and Food Security Assistance: Current Programs and New Approaches,” “The 2010 Gulf Oil Spill: Recent Developments,” “Waters of the United States: Clean Water Act Issues for Congress,” “Older Americans Act: Issues for Reauthorization,” “Small Business Contracting: Overview and Current Issues,” Basics of Financial Risk and Bank Regulation,” “CRS Roundtable on Rare Earth Elements,” “Highway Transportation Projects,” “Budget Control Act of 2011,” “Overview of Federal Rulemaking,” and “An Introduction to the U.S. Individual Income Tax System.”

There were a series of five seminars covering a wide array of issues related to U.S. housing. Topics such as housing policy, foreclosures, housing markets, financing, and federal homeownership policies were covered. A series of five roundtable discussions were held for new military legislative assistants. These informal discussions were structured as an exchange between CRS analysts and the new staff to equip them with a basic understanding of military issues within the legislative context. Four seminars were held in anticipation of the President’s FY2012 request and covered topics such as the international affairs budget, the defense budget,

and the Bureau of Ocean Energy Management's budget request and the federal research and development budget. With growing interest in the U.S. deficit a number of seminars were held on related topics and included: "The Federal Debt Limit," "Federal Fiscal Challenges: Overview of Budget Reform," "Reducing the Deficit: What are the Options?," "Reducing the Deficit: Policy Issues," and "Systemic Risks to U.S. Financial Systems." Another series of three seminars was held to provide Congress with an update on terrorism a decade after the attacks on the United States.

***Legislative and Budget Process Institutes.*** CRS continued to provide legislative and budget process institutes. A series of increasingly complex "institutes" held at regular intervals during the course of a year offered congressional staff information on legislative procedure and the congressional budget process. CRS staff teams conducted thirteen introductory institutes on legislative procedure and resources and four advanced legislative institutes for congressional staff. CRS staff conducted eight introductory programs on legislative concepts in conjunction with the House Learning Center, and two advanced legislative process series for both the House and Senate, the latter done in conjunction with the Senate Office of Education and Training. The budget process institute program, offered in eleven sessions, provided congressional staff with an integrated overview of how federal budgeting works, as well as a more advanced look at separate aspects of the process. Experts provided compilations of CRS budget reports for each CRS budget process program. State and district institutes, offered five times during FY2011, are specifically tailored to the needs of staff working in Members' home state offices.

***Foreign Parliaments.*** CRS provided assistance to the House Democracy Partnership in the form of briefings during four programs for visiting parliamentarians from Afghanistan, Georgia, Haiti, Indonesia, Kenya, Kosovo, Lebanon, Liberia, Macedonia, Mongolia, Pakistan, Peru, and Timor-Leste. Activities included seminars for the visiting lawmakers to provide information on options for internal governance, legislative and committee procedures, information resources, and organizational structures that could enhance the development of these national legislatures.

## **OUTREACH**

In January the "2011 CRS Training and Program for Congress" brochure was distributed to all congressional offices. The brochure details the schedule of programs offered by CRS at six-month intervals. CRS also participated in the February 2011 Senate Services Fair. CRS experts and information specialists were on-site to discuss current legislative issues and provide tutorials of the CRS Web site.

## **LEGISLATIVE SUMMARIES, DIGESTS, AND COMPILATIONS**

Since 1935 the Legislative Analysis and Information Section (formerly "Bill Digest") of CRS has had statutory responsibility for preparation of authoritative, objective, nonpartisan summaries of introduced public bills and resolutions and maintenance of historical legislative information. Detailed revised summaries are written to reflect changes made in the course of the legislative process. This CRS office also prepares titles, bill relationships, subject terms, and *Congressional Record* citations for debates, full texts of measures, and Member introductory remarks.

During the past year this office continued modernization of its procedures for coordinating preparation of the CRS “On the Floor” Web page (which presents selected reports focusing on legislation and issues scheduled for congressional debate). The office adopted new approaches to ensure timely analysis of the most complex and active legislation. It further disseminated its text comparison system both for wider use by CRS staff, and for anticipated use by congressional drafting offices.

## **OTHER SERVICES**

*Multimedia Products and Services.* CRS provided a variety of multimedia products and technical assistance in support of its service to Congress. These included producing DVDs of CRS seminars and public policy briefings that congressional staff can request from the CRS Web site. Featured were public policy programs on housing, trade, immigration, and deficit and debt issues, as well as various executive branch budget briefings and reviews. Twenty-one video programs were produced as DVDs during the year. In addition, CRS provided two hours of television programming each weekday on the Senate closed-circuit television system. A number of short instructional videos, including a history of Islam and fundamentals of oil markets, were piloted on the CRS Web site. Short video clips of various floor and committee actions were also compiled for legislative procedure briefings done throughout the year.

## D. CRS ORGANIZATIONAL STRUCTURE

CRS has adopted an interdisciplinary and integrative approach as it responds to requests from Congress. The Service seeks to define complex issues in clear and understandable ways, identify basic causes of the problems under consideration, and highlight available policy choices and potential effects of action. CRS is organized into the following divisions and offices to support the analysis, research, and information needs of Congress.

### DIVISIONS

***American Law Division.*** The American Law Division provides Congress with legal analysis and information on the range of legal questions that emerge from the congressional agenda. Division lawyers work with federal, state, and international legal resources in support of the legislative, oversight, and representational needs of Members and committees of Congress. The division's work involves the constitutional framework of separation of powers, congressional-executive relations and federalism; the legal aspects of congressional practices and procedures; and the myriad questions of administrative law, constitutional law, criminal law, civil rights, environmental law, business and tax law, and international law that are implicated by the legislative process. In addition, the division prepares *The Constitution of the United States of America — Analysis and Interpretation* (popularly known as the Constitution Annotated).

***Domestic Social Policy Division.*** The Domestic Social Policy Division offers Congress research and analysis in the broad area of domestic social policies and programs. Analysts use multiple disciplines in their research, including program and legislative expertise, quantitative methodologies, and economic analysis. Issue and legislative areas include education and training, health care and financing, Social Security, public and private pensions, welfare, nutrition assistance, housing, immigration, drug control, crime and criminal justice, labor and occupational safety, unemployment and workers' compensation, and other issues related to children and families, persons with disabilities, the aged, the poor, and veterans.

***Foreign Affairs, Defense, and Trade Division.*** The Foreign Affairs, Defense, and Trade Division is organized into seven regional and functional sections. Analysts follow worldwide political and economic developments for Congress, including U.S. relations with individual countries and transnational issues such as terrorism, refugees, global economic problems, and global institutions such as the International Monetary Fund and the United Nations. They also address U.S. foreign aid programs, strategies, and resource allocations; State Department budget and functions; international debt; public diplomacy; and legislation on foreign relations. Research responsibilities also include national security policy, military strategy, U.S. and foreign weapons systems, military operations, defense acquisition, military compensation, military health, the defense budget, and U.S. military bases. Trade-related legislation, policies, programs, and U.S. trade performance and investment flows are examined, as are trade negotiations and agreements, export promotion, import regulations, and tariffs.

***Government and Finance Division.*** The Government and Finance Division responds to congressional requests for assistance on all aspects of Congress. These include the congressional budget and appropriations process, the legislative process, congressional administration and



staffing, and the organization and operations of Congress and legislative branch agencies. Among the financial issues covered by the division are banking, financial institutions, insurance, mortgages, and securities; taxation, public finance, fiscal and monetary policy, and the public debt; the interaction between taxes and interest rates; and macroeconomic policy. In addition, the division responds to requests on the organization and management of the federal executive and judicial branches; judicial and executive branch nominations, government personnel and the civil service; the presidency and vice presidency; government information policy and privacy issues; intergovernmental relations and forms of federal aid; federalism; statehood and U.S. territories; the District of Columbia; economic development; federal planning for and response to emergencies, disasters, and acts of terrorism in the United States; survey research and public opinion polls; the census; reapportionment and redistricting; elections, campaign finance, lobbying, and political parties; constitutional amendments; and constitutional history.

***Resources, Science, and Industry Division.*** The Resources, Science, and Industry Division covers an array of legislative issues for Congress involving natural resources and environmental management, science and technology, and industry and infrastructure. Resources work includes policy analysis on public lands and other natural resources issues; environment; agriculture, food, and fisheries; and energy and minerals. Science coverage includes policy analysis on civilian and military research and development issues, information and telecommunications, space, earth sciences, and general science and technology. Support on transportation and industry issues includes policy analysis on transportation and transportation infrastructure issues, industrial market structure and regulation, and sector-specific industry analysis.

## **RESEARCH SUPPORT**

***Knowledge Services Group.*** The Knowledge Services Group includes information professionals who respond to congressional requests and partner with CRS analysts and attorneys in providing authoritative and reliable information research and policy analysis to Congress. They write descriptive products and contribute to analytical products in policy research areas, advise analysts and Congress in finding solutions for their information needs, make recommendations for incorporating new research strategies into their work, and create customized products in a variety of formats. Information professionals identify, evaluate, and recommend authoritative research materials in print and digital formats and provide or coordinate specialized training on these resources. They also evaluate, acquire, and maintain research data and geospatial information to address various public policy issues areas. They work closely with the research divisions to provide seminars, institutes, and other in-person briefings to Members and their staff, and also provide direct support to Congress in congressional reading rooms and research centers.

## **OFFICES**

***Office of Communications.*** The Office of Communications is responsible for coordinating and overseeing CRS communications with internal and external audiences. The office assists CRS staff in understanding how Service policies, procedures, decisions, and activities relate to

the CRS mission of serving Congress and how staff efforts fulfill that mission. To achieve that goal, the office advises on communications-related aspects of CRS initiatives; ensures that internal and external communications are clear, consistent, and aligned with the CRS mission; coordinates efforts to improve the use of existing communications channels; and plans, develops, and implements new uses of communications channels.

***Office of Congressional Information and Publishing.*** The Office of Congressional Information and Publishing facilitates and enhances congressional access to CRS expertise and legislative information. The office manages congressional research requests for CRS services and collects and organizes data about the use of CRS by Congress; edits, provides graphics support for, and publishes CRS reports exclusively for Congress; organizes, analyzes, and publishes legislative information (including summaries of pending legislation); and coordinates Congress's Legislative Information System (LIS) in partnership with the Clerk of the House, Secretary of the Senate, and a number of other legislative branch offices and agencies.

***Office of the Counselor to the Director.*** The Office of the Counselor to the Director examines and defines policy and legal questions and issues affecting all aspects of the Service, and serves as the principal legal and policy advisor to the CRS director, deputy director, and other senior management officials. The office develops and coordinates matters relating to internal CRS policies, particularly as they affect the Service's relationships with congressional clients and other legislative support agencies, and ensures that the Service complies with applicable guidelines and directives contained in the Reorganization Act, in statements by appropriations and oversight committees, and in Library regulations and CRS policy statements. The Office of the Counselor also addresses policy and legal questions with respect to such matters as congressional requests, potential conflicts of interest and activities on the part of staff, personnel policy, and labor-management issues.

***Office of Finance and Administration.*** The Office of Finance and Administration oversees the financial, procurement, and administrative programs of the Service. This includes coordinating the strategic planning; preparing the budget request; formulating and executing the financial operating plan; performing contracting and procurement actions; and supervising the Service's status, role, activities, and interaction with the Library in performing these functions.

***Office of Information Management and Technology.*** The Office of Information Management and Technology provides the information management capabilities and support required for CRS research and legislation-related activities, communications, and service to Congress. This includes planning, procurement, development, operations, security, and maintenance of the information technology infrastructure and systems required to support the CRS mission. The office is also responsible for the overall information architecture and maintains information resources by identifying, assessing, acquiring, organizing, preserving, and tracking materials.

***Office of Workforce Management and Development.*** The Office of Workforce Management and Development manages the Service's ability to attract, develop, and retain quality talent needed to respond to the dynamic research, analysis, and information needs of Congress. The office provides a comprehensive package of services and programs to support and strengthen CRS human capital capabilities. These services and programs extend to the areas of staffing and workforce planning; performance management, training and development, and staff

recognition; data management and analysis; workforce flexibilities; and personnel security. The office also serves as liaison and collaborates with other Library offices on human resource management issues and initiatives.

### E. CRS ORGANIZATIONAL CHART

August 2010

