

A Warped Incentive Structure for Members of Congress

The centrality of online donations, paired with dwindling legislative power, creates pressure for members to create sound bite moments, rather than creating policy.



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January 20, 2026

Government Power

The contemporary legislative process is far from the Schoolhouse Rock version, where a bill slowly makes its way through the committee process with plenty of input from lawmakers. With the breakdown of the “regular order” process guiding legislation, many bills today are pushed by leadership and immediately put to a vote, with

little time for rank-and-file members to shape them. Freshmen members of Congress have even less influence, as they are less likely to sit on powerful committees that drive key legislation.

Faced with this reality, many members are turning to social media to make their mark. Creating viral moments is a powerful way to

raise public awareness and take a stand without ever sponsoring a piece of legislation. As a former member of Congress explained, these are made-for-TV moments. And as another member of the House [put it](#) [\[link-1\]](#), “When you go down to the House floor and you make a speech to the C-SPAN audience,” it goes only to that audience, but “take that video, put it on your YouTube site or put it on Twitter, put it on Facebook and then you’re getting that multiplier effect.”

And with the increasing pressure to fundraise, social media allows members to raise money and awareness at the same time. Online donations have become a driving force in American politics, and viral moments can bring in donations from all around the country. The volume of online donations processed through ActBlue (a Democratic PAC with a streamlined donation platform) has

[doubled](#) [\[link-2\]](#) in every two-year election cycle since 2012. The dollar amount donated via the two main conduits, ActBlue and WinRed, has [gone from](#) [\[link-3\]](#) nearly zero in the late 2000s to 40 percent of all contributions in the 2020 cycle.

Moreover, fundraising is increasingly nationalized, and donors from across the country can contribute online. According to [OpenSecrets](#) [\[link-4\]](#), in 2016 about 75 percent of donations for House candidates came from in-state, compared to 62 percent in 2022. Candidates from small states are even more likely to rely on out-of-state money. My Brennan Center colleague Ian Vandewalker and I [analyzed](#) [\[link-5\]](#) secretary of state races across six battleground states in the 2022 midterm elections. We found that out-of-state contributions increased more than sixfold between 2014 and 2022. This was the same election

cycle in which the overall contributions to secretary of state candidates ballooned as a result of the spread of the “big lie” — that the 2020 election was stolen — and the rise of the election denial movement. In an increasingly nationalized fundraising landscape, social media allows candidates to easily reach potential donors across the country.

For new members, online fundraising is important not only because fundraising is key to keeping their seat and building clout in the chamber, but also because they can build their own brand. John Lawrence, former House Speaker Nancy Pelosi’s chief of staff, explained that “the ability to raise money online is a huge advantage for new members. Although it’s not necessarily great news for leadership because it makes newcomers to some extent less dependent on leadership, [it] gives them a reason to maintain a

national visibility of their own. You know, I think of that night that Rep. Joe Wilson [a Republican from South Carolina] yelled out, ‘You lie!’ on the House floor and then raised a million dollars the next day.”

Lawrence is referring to President Barack Obama’s joint session to Congress in 2009. In the middle of the speech, Wilson shouted at the president and a video clip of the heckling went viral on social media. Former Rep. Tom Davis (R-VA) also uses Wilson as an example in [his book](#) [\[link-6\]](#), writing, “As online contributions have replaced the old postal solicitations for campaign money, red-meat messaging has flourished and been rewarded. Where else can a Representative yell, ‘You lie!’ during the President’s State of the Union address and rake in nearly a million dollars in campaign funds online in the next week?” Lawrence’s and Davis’s comments and the example of Wilson underline the added

incentive for members to spend time crafting their social media posts in order to build their brands and national followings.

This dynamic has warped the incentive structure for members. Rep. Lauren Underwood (D-IL) said, “There’s so many incentives that would suggest that eyeballs, acclaim, fame, success [are the priority]. There are fewer incentives around policy change, around bringing home money, around constituent services. I would just say the incentive structure is overweighted.” For example, the chair of the Antitrust Subcommittee held hearings on the major technology companies on “fly out” days, when members leave Washington, DC, so that he could have “the news cycle to himself because everybody else has gone,” as former Rep. Kelly Armstrong (R-ND) said. Rep. Mike Levin (D-CA) said that one of the biggest misunderstandings about Congress

is that “the people that you see on TV or that you see on social media who are rewarded for saying and doing the most outrageous things are not reflective of the vast majority of people in this body. . . . Bad behavior is some sometimes incentivized by our modern media ecosystem.”

The pressure to promote on social media in order to raise small dollars often incentivizes messaging that glosses over nuance. Armstrong explained, “If I’m getting an oil and gas worker from Laredo, Texas, to send me 20 bucks in North Dakota, it’s not because I’m making a nuanced policy argument about infrastructure. It’s because I have sent them an email telling them why they should be mad, who they should be mad at, and why I’m the only one who can solve it. And I think that ratchets up the rhetoric.”

As fundraising has become an increasingly central part of being an American politician and the

legislative process has devolved, social media has evolved into a critical political tool. Starved of legislative power and pressed to fundraise, members are turning to social media to raise money and raise awareness. There are of course many benefits of being able to engage with constituents and raise money online, especially for members from marginalized groups who might not have as much access to wealthy networks. But as current and former lawmakers caution, it has dramatically shifted the incentive structure guiding how members of Congress communicate. A challenge for policymakers is to figure out how to balance the need to ensure members can raise enough money

to be competitive without introducing toxic incentives. Ultimately, addressing this dynamic is likely to require both curbing the power of outside groups, like super PACs, as well as giving candidates a way to [fundraise locally](#) [\[link-7\]](#) and prioritize constituent concerns.

This piece is adapted from Maya Kornberg's forthcoming book, [Stuck: How Money, Media, and Violence Prevent Change in Congress](#) [\[link-8\]](#), which documents lessons from congressional reformers over the past 50 years and argues for urgent reforms to improve Congress. Stuck will be published by Johns Hopkins University Press on March 10.

Links

link-1: put it <https://www.congressfoundation.org/research>

link-2: doubled <https://www.politico.com/news/2020/10/30/democrats-actblue-fundrasing-elections-433698>

link-3: gone from https://www.nber.org/system/files/working_papers/w30050/w30050.pdf?inline=1

link-4: OpenSecrets <https://www.opensecrets.org/news/reports/out-of-state-donations>

link-5: analyzed <https://www.brennancenter.org/our-work/research-reports/financing-races-offices-oversee-elections-august-2022>

link-6: his book <https://www.amazon.com/PARTISAN-DIVIDE-Congress-Crisis/dp/1619331284>

link-7: fundraise locally <https://www.brennancenter.org/our-work/research-reports/new-york-states-public-campaign-financing-program-empowers-constituent>

link-8: Stuck: How Money, Media, and Violence Prevent Change in Congress <https://www.amazon.com/Stuck-Violence-Prevent-Change-Congress/dp/1421454580>