

SOLUTIONS FOR A STRONGER DEMOCRACY

# Eight Solutions to Unstick Congress

By Maya Kornberg and Emily Whitehead

JUNE 2026

*American public institutions urgently need repair and renewal. The 2024 election was the first time since the 1800s that the incumbent party lost the White House three times in a row. Public trust in government has plunged to historic lows. Citizens plainly feel left behind, economically unmoored, and dissatisfied with the government that serves them.*

*Crisis can bring innovation. As Lincoln urged, we must “think anew.” What will matter most is not what we are against but what we are for.*

*This is the third in a series of policy agendas. The Brennan Center began with proposals to combat corruption and reform the Supreme Court and will soon offer solutions focusing on executive power as well as voting and representation. We will also put forward ideas for constitutional change and more.*

*Our solutions must match the scale of the challenges. They seek to address the problems of today, not 10 years ago or 1975. The project of reform must engage people from both parties, and no party. The best ideas are neither left nor right: They reflect the urgent desire of the disaffected middle.*

*Throughout history, reform follows scandal and crisis — often, but not always. If we act, from today’s clashes can come a time of renewal and democratic rebirth.*

**Michael Waldman**  
President and CEO  
Brennan Center

**P**olitical debates tend to focus on presidents, who for much of U.S. history have defined political eras. But an equally consequential story is unfolding inside Congress. The institution’s retreat from relevance in recent decades has created a vacuum filled by executive abuse and Supreme Court overreach. Its failure to advance progress has left Americans dejected about the potential for government to solve problems and address the issues they care about, from the environment to affordability, from immigration to health care. As of April 2026, only 10 percent of Americans approved of the way Congress was handling its job, just above the all-time low of 9 percent in 2013.<sup>1</sup>

It may be hard to believe, but the framers expected Congress to be the preeminent branch of government. As James Madison wrote, “In republican government, the legislative authority necessarily predominates.”<sup>2</sup> Known as the people’s branch, Congress was established to most reliably represent the will of the public.

Congress’s effectiveness has ebbed and flowed since the founding era. There have been times when Congress has ceded immense power to the executive and others when it has asserted its authority over key issues. Reacting to abuses of power by the Nixon administration, for instance, an aggressive Congress passed laws to reassert its power over spending, reclaim its authority to declare war, and impose far-reaching new ethical safeguards on the executive branch.<sup>3</sup>

But today, the era of post-Watergate reform feels like a distant memory. As the Trump administration wages

an unprecedented campaign to usurp legislative powers, Congress has largely stood idle. Over the past year, Congress has failed to respond effectively to unauthorized uses of war powers.<sup>4</sup> It has refused to stop the reckless and lawless abuse of spending power and the dismantling of congressionally mandated agencies.<sup>5</sup> And it has enabled corruption on an extraordinary scale without questioning or investigation.<sup>6</sup> As Sen. Rand Paul (R-KY) put it: “This is a Congress without really a belief structure in defending legislative prerogative. They just are a rubber stamp for whatever a president tells them to do.”<sup>7</sup>

Congress has also failed to respond to Supreme Court rulings that have chipped away at its lawmaking power, including decisions that have undermined or struck down landmark pieces of legislation, such as the Voting Rights Act.<sup>8</sup> And it has failed to step up and legislate with greater specificity after the Supreme Court repealed the “Chevron doctrine,” a decades-old standard that allowed federal agencies to use their expertise to interpret and implement ambiguous laws.<sup>9</sup>

At the same time, Congress has become less effective at advancing legislation. By many metrics, its productivity has diminished. It spends less time legislating, holds fewer votes, and passes fewer laws. This past term saw historically low levels of activity. In 2025, the House held fewer votes than in any previous year in the past quarter century save one during the Covid-19 pandemic.<sup>10</sup> It is also more often deadlocked. Last year saw the longest government shutdown in American history.<sup>11</sup>

Ultimately, there is no substitute for bold congressional action. We often remember periods of great political progress by legislation passed through Congress — from the New Deal to the civil rights era. Now more than ever, we need a vibrant Congress to play its proper role in our democracy. That includes exerting oversight authority over the presidency and standing up to its abuses of power. It also includes responding to misguided Supreme Court rulings and reclaiming its role as the nation’s principal lawmaker. And it means addressing our most pressing problems, including those fundamental to our democracy, with bold action on campaign finance reform, protections for the equal right to vote, new safeguards for the rule of law, and more.

Yet Congress’s structure and internal functioning have never been less conducive to advancing progress. Congress is overburdened, underresourced, and gridlocked. Social media, rising campaign costs, and centralized party leadership have all heightened legislative polarization and made it difficult for Congress to reclaim its power and effectively represent its constituents. The difficulties new members in particular encounter in running for and holding office mean that both the House and Senate are dominated by aging incumbents, limiting opportunities for fresh thinking to gain traction.

This report focuses on new approaches. Long-standing reform ideas will be valuable as well. A previous publication in this series proposed a fast-track procedure for considering legislation to address Supreme Court rulings.<sup>12</sup> Over many years, we have called for the Senate to address the filibuster. And a forthcoming publication in this series on executive power will reiterate our call for Congress to step forward and reclaim its war powers. These reforms would ensure that Congress is better able to represent the public. Of course, other reforms should be considered over the longer term, such as protections against political violence and policies that would make voting more accessible and representation more equitable. Together, this would improve Congress’s ability to do its job, exert its proper authority, and push back against aggrandizement from other branches that have overstepped their bounds.

Reform is possible. Historically, transformative movements have followed wave elections, when the largest groups of new members take the floor.<sup>13</sup> The post-Watergate reforms were made possible by the election of more than 90 new members of Congress. Similarly, the election of nearly 100 new members in 1994 led to major structural changes, and the election of more than 100 new members in 2018 led to the creation of the Select Committee on the Modernization of Congress and other initiatives to shake up the institution. This year could be another one of those inflection points, ushering in momentum for reform.

Congress is no longer operating in the way our founders envisioned. As an inflated executive and overpowerful Supreme Court continue to throw our government out of balance, there has never been a more urgent need for Congress to assert its prerogatives and ensure its smooth functioning. A reform agenda should include the following.

### **>> Expand staff and access to expertise.**

For too long, Congress has starved itself of resources. Congress today has several thousand fewer staff than it did a few decades ago, while constituencies have grown much larger.<sup>14</sup> Since 1975, each House member has been limited to 18 permanent staff members, even as the United States has grown by more than 100 million people since then.<sup>15</sup> Offices rarely hire even that many staff, because their annual budget of approximately \$1.5 million does not cover competitive salaries for all of them.

Making matters worse, changes pushed through in the mid-1990s under House Speaker Newt Gingrich dismantled or weakened many of the expert bodies that had enabled Congress to legislate with precision and perform effective oversight.<sup>16</sup> Gingrich eliminated the Office of Technology Assessment, which helped Congress understand science and technology. He also slashed funding to the Government Accountability Office (GAO), the main congressional watchdog for auditing government

programs, and reduced staff within the Congressional Research Service, which provides objective research on a wide range of topics. Also diminishing Congress's access to policy expertise, committee staff saw steep declines, decreasing by 35 percent in the House and 15 percent in the Senate between 1997 and 2015.<sup>17</sup> Today, Congress simply does not have the capacity it needs to effectively legislate on complex policy issues, leaving it more vulnerable to manipulation by special interests and at greater risk of making mistakes.

To better represent their constituents and respond to modern problems, members of Congress need more staff and resources. Among other things, Congress should expand the capacity of its nonpartisan support agencies and hire more experts to improve oversight. It should establish a science and technology hub in the GAO to connect members and staff with outside experts.<sup>18</sup> It should also lift the cap on staff for personal offices and increase their budgets. And it should improve the onboarding process and invest more in ongoing training for members and staff, something that numerous members have demanded.<sup>19</sup>

### **>> Create tech committees and modernize committee jurisdictions.**

The last time Congress reorganized its committee structure was in the 1970s, before the modern internet existed.<sup>20</sup> Committees are the legislative concourse leading to bill passage in Congress. Through committee assignments, members of Congress take on responsibilities for different issue areas and gain access to specialized policy expertise.

When no one committee is assigned responsibility for an issue, it can fall between the jurisdictional cracks. Overlapping jurisdictions also lead to duplicative — and at times clumsy — efforts to legislate. For example, the House and Senate both lack a centralized tech committee. As a result, many committees hold hearings on tech-related issues, but effective regulation of the industry remains elusive. A committee structure that mirrors the modern economy is essential to equip Congress to make policy and effectively regulate industry. Congress should change the rules to update committee jurisdictions and create a new tech committee in each chamber.

Revitalizing committees would also strengthen Congress as an institution and amplify the authority of members. In legislatures, the power of committees and the power of parties are often inversely correlated. In the contemporary Congress, power is increasingly centralized, with bills written by a small group of party leaders and pushed down quickly for a vote, often bypassing committees. Reinvigorating committees as an organizing structure in Congress and creating new ones would open up leadership opportunities for more members.

### **>> Raise congressional salaries.**

When upwards of 100 members of Congress sleep in their offices, and when retiring members cite financial strain as a cause for leaving office, it is clear that Congress needs to increase members' salaries.<sup>21</sup>

Members of Congress have not gotten a raise in 15 years, not even an adjustment for inflation, and many struggle to make ends meet.<sup>22</sup> Most members split their time between their districts and Washington, DC, where real estate can be prohibitively expensive. As recently retired Rep. Ken Buck (R-CO) put it: "Trying to maintain two places to live . . . it's very difficult." Former Rep. Earl Blumenauer (D-OR) said: "All of us ought to be concerned about the future in terms of who can afford to do this."<sup>23</sup>

Working-class people have long been underrepresented in Congress, and the financial burdens of running for office and serving keep people out.<sup>24</sup> Without raising congressional salaries, we risk a reality in which only independently wealthy Americans can afford to serve.

### **>> Create a Senate ethics office and strengthen the House ethics office.**

Along with many members of Congress and advocates, we have called for a ban on congressional stock trading, among other reforms, which would prevent members and staff from personally profiting from their positions.<sup>25</sup> But ethics safeguards will not be effective if they are not enforced.

Neither the House nor the Senate has the internal institutions or processes necessary to adequately enforce ethics rules. In the House, the Office of Congressional Conduct (previously the Office of Congressional Ethics) investigates ethics allegations and reports to the House Ethics Committee, but its investigations are private, it has no subpoena power, and it can be abolished at any time simply by a change in House rules. It also must be reauthorized with each new Congress. The Senate Ethics Committee, likewise tasked with administering financial disclosures and investigating allegations of misconduct, has no analogous nonpartisan and independent investigatory body to support it.

As a result, enforcement remains spotty at best. *Business Insider* found that Congress does not enforce the few accountability mechanisms in place, and many members fail to follow disclosure requirements.<sup>26</sup> Furthermore, the Senate and House Ethics Committees are partisan, chaired by a member of the party with majority control of the chamber and therefore susceptible to undue political influence.

Congress needs strong, independent ethics bodies, with the necessary resources and mandate to conduct ethics oversight and prevent conflicts of interest. The House should strengthen the Office of Congressional Conduct's power and purview, grant it subpoena power,

and make it statutory, so that it does not rely on reauthorization with every new Congress. And the Senate should create a similar nonpartisan office. These changes are essential for restoring accountability and public trust in Congress as an institution.

### **>> Reaffirm the power of the purse.**

Under the Constitution, Congress has the authority to decide how much the federal government spends and for what purposes. James Madison called Congress’s “power over the purse” its most “complete and effectual weapon” for checking the other branches of government.<sup>27</sup> While presidents and Congress have always engaged in a push and pull over funding, Congress has recently ceded even power over the budget process to the president.

After Richard Nixon withheld billions in congressionally mandated spending, Congress passed the Impoundment Control Act of 1974 to explicitly require presidents to gain congressional approval for any delay or withholding of funds.<sup>28</sup> However, exposing the law’s weaknesses, over the past year President Donald Trump has waged a concerted drive to freeze federal spending he dislikes, amounting to hundreds of billions of dollars in withheld or delayed funds.<sup>29</sup> He has also purported to accept and spend private funds without Congress’s approval on projects including his proposed White House ballroom.<sup>30</sup> Congress has largely remained unresponsive, allowing a massive threat to the constitutional order to go unchecked. Plainly, the current safeguards aren’t enough.

Congress must reclaim its power over the purse. First, it should overhaul the Impoundment Control Act to reaffirm that presidents are required to spend all congressionally authorized funds, with narrow exceptions. That includes eliminating the president’s ability to delay spending in various ill-defined circumstances, which presidents have abused to justify the withholding of funds.<sup>31</sup>

Congress should also clarify when and how presidents can use private funding for government projects so that they cannot bypass the appropriations process or accept donations from those who pose potential conflicts of interest.

Finally, Congress should expand its oversight of the executive and ensure that its funding mandates are being followed. It should require the Office of Management and Budget to provide timely information to the GAO, which investigates budgetary noncompliance, and ensure that the GAO has all the information it needs to conduct expansive oversight.

### **>> Expand the House of Representatives.**

George Washington spoke only two times on the record during the Constitutional Convention — one of which was to express support for reducing the size of congressional districts from 40,000 people to 30,000. “The

smallness of the proportion of Representatives had been considered by many members of the Convention an insufficient security for the rights and interests of the people,” he reportedly said.<sup>32</sup>

Today, each House member represents an average of more than 750,000 people.<sup>33</sup> As district populations have grown, congressional workloads, including constituent casework and legislative duties, have become excessive, and members are less able to directly engage with their constituents. That has greatly diluted the quality of representation across the country. It is impossible to expect members to be able to represent the diversity and interests of so many people.

Congress should pass a law to increase the number of representatives in the House to reflect the demands of today’s population, a need recognized by numerous scholars and advocates.<sup>34</sup> A pragmatic option would be to raise the number of representatives to 600. This would adhere to a phenomenon observed among most major democracies, in which the number of lawmakers is roughly equal to the cube root of a nation’s population. In fact, Congress followed this trajectory until House membership was capped at 435 in 1911.<sup>35</sup>

The quality of representation might be further strengthened if this reform were adopted in tandem with other proposals, such as proportional representation, through which seats are allocated according to vote share within each district rather than on a winner-take-all basis.<sup>36</sup> And a ban on partisan gerrymandering remains essential.<sup>37</sup>

### **>> Enact an age limit for lawmakers.**

Over the past several decades, Congress has consistently grown older. According to NBC News, the 119th Congress is the third oldest since 1789; 24 members are at least 80, and more than half of them are running for reelection.<sup>38</sup> Members of Congress are, on average, nearly a decade older than members of other legislatures around the world.<sup>39</sup>

There are several examples of members whose physical or mental health has rendered them incapable of carrying out their duties, leaving their constituents without representation. Recently, one member served from a senior living facility while reportedly experiencing “dementia issues,” missing months of votes.<sup>40</sup> Many members remain in safe seats for decades. It’s clear that something must be done to address the emerging gerontocracy problem and make Congress more functional and more representative of the American people.

One option is to enact by constitutional amendment an age limit for members of Congress. Age limits for federal elected officials are widely popular, supported by 82 percent of Republicans and 76 percent of Democrats in a 2023 poll.<sup>41</sup> Age minimums already exist for many elected positions, including in Congress, as do age maximums, which are common across the states for officials

such as judges.<sup>42</sup> Implementing an age limit for members of Congress would not only mitigate many effects of a gerontocratic Congress but also open the door for new candidates vying for seats, making Congress more reflective of and better able to respond to the needs of the general public.

### **>> Streamline the nominations process.**

The Constitution requires the “advice and consent” of the Senate for presidential appointments, including federal judges, cabinet secretaries, ambassadors, top military officers, and other officials.

In recent decades, the nominations process has become dysfunctional and burdensome. The single biggest challenge for nominations is how long approval now takes. As the Senate has become more polarized, the process for each nomination has grown longer, and many agency positions are left vacant for significant periods. It now takes the Senate nearly four times longer to confirm a nominee than it did during the Reagan administration. Lower-level positions, such as directors and assistant secretaries, take an average of 200 days.<sup>43</sup>

This is largely due to how many positions the Senate is required to confirm. The Senate today considers nominees for more than 1,300 positions, which is vastly more than it was even a few decades ago; the number of Senate-confirmed positions grew by 70 percent between 1960 and 2020. The Senate now votes on nominations more often than on legislation, hampering the legislative process and taking time away from Congress’s oversight duties.<sup>44</sup>

The process now leaves the executive with key positions empty or filled by people who haven’t been adequately

vetted. Often, the president will fill unconfirmed positions with acting leaders, effectively bypassing Congress. No Immigration and Customs Enforcement director, for example, has been Senate confirmed since 2017.<sup>45</sup>

Over the years, senators from both parties have tried to come up with solutions to this problem. One is to combine nominations, a process known as bundling. In 2025, Senate Republicans effectively changed the rules to allow an unlimited number of nominations to be bundled together and passed with a majority vote. This, however, led to instances of more than 100 nominations being considered at once, increasing the risk that no meaningful advice or consent was given.<sup>46</sup>

The Senate should come up with a reasonable system that preserves its critical oversight duty. One suggestion would allow up to 10 nominations for positions within the same department to be bundled together.<sup>47</sup> The Senate should decide on a reasonable cap for bundles that would allow it to work efficiently while still providing time for scrutiny, and it should limit bundling to lower-level positions. Additionally, the Senate could reduce the number of Senate-confirmed positions. Many part-time boards, ceremonial roles, or positions reporting to other Senate-confirmed positions may not need confirmation themselves. The Senate could also change the rules so that each nomination would no longer have to undergo two cloture votes.

The process could be streamlined in other ways as well. Currently, the White House and the Senate Judiciary Committee operate under separate systems with different sets of paperwork, creating confusion and delays. There is an urgent need for consistency. Digitizing the paperwork would also make the process more efficient.<sup>48</sup>

# Endnotes

---

- 1 Megan Brenan, "Disapproval of Congress Ties Record High at 86%," Gallup, April 22, 2026, <https://news.gallup.com/poll/708722/disapproval-congress-ties-record-high.aspx>.
- 2 James Madison, "The Federalist Papers: No. 51," Avalon Project, Yale Law School, accessed May 6, 2026, [https://avalon.law.yale.edu/18th\\_century/fed58.asp](https://avalon.law.yale.edu/18th_century/fed58.asp).
- 3 Sam Berger and Alex Tausanovitch, "Lessons from Watergate," Center for American Progress, July 30, 2018, <https://www.americanprogress.org/article/lessons-from-watergate/>.
- 4 Michael Waldman, "Congress Sleeps Through a Military Strike on Iran," Brennan Center for Justice, June 24, 2025, <https://www.brennancenter.org/our-work/analysis-opinion/congress-sleeps-through-military-strike-iran>.
- 5 Lauren Miller Karalunas, "The Court Fight to Stop the Federal Funding Freeze," Brennan Center for Justice, July 29, 2025, <https://www.brennancenter.org/our-work/analysis-opinion/court-fight-stop-federal-funding-freeze>; and Michael Waldman, "Breaking the Law," Brennan Center for Justice, February 4, 2025, <https://www.brennancenter.org/our-work/analysis-opinion/breaking-law>.
- 6 Michael Waldman, "Americans Want a Solution to Corruption," Brennan Center for Justice, April 21, 2026, <https://www.brennancenter.org/our-work/analysis-opinion/americans-want-solution-corruption>.
- 7 Liz Goodwin, "Why Congress Keeps Handing Trump Its Power," *Washington Post*, March 10, 2026, <https://www.washingtonpost.com/politics/2026/03/10/congress-trump-power-rules-war-spending/>.
- 8 Brennan Center for Justice, "Louisiana v. Callais," updated April 29, 2026, <https://www.brennancenter.org/our-work/research-reports/louisiana-v-callais>.
- 9 Maya Kornberg, "Supreme Court Ruling on Regulation Means Congress Must Boost Its Technical Expertise," *The Hill*, July 15, 2024, <https://thehill.com/opinion/congress-blog/4768419-congressional-expertise-post-chevron/>.
- 10 Minho Kim and Ashley Wu, "How the House Slumped to Historic Lows of Productivity in 2025," *New York Times*, January 16, 2026, <https://www.nytimes.com/interactive/2026/01/17/us/politics/house-republicans-majority-productivity.html>; and HillClimbers Insights, "Losing 50 Working Days in 50 Years," April 24, 2026, <https://www.hillclimbers.org/insight/congressional-working-days-decline>.
- 11 Rachel Treisman, "The Government Shutdown Is Now the Longest in U.S. History. See How It Compares," NPR, November 5, 2025, <https://www.npr.org/2025/11/05/nx-s1-5598315/government-shutdown-longest-history>.
- 12 Miriam Rosenbaum and Emily Whitehead, *Six Solutions to Fix the Supreme Court*, Brennan Center for Justice, April 28, 2026, 4, <https://www.brennancenter.org/our-work/policy-solutions/six-solutions-fix-supreme-court>.
- 13 Maya Kornberg, *Stuck: How Money, Media, and Violence Prevent Change in Congress* (Johns Hopkins University Press, 2026).
- 14 Molly E. Reynolds and Abby Ward, "Vital Statistics on Congress," Brookings Institution, updated April 10, 2026, <https://www.brookings.edu/articles/vital-statistics-on-congress/>.
- 15 Ida A. Brudnick, "Congressional Salaries and Allowances: In Brief," Congress.gov, August 28, 2025, <https://www.congress.gov/crs-product/RL30064>; and U.S. Census Bureau, "Historical Population Change Data (1910–2020)," April 26, 2021, <https://www.census.gov/data/tables/time-series/dec/popchange-data-text.html>.
- 16 Kornberg, *Stuck*, 69–72.
- 17 Reynolds and Ward, "Vital Statistics on Congress."
- 18 Maya Kornberg and Martha Kinsella, *Building Science and Technology Expertise in Congress*, Brennan Center for Justice, November 6, 2023, <https://www.brennancenter.org/our-work/policy-solutions/building-science-and-technology-expertise-congress>.
- 19 Kornberg, *Stuck*, 150–67.
- 20 Maya Kornberg, *Inside Congressional Committees: Function and Dysfunction in the Legislative Process* (Columbia University Press, 2023).
- 21 *New York Times*, "The Exit Interviews," April 30, 2024, <https://www.nytimes.com/interactive/2024/04/30/opinion/congress-resignations.html>.
- 22 Ida A. Brudnick, "Salaries of Members of Congress: Recent Actions and Historical Tables," Congress.gov, May 6, 2026, <https://www.congress.gov/crs-product/97-1011>.
- 23 *New York Times*, "The Exit Interviews."
- 24 Nicholas Carnes, "Working-Class People Are Underrepresented in Politics. The Problem Isn't Voters," *Vox*, October 24, 2018, <https://www.vox.com/policy-and-politics/2018/10/24/18009856/working-class-income-inequality-randy-bryce-alexandria-ocasio-cortez>.
- 25 Daniel Weiner, Joana Zdanys, and Eric Petry, *Nine Solutions for Political Corruption*, Brennan Center for Justice, January 20, 2026, <https://www.brennancenter.org/our-work/research-reports/nine-solutions-political-corruption>; and Maya Kornberg, "Congressional Stock Trading, Explained," Brennan Center for Justice, September 4, 2025, <https://www.brennancenter.org/our-work/research-reports/congressional-stock-trading-explained>.
- 26 Kimberly Leonard, Dave Levinthal, and Camila DeChalus, "Congress and Top Capitol Hill Staff Have Violated the STOCK Act Hundreds of Times. But the Consequences Are Minimal, Inconsistent, and Not Recorded Publicly," *Business Insider*, December 15, 2021, <https://www.businessinsider.com/congress-stock-act-violations-penalties-consequences-2021-12>.
- 27 James Madison, "The Federalist Papers: No. 58," Avalon Project, Yale Law School, accessed May 6, 2026, [https://avalon.law.yale.edu/18th\\_century/fed58.asp](https://avalon.law.yale.edu/18th_century/fed58.asp).
- 28 Adam Liptak, "There Are Lessons from the Nixon Era in Trump's Attempts to Freeze Spending," *New York Times*, October 18, 2025, <https://www.nytimes.com/2025/10/18/us/politics/trump-supreme-court-impoundment.html>.
- 29 U.S. Senate Committee on Appropriations, "Trump's Unprecedented Funding Freeze Hits Communities Across America," updated September 8, 2025, <https://www.appropriations.senate.gov/trumps-unprecedented-funding-freeze-hits-communities-across-america>.
- 30 Liz Landers and Joshua Barajas, "Who's Paying for Trump's \$300 Million Ballroom?," PBS, October 23, 2025, <https://www.pbs.org/newshour/politics/whos-paying-for-trumps-300-million-ballroom>.
- 31 Protect Democracy, "Trump's Top 6 Backdoor Funding Cuts," September 2025, <https://protectdemocracy.org/wp-content/uploads/2025/09/Trumps-Top-6-Backdoor-Cuts.pdf>.
- 32 Avalon Project, "Madison Debates," Yale Law School, accessed May 6, 2026, [https://avalon.law.yale.edu/18th\\_century/debates\\_917.asp](https://avalon.law.yale.edu/18th_century/debates_917.asp).
- 33 Dante Chinni, "The Country's Population Is Growing — but Congress Is Standing Still," NBC News, September 3, 2023, <https://www.nbcnews.com/meet-the-press/data-download/nations-population-growing-congress-standing-still-rcna103142>.

- 34** Danielle Allen, "The House Was Supposed to Grow with Population. It Didn't. Let's Fix That," *Washington Post*, February 28, 2023, <https://www.washingtonpost.com/opinions/2023/02/28/danielle-allen-democracy-reform-congress-house-expansion/>; and Protect Democracy, "Expanding the House of Representatives, Explained," January 24, 2025, <https://protectdemocracy.org/work/expanding-the-house-of-representatives-explained/>.
- 35** Editorial Board, "America Needs a Bigger House," *New York Times*, November 9, 2018, <https://www.nytimes.com/interactive/2018/11/09/opinion/expanded-house-representatives-size.html>.
- 36** Jesse Wegman and Lee Drutman, "How to Fix America's Two-Party Problem," *New York Times*, January 14, 2025, <https://www.nytimes.com/interactive/2025/01/14/opinion/fix-congress-proportional-representation.html>.
- 37** Michael Li, "Gerrymandering Explained," Brennan Center for Justice, updated August 8, 2025, <https://www.brennancenter.org/our-work/research-reports/gerrymandering-explained>.
- 38** Joe Murphy, "Congress, Once Again, Is Getting Older," NBC News, January 3, 2025, <https://www.nbcnews.com/data-graphics/congress-age-2025-third-oldest-us-history-rcna185742>; and Scott Wong and Joe Murphy, "24 Members of Congress Are 80 or Older. More than Half Are Running for Re-election," NBC News, January 15, 2026, <https://www.nbcnews.com/politics/congress/congress-oldest-members-run-reelection-80s-rcna249479>.
- 39** Nisa Khan, "US Congress Members Are Far Older than International Counterparts. Why?," KQED, October 4, 2023, <https://www.kqed.org/news/11963237/us-congress-members-are-far-older-than-international-counterparts-why>.
- 40** Catie Edmondson, "House Member in Senior Living Facility Draws Fresh Scrutiny to Aging Congress," *New York Times*, December 23, 2024, <https://www.nytimes.com/2024/12/23/us/politics/kay-granger-congress-age.html>.
- 41** John Gramlich, "Most Americans Favor Maximum Age Limits for Federal Elected Officials, Supreme Court Justices," Pew Research Center, October 4, 2023, <https://www.pewresearch.org/short-reads/2023/10/04/most-americans-favor-maximum-age-limits-for-federal-elected-officials-supreme-court-justices/>.
- 42** Ezekiel J. Emanuel, "The Fairest Way to Keep Cognitively Declining People from Being Elected," *The Atlantic*, September 6, 2024, <https://www.theatlantic.com/health/archive/2024/09/age-limits-president/679726/>.
- 43** Jenny Mattingley, "Written Statement Prepared for the U.S. Senate Committee on Rules and Administration," Partnership for Public Service, July 30, 2024, [https://ourpublicservice.org/wp-content/uploads/2024/08/Partnership\\_RulesCommittee\\_Testimony\\_073024\\_Final.pdf](https://ourpublicservice.org/wp-content/uploads/2024/08/Partnership_RulesCommittee_Testimony_073024_Final.pdf).
- 44** Mattingley, "Written Statement."
- 45** Sarah Davis, "Acting ICE Chief to Exit Agency: DHS Secretary," *The Hill*, April 16, 2026, <https://thehill.com/homenews/administration/5835825-lyons-departure-ice-acting-head/>.
- 46** Jordain Carney, "Senate Confirms Largest Bloc Yet of Trump Nominees," *Politico*, October 7, 2025, <https://www.politico.com/live-updates/2025/10/07/congress/more-noms-confirmed-00597290>.
- 47** Amy Klobuchar, "Klobuchar Opening Statement at Rules Committee Hearing on Senate Procedures to Confirm Nominees," July 31, 2024, <https://www.klobuchar.senate.gov/public/index.cfm/2024/7/klobuchar-opening-statement-at-rules-committee-hearing-on-senate-procedures-to-confirm-nominees>.
- 48** Arnold Punaro, "The Senate Confirmation Process Is Broken. Here Are Three Ways to Fix It," Atlantic Council, January 22, 2025, <https://www.atlanticcouncil.org/blogs/new-atlanticist/the-senate-confirmation-process-is-broken-here-are-three-ways-to-fix-it/>.

## **ABOUT THE AUTHORS**

► **Maya Kornberg** is senior research fellow and manager in the Brennan Center’s Elections and Government Program. She is the author, most recently, of *Stuck: How Money, Media, and Violence Prevent Change in Congress* (Johns Hopkins University Press, 2026), which chronicles 50 years of reform efforts in Congress and makes the case for urgent action. Kornberg is also the author of *Inside Congressional Committees: Function and Dysfunction in the Legislative Process* (Columbia University Press, 2023). She has taught political science at New York University, Georgetown University, and Oxford University and worked at the UN, the Inter-Parliamentary Union, and democracy-focused nonprofits. Her writing and commentary have appeared on NPR, BBC, and CBS and in *Forbes*, *The Washington Post*, *Newsweek*, and *Scientific American*, among other outlets. She holds a PhD in politics from Oxford, an MPA from Columbia University, and a BA from Stanford University.

► **Emily Whitehead** is an executive communications strategist at the Brennan Center, where she supports the Office of the President in preparing and managing external and internal communications. Previously, she served on the speechwriting and communications teams at the White House, where she crafted speeches and conducted research for the Executive Office of the President, and she also worked on the paid media team for Harris for President. Whitehead graduated from the University of North Carolina at Chapel Hill with a bachelor’s degree in political science and business administration.

## **ACKNOWLEDGMENTS**

The Brennan Center extends deep gratitude to all our supporters, who make this report and all our work possible. See them at [brennancenter.org/supporters](https://brennancenter.org/supporters).

The authors thank Michael Waldman, Chisun Lee, and Dan Weiner for the invaluable substantive and editorial input they provided. We are also grateful to Kirstin Dunham, Wendy Weiser, Jesse Wegman, Stephen Spaulding, and Tom Wolf for their expertise. This paper would not have been possible without the Brennan Center publications, creative, and media teams, including Zachary Laub, Sophia Lee, Brian Palmer, Alden Wallace, and Janet Romero-Bahari.

## **ABOUT THE BRENNAN CENTER FOR JUSTICE**

The Brennan Center for Justice at NYU School of Law is a nonpartisan law and policy institute that works to reform and revitalize — and when necessary defend — our country’s systems of democracy and justice. The Brennan Center is dedicated to protecting the rule of law and the values of constitutional democracy. We focus on voting rights, campaign finance reform, ending mass incarceration, and preserving our liberties while also maintaining our national security. Part think tank, part advocacy group, part cutting-edge communications hub, we start with rigorous research. We craft innovative policies. And we fight for them — in Congress and the states, in the courts, and in the court of public opinion.

This publication is a project of *Brennan Center Ventures*, the solutions accelerator to reimagine American democracy.

## **STAY CONNECTED TO THE BRENNAN CENTER**

Visit our website at [brennancenter.org](https://brennancenter.org)

© 2026. This paper is covered by the [Creative Commons Attribution-NonCommercial-NoDerivs](https://creativecommons.org/licenses/by-nc-nd/4.0/) license. It may be reproduced in its entirety as long as the Brennan Center for Justice at NYU School of Law is credited, a link to the Brennan Center’s website is provided, and no charge is imposed. The paper may not be reproduced in part or in altered form, or if a fee is charged, without the Brennan Center’s permission. Please let the Brennan Center know if you reprint.