



© Blakeley | Dreamstime.com - US Capitol Building Photo

RACIAL DIVERSITY AMONG TOP SENATE STAFF

James R. Jones
December 2015

Table of Contents

Table of Contents	1
President’s Message.....	2
Executive Summary	3
Introduction	4
Methodology.....	5
Personal Office Diversity	8
Senate Committee Diversity.....	9
Political Party Diversity.....	10
States with Large Minority Populations	12
Case Study: 25 Years Without Black Staff Growth.....	16
The Importance of Racial Diversity in the U.S. Senate Workplace	17
Recommendations	19
Conclusion.....	23
Appendix	24
Acknowledgments.....	24
Recognition of Offices with Diversity Among Top Staff.....	25
About the Author	26

President's Message



The lives of people of color are affected by federal budgets, education, workforce, immigration, sentencing, voting rights, federal confirmations, and countless other factors. Top U.S. Senate staff members play critical roles in shaping many of these issues.

In Washington, the lack of racial diversity among top U.S. Senate staff is commonly recognized but assessed in ways that are primarily anecdotal. Congress requires that many companies and federal agencies disclose racial diversity employee data, but it does not apply such disclosure requirements to its own workforce.

This report provides data that quantifies the lack of racial diversity among top U.S. Senate staff in 2015. We hope that the report brings renewed attention and commitment to resolving this challenge, and we look forward to following up in a year to assess whether progress has been made.

We are especially appreciative of the W.K. Kellogg Foundation and the George Washington University Law School for support of this report and many other Joint Center projects.

Regards,

Spencer Overton
President
The Joint Center for Political and Economic Studies

Executive Summary

This report provides empirical evidence regarding the lack of racial diversity among top Senate staff positions. We define top staff (or “key” or “senior” staff) to include chiefs of staff, legislative directors, and communications directors in Washington, DC personal offices of U.S. Senators, as well as staff directors assigned to committees. Data reflect Senate employment in April 2015. Key findings show:

- **Although people of color make up over 36 percent of the U.S. population and over 28 percent of the citizen voting-age population, they represent only 7.1 percent of top Senate staffers.** Of the 336 top Senate staffers, our analysis finds evidence of only 24 staffers of color (12 Asian-Americans, 7 Latinos, 3 African-Americans, and 2 Native-Americans). African-Americans make up 13 percent of the U.S. population but only 0.9 percent of top Senate staffers, and Latinos make up over 16 percent of the U.S. population but only 2.1 percent of top Senate staffers.
- **Senate offices representing states with large Hispanic and African-American populations hire few senior staffers of color.** Latinos make up from 15 to 46 percent of the population in ten states (AZ, CA, CO, FL, IL, NJ, NM, NV, NY, and TX), yet hold only 8.5 percent of the available top staff positions in these states’ U.S. Senate offices (five positions in AZ, FL, and NM). African-Americans represent from 17 to almost 38 percent of the population in ten states (AL, DE, GA, LA, MD, MS, NC, SC, TN, and VA), yet hold only 1.7 percent of the total top staff positions in these states’ U.S. Senate offices (one position in SC).
- **Top Democratic Senate staff members are much less diverse than the Democratic voting base.** While those who self-identified as Democrats nationwide were 22 percent African-American and 13 percent Latino, top Democratic U.S. Senate staff as a group is 0.7 percent African-American and 2.0 percent Latino. There is no African-American chief of staff, legislative director, or communications director in the Washington, DC personal office of any Democratic Senator.
- **Senators should take several steps to increase diversity:** 1) be more transparent about who works in each office; 2) employ the National Football League’s (NFL) “Rooney Rule” in all hiring processes; 3) establish a competitive, senior-level minority fellowship, and hire interns and fellows from APAICS, CBCF, CHCI, and GW the Native American Political Leadership Program; 4) centralize diversity resources for Senators and staff; 5) develop and adopt a diversity plan for each personal office and committee office; and 6) require implicit bias training for staff who make hiring and staff evaluation decisions.

Introduction

Although Congress is the meeting place of our nation’s representatives, it is also a workplace for thousands of employees who support Members of Congress. Without these employees, much of the work inside the Capitol could not be done. A record number of racial minorities serve in the 114th Congress,¹ but the U.S. Senate’s key staffers remain almost exclusively white. Almost a decade ago, DiversityInc declared the Senate the worst employer for diversity (even worse than the top 50 U.S. corporations), and found that people of color only made up 6 percent of the Senate workforce.² This report examines racial diversity of top U.S. Senate staffers, and finds that in 2015, people of color hold 7.1 percent of such positions.

In many instances, top staffers provide political and policy expertise, develop legislation, act as surrogates for Members of the Senate, run congressional offices, and hire, manage, and dismiss employees.³ While Senators are the final decision-makers, top Senate staff possess significant influence in shaping the legislative process.⁴

A record number of racial minorities serve in the 114th Congress, but the U.S. Senate’s key staffers remain almost exclusively white.

People of color are underrepresented in various occupations,⁵ but a lack of diversity among top Senate staff warrants special attention because Senate decisions affect every American. The Senate also has several special powers, including the confirmation of federal judges, cabinet secretaries and many other top executive branch officials, and many top independent agency officials. Further, the lack of racial diversity among top Senate staff is not a Republican or a Democratic problem, but is a challenge for the Senate as an institution. This report does not assert that non-diverse staffers are always incapable of representing diverse communities, or that proportional representation alone would solve all problems. Increasing diversity among key staffers, however, would enhance deliberation, innovation, legitimacy, and legislative outcomes.

Methodology

The U.S. Senate does not monitor the race of its workforce in a systematic, reliable, and public manner. Although federal law requires that many federal agencies, government contractors, and private and non-profit organizations collect and disclose to the U.S Equal Employment Opportunity Commission employee race and gender demographic information, this law does not apply to the U.S. Senate.⁶

We have completed a census of the top positions in each U.S. Senator’s Washington, DC personal office and each U.S. Senate committee. Data reflect employment in Senate offices as of April 2015. Data are presented in the aggregate to protect the identities of congressional staff, and also to demonstrate that the lack of racial representation is not the problem of any particular office or committee but of the Senate as an institution.

In the initial stage, the author performed an online search for photographs with links to current and past employment. The author obtained data from a variety of sources including LegiStorm, The Leadership Library, Twitter, LinkedIn, YouTube, Wikipedia, Roll Call, The Hill, National Journal, constituent photographs, wedding announcements, and press interviews. The author found photographs for approximately 89 percent of top Senate staff. The author then reviewed these data with several current and former congressional employees.

Independent researchers then reviewed all of the information with leadership from the Congressional Asian Pacific American Staff Association, the Congressional Hispanic Staff Association, and the Senate Black Legislative Staff Caucus. Independent researchers then called top staff of color identified. Further, independent researchers contacted the communications director in each Senate personal office and committee office, provided the data about diversity among key staffers in that particular office, and asked the office to correct any errors. Those offices that did not respond were contacted a second time and given another opportunity to respond.

To maintain consistency, we limited our definition of “top” staff to four positions. In the Washington, DC personal office of each U.S. Senator, we identified the race of the chief of staff, legislative director, and communications director. In each committee, we identified the race of the staff director for each party. Some congressional staff have multiple titles and roles in the Senate and, for our analysis, we only counted the most senior role to identify top staffers as unique individuals.

While we believe these positions provide the most comprehensive and consistent assessment of diversity among top staff in Washington, DC, there are other staff of color who have equivalent and sometimes more influence. Majority and Minority Leadership Offices are organized differently, and have several senior advisors of color with significant influence. The Majority

Leader's office has senior advisors of color who work on budget issues (African-American), energy (Asian-American), and coalitions (Asian-American). The Minority Leader has people of color in top roles as chief counsel (Asian-American), and senior advisors on the human resources and diversity initiative (Latina), Hispanic and Asian Affairs (Latina), Hispanic media (Latino), and labor, faith, African-American outreach, and District of Columbia issues (African-American).

Also, personal offices are organized in different ways. About a third of personal offices have a deputy chief of staff. The responsibilities of this role, however, vary greatly from office to office. Therefore, the deputy chief of staff position was not included in the analysis. In some offices, the position of chief counsel, senior counsel, or general counsel has significant influence, and Senators McConnell, Booker, Stabenow, and others have people of color in these positions. For some offices, a senior advisor may carry significant influence. These positions, however, are not uniform across all offices.

This report only focuses on top Senate staff in Washington, DC. Some Senators have home state directors who are people of color, including Senator Boxer (Asian-American) and Senator Bennet (Latina). Senator Booker's New Jersey state director is African-American and carries the title "Chief of Staff" (the head of his Washington, DC office also carries this title).

Further, some personal offices do not have particular positions we identify or had vacancies. Senator Cardin's office did not have a legislative director, and Senator Stabenow's office did not have a communications director when data was collected.

A committee's chief counsel position undoubtedly holds significant weight. This position was inconsistently titled, however, among the various sources we used to collect data. Some sources identified a committee staffer as "Chief Counsel" while other sources identified the same staffer as "General Counsel." To maintain consistency, the chief counsel position was not included in the analysis. Committees are also organized in different ways—the number two staffers on the Judiciary and Ethics Committees are senior counsels who are people of color and lack the formal title of "Chief Counsel" because one staffer on each committee holds the title "Staff Director and Chief Counsel." The Appropriations Committee (majority office) does not have a chief counsel position.

Committees' deputy staff directors were also omitted from the analysis. Similar to the chief counsel position, this position was also inconsistently titled in a few committees. In addition, only about half of the 20 Senate committees have a deputy staff director. This report focuses on the top positions that exist in almost every Senate office.

This report focuses on the top positions that exist in almost every Senate personal office (chief of staff, legislative director, communications director) and committee office (staff director).

Further, there are many staffers of color in both personal offices and committees who work as press secretaries, legislative assistants, policy advisors, and other mid-and junior-level staffers who add to legislative deliberations and enrich the congressional workplace with different perspectives.

We believe this report's analysis provides the most consistent snapshot of diversity across Senate staffs. It is certainly worthwhile to acknowledge offices that have senior counsels and senior advisors of color with significant influence, but the presence of these individuals does not explain why the U.S. Senate as a whole has so few people of color in the chief of staff, legislative director, communications director, and staff director positions. While there may be isolated instances of a person of color in a top spot who is not reflected by this report, we believe those instances should not detract from the larger point that top Senate staff do not reflect the racial diversity of the United States.

Personal Office Diversity

Table 1 provides data on the racial demographics of the top three staffers common in the personal offices of almost all Senators. Of the 297 spots available, 7.1 percent are held by people of color (21 positions).

Chiefs of staff are the highest-ranking staff position in each office, and generally chiefs of staff are responsible for hiring employees and other management decisions in a Member’s office. More than other legislative employees, a chief of staff is likely to act as a surrogate for a Senator. Imbued with tremendous decision-making power, chiefs of staff are important actors in Congress and their perspectives shape legislative action. Of the 100 Senate chiefs of staff in Washington, DC offices, only six are people of color, including one African-American, three Latinos, and two Asian-Americans. (Senator Booker has two staffers with the title “chief of staff,” one of who is African-American, based in New Jersey, and is not reflected in the data below).

Legislative directors are often the most senior staffers managing a Senator’s legislative portfolio, and of the 99 legislative directors, data revealed only 7.1 percent of these positions are held by people of color. Of the 98 communications directors, 8.2 percent of these positions are held by people of color.

Table 1: Racial Demographics in Washington Senate Personal Offices

Race	Chief of Staff	Legislative Director	Communications Director	Total
White	94	92	90	276
Black	1	0	1	2
Latino	3	1	3	7
Asian-American and Pacific Islander	2	6	3	11
Native-American	0	0	1	1
TOTAL	100	99	98	297

Source: Author’s calculations

Senate Committee Diversity

There are 20 Senate committees,⁷ and of the 39 key committee staff positions, three positions are held by people of color (7.7 percent). Among these committees, we were unable to find a single Latino who serves as a staff director of a full committee.

While hiring in personal offices is often tied to policy, politics, and relationships with Senators, committees are ideally the domain of policy experts with specialized knowledge.⁸ Corporations, advocacy organizations, news media, personal Senate office staff, and other actors look to committee staffs as experts. Most of the substantive legislation passed into law originates in committees, and committee staff is responsible for thinking through the intricacies of legislation and how policies will affect various communities.

Table 2: Racial Representation in Senate Committees

Race	Republican Staff Director	Democratic Staff Director	Bipartisan Staff Director	Total
White	18	17	1	36
Black	0	1	0	1
Latino	0	0	0	0
Asian-American and Pacific	1	0	0	1
Native-American	0	1		1
TOTAL	19	19	1	39

Source: Author's calculations

Political Party Diversity

Despite popular and common assumptions about political parties and their respective positions on politics and race, Republican and Democratic offices in the Senate employ the same number of staffers of color in top positions.

Table 3: Minority Representation of Top Staff by Political Party

Race	Republican	Democrat	Bipartisan	Total
Black	2	1	0	3
Latino	4	3	0	7
Asian-American and Pacific Islander	6	6	0	12
Native-American	0	2	0	2
TOTAL	12	12	0	24

Source: Author’s calculations

Table 3, however, understates the problem of racial underrepresentation among top staff for Senate Democrats. According to a series of 2012 daily tracking interviews by Gallup, 22 percent of those who self-identify as Democrats nationwide were African-American,⁹ but only 0.7 percent of top Democratic Senate staff members are African-American. Across all Democratic personal Senate offices in Washington, DC, there are no African-American chiefs of staff, legislative directors, or communications directors. Similarly, Latinos accounted for 13 percent of those who self-identify as Democrats nationwide, but Latinos account for only 2.0 percent of top Democratic Senate staff.

While people of color make up approximately 37 percent of those who identify as Democrats,¹⁰ they account for 8.1 percent of top Democratic Senate staff. In comparison, people of color make up 9 percent of those who identify as Republicans and 6.7 percent of top Republican Senate staff.¹¹ While both Republicans and Democrats employ a small number of top staff of color, the Republicans’ percentage of key staffers of color is closer to the share of their party’s voters who are people of color.¹²

Table 4: Racial Representation by Party Base Voters¹³

	Percent of Party Identifiers in 2012	Percent of Senior Senate staff
Democrats		
White	60	91.9
Black	22	0.7
Latino	13	2.0
Asian-American and Pacific Islander	2	4.0
Republicans		
White	89	93.3
Black	2	1.1
Latino	6	2.2
Asian-American and Pacific Islander	1	3.3

Source: Gallup and Author's calculations

States with Large Minority Populations

Racial underrepresentation in key staff positions is particularly stark among Senate personal offices that represent states with large populations of people of color.

Over 64 percent of people of color in the United States live in just ten states (Table 5a).¹⁴ Of the 58 key staff positions in Senate personal offices representing these ten states, 8.6 percent (five) are held by staffers of color. The personal offices of the two states with the most residents of color (California and Texas) have no staffers of color in top staff positions.

Table 5a: Highest Minority Population States (by raw numbers)

State	Residents of Color	Key Staff of Color
California	22,297,703	0
Texas	13,748,216	0
New York	8,073,855	1
Florida	7,916,588	3
Illinois	4,662,879	0
Georgia	4,273,733	0
New Jersey	3,577,016	0
Virginia	2,814,574	0
Arizona	2,696,370	1
Maryland	2,615,594	0
TOTAL	72,676,528	5

Source: U.S. Census and Author's calculations

While congressional offices often try to hire employees from their district or state or who have affiliations with a key constituency, this pattern generally is not observed among top staff in Senate offices representing states with a large percentage of residents of color. In ten states, minorities make up at least 42 percent and up to 77.3 percent of the state population. Of the 59 key staff positions in Senate personal offices representing these ten states, 13.6 percent (eight) are held by staffers of color (Table 5b).¹⁵

Table 5b: Highest Minority Population States (by percentage)

State	Percentage of Total Population	Percentage of Top Staffers of Color
Hawaii	77.3	33.3
New Mexico	59.5	16.7
California	59.9	0
Texas	54.7	0
Nevada	45.9	16.7
Maryland	45.3	0
Arizona	42.2	16.7
Georgia	44.1	0
Florida	42.1	50
Mississippi	42.0	0

Source: U.S. Census and Author's calculations

A similar analysis of states with a high African-American population reveals even more severe underrepresentation. According to the 2010 Census, 60 percent of all African-Americans in the United States live in ten states, yet there are no African-American staffers in the top staff positions in any of the Senate offices from these states (Table 6a).¹⁶

Table 6a: Highest African-American Population States (by raw numbers)

State	Number of African-Americans	African-American Top Staff
New York	3,334,550	0
Florida	3,200,663	0
Texas	3,168,469	0
Georgia	3,054,098	0
California	2,683,914	0
North Carolina	2,151,456	0
Illinois	1,974,113	0
Maryland	1,783,899	0
Virginia	1,653,563	0
Ohio	1,541,771	0
Pennsylvania	1,507,965	0
TOTAL	26,054,461	0

Source: U.S. Census and Author's calculations

There are ten states where African-Americans account for at least 17 and up to 37.6 percent of the total state population.¹⁷ Out of the 20 Senate offices from those same states, only one has a senior African-American staffer (Table 6b). African-Americans account for 26.5 percent of the total population of these ten states combined,¹⁸ but hold only 1.7 percent of the total top Senate staff spots in the personal Senate offices representing these states.

Table 6b: Highest African-American Population States (by percentage)

State	Percentage of Total Population	Percentage of African-American Top Staff
Mississippi	37.6	0
Louisiana	32.8	0
Georgia	31.5	0
Maryland	30.9	0
South Carolina	28.8	16.7
Alabama	26.8	0
Delaware	22.9	0
North Carolina	22.6	0
Virginia	20.7	0
Tennessee	17.4	0

Source: U.S. Census and Author's calculations

Latinos are also underrepresented among top staff in personal Senate offices representing states with large Latino populations. In 2010, 78.1 percent of all Hispanics lived in ten states with Hispanic populations near one million or more (Table 7a).¹⁹ In the 20 Senate personal offices representing these states there are 59 key staffers, and only five are Latino (8.5 percent).

Table 7a: Highest Hispanic Population States (by raw numbers)

State	Number of Hispanics	Hispanic Top Staff
California	14,013,719	0
Texas	9,460,921	0
Florida	4,223,806	3
New York	3,416,922	0
Illinois	2,027,578	0
Arizona	1,895,149	1
New Jersey	1,555,144	0
Colorado	1,038,687	0
New Mexico	953,403	1
Georgia	853,689	0
TOTAL	39,439,018	5

Source: U.S. Census and Author's calculations

Hispanics make up from 15.8 percent to at least 46.3 percent of the population in ten states (see Table 7b).²⁰ The 20 Senate offices representing those states have 59 top staffers, and only five are Latino. Latinos account for 28.4 percent of the total population of these ten states combined,²¹ but Latinos hold 8.5 percent of the total top Senate staff spots in the personal offices representing these states.

Table 7b: Highest Hispanic Population States (by percentage)

State	Percentage of Total Population	Percentage of Hispanic Top Staff
New Mexico	46.3	16.7
California	37.6	0
Texas	37.6	0
Arizona	29.6	16.7
Nevada	26.5	0
Florida	22.5	50
Colorado	20.7	0
New Jersey	17.7	0
New York	17.6	0
Illinois	15.8	0

Source: U.S. Census and Author's calculations

Case Study: 25 Years Without Black Staff Growth

The 1980s was a notable period for racial diversity among top Senate staff, as Ralph Everett was hired as the first African-American to lead a committee as staff director (Everett has since served as President of the Joint Center).²² As Table 8 indicates, however, no significant changes appear in the level of African-American representation after initial groundbreaking appointments.²³ Despite renewed attention to the issue by DiversityInc.'s 2006 coverage and Senator Harry Reid's creation of the Senate Diversity Initiative,²⁴ since 1989 African-Americans remain almost wholly absent from top staff positions. While there have been African-American top staff between these periods, hiring remains idiosyncratic.

Table 8: Black Representation in the Senate Workforce 1989 and 2015

	1989	2015
Black Chief of Staff	0	1
Black Legislative Director	1	0
Black Communications Director	1	1
Black Staff Director	2	1

Source: Senate Committee on Governmental Affairs and Author's calculations

The Importance of Racial Diversity in the U.S. Senate Workplace

While key Senate staffers' names may not appear on legislation or in headlines, these powerful actors leave an indelible imprint on American public policy. The lack of diversity among this group influences problem-solving, interactions with constituents, policymaking, and the ability for the legislature to represent diverse constituencies. We believe that increasing the presence of people of color in top Senate staff will enhance representation, legitimacy, innovation, and opportunity.

Representation and Legitimacy

In a nation in which people of color comprise over 36 percent of the population,²⁵ greater racial representation among top Senate staff would amplify the perspectives of communities of color in legislative deliberations. The small number of U.S. Senators of color only enhances the need for more top staff of color.

Research has shown that a staffer's identity has important implications on how interests are represented. Diverse perspectives are especially valuable in areas where policy positions are not crystalized.²⁶ For example, women staffers are critical to advancing women's interests, especially in areas where gender is not expected to play a role.²⁷

The need for greater racial diversity is most acute in senior positions, where staff is endowed with agenda-setting powers.²⁸ Senior staff make recommendations to Senators, help write questions for congressional hearings, craft statements that will be read on the Senate floor, and often decide which issues get the attention of Senators and committees.²⁹

Increasing diversity among top staff would allow Senators to make better decisions.

Government should resemble the people it represents on all levels to ensure fairness and legitimacy.³⁰ Enhancing diversity among top staff would increase public confidence that our nation's legislators are developing sound policies that address the concerns of all Americans.

Innovation

Increasing racial representation among the top Senate staff would allow Senators to make better decisions. A range of economic and sociological studies demonstrates that diverse work teams lead to greater productivity, help organizations establish trust with their clients, and help organizations make more innovative decisions.³¹

Although many vacant Senate staff positions are posted publicly, hiring is often done through preexisting social networks, especially for more senior positions. This practice means that staffers often fill vacancies with people they know who share similar perspectives. While this practice initially may seem to lead to greater trust and collaboration among staff, homogeneity has costs. Research has shown that employees with diverse backgrounds bring to the workplace different perspectives and problem-solving skills. This helps explain why more diverse workforces often outperform more homogeneous workforces.

Employees with diverse backgrounds bring to the workplace different perspectives and problem-solving skills.

Opportunity

A workforce of top Senate staff that lacks diversity also fortifies homogeneity in other sectors of American public life. Top staff positions in the U.S. Senate are pathways to other positions in executive branch agencies, independent agencies, the judiciary, advocacy organizations, foundations, and the private sector. The underrepresentation of racial minorities in top Senate staff positions narrows the career pathways for racial minorities to work in various senior level positions in law and public policy.

Recommendations

In light of limited progress toward increasing racial diversity in top Senate staff positions over the last 25 years, we advance initial recommendations. While the efforts of Senator Harry Reid to establish and support the Senate Diversity Initiative are laudable, the limited number of people of color in key positions means Democratic and Republican Senators must do more to ensure a more diverse—and more representative—workplace.

The primary objective of this report is to provide recent data to spur discussion of the lack of diversity among top Senate staff. This discussion should include a robust assessment of why key U.S. Senate staff is not diverse, and at what points in the process staff becomes less diverse. The discussion should also include structural changes that might facilitate the hiring, retention, growth, success, and ultimately promotion of people of color. Initial solutions are listed below, some of which are already in place in some Senate offices. No single solution will completely diversify the Senate workforce. We believe that these recommendations, however, together with additional research and analysis of the reasons the top Senate staffers are a relatively homogenous class, can increase racial diversity among top Senate staff.

The discussion should also include structural changes that might facilitate the hiring, retention, growth, success, and ultimately promotion of people of color.

Increase Transparency in the Senate Workforce

Currently, there is no mechanism for the collection and analysis of demographic data concerning the Senate workforce. This absence of demographic information hides racial inequality and exclusion.

To reverse this trend, the Senate should report on racial demographics of its employees. As discussed above, Congress already requires this disclosure from many federal agencies, government contractors, and other work organizations.³²

The Congressional Accountability Act requires the Board of Directors of the Office of Compliance to make recommendations to Congress for changes to the Congressional Accountability Act to advance workplace equality.³³ In its next report to Congress, the Office of Compliance should recommend that Congress authorize the Office of Compliance to collect and publish Senate demographic data, and Congress should provide such authorization.

Further, the Senate should reinstitute yearly employment studies conducted by outside organizations like the Congressional Management Foundation that report on the state of the

Senate workforce. These reports not only provide valuable information about who works in Congress, but also are crucial for ensuring pay equity and fundamental fairness.

Follow the “Rooney Rule” in all Senate Staff Hiring

The U.S. Senate is a unique work organization, in which offices and committees each operate like small businesses with control over their own hiring practices. This organizational structure is similar to the NFL, where 32 individually-owned teams decide their players and management. To address the lack of racial diversity among coaches and other management officials, the NFL established the Rooney Rule.³⁴ The rule required each team to interview a candidate of color along with any other contenders for vacant positions, and still allowed each team to maintain final approval over hiring decisions.³⁵

Senate offices and committees can ensure that candidates of color are being considered by employing the Rooney Rule for top Senate positions, as well as for junior staff positions that feed into top Senate positions.

Compared to most workplaces, a distinguishing feature of the congressional workplace is its high turnover among staff and its short career ladders.³⁶ Senators should use the high turnover in the Senate workforce as an opportunity to diversify their offices and committees.

Senators should use the high turnover in the Senate workforce as an opportunity to diversify their offices and committees.

While a Rooney Rule alone is insufficient because many Senate offices will continue to hire within their personal staffs, the Rooney Rule gives candidates of color experience interviewing and focusing on qualities to be a key Senate staffer. Use of the Rooney Rule may also increase the number of mid-level staffers of color, and thus the pool of candidates for top staff positions.

Establish a Minority Fellowship and Utilize Existing Programs

The Senate should work with a third-party organization to provide minority fellows with one to two years of experience of working in senior-level positions. We suggest modeling such a program after successful programs like the White House Fellows program.³⁷ Each fellow would receive support from a third-party philanthropic partner and would work under the direction of a chief of staff, legislative director, or communications director, and would provide strategic advice and counsel to a Senator. Upon the conclusion of the fellowship, fellows will have first-hand senior-level experience, and the program would deepen an already existing pool of highly-qualified political professionals of color from which Senators can hire.

Senate offices should also expand the pipeline of diverse talent by recruiting interns and fellows from various organizations, including the Asian Pacific American Institute for Congressional Studies (APAICS), Congressional Black Caucus Foundation (CBCF), Congressional Hispanic Caucus Institute (CHCI), and the GW Native American Political Leadership Program.

Centralize Diversity Resources for Senators

Individual personal Senate offices have a variety of responsibilities, and a centralized office can serve as an invaluable resource to both Senators and staff.

We encourage Majority Leader Mitch McConnell and other Senate Republican leaders to establish a Republican counterpart for the Democratic Senate Diversity Initiative. The Democratic Senate Diversity Initiative has made great strides in diversifying the Senate workforce, particularly in junior staff positions, by collecting resumes of qualified applicants of color, conducting informational interviews, hosting numerous forums about how to enter into and advance within the Senate workforce, and serving as a resource to Democratic Senators seeking to fill vacancies.³⁸

Diversity offices for Republicans and Democrats should collect resumes of senior political professionals of color by working with outside organizations such as APAICS, CBCF, CHCI, the Congressional Hispanic Leadership Institute, INSIGHT America, Washington Government Relations Group, and Senate and House staff organizations.

Develop an Office Diversity Plan

While Democratic and Republican Diversity Initiative Offices should make diversity resources available, each personal office and committee office should develop and adopt its own diversity plan. Diversity cannot be outsourced – each office should demonstrate a serious commitment by developing a written plan. Just as each office develops its own budget, each office should develop its own diversity plan and monitor its compliance with the plan.

Require Implicit Bias Training

Each Senator should require that staff who make hiring and staff evaluation decisions take implicit bias training. Research establishes that Americans of all races have thoughts and feelings that exist outside of conscious awareness or conscious control that affect perception, judgment, and action. These implicit biases, often exacerbated by our anxiety about race, have been found to influence resume selection, interview dynamics, and evaluations of work product. As a result, even those who are consciously committed to racial equity and fairness are at risk of favoring some groups over others in hiring, retention, and promotion.³⁹ Receiving implicit bias training—which would include taking an implicit association test—would increase the likelihood that staff

would consciously adopt practices that ensure that hiring and promotion decisions are in line with a Senator's commitment to fairness and inclusion. The implicit bias training could be incorporated into existing programs, such as training currently provided by the Pew Charitable Trusts to U.S. Senate chiefs of staff.

Conclusion

People of color hold only 7.1 percent of top Senate staff positions, despite the fact that people of color account for over 36 percent of the U.S. population. Many Senate offices from states with high numbers of racial minorities lack a top staffer of color. Data show that the dearth of senior staff of color is not solely a Republican or Democratic issue, but represents an institutional challenge.

While the task of diversifying the top Senate staff may appear daunting, U.S. Senators can take concrete steps to change this situation. Senators should increase transparency about who works in the Senate, use the Rooney Rule in all hiring decisions, create senior-level fellowships with a third party leadership organization and recruit fellows and interns from APAICS, CBCF, CHCI, and the GW Native American Political Leadership Program, provide a central office for diversity resources, develop diversity plans for each personal office and committee office, and require implicit bias training for staff.

Appendix

Acknowledgments

I would like to thank many people at the Joint Center for Political and Economic Studies for the opportunity to write this report and for their support throughout the project, including Spencer Overton, Keturah Brown, Yosef Getachew, Morgan Butler, Samone Ijoma, and Munachimso Okoji. I would like to give a very special thanks to Keturah Brown, Yosef Getachew, and Spencer Overton, who read several drafts, reviewed and confirmed data sets, and went above and beyond the call of duty in too many ways to fully describe here.

Thanks also to individuals at The Raben Group for their support, including Robert Raben, Brenda Arredondo, Beth Lynk, and Alicin Williamson. I am grateful for insightful comments from Brian Ackerman, Rachel Godsil, Fredrick Harris, Shamus Khan, Barbara Johnson, Kimberley Johnson, and Cynthia Overton. Finally, I would like to thank the Senate Black Legislative Staff Caucus for advice on this report, and the Congressional Asian Pacific American Staff Association, the Congressional Hispanic Staff Association, and many others for feedback.

Recognition of Offices with Diversity Among Top Staff

We applaud the personal Senate offices and committees that had at least one person of color in a top staff position in April 2015.

Personal Offices	
Senator Maria Cantwell	Senator Bill Nelson
Senator Daniel Coats	Senator Marco Rubio
Senator Steve Daines	Senator Brian Schatz
Senator Orrin Hatch	Senator Charles Schumer
Senator Martin Heinrich	Senator Jeanne Shaheen
Senator Dean Heller	Senator Tim Scott
Senator Mazie Hirono	Senator Patrick Leahy
Senator James Lankford	Senator Patrick Toomey
Senator Edward Markey	Senator Joe Manchin
Senator John McCain	Senator Ron Wyden

Committee Offices
Aging, Minority
Indian Affairs, Minority
Small Business, Majority

About the Author



James R. Jones is a Ph.D. candidate in the Sociology department at Columbia University. His research focuses on investigating the role race plays in organizing American democratic institutions and the mechanisms that produce and reproduce racial inequality within them. In particular, he focuses on the social experiences of African-American professionals in government as a way to see not only inequality, but also the relationship between race and power in what he theorizes as raced political organizations. With support from the National Science Foundation, the Dirksen Congressional Center, and Columbia University, his dissertation is the first sociological study of racial inequality in the United States congressional workforce (this report draws from his research on his dissertation). He obtained his undergraduate degree at the George Washington University, where he majored in Political Science and minored in African American Studies and Sociology.

Opinions expressed in Joint Center publications are those of the authors and do not necessarily reflect the views of the staff, officers, or governors of the Joint Center for Political and Economic Studies or of the organizations that support the Joint Center and its research.

© Copyright 2015
All rights reserved.

Joint Center for Political and Economic Studies
info@jointcenter.org
www.jointcenter.org
@JointCenter

Endnotes

¹ Krogstad, Jens M. January 12, 2015. "114th Congress is most diverse ever." Pew Research Center. (<http://www.pewresearch.org/fact-tank/2015/01/12/114th-congress-is-most-diverse-ever/>).

² Brown, C. Stone and Mark Lowery. 2006. "Who Is Worst for Diversity? The United States Senate." *DiversityInc. Top 50 Companies or Diversity* 5(5): pp. 170-80.

³ United States Senate. "Position Descriptions." (<http://democrats.senate.gov/wp-content/uploads/2014/11/PositionDescriptionBooklet.pdf>).

⁴ *Id.*

⁵ American Society of News Editors. July 28, 2015, "2015 Census." (<http://asne.org/content.asp?pl=121&sl=15&contentid=415>); Martínez Ortega, Julie. June 25, 2014. *2014 Fannie Lou Hamer Report: Analysis and Review of Democratic Party Spending*. PowerPac+ (<https://d3n8a8pro7vhmx.cloudfront.net/pacplus/pages/316/attachments/original/1403667621/PowerPACPlusaudit.pdf?1403667621>); Zakrzewski, Cat. July 8, 2015. "The Diversity Report Gap: Without Specific Goals, No Accountability." (<http://techcrunch.com/2015/07/08/the-diversity-report-gap-without-specific-goals-no-accountability/>); Kokalitcheva, Kia. June 1, 2015. "Google's workplace diversity still has a long way to go" *Fortune*. (<http://fortune.com/2015/06/01/google-diversity-demographics/>); Fandos, Nicholas. 2015. "A Study Documents the Paucity of Black Elected Prosecutors: Zero in Most States." *The New York Times*, July 7, p. A11.

⁶ Pub. L. No. 88-352, 78 Stat. 253 1964; 42 U.S.C. § 2000e-16 (2014). Title VII of the Civil Rights Act of 1964 outlawed discrimination based on race, color, religion, sex, or national origin in employment practices. Federal law requires private employers with over 100 employees and federal contractors with more than 50 employees to report workforce data to the Equal Employment Opportunity Commission to assist with enforcement, self-assessment by employers, and research. The Equal Employment Opportunity Act of 1972 extended these reporting requirements to federal executive agencies.

⁷ United States Senate. "Committees." (http://www.senate.gov/committees/committees_home.htm).

⁸ United States Senate. "Senate Committees: Operations." (<http://www.senate.gov/artandhistory/history/common/briefing/Committees.htm#4>).

⁹ Newport, Frank. February 8, 2013. "Democrats Racially Diverse; Republicans Mostly White." Gallup, Inc. (<http://www.gallup.com/poll/160373/democrats-racially-diverse-republicans-mostly-white.aspx>). Exit polls suggest that minority voters made up an even larger share of the voting base of Democrats for president in 2012. The analysis indicates that Democratic presidential candidate Barack Obama's support was 24 percent African-American, 14 percent Latino, and 4 percent Asian-American, which totals at least 42 percent non-white. By contrast, Republican Mitt Romney's voters were 2 percent African-American, 6 percent Latino, and 2 percent Asian American. See Scocca, Tom. November 7, 2012. "Eighty-Eight Percent of Romney Voters Were White." *Slate*. (http://www.slate.com/articles/news_and_politics/scocca/2012/11/mitt_romney_white_voters_the_gop_candidate_s_race_based_monochromatic_campaign.html).

¹⁰ *Id.*

¹¹ *Id.*

¹² Newport, Frank. February 8, 2013. "Democrats Racially Diverse; Republicans Mostly White." Gallup, Inc. (<http://www.gallup.com/poll/160373/democrats-racially-diverse-republicans-mostly-white.aspx>).

¹³ Native-Americans staff were not included in this table due to a lack of sufficient census data.

¹⁴ Humes, Karen R., Nicholas A. Jones and Roberto R. Ramirez. March 2011. "Overview of Race and Hispanic Origin: 2010." U.S. Census Bureau. (<http://www.census.gov/prod/cen2010/briefs/c2010br-02.pdf>). People of color make up over a third of the nation's population. United States Census Bureau. August 31, 2015. "State & County QuickFacts." (<http://quickfacts.census.gov/qfd/states/00000.html>).

¹⁵ *Id.*

¹⁶ Rastogi, Sonya, Tallese D. Johnson, Elizabeth M. Hoeffel, and Jr. Malcolm P. Drewery Jr. September 2011. *The Black Population: 2010*. U.S. Census Bureau. (<https://www.census.gov/prod/cen2010/briefs/c2010br-06.pdf>).

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ Ennis, Sharen R., Vargas-Rios, Merarys, Albert, Nora G. May 2011. "The Hispanic Population: 2010." U.S. Census Bureau. (<http://www.census.gov/prod/cen2010/briefs/c2010br-04.pdf>).

²⁰ *Id.*

²¹ *Id.*

²² Senator Ernest Hollings appointed Ralph Everett as the staff director and chief counsel for the Commerce, Science, and Transportation Committee, making him the first African American to lead a full committee in the Senate.

²³ Hearing before the Committee on Governmental Affairs, Senate, 101st Cong. 133 (1989) (This committee is now called Committee on Homeland Security and Governmental Affairs).

²⁴ United States Senate Democrats. "Senate Democratic Diversity Initiative." (<http://democrats.senate.gov/diversity-initiative/#.VgTXL3g-CRt>).

²⁵ United States Census Bureau. March 2011. "Overview of Race and Hispanic Origin: 2010." (<https://www.census.gov/prod/cen2010/briefs/c2010br-02.pdf>).

²⁶ Mansbridge, Jane. 1999. "Should Blacks Represent Blacks and Women Represent Women? A Contingent "Yes"." *The Journal of Politics*. 61(03):628-57.

²⁷ Rosenthal, Cindy S. and Lauren C. Bell. 2003. "From Passive to Active Representation: The Case of Women Congressional Staff." *Journal of Public Administration Research and Theory*. 13(1):65-82.

²⁸ United States Senate. "Position Descriptions." (<http://democrats.senate.gov/wp-content/uploads/2014/11/PositionDescriptionBooklet.pdf>).

²⁹ *Id.*

³⁰ Guinier, Lani. 1994. *The Tyranny of the Majority: Fundamental Fairness in Representative Democracy*. New York, NY: Free Press New York.

³¹ Page, Scott E. 2008. *The Difference: How the Power of Diversity Creates Better Groups, Firms, Schools, and Societies*. Princeton, NJ: Princeton University Press; Levine, Sheen S., Evan P. Apfelbaum, Mark Bernard, Valerie L. Bartelt, Edward J. Zajac, and David Stark. 2014. "Ethnic Diversity Deflates Price Bubbles." *Proceedings of the National Academy of Sciences*. 111(52):18524-29.

³² U.S. Equal Employment Opportunity Commission. "EEO Reports / Surveys." (<http://www.eeoc.gov/employers/reporting.cfm>).

³³ 2 U.S.C. § 1301-02 (2014).

³⁴ Burke, Monte. January 26, 2013. "Why The NFL's Rooney Rule Matters." (<http://www.forbes.com/sites/monteburke/2013/01/26/why-the-nfls-rooney-rule-matters/>).

³⁵ *Id.*

³⁶ Salisbury, Robert H. and Kenneth A. Shepsle. 1981. "Congressional Staff Turnover and the Ties-That-Bind." *The American Political Science Review*. pp. 381-96; Romzek, Barbara S. and Jennifer A. Utter. 1996. "Career Dynamics of Congressional Legislative Staff: Preliminary Profile and Research Questions." *Journal of Public Administration Research and Theory* 6(3):415-42.

³⁷ White House. "White House Fellows." (<https://www.whitehouse.gov/participate/fellows>).

³⁸ Newhauser, Daniel. 2011. "Maria Meier Leads Drive for Staff Diversity." *Roll Call*, March 21.

³⁹ Kang, Jerry et al. 2012. "Implicit Bias in the Courtroom." *UCLA Law Review* 59: 1124-86 (discussing of the operation of implicit bias); Godsil, Rachel D. et al. 2014. "*The Science of Equality, Vol. 1: Addressing Implicit Bias, Racial Anxiety, And Stereotype Threat in Education and Healthcare*." Perception Institute. (http://perception.org/app/uploads/2014/11/Science-of-Equality-111214_web.pdf).