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WEBINAR

A CONVERSATION ABOUT DOMESTIC GOVERNANCE REFORM

Part 4 of the Brookings Blueprints for American Renewal & Prosperity Event Series

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Welcome:

JOHN R. ALLEN
President, The Brookings Institution

Panel 1: A More Responsive and Agile Government:

ELAINE KAMARCK, Moderator
Senior Fellow and Founding Director, Center for Effective Public Management
The Brookings Institution

ALAN BERUBE
Senior Fellow and Deputy Director, Metropolitan Policy Program
The Brookings Institution

CAROL GRAHAM
Leo Pasvolsky Senior Fellow and Research Director, Global Economy and Development
The Brookings Institution

MOLLY E. REYNOLDS
Senior Fellow, Governance Studies, The Brookings Institution

Panel 2: Tech Policy Reform:

NICOL TURNER LEE, Moderator
Senior Fellow and Director, Center for Technology Innovation
The Brookings Institution

DARRELL M. WEST
Vice President and Director, Governance Studies
The Brookings Institution

TOM WHEELER
Visiting Fellow, Center for Technology Innovation
The Brookings Institution

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P R O C E E D I N G S

GENERAL ALLEN: Good afternoon, ladies and gentlemen. I'm John Allen, and I'm the president of the Brookings Institution, and it is a great pleasure to welcome you all this afternoon, to our event "A conversation about domestic governance reform." Now, today's convening is the fourth part of our latest project, Brookings Blueprints for American Renewal and Prosperity.

Launched last December, the Brookings Blueprints Project seeks to realize a vision of a renewed America, in 2021 and beyond. Through the end of this month, we'll be releasing a series of papers and events featuring scholars and experts, from across the Institution, all in the hope of advancing big ideas that will help our nation and the world emerge stronger, and more equitable, and more resilient than ever, from the crisis that we face.

Out topic today, domestic governance reform, could not be more appropriate, and more important to this moment. Following the impacts of the pandemic and the massive economic downturn this past year, the Biden administration has been seeking proactive solutions for rebuilding America, and for creating a healthier, more resilient society, for when the next public health crisis, inevitably, arises.

Whether it be through reforms aimed at creating a highly responsive and adaptable government, or developing a stronger more constructive relationship with the tech sector, the White House and Congress are looking for new ways to, as Joe Biden said in his inaugural address, write the next chapter of the American story. So, undoubtably, today's two panels of Brookings scholars will be offer a fascinating perspective on how to accomplish this challenging endeavor.

Indeed, now, looking to these events, I'll soon turn the floor over to Brookings Senior Fellow Dr. Elaine Kamarck, who will be moderating the first of our two panels, but before I do, please remember that we are live, and we're recording this event, and should audience members like to submit questions to the event today, you are welcome to do so, at events@brookings.edu, that's events@brookings.edu, or tweeting @BrookingsGov, using the #BrookingsBlueprints. So, with that, Elaine, over to you, and thank you, all, so much for tuning today.

DR. KAMARCK: Thank you, John, and good afternoon, everyone. I would like to introduce my three colleagues, this morning. All of us have written papers as part of this Blueprint series, and I'd like to introduce our colleagues -- my colleagues, then I'll talk a little bit about my own paper, and

how these papers will flow, and then we'll have a little bit of time for Q and A.

My first -- first of all, I'd like to introduce my colleagues, Molly Reynolds, Molly is a senior fellow in the Governance Studies Program, here at Brookings, Carol Graham is the Leo Pasvolsky senior fellow and the research director at the Global -- Center for Global and Economic Development, and Alan Berube is senior fellow and deputy director at the Metropolitan Policy Center. So, you can see we're coming at this from different centers, but similar approaches.

There's really sort of two themes today. Molly and I will talk about Institutional Reform. I'll be talking about institutional reform, in the executive branch. Molly will talk about institutional reforms, in the legislative branch, and then we'll turn to Carol and Alan, who will talk about ways to make the government work in a more seamless way, in order to address critical problems that are often missed because of the silent nature of modern government.

My paper deals with agility in the federal government. I argue that we are in an era of evermore severe crises, mostly due to climate change, and that we -- that the pandemic and things, like Hurricane Katrina, are only the beginning of what we will likely see more of, as this century wears on. What that means is not -- we need not necessarily a new government, but we need an agile government, a government that can respond quickly to the unexpected, which I think we're going to see more and more of.

To do that, I take some theories from the Military, and I advocate that the domestic side of the government, do a few things routinely; one, that they engage in scenario planning, or in the Military, that's called War Gaming. Scenario planning is a very useful way to figure out where the gaps are, and where the government cannot act -- react quickly to crises. There was one about a pandemic. Surprise, surprise, called A Crimson Tide, that was played, just two years ago, and guess what? No lessons were taken from it.   One of the things that has to happen is this has to be a routine part of how the government trains and prepares. I advocate that the government look at surge capacity, that it has the ability, that it develops on the domestic side. We get the ability to react to unanticipated crises. The Military does this, via the Reserves, and via the National Guard. We need to do this on the domestic side, particularly in terms of healthcare, we need a surge capacity in healthcare.

I argue for dual use technologies, which is something that has -- was -- was really started

in the Clinton administration, in terms of using civilian technologies for Military uses. We need to look at that, on the health side, in particular, and particularly with regard to drugs. And, then, I argue for, basically, an increase in competent leadership, that to make all these things happen, we really need leaders who understand how to weave the government together, very quickly, in response to very new crises.

So, that's my approach to change in the federal government, in the executive branch of the government. You can look at my paper on the Brookings site, and now let me turn it over to Molly Reynolds, who has -- has an approach for looking at Congress and the legislative branch. Molly?

MS. REYNOLDS: All right, thank you, Elaine, and thanks to everyone who's joined us today. My paper discusses how we need to think about and invest accordingly in Congress, as not just a place where elected legislators serve, and where they do the legislative work of the country, but also as a place where people, legislators, but also their staffs, the staffs of congressional support agencies, like the Congressional Research Service, the Congressional Budget Office, and the Government Accountability Office, the Capital Police, custodians, food service workers, all the individuals who make the business of Capital Hill work.

We need to think of Congress as a workplace. Making sure Congress is a good place to work is necessary, it's not sufficient for ensuring that Congress is capable of addressing the big policy problems facing the country, but we can't expect Congress to do the job of the American people, unless we make sure that it has the resources and the capacity, and it's organized, in a way that it makes it a good place for all of these folks to -- to do their job.

It is the case that I -- some of these issues, that I talk about in the paper, have come into even more shark relief, since the attack on the Capitol, on January 6. So, obviously, we're having this conversation today, during the impeachment trial, where there's a lot of focus on questions related to safety on Capitol Hill. And, indeed, I talk about four categories of reforms, in my paper, for making Congress a better place to work, and one of them, the first one, does address this idea of ensuring employee health and safety, and so, in the aftermath of January 6, like I said, this is especially important.

This is especially important in these weeks and months to come, for congressional staff of color, so both for folks who work for member and for committees, but also for the custodial staff, the

food service workers we saw in, you know, some really arresting photos, cleaning up after the

insurrection of the Capitol, on January 6, and making sure that, to the greatest extent possible, that these

folks can feel safe returning to their jobs, to doing the work of the country, which is what they were doing

when they were attacked, a little over a month ago.

I also in that section, talk about things, like making sure that Congress has the capacity to

function well, right now, in the time of COVID, but generally in times of great national emergency, where

being together in the way, that they are, specifically -- historically, may not -- may not be safe. I also talk

about making the congressional workforce more diverse and ensuring that Congress, as a place to work,

is inclusive and fosters a sense of belonging for everyone who works on Capitol Hill, and here I talk about

things, like expanding opportunities for paid internships, which are a hugely important pathway for

individuals into careers on Capitol Hill.

The third thing that I discuss in the paper, as a potential reform, involves empowering

congressional offices to recruit and retain top talent. So, even in the era that we live in, now, where

Congress -- where legislative power and Congress is quite centralized, in the hands of party leaders,

much of Congress is administrative operations, decisions about who to hire, who to fire, what kind of

workplace policies to set, what kind of opportunities to provide to employees within an office. A lot of

those decisions are still made by individual members of Congress.

The line you'll often hear is that Congress is like 535 small businesses, and so, there are

some changes that could be made to make sure that Congress and congressional offices, again, have

the -- are better equipped to recruit and, importantly, retain top talent needed to -- to do the work of the

American People.

And then, the last thing I talk about, streamlining some of Congress's administrative

operation, so, if you were to take a look at the U.S. Congress, as someone coming from the outside, there

are some ways that it's organized administratively, that you would probably find surprising, things

particularly related to information technology capacity to cyber security, and so, there are some reforms

that I discuss in the paper, that would also make progress on this area.

And the last thing I'll say, in closing, is that, throughout the paper, I highlight some really

good work that's been done over the past two years, by the Select Committee on the Modernization of

Congress, which is a special committee, stood up in the House, two years ago, recently extended for

another two years, that's been doing hard, careful work.

I'm making recommendations on how to address some of these and other problems, that,

again, if we want Congress to be able to make the kinds of policies that are necessary to confront the

major challenges the country faces, we have to treat Congress like a workplace. We have allow

Congress to invest in itself, and provide its own staff with the resources that they need, in order to do the

work of the country.

DR. KAMARCK: Great, thank you, Molly. Let me pause for a minute because one of the

similarities between executive branch reform and congressional reform, in terms of the way Molly and I

have viewed these, is that they're very unpopular. It's unpopular to hire more staff. It's unpopular to raise

salaries in the executive branch. It's -- these things are very politically difficult to do, and yet, in the grand

scheme of things, we're talking about a very small amount of money, and, frankly, the more you improve

the congressional capacity, and the legislate -- and the executive branch capacity, the less room, and this

-- this doesn't -- this confuses people, the less room there is for outside influence.

You do not have the lobbyists writing the bills because you have the talent, in-house, to

be writing the bills, or writing regulations in the executive branch. A lot of people have worried about this,

on the executive branch. They've talked about the problem of hollowing out of the federal government,

and the legislative side, they've talked about the dumbing down of Congress. And I just throw it to you,

Molly, for any thoughts on -- on this impasse we're at.

MS. REYNOLDS: Yeah, so, it a great point Elaine, and one of the things that's really

difficult, in the congressional context, is that members certainly believe that it is unpopular to invest in

themselves, and invest in their employees, and whether or not it's actually unpopular, I think we don't

have a great sense of, but they certainly believe it is, and they act accordingly, and in the congressional

context, this means things, like employee benefits end up becoming a political football. So, one of the

very specific things, that I talk about in the paper, is that for, I think, almost a decade, congressional staff

have had their own health insurance sort of caught in this political battle related to the Obama Care

exchanges and the marketplaces, and it's -- it may seem, to outsiders, like a small thing, I mean, again, in

the grand scheme of things, I think that it's -- it may not actually be the thing, for many individuals, that

makes the difference between whether they stay, or seek employment on the Hill, and not. But it's this kind of thing, that when you think about, well, you know, an average person in their job, like, they're -- this isn't -- they don't have to worry about kind of the things that we take for granted, as part of our employment experience, being caught up in these political battles, and so, it's -- it is really tricky, and you're absolutely right, that, in the grand scheme of the federal budget, the budget for the legislative branch is really quite small --

DR. KAMARCK: That's right. That's right.

MS. REYNOLDS: -- and so, convincing members to really invest in themselves, and sometime to give up a little bit of power, that they've been used to. So, when we think about kind of reorganizing some of the administrative operations of Congress, and centralizing some of those activities out of members' offices, you know, it can be hard to convince someone, even if they don't like doing the administrative work themselves, that someone else should do it for them.

DR. KAMARCK: Yeah, I think that's right.

MS. REYNOLDS: So, there's a lot of -- and again, these things should feel familiar to anyone, who works in an office job.

DR. KAMARCK: Especially in a Biden administration.

MS. REYNOLDS: They just, in this case, have consequences for how this particular workplace can do the incredibly important work of the country, that it does.

DR. KAMARCK: Great. Let's turn to Carol, now. Carol has done really groundbreaking work, on in -- on deaths of despair, and this whole topic in our society, and in her paper, she really addresses, head on, how the government might operate better to deal with these issues. Carol?

MS. GRAHAM: Thanks, Elaine. Yeah, indeed, this is -- my paper's focus is on a topic that's not usually the subject of government policy. It's also not really thought about much, in the context of the COVID recovery, but it is a crisis of despair in the U.S., and it has manifestations that clearly do affect the COVID recovery. So, one, is deaths of despair, people dying prematurely from suicide, drug overdose, and alcohol poisoning, primarily middle-aged, less than college educated whites.

We're the only rich country in the world, where mortality -- this is before COVID. We were the only rich country in the world where mortality rates are going up, rather than down, due to these

deaths, and this is clearly a barrier to reviving our labor markets and productivity. It certainly jeopardizes our longevity and health, as I just mentioned, but it also affects out politics. So, it actually has a long reach, in terms of pretty negative manifestations.

And this was occurring well before COVID, when our economy was at its heights, right before COVID hit, with, you know, we were boasting record low levels of unemployment, booming stock markets, all sorts of things. We had 20% of prime age males, who had simply dropped out of the labor force, and obviously COVID has not helped that number get better, and an average of 70,000 people, a year, prematurely dying from suicide, drug overdose, and these -- other kinds of these deaths.

And as I mentioned, you know, we stand -- we stood out for these kinds of deaths among wealthy countries, and we also stand out for having not only higher levels of inequality than most other rich countries, but also higher levels of reported wellbeing, so, life satisfaction, optimism, stress, markers of illbeing. So, as I mentioned, this is more of the -- the deaths of despair disproportionately hit whites, and less than college educated whites in particular, and out of labor force whites, are the -- are really in the worst category of these deaths.

And in contrast, we find that low-income minorities are significantly more optimistic about the future, than our low-income whites, they're more likely to believe in higher education, and they're less like to die of deaths of despair. And just another example of some of the puzzles here. So, Americans report more pain, on a daily basis, that they experienced pain yesterday, than in 30 other countries in the world, right, many of them much less wealthy than us, and then we also find that they report -- that it is again out of labor force whites, that report the most pain, and significantly more pain than low-income minorities.

Objectively, there's no reason this should be so, right? Low-income minorities tend to live in worse conditions and often have worse jobs. So, this really reflects a significant phycological pain, and that's also strongly associated with opioids dependance, which is, in turn, associated with deaths of despair, and all of this, you know, what explains all of this, in my view, it's not only, but very much a reflection of the decline of the white working class, and we find that these patterns also contribute to our declining rates of geographic mobility and our generational mobility.

So, not only do -- out of labor force white men report the highest levels of despair, they

also have terrible health statistics, and, as I mentioned, high levels of opioid dependence. Many of them

live in their parents' home, a very large percentage of them, and even if jobs are available, within some

geographic proximity, they're unlikely to take them up, due to either their health status or to just plain lack

of hope, and lack of aspirations. So, when we think about reviving deprived communities, something

Alan's going talk a bit more about, you know, a lot of the policies, that are very well conceived, won't even

affect this group because they're not going to take them up.

And there's also -- there are also political spillovers to all of this. So, in the 2016 election,

counties with more respondents that had lost hope, and the reported to have lost hope, in the past five

years, were much more likely to vote for Trump, then counties with a lower percentage of respondents

who had lost hope. So, things -- and these same people are actually very venerable to fake news and to

extremist and naivest rhetoric because they -- they don't have their own narrative. They don't have a

vision for the future, and they have no hope.

So, this was all happening prior to COVID, obviously, and COVID was clearly an

exponential shock. It was both economic and psychological. Our looking at first responder data, from

around the country, finds -- we find, when we compare the average for 2018 and 2019, we find a doubling

of mental health reports, and a doubling of overdose calls, in 2020, compared to the average for the two

years before. We also find an increase in suicide, that hasn't doubled, but it's increased significantly.

And so, the estimates now, of what we call excess deaths from COVID, so these are excess deaths of

despair, the spillover effects of COVID, on the existing patterns and deaths of despair, are in about the 50

to 70K range, for 2020.

So, we have a problem, basically. What to do about it, is a much more complicated story,

and there isn't sort of one magic bullet. I think, as Elaine mentioned, the need for agility in government

responses, to new kinds of problems, I think this one really requires that. At the moment, our system is

very fragmented, and has focused most on drug interdiction, without taking on the root causes of despair.

And in the past few years, there's been no policy, essentially.

The White House Task Force on Opioids was disbanded in June of 2020, right in the

middle of the pandemic, so that was obviously helpful, and, at the same time, we have ongoing agencies

that do good work, you know, the CDC, HHS, other agencies, that track or deal with these deaths and

their root causes, but they're -- it's not coordinated with any kind of economic recovery response, or even within drug interdiction polices, these are also siloed.

We also have inadequate resources for mental health, you know, a miniscule part of our health budget goes to mental health, and yet, we have a crisis, a national crisis of mental health. And there are also some really promising local efforts to boost declining communities, that try and pull these things together. They try and bring in the public health, the private sector, drug interdiction, but also, you know, support for mental health, into the same local efforts, but they're, again, siloed.

They don't have any federal logistical support, or financial support, and nor is there a system that disseminates information more widely, about the efforts that exist, so they can learn from each other, for other communities to look into this whole base of information and be able to implement their own policies. Our own research has built a new vulnerability indicator, it's interactive, it's on the Brookings website, where we're tracking illbeing and wellbeing trends, across different populations, minorities versus whites, at the state level and county level, across the country, and we're updating it pretty regularly, and we, now, are also focusing on the places where COVID deaths and deaths of despair intersect.

And that gives us a tracking system to, you know, where we can identify vulnerable populations and places, but that's -- that's me and my research assistants, in a Brookings office, that's not government policy. Other countries do a much better job of tracking wellbeing, and we find in my -- also in my research, that despair among the white working class, particularly white working-class men, preceded the deaths of despair by several decades.

So, the point is that, with very simple tracking metrics, we can pick up vulnerability. And then just a last thing, that, you know, that I can talk about examples of successful efforts to boost wellbeing and mental health, and the questions, if there's time, but what I recommend in the paper, as a policy, is at sort of a minimum, and something that's neither difficult or expensive to do, is federal task force, which would try and bring together or coordinate all the different efforts, so that we have an overall vision of what's going on, what could be better coordinated, where efforts to improve mental health could, you know, cooperate with economic recovery efforts. So again, it's not -- I think it's not any sort of huge expensive or bureaucratic effort, it's much more of a coordinating system, that I think a task force could

do. And --

DR. KAMARCK: Thank you, Carol.

MS. GRAHAM: -- I'll stop there.

DR. KAMARCK: Great, thank you, Carol. And I think -- let's turn to Alan because he has a similar approach to a slightly different problem, but definitely an overlapping problem. Alan?

MR. BERUBE: Yeah, thanks, Elaine, I was thinking the same thing, while Carol was talking --

DR. KAMARCK: Yeah.

MR. BERUBE: -- about -- I think viewers will hear some thematic similarities on what I'm going to talk about, which is a proposal that was actually conceived by my colleague, based in Seattle, Mary Jean Ryan. She's a nonresident senior fellow, at the Metro Program where I work, and I joined her as an author on this report.

I think, like a lot of others, in this series, we're taking as a starting point, the need to restore the American economy, in the wake of the pandemic, not only to its prior state, but actually towards greater economic and social justice for all. But our vantage point is that the economy is more than a singular block of 330 million people, or $21 trillion in GDP. Our argument is that what really powers the U.S. economy are the contributions of its distinctive urban and regional economies.

And, right now, those economies are navigating the recovery quite differently, based on their preexisting economic structure, and then just the path of the Coronavirus, itself. Our Metro Recovery Index, on the Brookings Website, for instance, it shows right now, the jobs in the Detroit area are still down, more than 11% from their level, pre-pandemic, but if you zoom over to Salt Lake City, jobs there have almost completely bounced back.

So, really, I think in the end, we're suggesting that the performance of these regions is largely going to dictate the overall pace and shape of the national recovery. Indeed, there are just 25 metropolitan areas, today, that account for more than half of U.S. GDP, and really in all 50 states, it's metro areas that account for the majority of total economic output. So, we argue that federal investments, federal policies, to stimulate a broad-based national recovery in areas, like infrastructure or education in training, or community health and development, need to respond to the particular assets and challenges

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of these major economic regions.

But there are at least two drawbacks to how most federal investment policies are currently designed and implemented, and the first is that these programs, in general, are highly categorical, highly fragmented. So, just to take an example, if you're a local workforce official in the United States, right now, in your community, you be trying to help perhaps tens of thousands of people, who have been displaced from their jobs, by the pandemic, and you have the luxury of trying to navigate up to 43 different employment and training programs, that are on offer, from nine different federal agencies, so, good luck with that.

And then the second drawback is if federal programs, even when they are made more flexible, they don't really meet the economy, where it operates, which is at the metropolitan and the regional level. Typically, the funds either go to state capitols, where lawmakers there, and agency heads often spread them, like peanut butter, all around the state, or the funds go directly to local municipal officials, but they don't have sufficient incentives to actually coordinate those dollars, across neighboring jurisdictions, that together form the regional economy.

There are a couple of past examples in the report, where we point to federal policies that have overcome these obstacles, like in the 2009 Stimulus Bill, the response at the White House level, to the Detroit bankruptcy, in 2013, these help to coordinate responses, technical assistant investment, across agencies, in a way that was really, I think, cognizant of the realities on the ground, in real-time. So, these kinds of examples, as well as the problems I outlined, are behind our proposal for a new National Recovery Investment Corps, we call it NRIC, for short.

And the goal of NRIC would be to foster an inclusive economic recovery, by respecting and responding to our country's diversity of regional strengths and needs. So, NRIC would, itself, encompass three interrelated efforts, which I'll just describe briefly in turn. The first element is an interagency executive branch corps, it'd be comprised of perhaps, White House staff, plus point people in the agencies that are really critical to stimulus and recovery, like Commerce, Education, Health and Human Services, Labor, Transportation. We suggest that the members of the corps would really need to have strong knowledge of federal domestic programs and the ability to structure investment approaches, that balance advancing the national interest, and responding nimbly to local priorities.

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The second element of our proposal is a new fund that the corps would help to deploy to these U.S. regions. The fund would offer both planning grants for regional councils and then follow on investment funds, for both operating and capital projects. We assume investments across roughly 50 U.S. regions, over two to three years, and so, that, for us, suggests a budget of $20 million for staffing and planning grants, and $20 billion to support projects that are major regional and national significance, for inclusive economic growth.

And the third element, are the regional entities, who would shape the plans and deploy the investments. We call these Regional Recovery Coordinating Councils, or R2C2s for the Star Wars fans out there. These R2C2s could be existing entities, like Metropolitan Planning Organizations or Economic Development Districts, but they should be brought in, in our view, to include more diverse voices from heavily impacted communities, by the pandemic. And the R2C2s would assemble data and form strategies. They would issue formal requests for investment or programmatic flexibility from the NRIC Corps, and then they monitor outcomes against data goals.

This is a bottom-up process, that we think would allow federal investment to be more responsive to local recovery needs, which in one region might be about the small business ecosystem, and another might be around university research, and yet another, it might really be around education and training. So, I'll just close by saying that there's a ton more detail on the report, about how we specifically envision all of this working, but I'd want to say that I think that Mary Jean and I, really see this particular economic and political moment as, requiring a robust federal response, but a response that's humble enough to embrace the wisdom of local and regional leaders, about what's going to drive their recovery, and to recognize, in the end, the outsides influence those actors are going to have in ultimately driving an inclusive and sustainable recovery.

DR. KAMARCK: Fabulous, thank you. You know, I want to ask a quick question, to each of you, and then we'll turn to audience questions. We have a couple, and we would welcome some more.

In each of these, there is a critique of the siloed nature of government, obviously not working to, you know, address the problem. If you were to have -- if you were forced to choose, what is the bigger problem? Is it the lack of flexibility between programs, that would allow you to meld these programs, either around a certain population, or around a certain region? Or is it the lack of money, okay,

and investment, right? I mean, how do you weight those two, because you've each talked about both of those, but how would you weight them, and I'll tell you why, the people have been advocating for a less siloed government for a long time.

When push comes to shove, nobody can get rid of the regs, the law, the whatever, and so, it ends up being frustrating to people involved. How would you -- how would you break through that, and is this about money, or is this about organization? Why don't we start with Alan, and then go to Carol, and then we'll take some audience questions.

MR. BERUBE: Thanks, for making me choose one, Elaine. I guess I'd -- yeah, I -- I think it's worth saying that should we envision this fund, right? This is -- this is -- called for $20 billion in the report, you know, but that's against, you know, a stimulus budget, that factors into trillions, right?

DR. KAMARCK: Mm-hmm, right.

MR. BERUBE: And so, I think, we just see the $20 billion as it's a bit of glue, frankly, to encourage folks on both sides, at the federal apparatus, and then at the local level, to be more creative and more forward thinking about how to coordinate these investments more smartly.

But then the -- like, I think that the $20 million that we call for, too, is also really, really important because I think, for both my proposal and what Carol is talking about, the rubber meets the road at the implementation level, and especially in some of the more economically distressed, just invested kinds of communities, that, I think, Carol's proposal is focused on, it's not just a question of enough resources, it's also enough data, enough talent, enough wherewithal, to actually stitch this stuff together, at a scale that's really going to make a difference, over the long term. So, I think, our -- our willingness to invest in that local capacity is important in the short run, but it's also important to give these kinds of communities a fighting chance in the long run, too.

DR. KAMARCK: Carol, how would you deal with this problem.

MS. GRAHAM: Okay, well, first of all, I really agree with Alan, about the need to give local communities a voice and capacity, because voice without capacity is usually not, you know, that's not very successful, and leads to frustration. But I think we do need to better understand, both what's working and what's not working at the local level, and that needs to be understood by people at the federal level, and that's not a money issue, that's a coordination and information issue.

Then, in terms of overall resources, I think it's a question of priorities, I mean, despite the very stark numbers I've noted about our death rates, and our mortality rate going up, rather than down, due to these deaths. We spend one out of every $100 spent on healthcare, for -- on addiction problems, one out of a $100, and only one out of $25, for mental health and substance abuse disorders. So, I think that's an allocation problem. We all know the health system is complex and wasteful in many areas, and then, also, I think, you know, when we think across different kinds of efforts, if you think about them, I don't have the number in my head for it, but the amount of money we spend on drug interdiction efforts, compared to the amount of money we spend on, you know, trying improve mental health, you know, there's no comparison.

And I think, you know, if you, with a good look at budgets, you could reallocate resources, and that's why I think we do need a federal level coordinating mechanism to, among other things, look at how resources are allocated, in terms of different kinds of activities.

DR. KAMARCK: Now, that's well said, and well said, thank you. Okay, please send your questions in. We have one question from the audience, from Paige, and she asks, "What are the ways we can measure accountability and responsiveness, with publicly available data?" That's a big question. Who would like to take it on first? Carol, you want to give it a try?

MS. GRAHAM: No, I think you Governance folks should do that.

MS. REYNOLDS: And I can say -- I can say something specifically --

DR. KAMARCK: Yes.

MS. REYNOLDS: -- in the context of, should I say, proposals that I make, related to Congress and congressional capacity, which is to say, that we actually need much better data than we have, in order to make more informed recommendations, about the specific things Congress could do to continue to improve itself. So, right now, for example, getting a lot of information about, say, the racial and gender makeup of the congressional workforce is really hard.

There is some great work done by some folks at the Joint Center, that I talk about in the paper, that does sort of a snapshot in time look at this, there are efforts to improve this, but we really, again, in the case of Congress and the kinds of problems that I talk about, we really need much better data than we have, and Congress, itself, is the place that should be collecting and disseminating that

data, and so, I'll take this opportunity, from Paige's question, to just call for more -- this is another place where we just need more capacity, and I suspect that's true in some of the things that Elaine, and Carol, and Alan are looking at, as well, that the better data we have, as inputs, the better date -- the better policy we can make as outputs.

MS. GRAHAM: Actually, Elaine, I do have just a quick thing on that.

DR. KAMARCK: Okay.

MS. GRAHAM: I very much worry about the data collection point, and one thing I mentioned -- mention in the paper, and my talk is that we could be collecting wellbeing metrics, very easily, they're not expensive, you know, governments like the U.K., New Zealand just do it regularly, as part of their data collection, and we don't have any kind of larger data set to track this stuff, but I have to say, COVID has had one positive, perversely positive benefit, which is fear about the COVID, the mental health declines due COVID, has led to a change in efforts, and I've been reviewing surveys or additions to surveys from everybody, from the Federal Reserve Board, to CDC, to the Bureau Labor Statics, that are finally starting to include these metrics of wellbeing, ranging from life satisfaction to stress and depression, and that may lead to a more general collection effort, that would at least give us a way to track societies illbeing, wellbeing, and despair, so that we could make better policies.

DR. KAMARCK: Alan, I want you to respond to this, but also there's -- a specific question came in, that I think, might be interesting for you. From Arnold, he asks, "The decentralized unemployment insurance programs did not shine during the pandemic. How could something considered adequate in the 1930s be restructured and maybe connected to other programs?" So, I think you could take which one.

MR. BERUBE: I'll just acknowledge the wisdom behinds Arnold's question, and point to my colleagues in Economic Studies, and actually colleague Annelies Goger in the Metro Program, who are, right now, advancing proposals to reform the unemployment insurance system, to federalize more of it, but then, to connect to the earlier question, it turns out that a lot of our ability to do that is going to rest on investments in the underlying data infrastructure that track people's wage records and allow for sharing of those records, across the employment and training system, at the local level and at the state level.

So, I'm just endorsing, like as a first principle, around a lot of our proposals, but certainly one, that's meant to invest in inclusive economic recovery that, you know, for these regional councils, they're going to need the ability to work with data, and work with real-time data, and that means, in some cases, giving them new abilities to survey folks, locally, and collect that data. There are a lot of regions right now, for instance, that are very worried about the future of their small and minority owned business.

And it turns out that federal data, on those, have a lag of about four to five years on them, which doesn't do people a lot of good for actually administering and tweaking programs. So, having more real-time data, taking advantage, actually, of some the data that come through programs, like the Paycheck Protection Program, and other emergency and stimulus programs, I think open up the opportunity for folks to understand their community conditions better, and to tailor their programs accordingly. So, yeah, big yes, on new kinds of publicly available data for informing program delivery.

DR. KAMARCK: Well, I've got two questions that are slightly political. One from Evan, asks, "How can any changes in governance transpire in a deeply divided country?" And another one, from Harold asks, "Could the excesses of the Trump administration, the overreach into other branches of government, be remedied by governance reforms?"

I will say that, on the first one, from Evan, that one of the sad things is the way the Trump administration turned sort of a good governance and leadership into a political issue, you know, just sort of insulting. Remember the beginning of COVID, all Donald Trump did was insult the governors, rather than support the governors, and it's that -- that sort of thing that, when people are in trouble, they really want the government, I mean, you know, your bottom line, is people will say when there's a crisis, where's the government? And pandemics, floods, all the crises that I talk about in my paper, that we're going to be confronting in the next century, they're not liberal or conservative, Democratic or Republican, they require a robust government response, and I think that one of the sad things that happened during the this pandemic is how common sense things, like mask wearing, like whether -- what aid to the states, when they were the ones that were going to deliver this vaccine, turned into a political and ideological issue, which, you know, if you'd asked us 10 years ago, we would have said, no that not an ideological issue.

So, I think that we've got these -- I think, we've got these problems and we need to

perhaps a different generation of leaders, is going walk us a little back from turning every single crisis into

an ideological battle, because that is really to the detriment of good government. Okay, I think we are

coming to an end here. We've got a lot of other questions, some of them about voting reforms, which

we've written about on the Brookings website. Everybody here has a lot more to say, on questions.

There was a very good one -- very good one about voting reforms, and that sort of thing.

But I'm looking, and it's 2:44, so I'm supposed to introduce the next panel, and that will

be moderated by my colleague Nicol Turner Lee. She's a senior fellow and director of the Center for

Technology Innovation. And, as I said at the beginning, there's the -- this Blueprint series, encompasses

various approaches, and of course this next panel is going talk about approaches for a brand-new set of

problems that have been brought upon us by new technologies. So, with that, I'm going to hand it over to

Nicol, and thank you very much.

DR. TURNER LEE: Thank you so much, Elaine, and it was so great to hear from our

other colleagues on that first part of this event, and this is really an important moment, as Elaine and

others have spoken about, in terms of really thinking about the governance structures that we put in place

to solve the range of problems that I think this next administration is going to have to tackle.

And so, as we look forward to the second part, these two are no strangers to me. I see

them pretty much every day, virtually, because they sit in the Center for Technology Innovation, and I'm

actually proud to have two of their papers, which I think are extremely interesting. If you have not read

them, they are on the Brookings website, but they also pose in a couple of assertions that challenge what

we think we should do next with this burgeoning tech ecosystem, and if you read the newspaper every

day, there's something about this, and I think both proposals around some structural reform are going to

be interesting as part of our conversation.

So, I'm joined today by Tom Wheeler, who is a visiting profess -- a visiting fellow, I

always call you professor, Tom, I'm sorry, in your historian background, visiting fellow at the Center for

Technology Innovation, which I direct, and I'm also joined by Darrell West, who is the VP of Governance

Studies and senior fellow of the Center for Technology Innovation, a title that I haven't said in a long time,

Darrell, so, thank you for the promotion.

I want to jump right in, and I want to start with, for both of you, just a general overview of

your papers, and before we do that, for those of you who are listening with us today, please be sure to send questions to events@brookings.edu, or place them on Twitter, under #GovernancePapers or #BrookingsGovernancePapers, I'll have that right in just a moment, so that we can follow those questions and bring them up in the Q and A.

So, Tom, tell us a little bit about your paper. Let's start with just an overview, what your major points were, and then I'm going to ask Darrell to do the same, and then dive into a set of questions.

MR. WHEELER: Well, thanks, Nicol. It's great to be with you and to follow that previous really interesting panel. So, my paper calls for the creation of a focused federal agency on digital platforms. You know, I was flipping through the newspaper this morning, you remember those newspapers, those are those paper things we used to get, the old way we used to get news, and there was a full-page ad from Facebook. You know, they're spending millions of dollars, you know, in a national campaign, running ads to talk about the need for the regulation of Big Tech, and -- and, you know, when Facebook starts arguing that way, we ought to be starting to pay attention. The proposals they make are weak tea, but let's move on from that, the observations that they make, about the new realities of the digital marketplace and how there needs to be government oversight, are spot on.

I mean, we're living through a time of exponential change, but we're acting, in government, as though it is linear, and, you know, stop and think about it for a second. It took 125 years for the telephone to reach the first billion people, 125 years. The Android Mobile Device got there in less than six years. That's the difference in change, and all of us, you know, are feeling it. Here, here we are on Zoom, which is a common part of all of our lives, now, talk about change, but we're responding to that kind of exponential change, as I said, in a linear mashup -- manner.

And so, I think it's important to stipulate that -- that the kinds of things that are going on, for instance, the new emphasis on AD trust, are really important, but those are targeted to specific instances, specific behaviors, not broad activities, and they're going to take forever. The trials in Facebook and Google start in September of 2023, and by the time the Supreme Court gets through with these cases, it's going to be 2026. We can't wait five years for an answer, and we can't exist in an environment where, during those five years, the activities of these companies just become more and more entrenched.

You know, the reality is that -- that Big Tech had the good fortune of coming of age in an era of AD regulation, and that meant that unelected executives made the rules. As a result, your privacy is gone, marketplace competition is gone, some say truth is gone. Now, I understand that's hyperbole, but there's a grain of truth in there, and that's what we're trying to wrestle with today, who should determine the policies. Should it be unelected executives, or should it be the representatives of the people?

And so, that's what the paper proposes, that we ought to have -- be having -- we ought to be overseeing the activities of Big Tech, and we ought to do it based on three principles. One, there needs to be focused attention. Two, there need to be broad-based rules, not just -- not just focus on this particular behavior and ignore what everybody else is doing, but what are the broad behavioral rules. And three fits in entirely with the previous session, it needs to be agile. So, if we're going to have focused attention, we've got to have an expert agency. If we're going to be rules-based, we have to recognize the difference between litigation, which is issue specific, and rules, which are behavioral, and the agility point that was made by the previous panel is spot on.

So, my paper suggests, and -- and by the way, this paper is the -- is the result of a lot of work that I've been work -- doing with my colleagues, Phil Verveer and Gene Kimmelman, up at the Harvard Kennedy School, but what we are suggesting is that we need a digital platform agency, that it doesn't go in and usurp, for instance, the Antitrust Authority, the Department of Justice, the FTC, but it does focus on what are broad -- broad-based behavioral rules, and then, secondly, to the agility point from before, we need to have agile oversight, agile regulation, and we can talk some more about this in -- in a moment, Nicol, but we also propose a new approach to how the regulatory structures ought to work, so that they can be agile enough to keep up with this exponential change.

DR. TURNER LEE: Yeah. I mean, I have so many questions, and I -- I think I'm going to stick to my original platform, the way I structured it, and go to Darrell, so that we can have the audience sort of see the different conversations. So, if you all don't mind, I'll hold my questions, Tom, for you, and go into Darrell. I also want to get this right, it's #BrookingsBlueprints, #BrookingsBluprints, if you want to follow us on Twitter. Darrell, tell us a little bit about your paper, and then, like I said, I will, then, bounce a couple of questions between you and Tom, but I want to make sure we level the playing field with your

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suggestion.

MR. WEST: Thank you, Nicol, and it's great to be on a panel, both with you and with Tom, and I think my paper actually dovetails nicely with some of the ideas that Tom is thinking about and some of the things that he is worried about. So, the idea I present in my paper, which is available on Brookings.edu, is that it is time to restore the U.S. Office of Technology Assessment, and to make that argument, I want to go back to what has to rank as one of our country's greatest ironies, and I'm going to start with just a quick history lesson, going to back to 1995.

So, 26 years ago, just as digital technologies were emerging, Congress eliminated its main advisory service in the technology area, which was the Office of Technology Assessment, and this was part of then Speaker Newt Gingrich's plan to downsize government and rely much more heavily on the private sector. He had campaigned on this thing called the Contract with America, that outlined lots of ways he wanted to downsize government, and so, fulfilling this pledge of getting rid of the Office of Technology Assessment fit very nicely with his antiregulatory scheme, which Tom mentioned as part of the rationale for his proposal, and just kind of reducing the role of government in society, more generally.

But, as Tom has pointed out, the result of that was at the very time when digital technologies were just starting to take off. We essentially turned over many of the major decisions, if not most of the major decisions, to the private sector, and as a result, there have been lots of different problems. So, I argue that it's time to bring back that office, just because the White House has the Office on Science and Technology Policy, which offers advice on the administrative side and the executive side.

Congress needs an agency that provides legislators with data, with research on new developments, and recommendations for how to deal with those problems. I think members need information on digital trends, industry developments, and how to cope with a long list of tech problems, and Tom clearly outlined a number of those, the loss of privacy, market competition issues, social media misinformation and disinformation, just the loss of human control over technology, and I think the key features of an Office of Technology Assessment is -- when it was closed, it had 140 full-time employees, an annual budget of over $20 million, it's mission was to provide Congress with research reports and policy recommendations. So, it was kind of a combination of both technical and policy expertise, and I think, you know, if there's ever a time where we need that type of expertise, now is the time, and

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Congress, I think, would benefit from having that kind of office, that would provide it with up-to-date information.

DR. TURNER LEE: Yeah, I mean, I can already see, from both of you, there's some interesting parallels, but then there's some interesting, you know, jurisdictional questions that you're actually throwing in there.

Tom, I want to go back to you now, and I want to sort of ask you a couple things to unpack your paper. I mean, you're proposing a big shift. I mean, first and foremost, you're suggesting that we need to go towards a behavioral paradigm, when we're looking at corporate behaviors, so that we sort of keep agile enough. So, I get where you're at, right, we're not sort of stuck, in -- in terms of what activities are actually being manifested through these companies.

And you're also proposing a new agency, which I would love to ask you for your first question, you know, why not modernize the Federal Trade Commission, or some other entity that exists, because, ultimately, they were developed prior to the internet, in many respects, right, and so, there's an opportunity to go in and take some of the things that you're suggesting and bring that to an existing structure. So, we'd love to hear a little bit more about why not that?

MR. WHEELER: Well, the first thing to recognize is the Federal Trade Commission is populated by very good, very dedicated people, with a very full plate, okay?   And here's the challenge, the -- you know, when I walked into the Federal Communications Commission, the companies we regulated, the internet service providers we regulated, were in a big campaign to get FCC jurisdiction removed and allow them to be regulated by the Federal Trade Commission, and they did that during the Trump administration, they were successful during the Trump administration, and the reason -- one of the reasons they won is that, first of all, there's no specific expertise there. There's a lot of dedicated people, but there aren't a lot of network oriented digital experts.

Secondly, they've got to cover the whole gamut of -- of the economy, you know, so. So, think about some recent rulings by the FTC, funeral director practices, robocalls, hockey puck labeling, and in the midst of all of that diverse scope of responsibility, we're going to dump the determining issue of the 21st century, how are we going to deal with the new digital technologies? I don't think so. I think we need to have a separate agency, with its own dedicated skillset, focused on one set of digital behavioral

issues, and the ability to make rules in that area because one of the other things that's troubling about the FTC, and I know frustrating to the FTC, is that they're basically an enforcement and antitrust agency, they have very limited ability to make broad-based rules, which I go back to my point about when they tried to move things from the FCC to the FTC, because they don't have rulemaking authority.

DR. TURNER LEE: Yeah, yeah. I mean, and I think that's interesting. I mean, although I would challenge you on this, I mean, the funeral home directors, at some point, have to do their business online. So, I think there's actually this intersectionality between the digital landscape and what we're actually seeing in, you know, particular activities, that were potentially resigned to just being inline or in-person, are now digital, so, I mean, yeah.

MR. WHEELER: I am glad you brought that --

DR. TURNER LEE: Yeah, yeah, yeah.

MR. WHEELER: -- I'm glad you brought that up because one of the things that -- one of the things I tried to say in -- in my -- my opening comments is we're not trying to go in and replace the things that are being done now.

DR. TURNER LEE: Right.

MR. WHEELER: We want to -- you know, how -- how the funeral directors do online practices, that's not what we're looking -- we're concerned about the -- the systemic dominance of those that the funeral -- those platforms the funeral directors use, and whether or not the funeral directors actually end up getting a fair shake or the consumers end up getting a fair shake, whether there are competitive alternatives.

DR. TURNER LEE: Yeah, no, I mean -- and I want to come to you, Darrell, just in one second, I just want to make sure I unpack this with time, and then I want to go here, and then I have questions for both of you. The question I do have, when I looked at the paper, as well, is I think you're making a really powerful argument, though, about the utility of data, and the fact that this is really what's streaming this argument that we're having now, in terms of the type of regulatory agency that should look over this.

Tom, when you think about the future of the data economy, I mean, don't you think we need to start out with some privacy regulation to actually reel it in, so we have some conduct, even if we

went to a new agency, there's some rules of the road in place?

MR. WHEELER: Well, I think you've got to understand the holistic, so. So, let's say, so, so, you know, I look at the world as -- as a Venn diagram, okay? There's one circle here, that is privacy and how the platform companies siphon our personal information for their profit. That, then, intersects with the -- the competitive marketplace because if you control that personal information, you control access to the marketplace, and I wish I had a third hand because then the other circle here is -- is information and misinformation, and they all feed each other, but they all start with the primacy of data, which, for platforms, is data that they have taken from you and me, principally without our knowledge.

DR. TURNER LEE: Mm-hmm, mm-hmm, and that's why I brought up that question. So, put a pin in that because I'm going to come back to it, but I do think, you know, implicit in both of your models is this assumption that we have some rules of the road or, you know, practices around conduct that make sense.

Darrell, when I look at your proposal in your paper, compared to Tom, it's interesting because you're sort of erring on the side that Congress, and this is in layman's terms, needs more help understanding the basis of these issues, in terms of a evidence-based, research-based framework. Talk to me a little bit about why that's so helpful in an evolving internet ecosystem that just becomes much more complicated, as Tom is suggesting.

MR. WEST: You know, I think they're exactly right. Members need a lot of help to think about these complicated issues in technology policy, and, you know, when you talk to them and their staff members, they are quite open about that. I think the big void that exists now, where an Office of Technology Assessment could be quite helpful is on the data side because I think the big problem in the whole technology policy area is a lack of publicly available information about what is going on, and what I'd like to do is to contrast the technology area with the education area and the healthcare area.

So, in the education area, there is a wealth of publicly available information about schools, about student learning, you know, we have the -- the test scores, that you can analyze at the district level and the local school level. Researchers have a lot of information that they can use to evaluate what is going on. Ditto, in terms of the healthcare area. You know, there is information that hospitals have to provide the federal government, there are healthcare surveys, there are consumer and

patient surveys.

I mean, there is just a lot of information the -- there, and so, from a research standpoint, you know, when you have lots of data, you can analyze the problems in healthcare, you can analyze the issues of education, who's learning, where are the barriers to learning, who's getting access to healthcare and who's not getting access, and that data, in that kind of research, can then inform the policy debate, as well as the regulatory debates that take place in those areas. In the technology area, there is very little publicly available data. Almost all of the data are proprietary information in the hands of the large platforms, the e-commerce sites. You know, every sector is basically becoming a technology sector now, everybody's trying to take advantage of the internet and digital communications, but a lot of that information is in the hands of the companies, and so, it's hard for researchers to be able to figure out because, you know, we make policy recommendations, but we need them to be evidence-based, and so, I think an Office of Technology Assessment, if it focuses on this data angle, that would then feed naturally into better research, better policy recommendations, and better regulations.

DR. TURNER LEE: Do you have any --?

MR. WHEELER: So, let me pile -- let me pile on -- can I pile on him for one second?

DR. TURNER LEE: Okay. Yep.

MR. WHEELER: I mean, Darrell's -- Darrell is absolutely spot on with his suggestion, and -- and there is a nexus between why there is not an OTA anymore and why there is not data in the technical space, like there is in education and -- and other space, and that is because it strengthens the hands of the companies in dealing with policymakers. If the companies control the data, and we'll just kind of parse it out on their terms, you can never get ahead of the analysis game, and you will -- and they will always be defining the issue, and so, your -- your point is incredibly spot on, Darrell, and your proposal is incredibly important, in order to democratize access to data that you need to make informed decisions.

DR. TURNER LEE: You know, I -- I think you're completely right on that, Tom, so, just a little moderator insertion here. I think, though, also, and I think to Darrell's point, and this is the question I was actually going to pivot to Darrell, there is this lag between policymaking and the type of research that is actually conducted within an innovation circle, so I'm going to go back to your circle.

If you place all that in the circle, the innovation is always recreating itself and moving, and the research can't keep up, I mean, you know, it's the bottom line with them. Researchers are trying to figure out what is actually happening. I mean, Darrell, do you worry about that, with regards to creating an agency that's focused on research, that we would never be able to address some of these issues in real-time?

MR. WEST: I think it would actually improve our ability to address some of these issues in real-time, just because a congressional agency would have access to greater information. It would empower members to think about how more information would help them devise better policies. I mean, think about some of the big debates that we're having in the technology area right now, you know, the question of just the impact of technology on the job market. You know, are some people going to lose jobs? Are people in entry-level positions going to be at a risk of losing their jobs? We know there are going to be new jobs created, but do people have the skills necessary for that? I mean, we need data and research that bears on those questions.

Right now, you have universities, you have thinktanks, you have -- private companies have their own research arms that are doing this, but it's not as coordinated and as systematic as it needs to be, given the scale of the problem.

DR. TURNER LEE: Right.

MR. WEST: The two of you know I've -- I've written extensively, recently, about artificial intelligence. John Allen and I have a -- a book, entitled "Turning Point" on this. There are lots of issues in AI, in -- and Nicol has written on these issues, as well, the question of AI bias, the ethical dimensions of AI. So, I just feel like if we strengthen the research and data capability, we're going to end up in a better place because we'll have policies that are based on the evidence, not based on opinions, but based on data and evidence, and the regulations, also, will end up being better tuned to the marketplace, as well.

DR. TURNER LEE: You know, I think that's actually a good point, and I think about, Darrell, the fact that, like, in the current ecosystem, AI bias and AI governance issues are often orphaned, right, in the current bureaucracy. You cannot find a place that you can actually find in government or with Congress that you can go to.

Budget implications, my friend, though, when you start talking about Congress, so, just

curious, before I go back to Tom, what do you think will be the budget implications of trying to bring back that agency, especially now?

MR. WEST: The budget implications are miniscule. In 1995, when the OTA was killed, it had a budget of about $20 million. Now, I don't know what that is in inflation adjusted dollars, today, but, you know, in the scope of the federal budget, this is a very small expenditure, but with the possibility of a very high payoff. So, if you kind of do the cost benefit ratio, it's a relatively small investment that would put members of Congress in a much better position. You know, we want them to make policies and regulatory decisions that are informed by the evidence.

I mean, the worst-case scenario is policymakers kind of making a decision based on anecdote, you know, they hear something from one of their constituents or they hear a story from a competitor that doesn't like what's going on, and they're making policy decisions based on that, like, that is not a recipe for good policymaking. We need data that will then inform their decisions, so that they can make the best possible decisions for that sector.

DR. TURNER LEE: So, it's so interesting between the both of you. I sort of hear, you know, these two separate entities, one that's focused more on data, on the other hand, one that may have standards or rules and some level of enforcement. Should they be combined? I mean, at what point do we risk the fact of having a fragmented approach to really addressing some of the issues that you both have identified?

MR. WHEELER: No, one -- one agency is regulatory, and the other agency is data collection and analysis, and -- and let me just add one thing to this last discussion. That, that $20 million, there are N+1 trade associations in downtown D.C. with more than $20 million budgets focused on making sure it's their information that Congress understates. So, you know, what -- what Darrell is talking about here is a rounding error, not only in the federal budget, but also in terms of the amount of money that is spent to influence Congress, and let's have an informed Congress.

DR. TURNER LEE: Yeah. Yeah, no, I agree, I think that the money is an issue, and I think you need more resources, but, Darrell, going back to that question I just asked Tom, I mean, it seems to me, even in the regulatory agencies, that there's a lack of data that's available to their decision making. So, I'm just curious, how do we make this in a way that it doesn't become a fragmented, you

know, bureaucracy that exists in coming out with solutions around some of the same problem?

MR. WEST: I mean, I guess the way I would answer that question is either with the existing regulatory agencies, you know, like the FCC or the Federal Trade Commission, or Tom's proposal for a -- a new type of agency, like -- the regulations, often, are focused on specific cases involving specific companies. What I think an OTA can do is to look more broadly. We need an agency, and the Office of Science and Technology Policy does this for -- for the president, but we need something that's looking at more of a macro level, kind of the big picture of questions in the technology area.

You know, these questions of bias, human safety, ethics, it's not so much a regulatory question, it's more forward looking, in terms of thinking about the big picture items. What do we want our society to look like, in the future? What kind of role do we want technology to play? How do we reconcile all of the clear benefits of technology innovation, and I'm certainly a big enthusiast of technology innovation, how do we balance that with human values? How do we bend the technology curve so that it serves humans, as opposed to creates problems for humans?

Tom has written eloquently about the history of other types of technologies in his book "From Gutenberg to Google" and he pointed out there that the policy almost always lags the innovation, but at some point, the policy, then, starts to catch up. When people get worried about the technology, then they want more information, they want better policies, they want regulations that can address that. So, I think, you know, beefing up the research capability of Congress is a key part of solving some of those big picture questions, that we all are grappling with right now.

DR. TURNER LEE: Yeah, I mean, I -- I totally agree with both of you, that we have to figure out some mechanism that's going to be, and I want to use Tom's word, agile enough to sort of flexibly exist within this environment. The question I -- I still keep pushing to you both, and then I want to go onto another question, on a different topic, is, you know, what are the current rules of the road? I mean, as Tom placed -- put it out there, this antiregulatory stance, or the light touch regulatory practices that we had, really have created the environment that we're in now.

Tom, I would say what you talk about in your paper, permission-less innovation has become permission-less forgiveness. So, I have a question for both of you. Is it worth an exercise of either one of these agencies to sort of come up with some codes of conduct, or is that something that

should be happening across all agencies that exist, in addition to these two new agencies, so that everybody's on the same page?

MR. WHEELER: Well, what our suggestion is, Nicol, is that -- is that when you take the standard setting process, that was used to create the technology that defined the internet, and we need to use that standard setting process to create behavioral expectations for the companies, and that -- and that the government needs to be participating in that, and the government needs to be enforcing that, but that -- you -- you stop and think about it, for just one second, that the regulatory structures we have, today, were created in response to industrial capitalism, and so, they look like industrial management.

What was industrial management? Industrial management was -- was a guy, and it was a guy, on the floor of the factory, following a set of rules that was then overseen by a supervisor, who was overseen by a manager, and we're surprised that the way that government was structured to oversee that becomes a hierarchical rules-based bureaucracy. Why? That's the way things were done then, but that's not the way the digital economy is managed, and so, what we need to have are agencies that are agile, just like the companies that they're supposed to oversee, and that we -- and the difficulty is you can't get that square peg in the round hole of industrial management, and -- and that's our challenge. That's why we need a new agency with an entirely new mindset.

DR. TURNER LEE: Yeah. Darrell, what do you think? I mean, is there something to be said about coming up with some standards, across all agencies, that sort of started the -- our starting point?

MR. WEST: Yeah, and I think the federal government actually is starting to move in this area. I know, Nicol, both you and I participated with the National Institute of Standards and Technology, in a workshop, a few months ago, where NIST is starting to think about technical standards that can help improve some of the situations on the problems that are being raised here. So, that certainly is a fruitful activity.

And I hear a question about, you know, do we need a code of contact, do we need guardrails. I think that is very much the case. In fact, even the companies say that that is the case. They say that they want regulations, at this point, because they understand they're getting hammered by the public. There's a growing tech lash against the technology sector, and so, they see government

regulations as a way to create some needed guardrails, that will both help protect humans but also deal with their very real political problems, at this point.

So, I very much hope that both government and business can do a better job in thinking about this guardrail issue, thinking about codes of contact, thinking about the ethical standards that are needed to guide the formulation of new technologies because, you know, if everybody does their part, we're going to end up in a much better space, five years from now, than we are right now.

DR. TURNER LEE: Yeah, and I only asked that, I mean -- we, at Brookings, are doing a lot of projects, as both of you know, around some of these technologies that have the potential to be very harmful to consumers, like facial recognition, and we're seeing a lot of movement around, well, what are the guardrails for that? I was just curious, with the combination of both of your agencies, and, Tom, I loved your paper, the way you describe it, some of the confusion that actually may still be out there, or what the purpose of the -- of some of the existing agencies are, the challenge is we do need something that's a uniform and common language, which actually brings me to this question, and for those of you who are watching, we're going to take questions from you, events@brookings.edu, if you want to email a question, or you can go to the #BrookingsBlueprints, and submit a question.

But I do have a question for both of you because what's interesting about both of your papers is that -- is that it also assumes that we're not only just dealing with the technology, but we're also dealing with the range of issues that roll -- fall on the technology, whether they're use -- the technology uses them, or they're emboldened by the technology, like misinformation and hate speech. This administration has promised to sort of frame things around a racial equity perspective, and FTC Acting Chair Slaughter had said that we should be looking at issues, like antitrust, from a racial equity perspective, and we've heard that conversation commonly shared among, you know, the federal government, as we welcome President Biden and Vice President Harris.

I'm curious in both of your proposals, and I think, Darrell, you -- I'll start with you because you talk about inequality being one of those areas, how we actually see this framework evolving, particularly as these concerns with technology intersect with these real-world issues and concerns.

MR. WEST: I mean, inequality and racial equity issues are some of the big picture problems that we need to address because we know technology has made each of those areas worse, in

certain respects. Technology, clearly, has contributed to rising inequality of this country, and, you know, we need to get a handle on what is a widespread loss of economic opportunity. One of my concerns about the tech sector is the geographic disparities.

You know, our colleagues in Metro have done an analysis, and they showed that something like 15% of American counties generate more than 70% of our GDP. What they found was, basically, most of America's economic activity is on the East Coast, the West Coast, and then a few metropolitan areas in between, and technology is kind of right in the middle of that, you know, it's very much an East Coast and West Coast thing, with a few metropolitan areas in between, and so, we just need to kind of think in a big picture way about inequality and how to address that, how to try and promote technology for the public good. Racial equity is certainly a big concern.

Nicol, I know you've done a -- a lot of work on AI bias, you're kind of looking at the application of facial recognition in law enforcement and criminal justice, and certainly there are many problems there. Companies are starting to use AI algorithms for employment purposes. Financial institutions are using AI for mortgage and loan determinations. So, you know, technology is becoming a big part of how our society operates. We need to get a handle on the inequality that we can already see, the racial inequities that are already quite visible, and figure out how to address these issues.

DR. TURNER LEE: Tom?

MR. WHEELER: Yay, and verily, yes. You're right. You're absolutely right, and -- but the -- but what's happening right now is that the rules are being made by the internet barons, and they're deciding, okay, well, hey, you know, here's how I use AI, or, hey, here's what I can do with facial recognition, and -- and, you know, remember -- what's that line in -- in Jurassic Park, that -- that Jeff Goldblum's character turns to the -- the guys in Jurassic Park, and says, the trouble with you scientists is that you were always focused on what you could do and never asked the question whether you should, and -- and what's -- and -- and that's the situation that we're in, right now --

DR. TURNER LEE: Yeah.

MR. WHEELER: -- that's -- that -- that, hey, I can build this, and, hey, I can make money off of this, and, hey, I don't have to worry about the consequences. So, why should -- so, so, we need to establish expectations, consequences, and let's put the should back into technology.

DR. TURNER LEE: Yeah, no, I mean, I -- I think both of you are right on that, and I think having some kind of framework that allows us to capture just how important it is to intersect this work with the types of inequalities that, now, technology can embolden are really, really important, and as Darrell said, we're working on this at Brookings. So, if you want to know more, just go to our AI bias page or AI governance page, as well as our national security work.

MR. WHEELER: Or go buy -- go buy Darrell's book, "Turning Point."

DR. TURNER LEE: Yes, or buy "Turning Point." Darrell, I'm sorry about that, Tom had to say, and I'm -- I'm a soon-to-be author, and I should know better. Hey, listen, before I go to questions, I do want to ask this one -- one question of all of -- both of you, and then I've got some really good questions percolating here. Who works in these agencies? I mean, what you're basically also assuming is that it's the typical government career professional that works in these agencies. Are we looking at agencies that are going to have to hire different types of people, ethicists, sociologists, engineers, computer scientists, historians? Love your take on that because that is one of the challenges, I think, that also creates a log jam in technology policy.

MR. WEST: Absolutely. I mean, all of these technology problems are multidisciplinary in nature, and so, in any agency of -- in the sort that Tom proposes or the Office of Technology Assessment, which I am proposing, you certainly need the economists to kind of look at the market aspects, but, Nicol, you're a sociologist, we definitely need sociologists who can think about the big picture questions, ethicists who can worry about the ethical dimensions of emerging technologies. The legal area is going to be an area where some of these disputes get mediated, and so, we certainly need people familiar with that, as well as the technical people, and so, kind of bringing together individuals who understand the policy, legal, regulatory, ethical, and societal dimensions, I think that is the -- the key element. So, we need to kind of have people who understand both the micro and macro aspects of technology innovation.

DR. TURNER LEE: Tom?

MR. WHEELER: I couldn't say it better.

DR. TURNER LEE: Oh, you said you were going to agree with everything Darrell said, on the email. Now, I've got a question that I want to throw out, this is from Gene, the two proposals sound complimentary, but would Tom Wheeler's proposal be seen as more partisan, having Republicans

opposed to it, as -- as we look at these changes in antitrust, proposed by Cicilline's subcommittee? I'm just curious to --

MR. WHEELER: Well, you know, it's interesting, I mean, it was -- I think it was earlier this week, that the Republicans on the House Energy and Commerce Committee wrote the Democratic leadership, saying, you need to be doing more on Big Tech, and here are the kinds of things that you need to be worrying about, such as competition, such as transparency, etc. So, it seems to me that where we are, right now, is we have bipartisan agreement, that the way -- the -- where things stand, right now, is not where we want to be, and we need to be looking at alternatives.

MR. WEST: Actually, I would agree with that. I -- what I find interesting about the technology space is how Republicans and Democrats are starting to come together. They -- each side clearly sees a lot of problems in the technology area. Now, they don't always see the same problems or the same degree of problems, but the tech lash that we're seeing among the general public is starting to percolate into Congress, as well. So, I don't really see addressing these problems as partisan issues.

I think members are starting to come together. We've actually written extensively on this, on our Brookings TechTank blog and our -- we talk about it in our TechTank podcast series. So, if people want more information, I'd refer them there.

DR. TURNER LEE: Aaron has a question. Thank you, both. Would regulation oversight in data collection of domestic tech companies slow our domestic companies from being competitive in foreign markets or taking over foreign competitors, in tech?

MR. WHEELER: No.

DR. TURNER LEE: This is -- okay. Why not, Tom?

MR. WHEELER: No. I mean, so, so, here's the thing. So, so, somehow, we have gotten this -- the tech companies have been successful in selling us this bill of goods, that we need to be like China and have national champions, that the government anoints and that will go out and defend us. The fact of the matter is that the where -- the way in which you get innovation is through competition, and we need to be encouraging competition. Yes, the Big Tech companies are investing in innovative new things, but do you know where they invest? Do you know where they have to invest? Their fiduciary responsibility is to invest in things that will make money for their shareholders, which is not necessarily

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the cutting edge of what's necessary to push intellectual knowledge forward, what's necessary for

national defense, what's necessary for competition, and I would just point out one real-world example.

In 1956, the Justice Department required AT&T, which then had Bell Labs, which had

more IQ per square foot than any other place on the planet, and -- and an incredible array of patents.

They required those patents to be opened and not hoarded. One quick example, Bell Labs developed

magnetic tape and the idea of a thing called an -- telephone answering machine, and AT&T killed it

because they said, no, no, if people can leave messages, they won't make as many phone calls, and so,

what happened was all of the patents were opened up, we know where magnetic tape went, to form the --

the backbone of -- of early computers, that one of the things that was sitting there was the transistor, the

laser, the cell phone, other things that were being hoarded because they weren't to the advantage of the

corporate parent, and when they were opened up, a whole explosion took place. You know, the founders

of Intel say the biggest thing that happened to -- that made them -- made possible that great American

company was the opening up of the AT&T patents, that allowed them to start innovating.

DR. TURNER LEE: Darrell?

MR. WEST: I just had a quick footnote to what Tom said on the international dimension.

Even China is actually starting to get worried --

MR. WHEELER: Right.

MR. WEST: -- about the large size of its technology companies. I mean, just witness the

example of the scrutiny that Jack Ma and Alibaba have gone under. So, the Chinese motto of having

what Tom calls the national champions, the government is worried --

MR. WHEELER: Right.

MR. WEST: -- that those champions are getting much more powerful than the

government, and they're starting to impose regulations there. So, I think, you know, the lesson in the

United States is I think many countries around the world are looking at ways to have more public

oversight over technology companies, certainly China's doing that, the European Union, clearly, is doing

that, and I believe the United States will be doing this, as well.

DR. TURNER LEE: You know, I think that's both interesting, you know, responses to that

question because there's always this note, right, this footnote, as you were just talking about, where the

innovation will be stalled by more bureaucracy that gets added to the plate, but I think, at the end of the day, I think what both of you are actually talking about is are we censoring the types of protections that we need around an industry that has grown larger than the policy framework has actually allowed, and so, historically, Tom, to your point as a historian to a sociologist, there are implications, sociological implications, when you begin to look at that growth, and that's what Darrell was talking about, and there's some evidence that we need to follow with that growth, so we're not sort of extrapolating, all the time, just what those potential harms might actually be.

MR. WHEELER: And -- and just to plug some of the other work at Brookings, there's a -- there's a paper on the Brookings website, that I wrote, which is called, "To Compete with China, We Must Compete at Home."

DR. TURNER LEE: Yeah. Yeah. So, this has been great. I -- I had another question, but I'll leave that in my back pocket, just something to think about, all of this wonderful stuff that we're talking about, in terms of federal agencies, but the question that I didn't get a chance to ask is, what about Congress, though, and the committee structure that they currently have? Will this fit into where they are, and if -- should we talk about shuffling their committees? I just think I asked something the other day, this is the same committees, we had a discussion on what you all are talking about.

With that being said, thank you, both, for participating in this conversation. To all of you that hung out with us since 2:00, I also wanted to say thank you, on behalf of Brookings. This is an important series, as President Allen mentioned, because these are blueprints into what governance should look like in the future. For all of the papers mentioned, from my colleagues, Elaine Kamarck's panel to the panel that we just had here, they are all on the Brookings website, Brookings.edu, pick them up, read them, talk about them, and share your thoughts on our Twitter #BrookingsBlueprints. With that being in mind, again, thank you for your participation, and we will see you again. Thanks, guys.

MR. WEST: Thank you, Nicol.

MR. WHEELER: Thanks, Nicol.

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