

The Congressional Delegation

A Great Opportunity to Build Trust and Inform Strategic Decisions

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Congressional delegations serve a critical function to educate and inform members of Congress and their staffs. As such, the Department of Defense prioritizes congressional delegation travel to military equities “to respond to inquiries from and to cooperate in investigations by Congress regarding the Department.”¹ These travel delegations offer engagement opportunities for organizations to support Congress in their fact-finding or oversight missions. By understanding the history and purpose of a congressional delegation, what it is, who the key organizations are, and the fundamentals of executing a successful visit, Army leaders will broaden congressional understanding and build trust and confidence between the two institutions. The insight and points of consideration that follow will help Army leaders prepare to host congressional travel delegations to inform members of Congress as they enact policy as well as authorize and ultimately fund the military.

History and Purpose of a Delegation from Congress

Article 1, section 8 of the U.S. Constitution grants Congress the authority to provide for the Nation’s

common defense and appropriate funds for its land and naval forces.² Although the Constitution does not explicitly authorize congressional travel to conduct investigative and oversight duties over the military, it is reasonable to conclude this was implied by its authors.

In the bleak winter of 1777 at Valley Forge, Gen. George Washington was under pressure from Congress to break camp and resume military operations. However, it was his firm belief that Congress misunderstood the current state of the Army and was under advisement by those in comfort rather than his soldiers, who occupied the cold, bleak hills and slept “under frost and snow without cloths or blankets.”³ As such, he hosted a Committee of Conference from Congress so they could see for themselves the state of the force and make a better informed decision regarding its use. After visiting the Army and seeing its actual condition, the committee concluded that the Army must remain in camp to refit and that Congress must adopt measures to support that effort. Most importantly, it must “provide comfortable Quarters for the Officers and Soldiers,” or the Army would be of no use in the spring.⁴

Precedent has since further cemented this travel function and role; the next case of Congress exercising



this power over the military resulted from the defeat of American forces under Gen. Arthur St. Clair by Native Americans at the Battle of the Wabash in 1791. A congressional committee was quickly formed to determine the cause of this debacle. Amid a storm of constitutional controversy on whether Congress had the authority to investigate the matter, it was determined that the committee was empowered to “send for persons, papers, and records” to identify the cause and make recommendations for improvement.⁵

The last historical item to illuminate the purpose of a travel delegation is the legislative cycle that both sides of Congress operate within. The yearly National Defense Authorization Act (NDAA) and appropriations bills are the driver behind most congressional interaction with the military. The NDAA, enacted yearly for sixty years, provides authorization of appropriations to the Department of Defense, sets defense policies and requirements, and directs overall organizational administrative matters. The NDAA and appropriations bills operate on a timeline that traditionally begins in February with the release of the president’s budget and ideally culminates sometime in

Just as Gen. George Washington did in 1777 by hosting a Committee of Conference from Congress so they could witness firsthand the state of the force, today’s travel delegations offer Army leaders a unique opportunity to provide input to those who can directly affect or introduce legislation that positively supports national defense. (Copy of engraving after W. H. Powell, published 1866; image courtesy of the National Archives)

the summer. During that time period, defense oversight committees, along with member offices, will engage heavily with senior military leaders and conduct travel to better inform decisions on items they wish to place in the defense-related bills.⁶

In the end, the purpose of a travel delegation is to receive information in real time from persons who possess the knowledge that will enable Congress to better legislate, authorize, and appropriate for the military. Just as Washington illustrated to Congress firsthand the state of his force to keep it from being degraded in a treacherous winter campaign, so today’s travel delegations offer Army leaders a unique opportunity to provide input to those who can directly affect or introduce legislation that positively supports national defense.

Understanding a Delegation from Congress

Today, travel from Congress comes in two forms: a congressional delegation (CODEL) or a staff delegation (STAFFDEL). A CODEL simply means that its participants consist of an elected member of the Senate or House of Representatives. In comparison, a STAFFDEL contains staff from personal offices or committees. Just because a delegation does not contain a congressional member does not make it any less impactful; each is significantly important. Often, members of Congress rely solely on the advice of their staff. Underestimating or disregarding a staffer's influence on his or her member is a missed opportunity for the commander to shape the future of the Army and can even have significant consequences.

Congressional staff are divided into two main categories: committee and personal. Regardless of position, committee and personal staff receive protocol support generally afforded to a general officer or member of the senior executive services. Committee staff are known as professional staff members (PSM) and are responsible for a portfolio linked to the committee they represent. They provide information to the majority or minority party members of the committee. While it is helpful to know which party the PSMs represent, information provided to the delegation should always be apolitical and afforded to all members of the delegation regardless of political affiliation. In contrast, personal staff work directly for an individual senator or representative and focus on topics of personal interest to the member. The personal staff traveling in a delegation to visit a military equity can hold a variety of titles. These include national security advisor, senior policy advisor, or military legislative advisor (or assistant). Personal staff have the direct ear of their member and will advocate for his or her stance on issues as well as report directly back to him or her on anything seen or told.

In the Senate, the oversight or committees of jurisdiction most interested in the military include the Senate Committee on Armed Services, Senate Committee on Appropriations-Defense and Military Construction and Veterans Affairs, Senate Committee on Foreign Relations, Senate Committee on Veterans' Affairs, Senate Select Committee on Intelligence, and the Senate Committee on Homeland Security and

Governmental Affairs. In the House, committees include the House Armed Services Committee, House Committee on Appropriations-Defense and Military Construction and Veterans Affairs, House Foreign Affairs Committee, House Committee on Veterans' Affairs, House Permanent Select Committee on Intelligence, and the House Committee on Homeland Security. Other committees during their scope of work may occasionally intersect with military interests, though most professional staff traveling in delegations will come from one of the committees mentioned above.

On the surface, congressional staffs appear the same. All are hardworking and dedicated men and women who care about national security and advancing their mission on behalf of the Senate or the House. However, it is important for leaders receiving delegations to understand the difference between the two. Professional staff are hired due to their expertise and broad knowledge on national security issues. Often, they know just as much, if not more, about whatever equity they are receiving information on and will ask focused questions to validate and update their knowledge. Visits from professional staff traditionally have very defined objectives and focus, so Army leaders

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Checklist for Receiving a Congressional Travel Delegation	
1	Phase I: Preparation
<input type="checkbox"/> Assign action officer	<input type="checkbox"/> Understand existing priorities
<input type="checkbox"/> Determine atmospherics	<input type="checkbox"/> Establish agenda
<input type="checkbox"/> Exchange biographies	<input type="checkbox"/> Share read ahead material
	<input type="checkbox"/> Rehearse visit
2	Phase II: Execution
AVOID:	PRIORITIZE:
<input type="checkbox"/> Personal Opinions	<input type="checkbox"/> Observing Training
<input type="checkbox"/> Static Briefings	<input type="checkbox"/> Site Visits
<input type="checkbox"/> Political Commentary	<input type="checkbox"/> Soldier/Civilian Engagements
3	Phase III: Follow-Up
<input type="checkbox"/> Due Outs	<input type="checkbox"/> EXSUMs
<input type="checkbox"/> Thank You Note	

(Figure by authors)

Figure. Checklist for Receiving a Congressional Travel Delegation

should prioritize agenda development to address the designated objectives.

Comparatively, personal staff are more state- or district-focused and have varying degrees of expertise on defense issues. Some have prior military service, whereas others draw from what they have learned serving on Capitol Hill or from previous delegation visits. As such, when preparing for a delegation of personal staff, it is helpful for leaders to appreciate the varying degrees of expertise within the group and tailor the visit appropriately.

The type of staff members present is an important item to consider that will shape military leaders' preparations to host a delegation. Regardless of the type of staff members on the delegation, expect whatever they see or are told to make it directly back to the ear of their member and/or committee. Lastly, and worth repeating, these distinguished guests provide a great opportunity for a unit or organization to inform members and their staffs that is directly linked to future decisions in support of Army strategic initiatives and priorities.

Key Army Support Organizations, Roles, and Responsibilities

Understanding the key organizations supporting congressional involvement across the Army enables successful engagements with a delegation. The first organization is the Office of the Chief of Legislative Liaison (OCLL) and the legislative liaisons (LLs) assigned to it. Next are the congressional affairs contact officers (CACO) and/or liaison officers based within most major commands across the Department of Defense. Other key Army players are the Office of the Assistant Secretary of the Army (Financial Management and Comptroller) Budget Liaison Office, the National Guard Bureau LL Office, the Office of the Chief of the Army Reserve Legislative Affairs Division, and the United States Army Corps of Engineers.

OCLL's charter directed by the secretary of the Army is to serve as "the sole directive agency for Army Congressional affairs, responsible for formulating, coordinating, and supervising policies and programs on the Army's relations with Congress."⁷ The role of the LLs assigned to it is to engage directly with congressional offices and PSMs on a daily basis. Travel delegations are often initiated from these encounters. As such, the LLs are usually the most knowledgeable about those in the delegation and the context and purpose, or atmospherics, of the visit. Atmospherics provide the intricacies, interests, and concerns surrounding a member, staff, or committee and inform the assumptions and information requirements that frame the visit. LLs will also possess all biographies of those traveling from Congress, which the unit can research to further understand the visit's human context and establish areas of mutual interest to build relationships.

The second group of key players are the CACOs or liaison officers assigned to the major commands across the Department of Defense. They serve as points of contact between Congress, the OCLL, and their supported command. Their main role is to liaise between all three entities to ensure that the delegation is tracked, received, and hosted and that any follow-ups are annotated and then answered. They, in turn, are the experts in the atmospherics of their command and possess the biographies of those senior leaders that will engage with the delegation. CACOs are responsible for communicating this information to the LLs in the OCLL so they may prepare congressional

members for whom they will meet. The responsibilities between the LLs in the OCLL and the CACOs in the commands cross over. Both must be informed as to the atmospherics surrounding the parties they are responsible for.

In the end, the most important organization in this process is the military equity receiving the congressional delegation. There are legislative liaison organizations ready to help plan and resource the visit, and all have the mission to enable a success engagement. Understanding the different key organizations across the Army and maintaining open lines of communication with them are crucial in setting conditions for success.

Receive the Congressional Delegation in Three Phases

For the receiving unit, a successful CODEL/STAFFDEL visit consists of three phases: preparation, execution, and follow up (see figure, page 112). The phases begin immediately upon notification of a visiting CODEL/STAFFDEL. If the unit does not already possess a protocol office, it should assign an action officer to the delegation to be the lead and sole point of contact throughout all the phases.

Preparation phase. Preparation is the first and most important phase for ensuring a successful visit by a congressional delegation. Receiving organizations must do their homework during this time. As mentioned in the previous section, it is during preparation that the LLs and CACOs provide relevant atmospherics and context. Each visit has background that initiated the visit and informed why members or staff joined. Meeting the purpose for the visit is priority one; however, it is likely there will be time to provide additional insight to members or staff based on Army priorities and initiatives. These priorities are important as they provide the force with overarching and consistent messaging to communicate during any visit by all levels of leadership involved.

As the trip and shared understanding develops, the receiving unit matches points of interest and information provided to the issues or topics that generated the travel. This ensures the scheduled events match the intent of what the delegation needs to see. It is important to note that sometimes what they request to see may not necessarily match what the command prefers or recommends. While adding points of interest to the

trip is acceptable, the receiving unit should negotiate these opportunities ahead of the visit for approval by the congressional trip lead. Should there be a mismatch between the purpose of the trip and what is on the agenda, the unit should communicate this to the CACO and LL with recommended adjustments to address it. This creates an opportunity for the LL to clarify with the congressional planner who can then make an informed decision. A back-and-forth dialogue between the unit and the CACO or LL is common. This ultimately ensures the trip aligns with the atmospherics and provides the delegation with the information it needs to conduct its legislative, authoritative, or appropriative mission.

Finally, agenda development is not purely scientific. A full schedule is helpful, but there should be sufficient time for transitions and reflection. Meetings may run long or end early throughout the visit; gaps in the schedule are preferred versus rushing to the next event or having to cancel engagements. Likewise, avoid a grueling pace that allows for little comfort or executive time unless specified by the congressional staff. This enables the delegation to see everything they need without feeling the pressure of a tight schedule. It also allows time for them to absorb and process each day's events. While each delegation's timeline will be different, no matter the staff's preference for the agenda, open and clear communication between the CACO, LL, and the receiving unit ensures an optimal timeline to support the delegation.

Execution phase. Execution is the second phase of a successful CODEL/STAFFDEL visit. During execution, avoid the "Three Ds" in engagement: being dismissive, defensive, or deceptive. These serve as rules of engagement and should govern the unit throughout the entire visit. Open and honest dialogue with zero attempts to suppress information is the best course of action for communication between Army leaders and the delegation. In addition to this general rule, it is important to always speak to only what is known and not to offer conjecture or seemingly off-the-record opinions. If it does not fall under the unit's purview or if the leaders present are unsure, simply state this to the delegation and take the query as a follow-up. Likewise, if the information has a classification issue, find a suitable location to increase the classification level or schedule a follow-on meeting or phone call.



Lastly, seek authority prior to endorsing legislation and maintain an apolitical stance, especially with any attempted humor.

When executing the CODEL/STAFFDEL visit, seek creative ways to present the information. As a general rule, members and staff do not want to travel far distances to receive briefings all day—this method of conveying information to a delegation is a last resort. Presenting some information in a static format may be necessary; short, to the point, and scene-setter material provides the highest impact. The best visits balance between briefings, demonstrations, site visits, and engagements. For example, if a delegation wishes to determine the environmental impact training is having on a post, spending the majority of the time moving around post to physically see the training areas and interacting with soldiers and leaders is much more impactful than presenting historical information in a briefing. If background information is important, consider sending it ahead of time as a read-ahead. It is no different today than as Washington did at Valley Forge, showing a delegation has a larger impact than a briefing in a conference room.

Capt. Dana Gingrich (right), commander of Company C, 2nd Battalion, 503rd Infantry Regiment, 173rd Airborne Brigade, briefs the details of training conducted as part of Fearless Guardian to Sen. Jack Reed (center), the ranking member of the Senate Armed Services Committee, and Lt. Gen. Pavlo Tkachuk, commander of the Ukrainian Army Academy, 1 September 2015 in Yavoriv, Ukraine. Paratroopers from the 173rd Airborne Brigade were in Ukraine for the second of several planned rotations as part of Fearless Guardian to train Ukraine's newly formed national guard. (Photo by Sgt. Alexander Skripnichuk, 13th Public Affairs Detachment, U.S. Army)

Follow-up phase. The final phase in accomplishing a successful visit from a congressional delegation is the follow-up. As mentioned, due to the classification or knowledge level, it is perfectly acceptable to not have an answer to every question. However, when that occurs, it generates due-outs. Annotate these items and between the unit, CACO, and LL, assign the responsible organization and suspense to respond. Quickly and thoroughly answer the congressional delegation's questions to inform their decisions. Sometimes those answers may take weeks to obtain, but they must not be dismissed or discarded due to the passage of time.

Even if a due-out was not generated during the visit, it is good form to reach out a week after the trip to follow up in case any questions have arisen since the delegation's return. It is hard to underestimate the positive impact of a sincere thank you follow-up.

The concluding action for a congressional visit is the executive summary (EXSUM). The EXSUM captures the overarching context of the trip. The receiving unit and LL work together to create the EXSUM, though it is the LL's responsibility to complete it. This document enables Army senior leaders to stay abreast of what occurred and be better poised to answer any subsequent requests or questions that stem from the trip.

Proper preparation, deliberate execution, and a thorough follow-up are the three phases that deliver a fruitful visit by a delegation from Congress. Following a successful visit, not only are members and their staffs better equipped to legislate on behalf of the Army, they have increased trust and confidence in Army leaders and a broader understanding of the Army and its capabilities.

Conclusion

The U.S. Constitution does not explicitly authorize Congress to travel to conduct its investigative and oversight role over the military. However, much precedent exists for the authority to conduct these

activities as has been demonstrated countless times since the Nation's founding. In 1787, George Mason of Virginia—war veteran, politician, and influencer of both the Bill of Rights and the Constitution—stated that congressional members “are not only Legislators but they possess inquisitorial powers. They must meet frequently to inspect the conduct of the public office.”⁸

The U.S. Supreme Court has reinforced this assertion. As recently as 1959, the court declared the investigative and oversight role of Congress to be “penetrating and far-reaching” and supported by the Constitution. The court went on to summarize that this inquiry power has been exercised throughout U.S. history over numerous national interests, “concerning which Congress might legislate or decide upon due investigation not to legislate; it has similarly been utilized in determining what to appropriate from the national purse, or whether to appropriate.”⁹

Since the founding of the Nation, travel delegations have been crucial for Congress to execute its legislative, authoritative, appropriative, investigative, and oversight missions. As such, by understanding its history and purpose, what they are, key organizations, and the three phases to prepare for a successful visit, Army leaders will be best positioned to support and further this critical activity. ■

Notes

1. Department of Defense (DOD) Directive 4515.12, *DOD Support for Travel of Members and Employees of Congress* (Washington, DC: DOD, 2015), 1.

2. U.S. Const. art. I, § 8, cl. 1, 12, and 14.

3. George Washington, “Letter to the President of Congress,” in *The Spirit of Seventy-Six, The Story of The American Revolution as Told by Its Participants*, ed. Henry Steele Commager and Richard B. Morris (New York: Da Capo Press, 2002), 646.

4. Worthington C. Ford, ed., *Journals of the Continental Congress, 1774–1789*, vol. 9 of 34 (Washington, DC: U.S. Government Printing Office, 1904–1937), 1029–31.

5. 3 *Annals of Cong.* 684 (1849).

6. For a detailed overview of the National Defense Authorization Act (NDAA) process, see Valerie Heitshusen and Brendan W. McGarry, *Defense Primer: The NDAA Process*, In Focus 10515 (Washington, DC: Congressional Research Service, 16 February 2021), accessed 20 July 2021, <https://crsreports.congress.gov/product/pdf/IF/IF10515>.

7. *Office of the Chief Legislative Liaison Handbook* (Washington, DC: Headquarters, Department of the Army, 2019), 1.

8. Max Farrand, ed., *The Records of the Federal Convention of 1787*, vol. 2 (New Haven, CT: Yale University Press, 1911), 206.

9. *Barenblatt v. United States*, 360 U.S. 109, 111 (1959).