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PROCEEDINGS —

Seventeenth Annual Meeting

Theme:

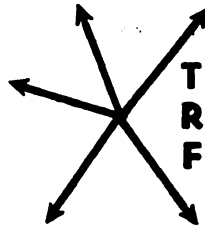
“Beyond The Bicentennial:
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TRANSPORTATION RESEARCH FORUM

Transportation Research as an Adjunct to the Preparation of Legislation — Abstract

by Richard J. Barber*

THERE IS LITTLE DOUBT that transportation research can be a useful adjunct to the preparation of legislation and in developing a basis for valuable hearings. The Congress, once deemed resistant to research, has become an important consumer of it. Individual researchers are frequently invited to hearings to testify; Congressional staffs have been expanded to include trained specialists and given budgets for research and consultant services; new analytically-oriented offices such as OTA and CBO have emerged; Executive Branch agencies are frequently asked to do research for Congress, either internally or through their contract R&D programs; and the technique of mandating studies in legislation has become widespread, e.g., over a dozen in the Rail Revitalization and Regulatory Reform Act of 1976.

Thus the significant issues of today concern whether the correct problems are being researched, the match between the demands of the legislative process and the requirements of the research process is reasonable, and the quality of the research is adequate. The most commonly cited focus of tension between the Congressional user/sponsor and the researcher is the natural Congressional desire for "results-oriented" research and analysis. A "results" orientation is in many respects a healthy antidote to the researchers' tendency to want to build elaborate theoretical models and study problems forever; on the other hand a "results" orientation is dangerous if it results in forced compression of unavoidably complex material into oversimplified or artificial conclusions or "positions" that are then given the status of law.

It may be too that the Congress fails to solicit research of the sort that it most needs and that researchers, even if asked to do, would not want to undertake because of its lack of professional elegance. A certain amount of "research and analysis" is also launched and used to support preconceived solutions, although it is often hard to distinguish when the researcher (as analyst or witness) is the exploited or the exploiter.

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Among other implications this suggests that if researchers are to function in a professionally responsible manner, they must stand ready to disagree—often strongly—with their sponsors. No less than with other clients the Congress is entitled to, and should welcome, forthright counsel.

Among the constraints which may face researchers who wish to provide support for legislation are: imprecise definition of the problem posed, the desire for unambiguous answers to very ambiguous questions, unrealistic time deadlines, widely varying expectations as to the nature and even the use of the output, the presence of jurisdictional conflict among committees and offices (perhaps reflected in the form of restrictions on the extent to which certain areas of substantive relevance can be discussed by the analyst), and cross-fire between Congressional and Executive Branch agencies. As well, commonly the issues to be confronted represent an amalgam of economics, technology, and law that severely tests the capacity of most researchers and research organizations.

Researchers must be sensitive to the problems faced by Congressional users/sponsors of research and analysis: the need for precision in results so that the material is capable of ready expression in legislative terms; the absence of adequate peer review because time pressures minimize opportunities to sponsor multiple approaches or circulate the researchers' work to others in his field for comment; the dangers of using results which are received without adequate explanation of their shortcomings; and the risk of incorporating in law the substance of conclusions developed in a relatively restricted research framework without adequate consideration for their implications in other policy realms.

To the researcher/analyst, the Congressional interest in analytical work is commendable. This Congressional interest does seem to require greater direction and specification, and a greater awareness of the limitations of analysts and analysis. Ideally, the Congress will continue to insist on practical, results-oriented research, but in time frames that are reasonable and on issues that are manageable.