

NEW CONGRESS

NEW RULES

RESTORING CONGRESS
FOR THE PEOPLE



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EXECUTIVE SUMMARY

During the 115th Congress, the Republican Majority set the record for the most closed Congress in our nation's history. By shutting down regular order, the legislative process, and the voices of a majority of Members and the people they represent, the GOP has abdicated its duties. Furthermore, we are in the midst of an Administration that has flaunted its conflicts of interest and a Republican Congress that has turned a blind eye to its constitutional duty to investigate and conduct oversight. Our Democratic rules package will take a strong first step in tackling many of the pressing issues facing our nation.

I. RESTORE THE PEOPLE'S VOICE

Our rules package will restore the American people's voice by emphasizing our Democratic priorities, protecting middle class taxpayers, establishing Member Day hearings so all Members can publicly present their ideas to committees, and strengthening congressional representation.

II. RESTORE THE LEGISLATIVE PROCESS

This proposal will create a more accommodating process for ideas to be considered. The proposal restores regular order, provides Members more time to read bills, establishes a select committee to improve the operation of Congress, modernizes the discharge petition, and reforms the motion to vacate the chair.

III. RESTORE OVERSIGHT & ETHICS

The legislative branch can reassert itself as a coequal branch of government, restore ethics, and hold the federal government accountable. The Democratic rules package will include reforms that amend the rules to protect whistleblowers, strengthen investigative powers, and prevent conflicts of interest.

IV. RESTORE BUDGET RULES

Since Republicans took control of the House, we have continuously seen them use fuzzy math to justify their lopsided priorities of enriching corporations and the wealthy at the expense of low- and middle-income Americans. Through this rules package we can return to fiscal sanity by eliminating dynamic scoring, eliminating CUTGO, restoring the Gephardt Rule, and ending the public lands giveaway.

V. RESTORE INCLUSION & DIVERSITY

This Democratic rules package emphasizes diversity and provides an opportunity for all Americans to be included in this institution. We will accomplish these goals by creating an independent diversity office, amending the rules to ban discrimination on the basis of sexual orientation and gender identity, and ensuring Members and staff are permitted religious expression.

****Ideas in this proposal are credited to Members who sponsored or helped develop the concept.***

I. RESTORE THE PEOPLE'S VOICE

After years of the Republican Majority abdicating its duty to address the issues important to the American people, the Democratic House rules package will take a strong first step in tackling many of the pressing issues facing our nation.



RESTORE THE VOTING RIGHTS ACT

First and foremost we must send to the floor early in the new Congress H.R.1, *The Government by the People Act*, in order to **restore the Voting Rights Act** and **counter the influence of big money in politics.**

(Leader Pelosi, Rep. Sarbanes, and dozens of Members-elect)

YOUR IDEA HERE

We want to hear from you!

Our next step in this process is crafting legislative text based on your feedback and our in-depth research and vetting.

EMPHASIZE LABOR

Change the name of the "Committee on Education and the Workforce" back to its original name, **"Committee on Education and Labor,"** to emphasize our commitment to the millions of hardworking Americans who keep our country running.

(Ranking Member Scott, Progressive Caucus)

PROTECT FEDERAL WORKERS

End the Holman Rule, which allows appropriations bills or amendments that would reduce the salary of or fire a specific federal employee or cut a specific program.

(Whip Hoyer, Reps. Connolly, Beyer, Brown, Raskin)

STRENGTHEN REPRESENTATION

Change the rules to give **voting rights to Delegates and the Resident Commissioner of Puerto Rico** in the Committee of the Whole. They represent over 4.5 million American citizens who deserve representation in the House.

Ensure Delegates and the Resident Commissioner can be **appointed to Joint Committees.**

(Whip Hoyer, Dels. Bordallo, Norton, Plaskett, Sablan, Progressive Caucus)

PROVIDE EVERY MEMBER WITH A VOICE

Require committees to hold a **Member Day hearing**, where all Members — regardless of their tenure or position — are provided the opportunity to publicly present their legislative ideas and proposals in an open hearing.

PROTECT THE MIDDLE CLASS FROM TAX INCREASES

Require a three-fifths supermajority to raise individual income taxes on the lowest-earning 80% of taxpayers.

(Leader Pelosi, Ranking Member Neal)

II. RESTORE THE LEGISLATIVE PROCESS

During the 115th Congress, the GOP set the record for the most closed Congress in our nation's history with over 100 closed rules. By reforming the House rules we can create a more accommodating process to allow diverse ideas to be considered.



RETURN TO REGULAR ORDER

Require every bill that goes through the Rules Committee to have a **hearing and a markup** before it goes to the floor.

(Ranking Member McGovern, Reps. Raskin, Kilmer, New Democrat Coalition)

TIME TO READ THE BILL

Require **bill text to be available for 72 hours** before the bill can proceed to the House Floor for a vote. This will ensure Members have adequate time to read and understand legislation before casting their votes.

The current House rule only requires slightly more than 24 hours of availability.

(Rep. Kilmer, New Democrat Coalition, Progressive Caucus)

REFORM THE MOTION TO VACATE THE CHAIR

Reform the motion to vacate the chair to a more thoughtful process in order to prevent the Speaker from being held hostage by a single Member.

(Rep. Kilmer, New Democrat Coalition, Problem Solvers)

STUDY THE ORGANIZATION AND OPERATION OF CONGRESS

Establish a **select committee to improve the operation of Congress**.

(Reps. Kilmer, Lipinski, Sarbanes, New Democrat Coalition)

YOUR IDEA HERE

We want to hear from you! Our next step in this process is crafting legislative text based on your feedback and our in-depth research and vetting.

MODERNIZE THE DISCHARGE PETITION

Allow discharge petitions to be considered under a 3-day notice process similar to privileged resolutions, in order to **facilitate their use and effectiveness**, while still requiring 218 signatures.

(Reps. Kilmer, Soto, Progressive Caucus, New Democrat Coalition)

III. RESTORE OVERSIGHT & ETHICS

We are in the midst of an Administration that has flaunted their conflicts of interest and a Majority that has turned a blind eye to its constitutional duty to investigate and conduct oversight. The Democratic rules package will be an opening salvo for the legislative branch to reassert itself as a coequal branch of government, restore ethics, and hold the federal government accountable to the American people.



PREVENT NONDISCLOSURE AGREEMENTS FROM PROTECTING HARASSERS

Clarify that a **nondisclosure agreement cannot prohibit a staffer from speaking** to the Office of Compliance, the Ethics Committee, or the Office of Congressional Ethics.

(Progressive Caucus)

REFORM OVERSIGHT DEPOSITION RULES

Reform deposition rules to ensure that oversight depositions are more transparent, effective, and consistent across all committees.

Give deposition authority to the Committee on House Administration so they can conduct more effective **oversight over federal elections**.

(Ranking Members Cummings, Nadler, Schiff)

ENSURING INVESTIGATION OF CRIMINAL CONDUCT

Reinstate a separate order requiring the **Ethics Committee to empanel an investigative subcommittee** within 30 days if a Member, Delegate, or the Resident Commissioner is **indicted or charged with criminal conduct**.

(Ranking Member Deutch, Rep. Speier)

PROTECT WHISTLEBLOWERS

Provide assistance and training to congressional offices in order to **properly and securely handle whistleblowers** who reach out to congressional offices.

(Rep. Speier, Progressive Caucus)

CLOSE THE CONFLICT OF INTEREST LOOPHOLE

Prohibit Members, Delegates, the Resident Commissioner, and staff **from serving on corporate boards**.

(Reps. Cicilline, Rice, Sherman)

IV. RESTORE BUDGET RULES

We have witnessed a Republican Congress that has used fuzzy math to justify giving handouts to the richest and most well off in our country at the expense of low- and middle-income Americans. We now have an opportunity, with the Democratic rules package, to return to fiscal sanity and responsible governance.



V. RESTORE INCLUSION & DIVERSITY

Public servants working for the People's House should reflect the faces of America. The Democratic rules package will provide an opportunity for all Americans to be included in this great institution.



PROTECT OUR NATION'S CREDIT

Reinstate the Gephardt Rule to ensure that our nation's credit rating is not held hostage.

(Ranking Member Yarmuth, Progressive Caucus)

ELIMINATE CUTGO

Replace the Republicans' sham budgetary process of CUTGO—which pretends tax cuts pay for themselves—with a **reasonable rule** in light of Statutory PAYGO.

(Ranking Member Yarmuth)

STOP THE PUBLIC LANDS GIVEAWAY

Reaffirm the Democratic belief that **public lands have value** by ending the Republican policy of allowing Federal lands to be given away for free, without recording any budgetary impact.

(Ranking Member Grijalva)

STREAMLINE BUDGET RULES

Eliminate dynamic scoring requirements, also known as macroeconomic scoring. This failed Republican talking point requires CBO to make assumptions in areas with great uncertainty and unpredictability.

(Ranking Member Yarmuth, Progressive Caucus)

V. RESTORE INCLUSION & DIVERSITY

PROMOTE DIVERSITY

Create an independent diversity office to facilitate a diverse workforce with qualified candidates that is reflective of our Members and the districts they represent.

(Leader Pelosi, Ranking Member McGovern, Reps. Hastings, Torres, Wasserman Schultz, House Administration, Progressive Caucus)

BAN LGBTQ+ DISCRIMINATION

Amend House rules to clearly and distinctly **ban discrimination** on the basis of **sexual orientation** and **gender identity**.

(Leader Pelosi, Rep. Cicilline)

ENSURE RELIGIOUS EXPRESSION

Clarify in the rules that **religious headwear** is permitted to be worn in the House chamber.

(Leader Pelosi, Member-elect Ilhan Omar, Ranking Member McGovern)

HOW THESE IDEAS WERE DEVELOPED

In crafting this draft rules package proposal, Democrats on the Rules Committee consulted with Members and a wide variety of stakeholders in order to capture a range of ideas and suggestions to create a more inclusive and accommodating set of rules. Throughout this process, we solicited ideas from Members by distributing dear colleague letters to all Members and their staff, announcing the process at Caucus meetings, Staff Director meetings, and Legislative Director meetings. Additionally, over the past several months, we engaged with individual Members about our process during floor votes.

MEMBER ENGAGEMENT

Throughout our process:

- Democratic Rules Members spoke to several caucuses including the **Congressional Progressive Caucus**; the **Congressional Black Caucus**; the **Congressional Hispanic Caucus**; the **New Democrat Coalition**; the **Blue Dog Coalition**; and members of the **Congressional Asian Pacific American Caucus** and the **Problem Solvers Caucus**.
- Several caucuses that we reached out to did not have a regularly scheduled meeting so we spoke to their members individually and with caucus staff.
- Since starting this process, we have already spoken to more than half of the Caucus in-person and we want to speak with all of you before this process ends.

ENGAGEMENT WITH PROCESS EXPERTS

We engaged with experts including:

- Staff of all House Committees and Floor staff;
- The Parliamentarian and staff;
- The Director of the Congressional Budget Office and staff;
- Staff from the Clerk of the House;
- Staff from the Congressional Research Service; and
- Staff from Legislative Counsel.

ENGAGEMENT WITH OUTSIDE GROUPS

We met with groups engaged in the rules change process, including:

- Demand Progress;
- The Bipartisan Policy Center;
- The Rebuild Congress Initiative (affiliated with Harvard and Issue One);
- The Government Accountability Project;
- The National Association of Latino Elected and Appointed Officials;
- Make It Safe Coalition;
- Public Citizen; and
- Project on Government Oversight.

NEXT STEPS

- We **want your reaction** to this draft rules package and **we want your support**.
- In particular, we want to hear from our newly-elected colleagues.
- Our next step is crafting legislative text based on your feedback and our in-depth research and vetting.



We the People

We are domestic. Tranquillity provide for the...
and our Posterity, all order and establish the...

Section 2. The...
in each State shall have...
No Person shall...
and who shall not, when elected...
Representatives and a red...
Number, which shall be determined by...
in each, three fifths of all other Persons...
subsequent Term of... shall be...



U.S. Constitution, Article One, Section 5

“

**Each House may determine the rules of
its proceedings...**

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