

## Recommendations for Proposed Rules Changes for the 116th Congress

Submitted by Rep. Derek Kilmer

1. Unless the Chair and Ranking Member of a Committee agree otherwise, which decision may be overridden by a majority of the remaining Committee members, the full text of a proposed bill shall be available as a searchable electronic document and notice of markup shall be given to all Committee members a minimum of three business days before markup shall begin. "Business days" are calendar days when the House is in session.
2. Unless the Chair and Ranking Member of the Rules Committee agree otherwise or 3/5 of sitting Members vote to waive this rule, the full text of every bill brought up for consideration on the floor of the House shall be available to all Members as a searchable electronic document at least 5 calendar days in advance, the Committee manager's amendments shall be available 3 calendar days in advance, and any bill or part of a bill that modifies existing law shall be accompanied by an exhibit using clear typographical conventions to illustrate the proposed additions and deletions.
3. The Speaker shall endeavor to create a Joint Committee with the Senate, akin to those which have served periodically in the past, to consider any and all measures to improve the operation of Congress as an independent and coequal branch of government with the confidence of the electorate, including consideration, among other matters, of:
  - How to rationalize and coordinate the schedules of the House and the Senate and undertake separately or jointly as may be appropriate those activities that would facilitate the building of effective working relationships among Members within and between the Chambers and the efficient coordination of legislative action;
  - Ways to rationalize and improve the Committee structure of each Chamber to reduce unnecessarily overlapping jurisdictions and improve efficiency;
  - Ways to enable Members to bring their expertise to bear in Congressionally directed in-district spending with appropriate safeguards for transparency and good policy;
  - Ways to ensure that each Member and the Chambers as a whole are more representative of and responsive to the whole of their constituency, less vulnerable to organized large-dollar attacks organized and funded by nonconstituents, and less likely to have their election depend on a small number of voters unrepresentative of their district as a whole;
  - Ways to significantly reduce the need for and time Members spend fundraising;
  - Ways to counter the widespread perception and any underlying reality that donors and moneyed interests dictate national policy irrespective of the best interests of the electorate as a whole, including H.R. 2034 (Restoring Integrity to America's Elections Act);

- Fair and appropriate ways to counter perceptions of de facto “corruption” and “coming to Washington to get rich,” including possible additional ethics restrictions and full adoption of the American Anti-Corruption Act;
- Ways generally to improve communication about important and emerging public policy issues with the electorate as a whole, looking for ways to reduce or counter the distortion, polarization, and insular segmentation of social and regular media;
- Ways to ensure Congress is not disadvantaged in the hiring and retention of staff who help authorize, oversee, and negotiate with all the many and enormous parts of the executive branch by decoupling staff from Member compensation, ensuring that staff compensation and benefits are and remain generally comparable to that of the executive branch, and assessing the proper number and allocation of staff; and
- Ways to improve the independent expert support available to Congress to assess new technologies and existing and potential regulations.

The House membership of this Committee shall include 4 Members of each party elected by each caucus or conference by secret ballot using cumulative voting, plus one Member each chosen by the Speaker and the Minority Leader, with an equal number of members similarly chosen from the Senate. The Committee shall be instructed to report its conclusions and recommendations before the beginning of the second year of the Session and guaranteed an up-or-down vote in each Chamber on the recommendations as a single package and/or in whatever chunks it recommends within 120 days of its report.

If the Senate will not agree to such a Joint Committee or some portion of the above mandate, the Speaker shall appoint a House Select Committee constituted as above, to undertake the whole or remaining parts of the above mandate.

4. The Speaker shall schedule at the beginning of each Session of Congress and at the beginning of the following year, a private day-long bipartisan joint meeting of all Members at the U.S. Capitol to discuss and seek agreement on the legislative goals and agenda for that year and ways to encourage bipartisan cooperation in achieving those goals. If agreed by a majority of those present, all or selected legislative goals may be published. The Speaker is encouraged to engage professional facilitation to help ensure the event is as useful and productive as possible.
5. Orientation activities for new Members and staff shall be conducted in a single bipartisan group as much as possible.
6. Any legislative bill (not resolution) that gains the cosponsorship of 3/5 of the Members or a majority of the Members of each party shall be marked up by its relevant Committees and reported to the Rules Committee within 30 calendar days of achieving that milestone. The Rules Committee shall report a rule allowing germane amendments from both parties (if offered) for such consideration within 30 calendar days; the number of amendments allowed for the majority and minority party shall be equal. If the Rules Committee fails to do so, the bill shall be scheduled under an open rule. If the bill is not scheduled for floor consideration before the deadline, it shall become the first order of business on the first Wednesday following the deadline when the House is in session.

7. Discharge petitions shall be in order at least 1 day each week the House is in session and signatures thereon shall again be secret. The relevant Committee(s) shall have 10 calendar days to report an alternative bill (or bills, if more than one committee is involved), with a "queen of the hill" rule to determine which shall pass.
8. Any bill approved by a majority vote in Committee with at least two members of the minority party voting in favor shall be brought up for consideration on the floor within 60 calendar days of such approval.
9. The Speaker shall endorse and encourage a set of norms for the operation of Committees that encourages bipartisan cooperation in the setting of Committee agendas, equal access to information, private bipartisan working sessions for crafting bills, and joint planning of Hearings to promote public understanding and education of the shared purposes the Committee is pursuing as well as the complexity of policy approaches under consideration. To this end, the Speaker shall arrange at the beginning of the Session for the newly appointed Chairs and Ranking Members to gather for a seminar on best practices in running an effective Committee.
10. In response to requests from  $\frac{1}{3}$  of a Committee's Members, a Committee Chair shall convene a policy roundtable to discuss issues and obtain specialist advice prior to drafting and/or marking up a bill.
11. Any germane amendment to a bill which has at least 20 cosponsors each from both the majority and minority parties must be allowed floor consideration by the Rules Committee.
12. At least once per Session, each Member shall be granted a markup in an appropriate Committee on a piece of legislation designated by the Member that has at least one cosponsor from the opposite party.