



The Only Way to Drain the Swamp... Starts with Congress!

FIX CONGRESS FIRST

*A 10-Point Plan to Hold Congress Accountable for
Living Under the Same Laws as the Rest of Us -
No Special Exemptions!*

By Carl DeMaio

**CARL
DEMAIO**
FOR CONGRESS 

“Washington is a corrupt swamp –
and draining the swamp must begin
with fixing Congress first!”



Dear Concerned Taxpayer:

Every few years, America has a “change” election. Politicians from one party or another run on a platform of reforming how Washington works. They offer lofty promises and use bold words – but they rarely get results.

Republicans have run in recent cycles promising to curb wasteful spending, repeal Obamacare, defend our personal freedoms, secure the border, and much more.

Even when they controlled the House, Senate, and Presidency, they failed to enact the promises they made. Put simply, politicians say one thing, then do another. Americans are sick and tired of it, on both sides.

Worse, these career politicians have voted themselves special exemptions from the laws ordinary Americans have to follow and have granted themselves special perks and privileges.

There’s a way to really shake up our political system by enacting sweeping accountability reforms, something politicians have avoided for decades.

My 10-point “Fix Congress First” Plan is designed to do just that.

I hope you will join me in supporting these and other reforms to finally bring real accountability to Washington, D.C.

It is time to drain the swamp – starting with cleaning up the mess in Congress.

Sincerely,

A handwritten signature in black ink that reads "Carl DeMaio".

Carl DeMaio

AT-A-GLANCE: 10 REFORMS TO FIX CONGRESS FIRST

- 1. Apply All Laws to Congress — No More Special Exemptions**
- 2. Eliminate Congressional Pensions and Perks**
- 3. No Budget, No Pay! No More Gov. Shutdowns**
- 4. Open The Books: Full Congressional Transparency**
- 5. Campaign Finance Reform**
- 6. End the Revolving Door – Reform Lobbying Rules**
- 7. End Personal Use of Campaign Funds**
- 8. Read the Bill First! Single Subject Bills Without Earmarks**
- 9. End the Senate Filibuster**
- 10. Send Them Home Initiative – Virtual Congress Proposal**



#1

APPLY ALL LAWS TO CONGRESS — NO MORE SPECIAL EXEMPTIONS

Members of Congress should live under **EVERY** law that they pass — just like the American people. Congress should immediately eliminate all special exemptions that they have given themselves.

1.1 Require Disciplinary Action Against of Any Member of Congress Indicted for a Felony Crime

Real World Scenario

Suppose you work for a publicly-traded company and have direct control of a special non-profit charitable fund with millions of dollars in it that is associated with the company. You are indicted by the Department of Justice with highly credible allegations that you embezzled over \$250,000 from the fund you manage. Would your employer let you remain at work and continue to allow you to access the funds? Of course not. Your employer would likely investigate and terminate you — or at the very least, place you on unpaid administrative leave until the outcome of your trial.

Special World of Congress

Rep. Duncan Hunter was indicted for embezzling over \$250,000 from his campaign fund. Despite this, Hunter was allowed to continue to raise money into and draw money from his campaign fund. Hunter was allowed to keep his position and raise funds for his legal defense from lobbyists. Hunter was allowed to draw his taxpayer-funded salary, even though he was stripped of his committee work assignments. In any other real-world setting, Hunter would have been fired or at least put on unpaid administrative leave. Standards of conduct applied to average citizens were never applied to Hunter simply because he was a Member of Congress.

Congress should enact a rule that requires immediate action be taken against any Member of Congress that is formally indicted for a felony crime.

Every individual is entitled to a fair trial. Members of Congress will always receive that right. However, no Member of Congress is entitled to keep their position, taxpayer-funded salary, and political position to raise funds for their legal defense.

Within 30 days of an indictment, the House Ethics Committee should be required to review the indictment and associated evidence and make a recommendation for one of three sanctions:

1. **Removal from Office:** In some cases where the evidence is overwhelming, the House Ethics Committee should recommend the removal of the Member of Congress from their position.
2. **Suspension from Office:** In cases where there is substantial evidence that would suggest likelihood of illegal activity, the House Ethics Committee should recommend administrative leave without pay for the Member and suspension of voting privileges.
3. **No Action:** In cases where Congress believes that the Department of Justice has unfairly targeted a Member of Congress and there is a high likelihood the Member is innocent, the Ethics Committee may recommend that no action be taken. Every Member of Congress, however, should be required to vote affirmatively for this option and be held accountable to their voters who may disagree.

1.2 Eliminate Any Exemption Granted to Members of Congress from Any Obligation Imposed on Average Citizens

Several exemptions have been quietly placed into laws over the years giving a special pass to Members of Congress while imposing requirements on all other American citizens. A full review of all laws should be undertaken by the House Ethics Committee to identify and propose the elimination of any and all exemptions granted over the years to Members of Congress.

Examples of current exemptions Members of Congress have voted themselves from laws all average citizens must follow:

Whistleblower Protections (1)

Other federal employees are protected and able to expose mismanagement while Legislative employees in Congress CANNOT

Freedom of Information Act and Privacy Act (FOIA) (2)

While Congress discloses information such as committee reports, hearings, salaries, they are NOT required to disclose most congressional correspondence and related documents

**Health and Safety Probes,
Keeping Workplace
Records (2)**

Variety of worker rights and occupational safety exemptions (Records and disclosures, investigatory subpoenas for safety and health probes, posting of worker notices, etc.

**Sexual Harassment
Training (3)**

Even with recent resolutions, Congress still does not take its responsibility in regards to sexual harassment training seriously (4)

**Public Disclosure
of Stock/Trading**

Main provision of STOCK ACT rolled back was requirement for staffers to post public disclosures of their financial transactions (claim was that it was too much of a “risk” to so do) Records are now only available, in person, in the basement of the Cannon HOB, 10cents/page for printed copies (5)

Jury Duty

Members of Congress are exempted from the obligation to serve on public juries (6).

(1) Roll Call - <https://www.rollcall.com/news/whistleblower-day-but-not-for-hill-staff>

(2) ProPublica - <https://www.propublica.org/article/do-as-we-say-congress-says-then-does-what-it-wants>

(3) Washington Post - https://www.washingtonpost.com/politics/how-congress-plays-by-different-rules-on-sexual-harassment-and-misconduct/2017/10/26/2b9a8412-b80c-11e7-9e58-e6288544af98_story.html?utm_term=.0aad886931db

(4) The Hill - <https://thehill.com/homenews/house/439021-members-spar-over-sexual-harassment-training-deadline>

(5) NPR - <https://www.npr.org/sections/itsallpolitics/2013/04/16/177496734/how-congress-quietly-overhauled-its-insider-trading-law>

(6) The Hill - <https://thehill.com/blogs/floor-action/senate/269860-senators-want-to-remove-congress-jury-duty-exemption>

#2

ELIMINATE CONGRESSIONAL PENSIONS & PERKS

For decades, Members of Congress from both sides of the aisle have created positions and perks that most of the general public has no idea even exist – and certainly most citizens do not receive themselves.

2.1 Eliminate Congressional Pensions

Members of Congress should not be given special, gold-plated pension plans. We should eliminate the Congressional Pension Program and replace it with Social Security and a 401(k) defined contribution account with a maximum employer match rate capped to the benchmark of the average employer contribution rate for the Congressional District represented by that Member of Congress.

2.2 Eliminate Double Dippers

A significant number of Members of Congress are drawing a full Congressional Salary while ALSO drawing a full government pension from a previous job in federal, state or local government. This practice, known as, “Double-Dipping” should be prohibited for all Members of Congress, except those receiving an allowance, pension, or benefit for previous military service.

In order to end Double Dipping, we should reduce Congressional salaries of any Members drawing government pensions from previous governmental positions.

HOW DOUBLE DIPPING WORKS

New York Rep. Paul Tonko is collecting his NY State pension of \$64,641 while simultaneously getting paid \$174,000 for his Congressional salary (3). That means he is paid almost \$250,000/year from the taxpayers. In the case of NY Rep. Paul Tonko our Reform Plan would reduce his Congressional salary by \$64,641 so he never receives more than the standard Congressional salary rate for his government service.

2.3 Eliminate Perks

For years, Members of Congress have created and taken perks that are rarely covered by the media or known by their constituents. We should eliminate ALL perks.

Examples of perks:

- **Free Travel** – Members of Congress have exploited loopholes that allow them to take all expenses paid trips, funded by special interests, all around the world as described in an article in The Atlantic. “The tabs for the nonprofit-backed trips ran as high as \$25,000. The lawmakers, however, never had to handle the bill.” (4)
- **Private Gym** – Members of the U.S. House and Senate have a special, private gym for their personal use, only. (5)
- **Special, VIP MOC Parking at Reagan, BWI, Dulles Airports in Washington, D.C.** – Members currently enjoy special, VIP parking privileges at the major airports that serve the DC area. (6)
- **Eliminate Special House Concierge Doctor** – “...members of Congress and staff...also have access to “free or low-cost care” through the Office of the Attending Physician as well as “free medical outpatient care at military facilities” in the D.C. area.” (7)
- **Eliminate Generous ObamaCare subsidy for Congress** – “The law allows individual congressional offices to be counted as small businesses of 50 or fewer employees. On the exchanges, members and staff members get an employer (i.e., taxpayer) contribution of 72 percent for their premiums. So this allowed them to receive a similar subsidy as they did under the federal health plan.” (8)

- (1) Washington Times - <https://www.washingtontimes.com/news/2019/mar/26/harry-reid-blame-his-own-injuries-exercise-band-ma/>
- (2) CNBC - <https://www.cnbc.com/id/44741907>
- (3) NY Daily News - <https://www.nydailynews.com/new-york/retirement-sweet-8-double-dippers-congress-collect-state-pensions-article-1.206660>
- (4) <https://www.theatlantic.com/politics/archive/2014/01/lobbyists-are-using-loopoles-fly-lawmakers-around-world/356893/>
- (5) Business Insider - <https://www.businessinsider.com/house-members-complain-about-lack-of-towels-in-gym-amid-shutdown-2018-1>
- (6) Department Of State - <https://www.businessinsider.com/perks-members-of-congress-get-that-the-general-public-doesnt-2018-12>
- (7) CNBC - <https://www.cnbc.com/2017/07/25/heres-how-much-members-of-congress-pay-for-their-health-insurance.html>
- (8) Washington Post - https://www.washingtonpost.com/news/fact-checker/wp/2017/04/17/do-members-of-congress-pay-for-100-percent-of-their-health-insurance/?utm_term=.1de676df4896

#3

NO BUDGET, NO PAY! – NO MORE GOVERNMENT SHUTDOWNS

There have been 21 funding gaps/government shutdowns since 1976 (1). This is unacceptable and has hurt far too many federal workers who have had to work without pay. We need to stop shutdowns and bring back order. Congress should do the job it was elected to do and pass a budget, on time!

“...the reliance on interim funding at prior-year levels leaves agencies operating on outdated, and in some cases lower, budgets that don’t reflect new priorities and needs identified over the course of the previous year” (2).

3.1 No Budget, No Pay! – For Real

In 2013, Congress passed a phony “No Budget, No Pay” law that has never been triggered and has never docked any Member of Congress’ pay. It was all for show, just window dressing.

For real accountability to get the budget done on time, we should pass “No Budget, No Pay – For Real” legislation that will go into effect at the beginning of the next Congress following the requirements under the 27th Amendment. If the budget is not in place by October 1 of each Fiscal Year, Members of Congress and Administration Political Appointees should lose their pay for every day all 13 Appropriation and Budget Bills are not passed.

Congress is responsible for producing a budget resolution and 12 appropriations bills at the federal level every fiscal year. The process begins when the president sends their budget request to Congress. All of these should be passed on time. We must end the constant Continuing Resolutions (CRs) that have negatively impacted the way our government functions.

Continuing Resolution/Continuing Appropriations - Legislation in the form of a joint resolution enacted by Congress, when the new fiscal year is about to begin or has begun, to provide budget authority for Federal agencies and programs to continue in operation until the regular appropriations acts are enacted (3).

NOTE: Constitutional Limitations - 27th Amendment – “No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened” (4). By passing “No Budget, No Pay – For Real” now, we can impose these new accountability rules on the next Congress.

- (1) PBS - <https://www.pbs.org/newshour/politics/every-government-shutdown-from-1976-to-now>
- (2) Roll Call - <https://www.rollcall.com/news/politics/five-continuing-resolutions-par-for-the-course-on-capitol-hill>
- (3) US Senate Glossary - https://www.senate.gov/reference/glossary_term/continuing_resolution.htm
- (4) House.Gov - <https://history.house.gov/Historical-Highlights/1700s/The-27th-Amendment/>

#4

OPEN THE BOOKS – FULL CONGRESSIONAL TRANSPARENCY

In order to have full transparency from Congress, we need to “open the books.” Each Member of Congress must provide full transparency to the people they serve.

As it stands, Members of Congress are NOT subject to the Freedom Of Information Act (FOIA) requests. That must change. We cannot trust Congress to be fully transparent by voluntarily giving information to the public.

4.1 Apply The Freedom of Information Act (FOIA) to Congress

FOIA is designed to provide the public with access to information, records, and proceedings that brings much needed review and transparency to government. Unfortunately, Congress has made itself exempt from the types of disclosures expected of other government agencies and/or entities.

We should apply FOIA to Congress! To facilitate compliance with FOIA, Congress should create an Independent Ombudsman for responding to public records requests/ FOIA requests. The Open Government Division would operate within the Ethics Committee.

The Responsibilities of the Open Government Division would be as follows:

- Division will enforce compliance with “Freedom of Information Act (FOIA)
- Require all records be digitally maintained on servers accessible by the Open Government Division (OGD)
- OGD would handle all public record requests for emails, documents, correspondence, etc. by searching MOC data
- Reasonable redaction to remove private information

4.2 Publish Calendar of Each Member of Congress

One reform we can make to bring transparency to Congress is a requirement for each Member to publish their calendar of meetings every 90 days. Members of Congress

(MOCs) meet with special interest groups and lobbyists many times. In order to provide transparency on the influence in Washington, D.C., MOCs will be required to publish their calendar of meetings every 90 days.

Note: The published calendar of meetings would be retroactive/for the previous 90 days to account for potential security risks.

- (1) Dept. of State – FOIA - <https://foia.state.gov/learn/foia.aspx>
- (2) – U.S. House Ethics Comm - <https://ethics.house.gov/about/committee-history>

#5

CAMPAIGN FINANCE REFORM

Dark money fills the coffers of campaign committees in Washington, DC. Unfortunately, some who advocate for campaign finance reform have an ulterior motive to simply defund their opponents while keeping the dark money flowing to their side.

There's no doubt you've heard about the 2010 Supreme Court decision that has played a huge role in campaign finance moving forward – Citizens United v. FEC (Federal Election Commission). The case centered on the First Amendment right we have to Free Speech.

The Supreme Court got it right with Citizens' United. However, that does not mean you cannot still enact several powerful campaign finance reforms that could level the playing field while still respecting Constitutional freedoms.

The Heritage Foundation Report on Citizens United

The Court held that the First Amendment stands against attempts to distinguish among different speakers, which “are all too often simply a means to control content.” In so doing, the Court correctly held that the government cannot impose restrictions on certain disfavored speakers such as corporations. The Court also found that First Amendment free speech rights do not depend on a speaker’s financial ability to engage in public discussion: The fact that some speakers may have more wealth than others does not diminish their First Amendment rights.

Finally, independent advertisements and expenditures, including “those made by corporations, do not give rise to corruption or the appearance of corruption,” the basis for upholding other campaign finance restrictions. Speech is an essential mechanism of democracy and the means to hold officials accountable to the people. As such, political speech must prevail against laws that would suppress it (1).

5.1 Require Permission-Based Contributions for all Independent Expenditures (Curb Corporate and Union Funding)

Citizens United allows for Independent Expenditure campaign committees. However, Citizens United also allows for the regulation of these expenditures. A powerful proposal would be to tie all large independent expenditures to individual consent.

Under this system, the contributions made by labor unions and corporations should be permission-based.

- a. Unions should have to ask their members for approval to take money out of an individual's paycheck and then receive permission to contribute that money to specific candidates and committees.
- b. Corporations should have to disclose 60 days in advance who they intend to contribute to, require a majority vote by shareholders approving the contribution, budgets for the year, and shareholders should have the option to opt out allowing them to receive an enhanced dividend.

5.2 Reform the Federal Election Commission – More Enforcement, Require Fully Staffed FEC Commissioners

The Federal Election Commission (FEC) is the independent regulatory agency charged with administering and enforcing the federal campaign finance law. The FEC has jurisdiction over the financing of campaigns for the U.S. House, Senate, Presidency and the Vice Presidency.

Federal campaign finance law covers three broad subjects:

- Public disclosure of funds raised and spent to influence federal elections
- Restrictions on contributions and expenditures made to influence federal elections
- The public financing of presidential campaigns (2)

The FEC is supposed to be the enforcer and watchdog when it comes to campaign finance. But it can't utilize these powers when the Commission isn't fully staffed with Commissioners. The FEC's ability to enforce needs to be strengthened. In order to have the ability to adequately enforce, the Commission needs to be fully staffed.

We also must require that the FEC always have the necessary number of Commissioners to conduct business. If the FEC is not fully staffed with Commissioners, Congressional members should be reduced to a maximum of \$250 contributions to their campaigns until such time that it is fully staffed.

The Federal Election Commission (FEC) has no real audit function – by design! Politicians have abused campaign funds for far too long.

The FEC's budget has stagnated — but its oversight responsibilities have not. The agency's enforcement division has shrunk to just 41 employees — down from 59 in 2010 — while the case backlog continues to grow (from 100 cases in 2010 to 329 in 2018) (3).

As a result of short-staffing, there has been a dramatic decline in fines issued by the FEC. During the past five years, the median amount of fines issued by the FEC annually was just \$825,000 (in 2018 dollars), compared to \$4.6 million (adjusted for inflation) in the five years following the Bipartisan Campaign Finance Reform Act of 2002. (3)

We can prevent this from happening again with meaningful reform. We will expand the audit and enforcement powers of the FEC. We need to know that our public servants are held to the highest standards. Under this reform, random audits will be performed on Congressional campaign committees.

Issue One “Why The FEC Doesn’t Work” Report:

If one more commissioner leaves the FEC, the agency will cease to function. There are currently two vacancies on the six-member commission, and four votes are required to take action. The FEC currently needs unanimous consent to take action on anything. Additionally, each sitting commissioner is serving on a well-expired term, including Chair Ellen Weintraub, who has been at the agency for more than 16 years. (Each FEC commissioner's term is supposed to be six years.) The last two commissioners — Republican Lee Goodman and Democrat Ann Ravel — both left the agency before serving a full six years.

5.3 Enhance Transparency of Fundraising and Election Spending

Campaign finance reform can increase transparency to the voters on who is funding which candidate(s). The following transparency reforms should be enacted:

- a. Require disclosure of bundlers of contributions
 - Similar to the proposal in the American Anti-Corruption Act, federal officials and candidates should be required to disclose any individual who is authorized to collect and transmit contributions to their campaign committee or leadership PAC.
- b. Federal Officials and candidates should be required to disclose, within 48 hours, every \$10,000 or more received by their committees

(1) The Heritage Foundation - <https://www.heritage.org/report/citizens-united-and-the-restoration-the-first-amendment>

(2) FEC - <https://www.fec.gov/about/mission-and-history/>

#6

END THE REVOLVING DOOR — REFORM LOBBYING RULES

Members of Congress are too cozy with lobbyists. In some cases, retiring Members of Congress are actively interviewing for lobbying jobs while still voting on issues in Congress. The so-called “revolving door” of Members and staff from Congress moving into cushy lobbying jobs must be reformed.

6.1 Lifetime Lobbying Ban For MOCs

We should enact a lifetime lobbying ban for every Member of Congress. After every election, lawmakers that lose their bid for reelection are often offered lucrative, cushy jobs lobbying the very institution they used to serve.

“Of the nearly four dozen lawmakers who left office after the 2016 election, one-fourth stayed in Washington, and one in six became lobbyists, according to an analysis by The Atlantic. The numbers were even higher for those who departed after the 2014 midterms: About half of those former members stuck around, and around one in four became lobbyists.” (1)

6.2 Extend Lobbying Limit on Congressional Staffers

The limits on lobbying for former congressional staffers should be extended to 5 years.

6.3 Limit Campaign Contributions and restrict fundraising activities by lobbyists, lobbyist clients, and individuals involved in lobbying efforts

The Supreme Court has upheld the notion of campaign contribution limits. As such, additional contribution limits should be imposed on individuals involved in lobbying. For example:

- a. Enact limits on the amount lobbyists, lobbyist clients, and individuals involved in lobbying efforts can contribute to \$500 in any calendar year.
- b. Place prohibitions on lobbyists, lobbyist clients, and individuals from soliciting or coordinating funds in connection with an election for Federal office.

(1) Atlantic - <https://www.theatlantic.com/politics/archive/2018/05/lobbying-the-job-of-choice-for-retired-members-of-congress/558851/>

#7

END PERSONAL USE OF CAMPAIGN FUNDS

In the case of Rep. Duncan Hunter, the Department of Justice found evidence that Hunter openly embezzled campaign funds for personal use, in clear violation of existing federal law. In some instances, Members of Congress have actually carved out technically legal ways for them to convert campaign funds to personal use. Those technically legal ways should be abolished.

7.1 End Personal Use of Campaign Funds

The FEC's guidelines for personal use of campaign funds must be reformed to eliminate any and all technically legal ways to convert campaign funds to personal use.

The Case-by-Case determination must be overhauled to eliminate the following personal use exceptions (1).

- **Meal Expenses** – Require Members of Congress pay for their own meals at a fundraiser.
- **Travel Expenses** – Tighten up with more aggressive regulations
- **Legal expenses** – Prohibit Members of Congress from using campaign funds or legal defense funds to defend against criminal charges alleging personal violation of laws
- **Salary payments to a candidates family/family members** – Ban entirely

7.2 Stop The Abuse of Unused Campaign Funds

Loopholes allow former politicians to use their leftover campaign funds on a wide range of things, including donating it to a foundation in their own name. A new law should be enacted to require any unused campaign funds be given to the US Treasury to pay down the National Debt.

“Former House members are spending their leftover money to pay for everything from luxury cars to foundations that bear their names, a USA TODAY review of new campaign-finance reports shows. The practice is legal but raises questions among government watchdogs about whether these accounts are used as political slush funds.

Of the 82 House members who were defeated or resigned from the last Congress, more than one in four had more than \$100,000 remaining in their campaign accounts at the end of 2012, according to a USA TODAY analysis of recently filed Federal Election Commission reports” (2).

(1) FEC - <https://www.fec.gov/help-candidates-and-committees/making-disbursements/personal-use/>

(2) USA Today - <https://www.usatoday.com/story/news/politics/2013/02/05/defeated-house-members-leftover-campaign-money/1893329/>

#8

READ THE BILL, FIRST! SINGLE SUBJECT BILLS WITHOUT EARMARKS

Everyone remembers Nancy Pelosi's infamous quote when Congress passed ObamaCare: "We have to pass the bill so that you can find out what is in it.." (1).

This is exactly what is wrong with Washington. Every bill should contain a single subject and every Member of Congress should be required to read every bill.

8.1 Force Them To Read The Bill First

Members of Congress must sign a sworn affidavit, under penalty of perjury, that they have personally read every page of a respective bill before passing any piece of legislation. There have been far too many bills that have passed Congress with most members never having looked at a single page, let alone the completed legislation. Congressional legislation, now, is usually thousands of pages long and deals with multiple subjects that are totally unrelated. This must end.

8.2 Single Subject Legislation

Every piece of legislation must contain a "single subject" in order to prevent unrelated special interest provisions from being added.

8.3 Public Review of Legislation

CA Voters passed Proposition 54 that required all legislation to be "in print" and available for the public to review on the Internet at least 72 hours before being voted on (2). All legislation in the US House of Representatives should also adhere to this rule based on transparency. No more waivers (3). The American public should have at least 3 business days to view, review, and read a bill before it gets a vote on the floor.

8.4 Permanently Ban Earmarks – End Wasteful Spending

Earmarks were banned following the 2010 wave election that swept Republicans into power. In previous years, hundreds of earmarks worth billions of dollars were added to legislation every year. Democrats have openly discussed bringing back earmarks

in the future (4). We cannot allow Members to waste taxpayer money and sneak appropriations into legislation, no matter who is in power. Earmarks must be banned permanently.

- (1) NYT - <https://www.nytimes.com/2018/11/19/magazine/nancy-pelosi-house-democrats.html>
- (2) Ballotpedia - [https://ballotpedia.org/California_Proposition_54,_Public_Display_of_Legislative_Bills_Prior_to_Vote_\(2016\)](https://ballotpedia.org/California_Proposition_54,_Public_Display_of_Legislative_Bills_Prior_to_Vote_(2016))
- (3) RollCall - <https://www.rollcall.com/news/congress/house-democrats-give-leaders-pass-breaking-72-hour-rule-spending-deal>
- (4) Roll Call - <https://www.rollcall.com/news/congress/earmarks-no-revival-house>

#9

END THE SENATE FILIBUSTER

For decades, the minority party in Congress has used the Senate Filibuster as a tool of obstruction. The Filibuster is used to stop legislation, Supreme Court nominees, and presidential cabinet nominations.

9.1 End the Filibuster, End Gridlock

We must end the Senate Filibuster. This will allow a unified Congress to act more decisively and efficiently. It will end constant and frivolous partisan gridlock that has stalled numerous appointments, legislation, and nominees. Reasonable legislation should not be impossible to pass in Congress simply because the majority party does not have 60 votes in the Senate.

In fact, the 60-vote Filibuster threshold **DOES NOT** appear anywhere in the U.S. Constitution. Senators themselves created this made up “rule” in the early 1900s (1).

The filibuster is widely viewed as one of the Senate’s most characteristic procedural features. Filibustering includes any use of dilatory or obstructive tactics to block a measure by preventing it from coming to a vote. The possibility of filibusters exists because Senate rules place few limits on Senators’ rights and opportunities in the legislative process.

The ability of Senators to engage in filibusters has a profound and pervasive effect on how the Senate conducts its business on the floor. In the face of a threatened filibuster, for example, the majority leader may decide not to call a bill up for floor consideration or may defer calling it up if there are other, equally important bills the Senate can consider and pass with less delay. Similarly, the prospect of a filibuster can persuade a bill’s proponents to accept changes in the bill that they do not support but that are necessary to prevent an actual filibuster (2).

(1) NYT - <https://www.nytimes.com/2017/04/03/us/politics/filibuster-supreme-court-neil-gorsuch.html>

(2) Filibusters and Cloture in the Senate - <https://www.senate.gov/CRSpubs/3d51be23-64f8-448e-aa14-10ef0f94b77e.pdf>

#10

SEND THEM HOME INITIATIVE – THE VIRTUAL CONGRESS PROPOSAL

We need a transformational, out-of-the-box, and revolutionary change to the way Congress operates. It starts by making Washington, D.C. work periods shorter and sending Members of Congress home to their respective districts.

10.1 Send Them Home – 21st Century Style Government

The best representative democracy is one where members of government participate regularly, in free open debate, with the people that they serve. Unfortunately, we don't currently have that – but we can.

The House Democrats' schedule for 2019 included 130 days in session, in Washington, D.C. (1). Members should be spending more time in their districts with their constituents rather than being influenced by lobbyists and special interest groups.

Lobbyists and interest groups have unfair access to members of Congress compared to constituents because members spend a majority of their time in Washington, D.C. Moments before a vote is held on the floor, lobbyists swarm undecided members in order to sway their vote. The “debate” that is typically shown on CSPAN before a vote is little more than showboating from lawmakers eager to get on the nightly news.

10.2 Regularly Scheduled Town Halls with Members of Congress Remotely Voting By Electronic Device

Constituents want access to their representative. They also want to see their representative at work in the district. To promote constituent access, members will work from their districts and vote remotely through electronic devices during regularly scheduled town hall meetings open to public comment on proposed legislation. This system would increase the amount of interaction constituents have with their representative, while still ensuring the member is the one casting the vote. It also brings an incredible amount of transparency to the institution, the likes of which we have never seen before.

In years past, Members of Congress could simply ignore their constituents by avoiding town halls altogether. Some have even limited the media from covering them (2). This reform will bring the type of representative, accountable government that Americans want – and that they deserve.

- (1) Roll Call - <https://www.rollcall.com/news/politics/house-democrats-release-2019-legislative-schedule>
- (2) Politico - <https://www.politico.com/story/2018/08/21/congress-town-halls-gotcha-public-meetings-789430>

CarlDeMaio.com |  @carl.demaio |  @carldemaio |  @carldemaioca

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