

108TH CONGRESS
2D SESSION

H. R. 4971

To amend the Rules of the House of Representatives to prohibit behavior that threatens that institution, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2004

Mrs. MALONEY (for herself, Ms. LEE, Ms. WATSON, Mr. JACKSON of Illinois, Mr. CLAY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CROWLEY, Mr. DAVIS of Illinois, Mr. OWENS, Ms. JACKSON-LEE of Texas, Mr. CHANDLER, Ms. MCCARTHY of Missouri, Mr. GRIJALVA, Mr. SHERMAN, Mr. McDERMOTT, Mr. CONYERS, Mr. SANDERS, and Mr. MEEKS of New York) introduced the following bill; which was referred to the Committee on Rules, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Rules of the House of Representatives to prohibit behavior that threatens that institution, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Restoring Democracy
5 to the U.S. Congress Act of 2004”.

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 (a) FINDINGS.—Congress finds that, while the
3 United States is endeavoring to bring democracy to coun-
4 tries such as Iraq and Afghanistan, recent events in the
5 Congress have battered the pillars of our democratic sys-
6 tem here at home within the world’s greatest deliberative
7 body.

8 (b) PURPOSE.—The purpose of this Act is to stop
9 this loss of democracy here at home and prevent further
10 occurrences of recent injustices including—

11 (1) barring Members appointed to conference
12 committees from attending meetings of those com-
13 mittees;

14 (2) calling the Capitol Police to forcibly remove
15 Members from legislative meetings;

16 (3) extending the time limit on recorded votes
17 from minutes to hours to alter the outcome;

18 (4) attaching special-interest amendments to
19 conference reports that have not been the subject of
20 hearings or votes in either House or contained in the
21 underlying legislation as passed either House;

22 (5) redrawing congressional districts for par-
23 tisan political gains in between censuses;

24 (6) requiring Members to vote on legislation
25 that has not been circulated or read;

1 (7) allegedly offering a bribe on the House
2 floor;

3 (8) allegedly stealing confidential documents
4 from a committee's computer server; and

5 (9) spending committee funds to pay for mass
6 mail communications to individual Members' dis-
7 tricts.

8 **SEC. 3. TIME LIMIT ON ROLL CALL VOTES.**

9 The last sentence of clause 2(a) of rule XX of the
10 House of Representatives is amended by inserting “and,
11 except by unanimous consent or mutual agreement of the
12 majority and minority leaders, the maximum time shall
13 be 17 minutes” before the period at the end.

14 **SEC. 4. ACTUAL VOTING REQUIRED IN CONFERENCE COM-
15 MITTEE MEETINGS.**

16 Clause 8(a) of rule XXII of the Rules of the House
17 of Representatives is amended by adding at the end the
18 following new subparagraph:

19 “(3) It shall not be in order to consider a conference
20 report unless the senior manager from the majority party
21 on the part of the House as so designated for that purpose
22 by the majority leader and the senior manager from the
23 minority party on the part of the House as so designated
24 for that purpose by the minority leader include in the
25 statement of managers accompanying such conference re-

1 port a signed statement that all House managers have
 2 been afforded an opportunity at a meeting of the com-
 3 mittee on conference to vote on all amendments and other
 4 propositions considered by that committee.”.

5 **SEC. 5. GERMANENESS REQUIREMENT FOR CONFERENCE**
 6 **REPORTS MAY NOT BE WAIVED.**

7 Clause 6(c) of rule XIII of the Rules of the House
 8 of Representatives is amended by adding at the end the
 9 following new subparagraph:

10 “(3) a rule or order that would prevent a Mem-
 11 ber from making a point of order against non-
 12 germane matter in a conference agreement pursuant
 13 to clause 9 of rule XXII.”.

14 **SEC. 6. REMOVAL OF MEMBERS FROM COMMITTEE MEET-**
 15 **INGS.**

16 Clause 3 of rule II of the Rules of the House of Rep-
 17 resentatives is amended by adding at the end the following
 18 new paragraph:

19 “(g) The duty to forcibly remove a Member, Delegate,
 20 or Resident Commissioner from any committee meeting
 21 room shall reside exclusively with the Sergeant-at-Arms
 22 and such removal may only be executed at the request of
 23 any other such individual.”.

1 **SEC. 7. LIMIT ON REDISTRICTING AFTER AN APPORTION-**
2 **MENT OF REPRESENTATIVES.**

3 The Act entitled “An Act for the relief of Doctor Ri-
4 cardo Vallejo Samala and to provide for congressional re-
5 districting”, approved December 14, 1967 (2 U.S.C. 2c),
6 is amended by adding at the end the following: “A State
7 that has been redistricted in the manner provided by the
8 law thereof after an apportionment under section 22(a)
9 of the Act entitled ‘An Act to provide for the fifteenth
10 and subsequent decennial censuses and to provide for an
11 apportionment of Representatives in Congress’, approved
12 June 18, 1929 (2 U.S.C. 2a), may not be so redistricted
13 until after the next apportionment of Representatives
14 under such section 22(a), unless the State is ordered by
15 a Federal court to conduct such subsequent redistricting
16 in order to comply with the Constitution of the United
17 States or to enforce the Voting Rights Act of 1965 (42
18 U.S.C. 1973 et seq.).”.

19 **SEC. 8. AVAILABILITY OF LEGISLATION ON THE INTERNET.**

20 Clause 6(c) of rule XIII of the Rules of the House
21 of Representatives is amended by striking the period at
22 the end of subparagraph (2) and inserting a semicolon and
23 by adding at the end the following new subparagraph:

24 “(3) a rule or order eliminating the reading in
25 full of any bill, resolution, conference report, or
26 amendment unless such measure is available to all

1 Members and made available to the general public
2 by means of the Internet for at least 24 hours before
3 its consideration.”.

4 **SEC. 9. BRIBERY PROHIBITED ON HOUSE FLOOR.**

5 The Congress hereby reiterates that the bribery of a
6 Member of Congress on the floor of the House of Rep-
7 resentatives or the Senate is a violation of section 201
8 (bribery of public officials and witnesses) of title 18,
9 United States Code, and should be prosecuted whenever
10 it occurs.

11 **SEC. 10. HACKING INTO OTHER MEMBERS’ COMPUTER**
12 **FILES PROHIBITED.**

13 Congress hereby reiterates that accessing a computer
14 of a Member of Congress without authorization or exceed-
15 ing authorized access is a violation of section 1030 (fraud
16 and related activity in connection with computers) of title
17 18, United States Code, and should be prosecuted when-
18 ever it occurs.

19 **SEC. 11. CAP ON MAILING EXPENSES OF COMMITTEES.**

20 Rule X of the Rules of the House of Representatives
21 is amended by adding at the end the following new clause:

22 “12. No Committee may expend more than \$25,000
23 for mailing expenses during a session of Congress.”.

1 **SEC. 12. REQUIRING AT LEAST ONE-THIRD OF COMMITTEE**
2 **BUDGET TO BE PROVIDED TO MINORITY.**

3 Rule X of the Rules of the House of Representatives,
4 as amended by section 11, is further amended by adding
5 at the end the following new clause:

6 “13. Of the total amounts provided to any Committee
7 for its expenses (including expenses for staff) during a ses-
8 sion of Congress, $\frac{1}{3}$ of such amount, or such greater per-
9 centage as may be agreed to by the chair and ranking
10 minority member of the Committee, shall be expended at
11 the direction of the ranking minority member.”.

12 **SEC. 13. EXERCISE OF RULEMAKING POWERS.**

13 The provisions of this Act are enacted by the Con-
14 gress—

15 (1) as an exercise of the rulemaking power of
16 the House of Representatives and the Senate, re-
17 spectively, and as such they shall be considered as
18 part of the rules of each House, respectively, or of
19 that House to which they specifically apply, and
20 such rules shall supersede other rules only to the ex-
21 tent that they are inconsistent therewith; and

22 (2) with full recognition of the constitutional
23 right of either House to change such rules (so far
24 as relating to such House) at any time, in the same

- 1 manner, and to the same extent as in the case of
- 2 any other rule of such House.

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