

MAKE CONGRESS WORK!

A NO LABELS ACTION PLAN
TO CHANGE THE RULES AND FIX WHAT'S BROKEN



NO LABELS NEEDS YOUR HELP TO MAKE CONGRESS WORK

No Labels is a group of Republicans, Democrats and Independents dedicated to a simple proposition:

We want our government to work again.

The government in Washington, DC is no longer capable of solving the very real problems facing America. Before every election, our politicians make promises about how they will fix our tax system. Or our immigration laws. Or our schools. Or our budget problems. But after every election, these promises are crushed under the weight of the same poisonous rhetoric and partisan posturing.

We've had enough.

No Labels supports reforms, leaders and legislation that will help fix America's broken government and break the stranglehold of the extremes that currently dominate our political process.

We believe that common-sense solutions exist for our national challenges. And we believe that our government should be capable of finding them.

But the government in Washington, DC clearly won't find these solutions without a concerted push from the American people.

No Labels believes our leaders will listen if we make our voice heard — and we are planning to make some noise in 2012.

No Labels Needs Your Help to Make Congress Work

Aug. 5, 2011 was a day when many Americans concluded that the U.S. Congress had collectively lost its mind.

That's when America's credit was downgraded for the first time in our 235-year history. We hadn't run out of money or of people willing to buy our debt. Instead, we'd run out of something just as essential to our democracy:

The confidence that the United States Congress can get anything done.

The 2011 debt-ceiling debacle was the culmination of years of partisanship and gridlock that have turned Congress into one of the least respected institutions in the United States.

At a time when our nation faces immense challenges, the American people have never had less faith in the ability of Congress to do anything about them. This problem couldn't be more serious — because if Congress is broken, so is the United States of America. Every law addressing any issue we could conceivably care about has to go through Congress first. That means if we want a better tax code, a balanced budget, a better immigration system or more effective educational and energy policies, we first need to fix our broken Congress.

But how?

Many people understandably think the biggest problem with Congress is the people in it. But we effectively “threw the bums out” in the 2008 and 2010 elections, and the dysfunction just got worse. The 2012 election will be no panacea.

Others think the only way to fix Congress is to build a better election system by creating open primaries or ending the gerrymandering that effectively allows politicians to draw their own districts.

As promising as these reform efforts are, they’re tough, state-by-state slogs that will take years to succeed. We don’t have that kind of time. Not with the problems we’re facing.

But there is an immediate solution if the American people are willing to mobilize behind it. Congress can fix itself.

The biggest problem with Congress is not the people. It’s the outdated rules, procedures and traditions that govern the institution and make it impossible for anything to get done. Congress has become a place where even good, talented people get dragged down by a broken system. But if we change the rules of Congress, we can really make our government work again.

One of the great misperceptions about the maddening way Congress operates is that they’re just following the rules set by the Founding Fathers. Nothing could be further from the truth. Our Founders were a lot smarter than that. Article 1, Section 5 of the U.S. Constitution says, “Each House may determine the Rules of its Proceedings.” If the next Congress finds rules from the last Congress to be outdated or unproductive, members can tear them up and start over.

Which is exactly what they ought to do.

People in Congress today know the system is broken, but there are also plenty of entrenched interests that like things just the way they are.

So fixing Congress will require a push from the outside — from people like you. We need you to join the No Labels 2012 campaign to Make Congress Work.

Over the past year, No Labels has been building a network of supporters in every congressional district across America, and in Washington itself, to help rebuild our system of self-government — one that works not just for one party or group, but for all Americans. Hundreds of thousands of No Labels supporters have been preparing for the moment when they can swing into action to effect real change in our government.

That moment has arrived.

Throughout 2012, No Labels will conduct an intensive grassroots campaign to mobilize one million people behind our action plan to Make Congress Work again.

Our dozen proposals mostly don’t require new laws or any new spending, and they don’t favor any party or particular cause. These are simple, straightforward proposals to break gridlock, promote constructive discussion and reduce polarization in Congress. They can mostly be adopted all at once when the next Congress convenes in January 2013.

This campaign is only the first step for No Labels and its growing community of supporters. But it’s a big one.

It’s time to act. Will you join us?

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TO MAKE CONGRESS WORK!

THERE ARE FOUR DIFFERENT MECHANISMS THAT CAN BE USED TO TURN THE NO LABELS “MAKE CONGRESS WORK” PROPOSALS INTO REALITY.

- **CODES OF CONDUCT [CC]**

Proposals with this symbol simply require members of Congress to individually change their behavior.

- **LEADERSHIP [L]**

Proposals with this symbol can be imposed by House or Senate leadership.

- **RULES CHANGE [RC]**

Proposals with this symbol require a change of House and Senate rules, which can be made effective when the new Congress is seated in 2013.

- **BILL [B]**

Proposals with this symbol require a new law to be passed by the House and Senate.

1. NO BUDGET, NO PAY

THE PROBLEM The most basic responsibility Congress has is deciding how much money the government takes in and how much it spends. But Congress has passed its spending bills on time only four times since 1952. In the last 14 years, annual spending bills have been submitted an average of four months late.

The upshot is more wasteful and inefficient government. When Congress fails to pass spending bills on time, it relies on temporary spending measures called continuing resolutions — which provide the money federal agencies need to operate based roughly on what they spent the previous year. What continuing resolutions don't provide is any chance for Congress to debate the most fundamental question of all:

Why are we spending this money?

Congress spends first and asks questions later when it should instead be spending only after figuring out what goals it's trying to achieve.

Meanwhile, Congress' constant stop-and-go budgeting creates havoc for government agencies, and the citizens who depend on them.

What if you had to decide whether to buy a new car or go on vacation without having any idea what your salary was or even how much money you had? That would be almost impossible.

But this is the situation facing federal agencies that often don't know how much money they're getting or when it's coming. This uncertainty has severe consequences. Congress' failure to pass a timely budget in early 2011 led to:

- The Federal Aviation Administration delaying hiring of new air traffic controllers;
- The National Institutes of Health postponing grants for cutting-edge medical research;
- The Defense Department delaying critical maintenance of Humvees and canceling research on next-generation weapon systems; and
- The State Department cutting staff in Iraq at the same time it was trying to manage the hand-off of civilian control to the Iraqi government.

THE NO LABELS SOLUTION If Congress can't make spending and budget decisions on time, they shouldn't get paid on time either. Every government fiscal year begins Oct. 1. If the congressional appropriations (spending) process is not completed by that date, congressional pay ceases as of Oct. 1, and isn't restored until appropriations are completed. This is the only No Labels solution that requires a new law, which could be passed in 2012, and would take effect when the new Congress is seated in 2013.

**A HOUSE DIVIDED
AGAINST ITSELF
CANNOT STAND.**

-ABRAHAM LINCOLN

**NO PROBLEM CAN BE SOLVED
FROM THE SAME LEVEL
OF CONSCIOUSNESS
THAT CREATED IT.**

-ALBERT EINSTEIN

2. UP OR DOWN VOTE ON PRESIDENTIAL APPOINTMENTS

THE PROBLEM When our Founders gave the Senate “Advise and Consent” power over presidential appointments, they hoped it would encourage the president to appoint qualified people and avoid conflicts of interest.

Today, it’s the senators themselves who seem to have conflicts of interest, with key presidential appointments routinely held up for trivial reasons or to serve the narrow interests of a single senator. In one notorious case from 2010, a senator held up over 70 presidential nominees at once to secure more federal spending for his state.

As of late 2011, more than 200 presidentially appointed positions remained unfilled. In the last few years the directorship of the Federal Emergency Management

Agency, key positions at the Treasury Department and the Federal Reserve and numerous federal judgeships have been left unfilled for reasons that have little or nothing to do with the quality of the nominees.

THE NO LABELS SOLUTION The Senate’s “Advise and Consent” role on presidential appointments is critically important, but the process no longer resembles anything close to what the Founders intended.

That’s why all presidential nominations should be confirmed or rejected within 90 days of the nomination being received by the Senate. This time frame includes both committee and floor action. If a nominee’s name is not confirmed or rejected within 90 days, the nominee would be confirmed by default.

3. FILIBUSTER REFORM

THE PROBLEM Made famous by the 1939 film *Mr. Smith Goes to Washington* and infamous by senators who used it to block civil rights legislation, the filibuster was initially conceived as a way to prevent a Senate majority from steamrolling the minority. As long as a senator kept talking on the floor, a bill could not move forward unless a supermajority of senators voted to end debate. For much of the 20th century, the Senate required a two-thirds majority vote (a device known as cloture) to break a filibuster. In 1975, the Senate reduced the number of votes required for cloture to three-fifths, or 60 of the current hundred senators.

The filibuster has been used for good and for ill, but for most of the Senate's history, it was rare, and it required members to stand up for hours on end to make their case. Neither is true anymore.

In the first 50 years of the filibuster, it was used only 35 times. In the last two years alone, it was used over 100. And senators don't even have to show up on the floor to explain themselves — just signaling their intent to filibuster effectively stalls legislation.

As a result, the Senate has become a place that one senator described as “non-functional,” where even routine bills must now clear 60 votes. This means that 41 senators, representing as little as 11 percent of the U.S. population could theoretically obstruct passage of a bill supported by 59 senators

representing as much as 89 percent of the population. This is completely contrary to the intent of our Founders. They believed a supermajority should be required only in select circumstances including the passage of treaties, constitutional amendments and motions of impeachment.

Finally, constant filibustering gums up the Senate calendar. Every filibuster kicks off a complex set of Senate procedures that effectively brings the institution to a stop for as long as a week and prevents other critical issues from being addressed.

THE NO LABELS SOLUTION Our filibuster fix is based on a simple idea: If senators want to filibuster legislation, they should actually have to explain why in public. We propose a two-part solution to reduce unwarranted use of the filibuster in the Senate:

- **Require Real (Not Virtual) Filibusters:** If senators want to halt action on a bill, they must take to the floor and hold it through sustained debate.
- **End Filibusters on Motions to Proceed:** Today, filibusters can be used both to prevent a bill from reaching the floor for debate (motion to proceed) and from ultimately being passed. If the Senate simply ended the practice of filibustering motions to proceed, it could cut the number of filibusters in half and allow more issues to be debated and voted on by the full Senate.

**WE HAVE TOO MANY
HIGH-SOUNDING WORDS,
AND TOO FEW ACTIONS
THAT CORRESPOND
WITH THEM.**

-ABIGAIL ADAMS

**TRUE HEROISM IS REMARKABLY
SOBER, VERY UNDRAMATIC.
IT IS NOT THE URGE TO SURPASS
ALL OTHERS AT WHATEVER COST,
BUT THE URGE TO SERVE OTHERS
AT WHATEVER COST.**

-ARTHUR ASHE

4. EMPOWER THE SENSIBLE MAJORITY

THE PROBLEM A not-so-hidden secret about Congress is that much of the legislation it considers is designed to embarrass the other party or score political points. Legislation can be considered by the full House or Senate only if it's first sent there by leadership or committee chairs, who often see political benefit in keeping Democrats and Republicans at one another's throats. One member says flatly, "The leaders [of Congress] often don't want us to work together."

Meanwhile, legislation that is supported by a sensible bipartisan majority often dies in a leader's office or in committee.

THE NO LABELS SOLUTION We need to democratize decision-making in Congress to break the gridlock. If a bipartisan majority wants to get something done, they shouldn't be held back by party leaders who prefer to organize Congress into warring clans. That's why the House should allow members to anonymously sign discharge petitions, which allow a majority of members to override a leader or committee chair's refusal to bring a bill to the floor. Once a majority of members have signed, the names of the signers would be made public.

Under current rules, discharge petitions are allowed, but signers are made public from the start. Members are reluctant to buck party leaders who may retaliate by pulling members off of important committees, bottling up legislation they support or withholding critical campaign help. Our reform would allow members to sign a discharge petition knowing at least half their colleagues are in the same boat with them. A similar reform could be undertaken in the Senate.

5. MAKE MEMBERS COME TO WORK

THE PROBLEM Congress needs to heed the advice of Woody Allen, who liked to say, “90 percent of life is just showing up.” Part of the reason why Congress can’t get much done is because they’re not showing up in the halls of the Senate or House more than a few days a week.

Members of Congress routinely fly home to their districts on Thursday nights to meet with constituents or attend fundraisers, and they often don’t return until the following Tuesday.

Former Democratic Senate leader Tom Daschle said that, “When we scheduled votes, the only day where we could be absolutely certain we had all one hundred senators there was Wednesday afternoon.”

In 2012, the U.S. House of Representatives has scheduled only two weeks where it will be in session for five days.

THE NO LABELS SOLUTION Everyone agrees Congress has a lot of work to do. We believe they’d get more done if they actually came to their offices in Washington, DC.

- **A Five-Day Workweek:** Most Americans put in a five-day workweek. So should Congress.
- **Three Weeks in DC, One Week in the Home State or District:** Instead of quick in-and-out trips home for fundraisers or hastily scheduled constituent events, members should have a full week available for working at home with constituents. They should spend the other three weeks in Washington, DC.
- **Coordinated Schedules:** A law can’t pass unless it gets through both the House and Senate. If they have different schedules, as they do now, it is harder to get anything done. The leaders of both chambers should work to ensure their members are in Washington during the same weeks.

MR. PRESIDENT,

WHAT IS A COMPROMISE?

...IT IS A MEASURE

OF MUTUAL CONCESSION —

A MEASURE OF MUTUAL SACRIFICE.

-HENRY CLAY

WE IN AMERICA

DO NOT HAVE GOVERNMENT

BY THE MAJORITY.

WE HAVE GOVERNMENT

BY THE MAJORITY WHO PARTICIPATE.

-THOMAS JEFFERSON

6. QUESTION TIME FOR THE PRESIDENT

THE PROBLEM In January 2010, President Obama attended a House Republican retreat to publicly debate the merits of the president's proposed healthcare law. For a few hours at least, the American public got to see our leaders engage and truly debate with one another.

We haven't seen anything like it since. Today the president and members of Congress can more often be found talking past one another through the media. The issues facing our country are too important to be decided by a war of partisan talking points. Let's get the ideas on the table, debate them and let the American people decide.

THE NO LABELS SOLUTION We should take a cue from the British Parliament's regular questioning of the prime minister to create question time for the president and Congress. These meetings occasionally may be contentious, but at least they force leaders to actually debate one another and defend their ideas.

Here's how it would work: On a rotating basis the House and Senate would issue monthly invitations to the president to appear in the respective chamber for questions and discussion. Each question period would last for 90 minutes and would be televised. The majority and minority would alternate questions. The president could, at his discretion, bring one or more cabinet members to the question period and refer specific questions to them.

7. FISCAL REPORT TO CONGRESS: HEAR IT. READ IT. SIGN IT.

THE PROBLEM Perhaps the chief obstacle to fixing America's finances is that no one agrees what's really on our balance sheet. When leaders in Washington debate our budget, they routinely use different baselines, projections and assumptions, which often conveniently support whatever policy they are pushing at the moment. To quote an old Scottish writer, many Washington leaders "use statistics as a drunken man uses lampposts — for support rather than for illumination."

THE NO LABELS SOLUTION The American people deserve to know what's really happening with our nation's finances, and we believe Congress should at least be able to work off the same set of numbers. That's why every year, a nonpartisan leader, such as the comptroller general, should deliver a televised fiscal update in-person to a joint session of Congress. The president, vice president, all cabinet members, senators and congressmen must attend this fiscal update session. They must take individual responsibility for the accuracy and completeness of the comptroller general's report by signing the report, just as CEOs are required to affirm the accuracy of their company's financial reporting.

**PEOPLE WHO WORK TOGETHER
WILL WIN, WHETHER IT BE
AGAINST COMPLEX
FOOTBALL DEFENSES,
OR THE PROBLEMS OF
MODERN SOCIETY.**

-VINCE LOMBARDI

**ALL TYRANNY NEEDS
TO GAIN A FOOTHOLD
IS FOR PEOPLE
OF GOOD CONSCIENCE
TO REMAIN SILENT.**

-THOMAS JEFFERSON

8. NO PLEDGE BUT THE OATH OF OFFICE

THE PROBLEM One of the biggest barriers to solving problems in Congress is that many members literally sign away their ability to do it. A case in point: 238 House members have signed a pledge to never raise taxes. Another 110 members have signed a pledge to never cut any Social Security benefits. That's 80 percent of Congress refusing to even consider compromise on two of the biggest issues driving America's long-term budget deficits. Is it any wonder Congress can't balance our books?

These types of pledges have proliferated in recent years as a way for powerful interest groups to control members of Congress, and they've created a perverse dynamic in Washington. Members of Congress who stick to these rigid pledges are usually rewarded with more campaign cash and party support. Members willing to make tough decisions and think for themselves are punished with attack ads and primary challenges.

THE NO LABELS SOLUTION It's time to cut the puppet strings that allow narrow interest groups to control members of Congress. Members should make no pledge but the pledge of allegiance and their formal oath of office.

9. MONTHLY BIPARTISAN GATHERINGS

THE PROBLEM Flip on cable news and it quickly becomes clear that Democrats and Republicans in Congress don't like each other. Even more troubling is that they barely even know one another.

One former member of Congress recalled: "I took a Democratic House member who was a friend of mine to a Republican caucus meeting and as we walked around the room, it dawned on me that no one had ever met this guy, even though he was well into his second term in Congress."

After the Super Committee failed last November, another Republican member said he couldn't have picked one of his Democratic colleagues "out of a lineup" before the negotiation process started.

Although partisanship has always been and always will be a part of Congress, there was a time when members actually made an effort to build relationships with people from the other party. Today, they're more likely to glare at each other from the comfort of their partisan bunkers. It's easy to demonize and hard to compromise with someone you barely know.

THE NO LABELS SOLUTION Like any workplace, Congress depends on good human relationships to function. When there are no relationships, there's dysfunction. To get members talking to one another, both the House and Senate should institute monthly bipartisan gatherings. The gatherings would be off the record and not be televised. If both sides agreed, outside experts could be invited in to brief members on topics of concern.

**NEVER DOUBT THAT A SMALL
GROUP OF THOUGHTFUL,
COMMITTED CITIZENS
CAN CHANGE THE WORLD.
INDEED, IT IS THE ONLY THING
THAT EVER HAS.**

– MARGARET MEAD

**LET US NOT SEEK
THE REPUBLICAN ANSWER
OR THE DEMOCRATIC ANSWER,
BUT THE RIGHT ANSWER.**

-JOHN F. KENNEDY

10. BIPARTISAN SEATING

THE PROBLEM Prior to President Obama's 2011 State of the Union speech, some members of Congress agreed to leave their partisan encampments and sit next to someone from the other party during the address. The fact that this was considered unusual and even exceptional speaks volumes about the low bar that's been set for cooperation in Congress.

More often than not, seating in Congress resembles boys and girls at a middle school dance, with each side keeping an (un)comfortable distance from one another. Even the seating on House and Senate committees — which are supposed to carry out the business of government and not the business of parties — usually has Democrats and Republicans on opposite sides.

THE NO LABELS SOLUTION It's time to curb the cliques in Congress. At all joint meetings or sessions of Congress, each member should be seated next to at least one member of the other party. On committees and subcommittees, seating also would be arranged in an alternating bipartisan way (one member would be seated next to at least one member of the other party) by agreement between the chair and ranking member. One option would be to arrange bipartisan seating in order of seniority.

11. BIPARTISAN LEADERSHIP COMMITTEE

THE PROBLEM In 1983, President Ronald Reagan partnered with Democratic and Republican House and Senate leaders to pass a historic bipartisan bill to keep Social Security solvent for the next generation.

It's the type of cooperation no one expects to see in Washington anymore.

Even though President Reagan and Republican House leaders like Bob Michel were conservative and Democratic leaders like House Speaker Tip O'Neill were liberal, they managed to make headway on everything from entitlement to tax reform because they made an effort to build personal relationships. They met regularly to have drinks, tell jokes and ultimately, get things done.

In today's Congress, almost every meeting or get-together is partisan with legislative problem solving taking a back seat to discussion of how to stick it to the other side.

THE NO LABELS SOLUTION Republican and Democratic leaders have allowed virtually every meeting to turn into a partisan pep rally. So they're the ones who need to help change the agenda to focus on solving real problems.

Congressional party leaders should form a bipartisan congressional leadership committee as a forum for discussing both legislative agendas and substantive solutions. The committee would meet weekly and (subject to mutual agreement) monthly with the President.

This committee would include the president pro tempore of the senate, the speaker of the house and the Senate and House majority and minority leaders. It would also include four open slots for any two members of the Senate and of the House, which would be determined by lottery on a rotating basis, each Congress.

**COMING TOGETHER
IS A BEGINNING;
KEEPING TOGETHER
IS PROGRESS;
WORKING TOGETHER
IS SUCCESS.**

- HENRY FORD

**THERE ARE NO PROBLEMS
WE CANNOT SOLVE TOGETHER,
AND VERY FEW THAT WE CAN
SOLVE BY OURSELVES.**

- LYNDON B. JOHNSON

12. NO NEGATIVE CAMPAIGNS AGAINST INCUMBENTS

THE PROBLEM Imagine one of your co-workers tries to get you fired on Monday. He fails. You keep your job. On Tuesday, you're forced to sit down with that same co-worker to figure out your department's budget for the next year. You'd probably come into that meeting bitter, angry and not exactly primed for problem solving.

This is the dynamic that exists when incumbent members of Congress actively campaign against incumbents from another party. When one member starts aggressively working for another's defeat, it destroys the trust that is so necessary to get anything done.

In years past, there were informal customs that discouraged this. For example, it was frowned upon for one party leader to campaign against a leader of the opposite party. But those customs have been ignored over the last decade, which has set off a cycle of mistrust and retribution that has been difficult to stop.

THE NO LABELS SOLUTION When members of Congress can't work together because of personal animosity, it's the American people who suffer. That's why incumbents from one party should not conduct negative campaigns against sitting members of the opposing party. That means no appearing in negative ads, no signing nasty direct mail letters and no traveling to an incumbent's district or state to play attack dog. Members would of course be free to campaign or fundraise in support of candidates from their party.

THE NO LABELS MOVEMENT IS NOT ABOUT A SINGLE ISSUE.

It is about taking America back from extreme minorities that have paralyzed our government at a time of grave national crisis. In the face of rampant congressional dysfunction, the easiest thing to do is throw our hands up in frustration, conclude everyone in Washington is an idiot, and just hope that somehow things will get better.

Well, things will not get better on their own.

We need an army of dedicated people to join the No Labels campaign to Make Congress Work... people who will talk to their friends and family, write their member of Congress and demand that Congress fixes itself so we can fix America.

Congress' problems can be solved. No Labels has a dozen common-sense proposals that can help reduce the gridlock and hyper-partisanship that make it virtually impossible for Congress to get anything done. We understand there are real philosophical differences that currently divide Democrats and Republicans. But the gap between the two sides certainly isn't any wider than the one that faced our Founders when they met in Philadelphia in 1776 to forge a nation.

That's when the Founders had to tackle the most fundamental questions of all about Congress:

What does it do and who do we send there to represent the people?

When the Constitutional Convention began, large states were pushing for representation in the legislature to be determined by population, while the smaller states wanted every state to have equal representation. This conflict threatened to tear the convention apart until the delegates settled on the "Connecticut Compromise," creating a House of Representatives, with delegates assigned according to population and a Senate, where every state would have two members.

If our Founders could solve the most fundamental issues of their time, then surely our current Congress can solve the most fundamental issues of our time.

But it won't be possible until we fix the outdated and counterproductive rules, traditions and procedures that have turned Congress into a broken institution.

Congress has fixed itself before. Congress ended the unlimited filibuster in 1917. They radically altered the way committees worked in the 1940s. And they fundamentally changed ethics rules in the 1970s and 1990s. Congress can fix itself again, but not without your help.

It will take hard work, persistence and a shared effort to make our government more effective and responsive to the needs of the American people. This is the first step in our journey together as a new and growing community.

People on the far left and far right represent just a fraction of the American public, but they exercise power well beyond their numbers for a simple reason:

They care.

The extremists vote, they write and call their members of Congress and they donate money. In short, they force leaders in Washington to pay attention to them.

It's time for Washington to pay attention to us.

Let's Make Congress Work.

**Please join us.
If you want to get involved, visit us at nolabels.org**

**NO LABELS
NEEDS YOUR HELP.**

**IF AMERICA'S FOUNDERS
COULD BUILD A NEW NATION,
WE CAN BUILD A BETTER CONGRESS.**

**NOT LEFT.
NOT RIGHT.
FORWARD.**

-NO LABELS

