



Revitalizing the House:

Bipartisan Recommendations on Rules and Process

By Former Members, Former Staff, and Other Experts

Mission

At a time of heightened concern about the strength of our democracy, we cannot ignore the poor health of Congress. Our Constitution has endowed power to the American people by empowering Congress, especially the representatives closest to the people—the members of the House of Representatives. But members are increasingly disengaged from the legislative process. This is not a Republican or Democratic problem, but a problem with how the institution currently operates. To revitalize the House and reinvigorate our democracy, our bipartisan task force recommends these reforms to House rules and procedures, both to re-empower individual members and committees in lawmaking and to facilitate participation in a democratic, deliberative process.

Executive Summary

Change the Rules to Give Substantial Bipartisan Majorities Greater Access to the Floor

- *Improve the discharge petition*, giving petition filers the option to collect signatures privately and setting the threshold to a majority of sitting members
- *Improve the consensus calendar*, closing loopholes in the rule and thus ensuring that bills that reach 290 cosponsors receive floor votes
- *Create a new procedure, Guaranteed Regular Order*, empowering committees to advance important bipartisan legislation – particularly on reauthorizations – to the floor if they conduct a thorough deliberative process including hearings and markups
- *Require consideration of bipartisan amendments* with 10 cosponsors from each party

Make Committees Stronger, More Substantive, and More Effective

- *Reduce member conflicts* through block scheduling and a mandatory deconflicting tool, and then publish member attendance
- *Promote alternative hearing setups* to further inquiry rather than adversarial position-taking
- *Enhance staff professionalization* by reducing turnover, with partisan balance of 60-40 instead of 2-1
- *Give subcommittee chairs control over hiring at least one staffer*

- *Give committee members the chance to weigh in on chairs and ranking members*, by holding a secret advisory vote before selection is made by party steering committee

Give Members More Time for Legislative Work

- *Fix the House calendar*, giving members more time for sustained attention to issues by increasing the number of five-day work-weeks per session

Promote Bipartisan Collaborations

- *Promote relationships across party lines*, providing more resources for bipartisan retreats, lunches, educational sessions, codels, and staffdels, and providing physical space near the House floor reserved for members of both parties
- *Promote conference committees*

Raise Member Pay

- *Raise Congressional salaries*, which have stagnated and lagged executive branch pay

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Contributors

Brandice Canes-Wrone, Maurice R. Greenberg Senior Fellow and Founding Director, Center for Revitalizing American Institutions, Hoover Institution; Professor of Political Science, Stanford University

Matthew Chervenak, Founder and President, Sunwater Institute; Founder and CEO, AllSci; Founder and General Partner, Sunwater Capital

The Honorable Daniel Lipinski, Distinguished Visiting Fellow, Hoover Institution; Pope Leo XIII Fellow on Social Thought, University of Dallas; Represented the Third District of Illinois, U.S. House of Representatives (2005–2021)

Philip Wallach, Senior Fellow, American Enterprise Institute; Fellow, House Select Committee on the Modernization of Congress (2019)

The Honorable Jim Cooper, Global Fellow, Wilson Center; Distinguished Scholar, Vanderbilt Law School; Private Equity, TVV Capital; Represented the Fifth District of Tennessee, U.S. House of Representatives (2003–2023) and the Fourth District of Tennessee (1983–1995)

The Honorable Rodney Davis, Managing Director, Cozen O'Connor Public Strategies Represented the Thirteenth District of Illinois, U.S. House of Representatives (2013–2023)

The Honorable Reid James Ribble, Practitioner in Residence, University of Wisconsin–Green Bay, Represented the Eighth District of Wisconsin, U.S. House of Representatives (2010–2017)

Chris Dones, Served as Counsel to Ranking Member of House Committee on Ethics, Legal Counsel to Clerk of the House of Representatives, Deputy Staff Director and Chief Counsel for House Permanent Select Committee on Intelligence, and Chief of Staff to Congressman Mark Souder, Indiana

Matt Glassman, Senior Fellow, Government Affairs Institute, Georgetown University; Prior analyst for Congressional Research Service and served as Professional Staff, House Committee on Appropriations and New York state legislature

Justin Grimmer, Senior Fellow, Hoover Institution; Professor of Political Science, Stanford University

Andrew B. Hall, Senior Fellow, Hoover Institution; Davies Family Professor of Political Economy, Graduate School of Business, Stanford University

Dave Hoppe, President, Hoppe Strategies; Served as Chief of Staff, Speaker Paul Ryan and Senate Majority Leader Trent Lott

Kevin R. Kosar, Senior Fellow, American Enterprise Institute; Editor, UnderstandingCongress.org; Host, Understanding Congress podcast

Eric Lausten, Managing Principal, Husch Blackwell Strategies; Served as staff for three members in the House of Representatives, most recently as Chief of Staff for Rep. Daniel Lipinski

Anthony J. Madonna, Associate Professor of Political Science, University of Georgia

Kyle Nevins, Founding Partner, Harbinger Strategies; Served as Deputy Chief of Staff and Director of Floor Operations, U.S. House Republican Leadership; Testified before the Select Committee on the Modernization of Congress

J.D. Rackey, Senior Policy Analyst, Structural Democracy project, Bipartisan Policy Center; Served as Professional Staff, U.S. House of Representatives Select Committee on the Modernization of Congress

Molly Reynolds, Senior Fellow in Governance Studies, The Brookings Institution

Jonathan Rodden, Senior Fellow, Hoover Institution; Professor of Political Science, Stanford University; Senior Fellow, Stanford Institute for Economic Policy Research

Ruth Bloch Rubin, Assistant Professor of Political Science, University of Chicago

Organizational affiliations provided for identification purposes only.

Full Proposals

Our Constitutional system of self-government can only thrive when the representatives closest to the people—the members of the U.S. House—listen to their constituents and channel their concerns into legislation. To revitalize the House, rank-and-file members need to reassert themselves, especially in their role as members of committees. If they have the will, here is the way.

Change the Rules to Give Substantial Bipartisan Majorities Greater Access to the Floor

The House was intended to be an open, deliberative body that gives members an opportunity to represent the diverse voices of constituents in the legislative process. For a variety of reasons, however, party leaders have now consolidated their control of the House floor, undermining the role of rank-and-file representatives. While leaders are likely to maintain a high level of power, by strengthening existing mechanisms in House rules and adding others, bipartisan majorities could be provided with greater access to the House floor. This will bring more members into the legislative process, encourage members to listen to their colleagues' concerns and build broad coalitions, and ultimately increase the quality of democratic representation.

1. Improve the discharge petition.

When the Rules Committee refuses to act on a bill supported by a majority, the discharge petition gives that majority a chance to force a vote. While they can succeed, the current form of the rule creates difficulties for petitioners that ought to be fixed. We suggest two improvements:

- a) Since 1995, signatures to discharge petitions have been released daily. While this was intended to help make discharges easier, its effect has been ambiguous at best. At worst, it has facilitated intimidation of members by party leaders. Rule XV(2)(b) ought to allow

the petitioner to decide which signature transparency regime to adopt—daily release (as at present), or release only upon meeting the threshold (with just the petitioner given access to signatures daily).

- b) Also in Rule XV(2)(b), reduce the signature threshold from 218 to a majority of the current membership of the House. Correlate to this change, departed members' signatures should no longer be counted. This very minor change would guarantee that a discharge petition could only be successful with a true majority of current House members.

2. Improve the consensus calendar.

The House does much of its legislating under suspension of the rules, a procedure that requires the support of two-thirds of House members. The Speaker has complete control over which bills are called up under this procedure, meaning that some bills with very strong bipartisan backing may languish. The consensus calendar, first instituted in 2019, gives bills with 290 cosponsors a suspension-like path to consideration that does not depend on the Speaker's discretion. Unfortunately, the rule includes loopholes that can be—and have been—used to kill bills on this calendar. The rule ought to be amended to eliminate these.

- a) At present, a bill's committee of jurisdiction can remove a bill from the consensus calendar by reporting it, which allows it to effectively halt its progress. Rule XV(7) should be amended such that once a bill is added to the consensus calendar, it must remain there until it is considered.
- b) Rule XV(7) should also clarify what procedure for consideration ought to be used for bills listed on the consensus calendar.

3. Create a new procedure, Guaranteed Regular Order, empowering committees to advance important bipartisan legislation to the floor if they conduct a thorough deliberative process including hearings and markups.

Investing in policy expertise and shaping legislation in committees was traditionally the best path to influence for a member of the House—but if too much of the work done by committees is never taken up by the chamber, then serving as a “workhorse” comes to seem like a waste of time and energy. In recent years, the proportion of bills reported out of committee never to receive floor action has soared (see the supplementary analysis).

Committees need a guarantee that when their members invest in a serious deliberative process and produce a bipartisan bill, it will get floor consideration, regardless of what other priorities the chamber’s leaders are pursuing. For bills under their primary jurisdiction, committees should have the opportunity to designate suitable bills as Guaranteed Regular Order (GRO), a status which will impose strict process requirements in committee in exchange for a clear path to the floor.

- a) To become eligible for GRO, a bill must receive hearings, subcommittee and full committee mark-ups, and bipartisan support (3/5 of full committee, including at least one member of the minority party); the committee must include in its report recommendations for floor debate procedure (essentially a special rule that should be introduced as a resolution by the bill’s sponsor), recommendations for a conference committee slate, and incorporation of input from other relevant committees
- b) Having satisfied these conditions and been reported out of committee, a GRO bill should be made eligible for two paths to floor consideration:

- i. Consideration of GRO bills should be privileged, as appropriations bills and budget resolutions currently are in Rule XIII.
- ii. The committee’s own resolution proposing a special rule should be referred to the Rules Committee, which can act on it with some limitations, including a ban on self-executing amendments. If the Rules Committee fails to act, after 21 days (exclusive of days in which the House is in recess) the resolution becomes privileged business.

Because of the many requirements committees must meet to make a bill eligible, adding GRO to the House rules would be an incremental change rather than a revolution. But, if necessary to win acceptance, use of the procedure could be limited to once per committee per session or to reauthorizations of expired or expiring programs.

4. Require consideration of bipartisan amendments.

Since the 116th Congress, the Rules Committee has had a protocol stating that if it receives any amendment cosponsored by at least 20 members from both parties to legislation under its consideration, the Chair “will afford such amendment preference to be made in order for debate on the House Floor.” This is meant to “encourage diverse, constructive ideas,” but at present it is too hard to access and leaves too much discretion to the Rules Committee.

- a) Require 10 cosponsors from each party rather than 20. This is still a high enough bar to ensure seriousness of purpose and make obstructionism unlikely.
- b) The chair ought to be explicitly instructed to make such amendments in order for floor consideration, rather than the much weaker prod to “afford them preference.”
- c) Put this requirement into the chamber’s Rules and create a recourse for members if the Rules Committee violates it.

Make Committees Stronger, More Substantive, and More Effective

Legislators are best able to grapple with the problems facing the American people when they are given meaningful opportunities for committee work. In addition to the aforementioned problems committees are having getting access to the floor, the House has diverted resources away from committees and made it harder for most of them to focus on policymaking. The House should commit to the centrality of committees and invest in them accordingly.

5. Improve committee scheduling to minimize double-scheduling.

Members frequently face the problem of double-scheduled committee meetings. That leads to a norm of poor attendance, making it harder for members to seriously deliberate with their colleagues. The House has taken half-hearted measures to address this issue, but it must do more to promote a norm of high attendance.

- a) Require block scheduling and mandate use of deconflicting tool.
- b) If scheduling is fixed, publish member attendance to promote accountability.

6. Promote committee practices that cultivate bipartisanship.

Many committees' proceedings seem engineered to produce outpourings of partisan rancor rather than serious deliberation. Chamber rules and regulations should promote alternative hearing and meeting configurations designed to further a spirit of mutual inquiry.

- a) Promote bipartisan roundtables and field hearings. Create a funding pool that committees can access for these purposes.

- b) Promote alternative structures for hearings (including at subcommittee level)

7. Enhance committee staff professionalization.

Keeping talented and experienced staffers on Capitol Hill is a constant struggle. In this era of regularly changing partisan control of the House, lopsided staffing translates into high rates of turnover and loss of good staffers. Committees should try to stabilize their staffs so that people can grow in their roles and develop their expertise.

- a) Reduce turnover by staffing with a partisan balance of 60-40 instead of 2-1.
- b) For appropriate positions, promote nonpartisan hires who are expected to serve their committee for many years.

8. Give subcommittee chairs input into hiring at least one staffer.

Subcommittee chairs ought to be invested in their subcommittee's subject matter and jurisdiction, but this takes real work. If each chair can build a relationship with a trusted staffer, this ought to facilitate deeper expertise and better-quality policymaking.

9. Give committee members input into selection of committee chairs and ranking members.

House Democrats and Republicans differ in their processes for selecting committee chairs and ranking members, with the two parties valuing different attributes. But in both cases, senior leaders exercise a great deal of influence while ignoring committee members' own sense of who would make the most effective chair. Leaders should at least be obliged to seek returning committee members' counsel before they make their choice.

After November elections, each committee's returning members should assemble (by party) and take a secret ranked-choice vote to express their preference for chair. Their votes would then be transmitted to their party's full caucus/conference and leadership before the steering committee makes its selection.

Give Members More Time for Legislative Work

Members face many competing demands on their time, including constituency outreach, political and campaign work, media relations, running their offices, and fundraising. Too often, time for legislative and policy work is crowded out. Especially when Congress is in session, members must be given the time and space to attend to the crucial responsibility of deliberating on policy with their colleagues.

10. Adjust the House calendar to create more five-day work weeks every session.

A typical week in which the House is in session features a Monday evening through Thursday afternoon floor schedule, giving members just over three days in Washington to work with each other. It is naïve to think that scheduling can permanently overcome the pull of the home district, and so calendar schemes that try to prevent members from leaving D.C. for extended periods of time are probably bound to fail. Nevertheless, in scheduling the House's business, its leaders should seek to give members regular five-day weeks, perhaps by scheduling Sunday evening and Friday afternoon votes, at least once per stretch of the House being in session.

Promote Bipartisan Collaborations

In the contemporary House, members are often actively discouraged from working across the aisle, lest they give comfort to their partisan enemies. This dynamic belittles individual member initiative and makes it harder for members to realize common projects. The House as an institution should take steps to counteract this trend.

- 11. Provide more bipartisan retreats, lunches, educational sessions, codels, staffdels, and field hearing.**
- 12. Provide physical space near the House floor for bipartisan commingling; in this vein, ban press from the Speaker's Lobby.**
- 13. Promote conference committees, which draw in large, bipartisan groups of members into the consequential final stage of lawmaking.**

Increase Member Pay

- 14. Raise member salaries, which have stagnated even as salaries in other branches have grown.**

Member pay has remained unchanged since 2009. Because of inflation, that amounts to a 31-percent real pay cut for legislators. That compares unfavorably to executive branch salaries, which have fallen significantly less, and even worse to Americans' median earnings, which have risen considerably in real terms over the same period (see Figure 6 in the Supporting Analysis). As a coequal branch of government, there is no reason the House should accept this disparity.

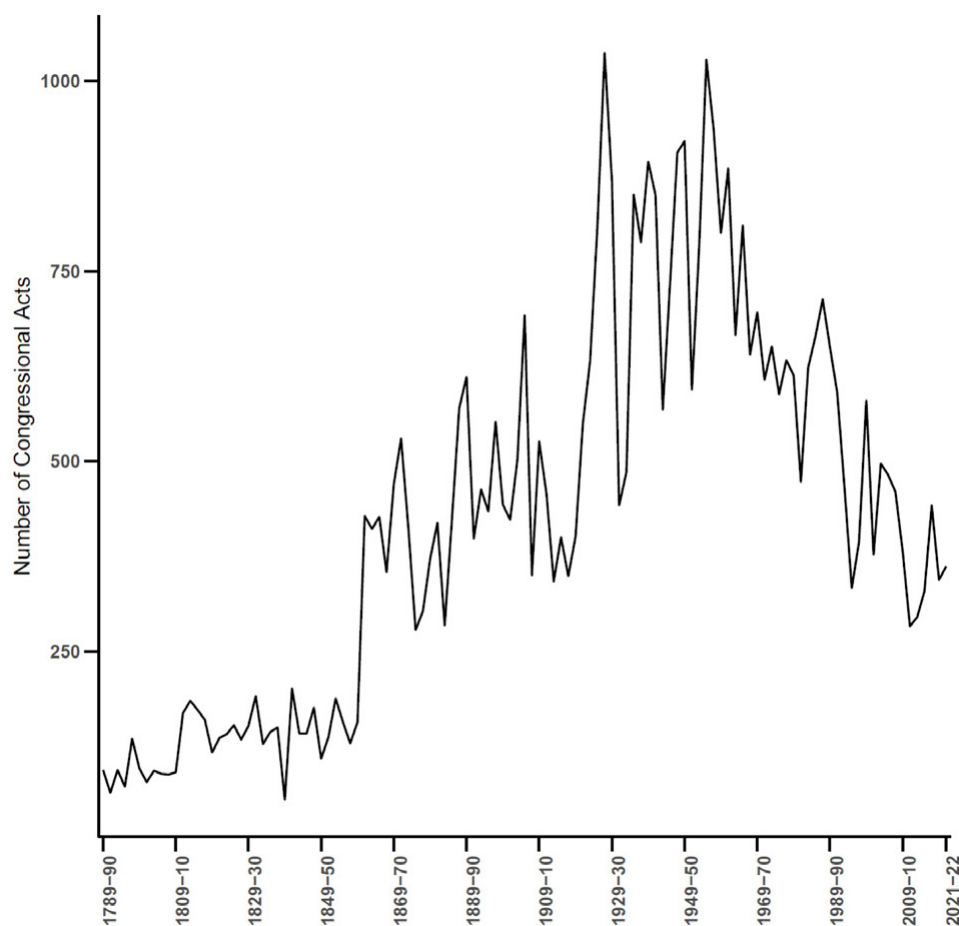
Supporting Analysis¹

The House of Representatives plays a critical and unique role in our political system. Designed to represent the population proportionally and face frequent elections, the House is well-suited to act in the interest of the country's diverse political viewpoints, ensuring every district has a voice in our national government. By comparison to the executive branch, Congress is designed to encourage compromises that incorporate the pluralism of our constituencies. It is no accident that Article I of the Constitution concerns Congress. As noted in Federalist 51, the founders simply assumed that “in republican government, the legislative authority necessarily predominates.”

Yet a wide range of research suggests that power has shifted from the legislative to the executive branch over time, with policymaking activity growing in the executive while declining in the legislative branch. For instance, Libgober (2024) shows that the number of laws passed by Congress has declined since the 1960s (see Figure 1). Other research classifies legislation by its “policy significance” and finds similar results over this time period (e.g., Ansolabehere, Palmer,

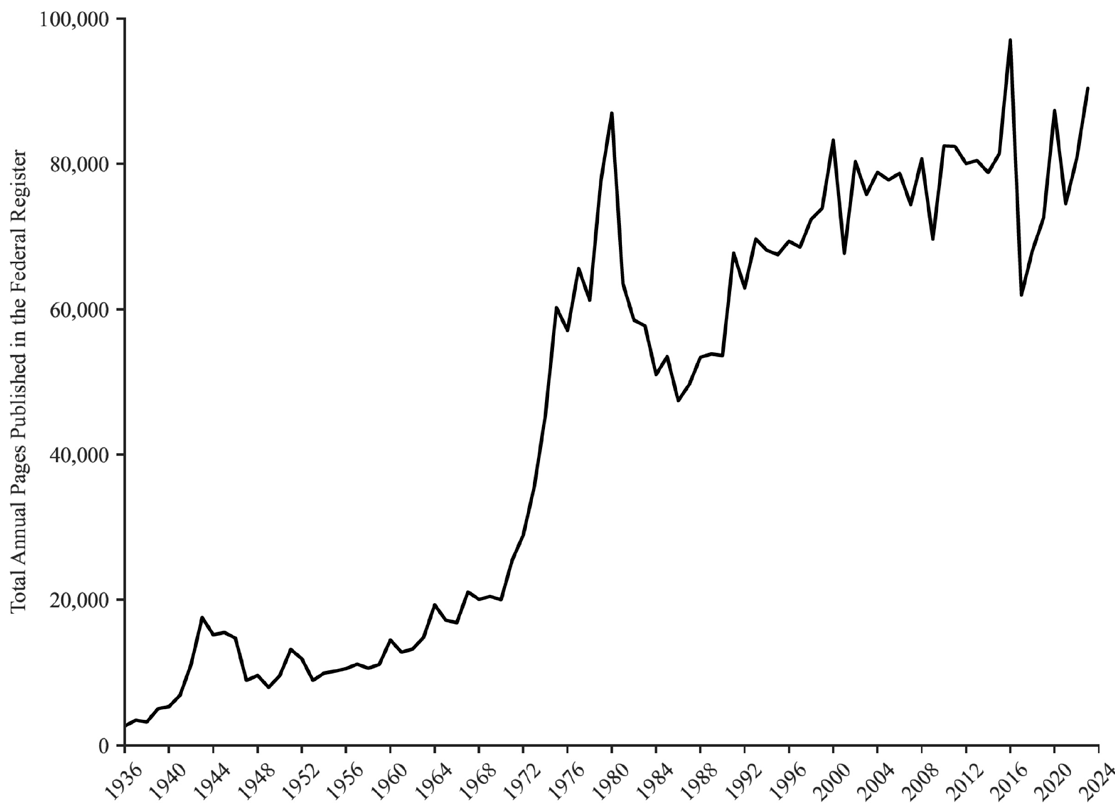
and Schneer 2018; Stathis 2014). Similarly, Binder (2015) finds that Congress has become increasingly likely to be deadlocked on salient policy issues. In contrast, regulatory authority as measured by the number of pages per year in the Federal Register (e.g., George Washington Regulatory Studies Center 2024) or agency size (e.g., Dudley 2021) has grown (see Figure 2).

Figure 1. Number of Laws by Congressional Session



Notes on Figure 1: Data are from Libgober (2024).

¹ We thank Luca Bellodi, Jake Jares, and Tingjun Lin for helpful research assistance.

Figure 2. Annual Pages in Federal Register

Notes on Figure 2: Data are from George Washington Regulatory Studies Center (2024), which they collected from the Federal Register.

Some of the growth in executive branch power has clearly resulted from the efforts of presidents and other executive actors to increase their authority (e.g., Moe 1985; Bolton and Thrower 2022). Yet Congress has also contributed by spending less time on deliberative lawmaking and other core legislative activities, such as legislative committee hearings. Some might argue that in this time of intense conflict over multiple divisive issues, our country requires the legislative branch to yield power to the president. Yet as Wallach (2023) shows, in other periods of severe national trial,

Congress was the essential arena for healthy debates that forged policies widely viewed as reasonable and politically legitimate. Congress's self-diminishment has led to historically low approval and chronic instability. Neither the American people nor members of Congress themselves are well-served by the current model. For these reasons, we believe that the following reforms would not only help to revitalize the House in fulfilling the Constitutional role intended by the framers, but also help restore members' pride in their own institution.

Improve the Discharge Petition

A vast majority of bills are brought up for consideration in the House through one of two channels: special orders passed through the Rules Committee or suspension of the rules. Both effectively require the Speaker's assent. This means that some bills with majority or even supermajority support can remain in limbo. Our first two proposals address existing mechanisms for moving such legislation.

Perhaps the most important of these formal mechanisms is the discharge motion (Rule XV, Clause 2), which provides a means for members to bring to the floor for consideration a public bill or resolution that has been referred to committee but not reported. Currently, discharging a measure from committee requires 218 signatures and it must have been under committee consideration for at least 30 days.

The House has amended the rules governing the discharge petition on many occasions. Precursors to the procedure date back to the early 20th century (Davis 2018), and the discharge petition first became formalized in 1924 (Miller and Overby 2010). The number of required signatures oscillated between 150 and 218 until 1935; since then, the current threshold of 218 has been consistently maintained.

Another important change to the discharge rule arrived in 1993, when transparency-minded members successfully pushed for the public release of petition signatures in (nearly) real time. At the outset of the 103rd Congress, signatures were not publicly released until 218 were collected. Critics of the rule said that this

lack of transparency handicapped those trying to move legislation by allowing all members to posture as if they supported a petition while withholding their signature. They hoped that having signatures published daily would help build momentum and thereby make the discharge petition a more potent tool. While the reform undoubtedly changed some of the dynamics around discharge petitions (Lindstädt and Martin 2003) and the number of filed and discharged petitions sharply increased in 1993–1994, the number of filed petitions returned to pre-reform levels in the following Congress, and it is doubtful whether the change has made the discharge petition a more potent tool.

Figure 3 below depicts trends in discharge petition use and success from 1935 through the present day. More specifically, it reports the number of filed petitions alongside the number of petitions successfully discharged, and the number of petitions for which the associated measure passed by the House. The data through the 117th Congress are from Binder (2023), and we have extended the data for the most recent two years. Two patterns emerge. First, petitions rarely culminate in a measure being passed by the House at any point over the past 90 years. The maximum number in an individual congress is five—a tie between the 81st Congress (1949–50) and the 85th Congress (1957–58)—and just six petitions have culminated in a measure passing the House since 1995. Second, the number of filed petitions has decreased over time, from an average of 26 from 1935–1954 to an average of 12 in the 2000s.

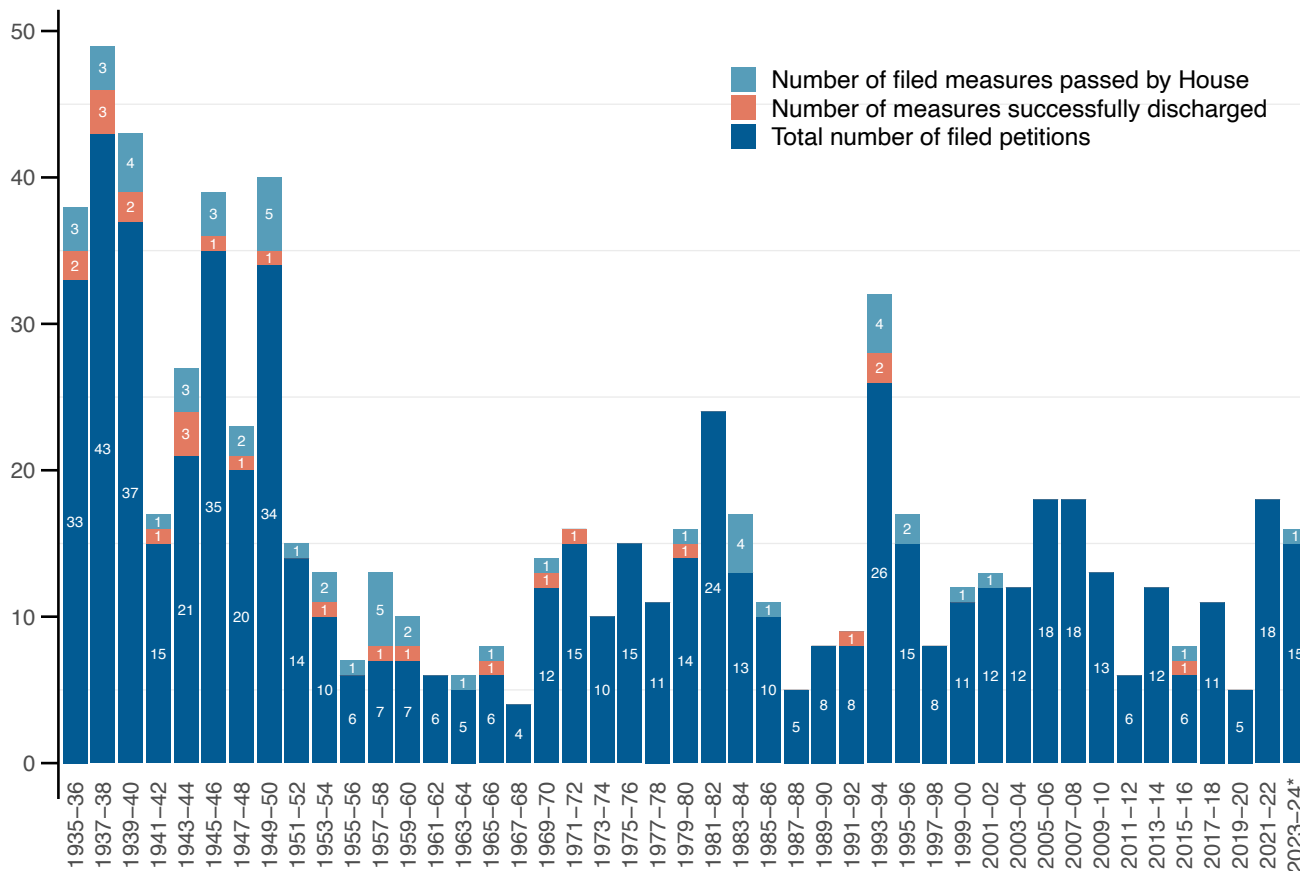
Figure 3. Discharge Petitions Over Time

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This report’s proposed changes to the rules governing the discharge petition aim to help ensure that legislation with broad House support is brought to a vote. By lowering the threshold from an absolute majority (always set at 218, regardless of vacancies) to a majority of sitting members, thereby excluding departed members, the proposal modestly lessens the burden on petitioners. Moreover, by giving members the

option to collect signatures either privately or publicly, the proposal enables members who believe their prospects for success would be higher by waiting to publicize the names of signatories to use this strategy. Together, these changes have the potential to increase the frequency with which members utilize the discharge petition and their chances of success when they do so.

Improve the Consensus Calendar

In the 116th Congress (2019–2020), the consensus calendar was created to guarantee floor consideration of measures with substantial bipartisan support. Under the current rule, a bill's sponsor can move that it be added to the calendar if it has 290 cosponsors and is unreported by its committee of jurisdiction. At that point, it must wait 25 legislative days before being officially added to the calendar. Then it can be called up for floor consideration under a procedure similar to suspension of the rules, with the Speaker obligated to take at least one measure from the consensus calendar for House consideration each legislative week if there are any that have satisfied the necessary conditions (Hudiburg 2021).

However, floor consideration can be denied to a bill in two ways. First, a committee may report a bill (with or without a recommendation for action) to prevent it from being placed on the calendar or to remove it from the calendar. Second, the Rules Committee can, for a targeted bill on the consensus calendar, waive the requirement that the Speaker designate a measure on the calendar for House consideration (Hudiburg 2021). These methods have resulted in a significant portion of the bills with the necessary 290 cosponsors being removed or withdrawn before House consideration, limiting the procedure's effectiveness.

As documented in recent Congressional Research Service reports (Hudiburg 2021, 2023), during the 116th Congress (2019–2020) 12 motions were filed to place bills on the calendar, but only three ultimately received floor votes under the rule. Of these three, two were passed by the House. In the 117th Congress, eight motions were filed, four were assigned to and not withdrawn from

the Consensus Calendar and of these the House enacted two. In the 118th Congress, just a single motion has been filed and is awaiting House consideration.

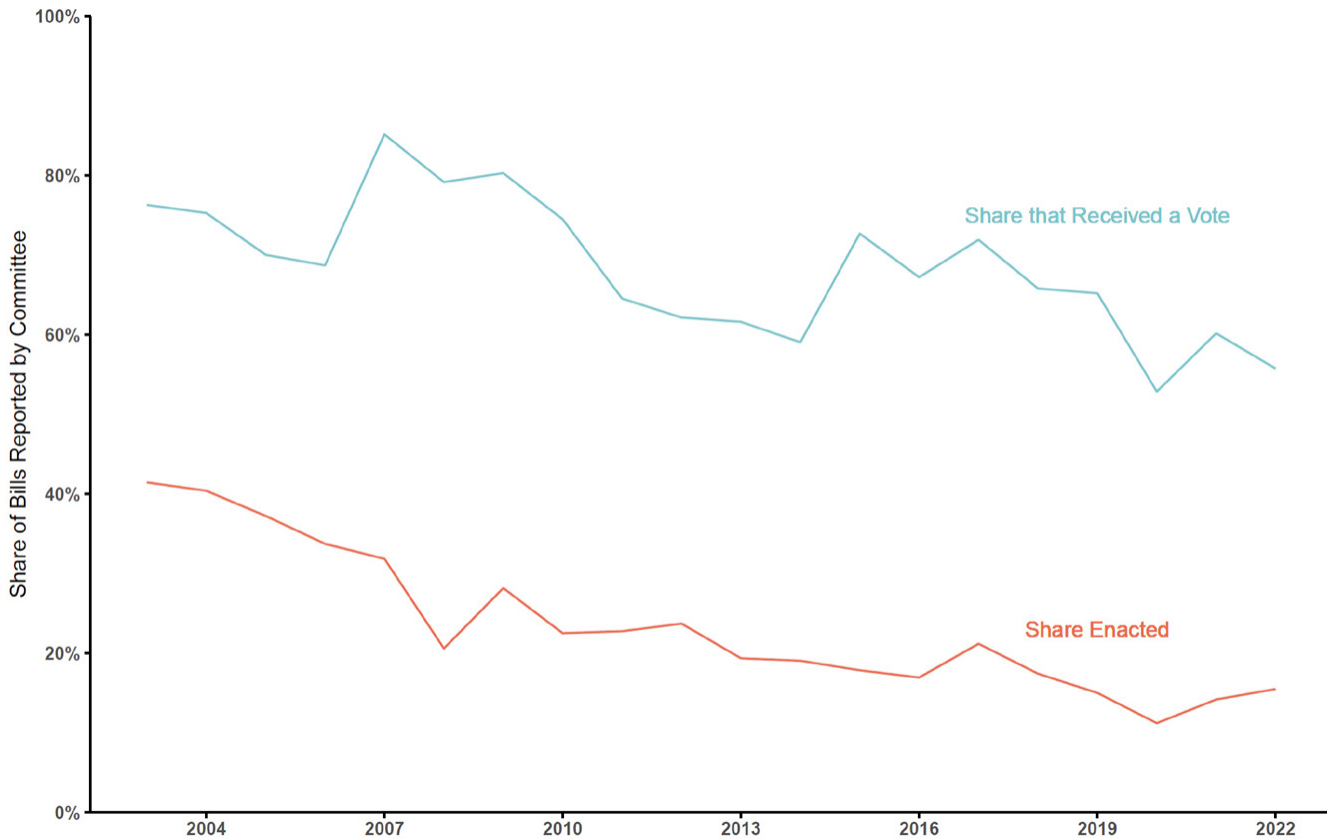
Of course, bills with 290 cosponsors have a high likelihood of passage, and many of those that were removed from the consensus calendar ultimately received consideration through other channels. Still, to make the consensus calendar a more effective mechanism in its own right, the proposed changes to Rule XV (7) presented in this report aim at ensuring that once a bill is added to the consensus calendar it receives prompt House floor consideration, thus increasing the opportunities for widely supported bipartisan legislation to become law.

Guaranteed Regular Order

Each year, a substantial percentage of bills reported out of committee do not receive a vote on the floor, and the portion of reported bills receiving a vote has declined over time. Figure 4 depicts this trend alongside a corresponding decline in the share of reported bills that are ultimately enacted into law.

Arguably, committees' incentives to sustain their level of legislative productivity are undermined by the increased centralization of the legislative process in party leadership and the ensuing uncertainty over whether bills considered by committees will ever receive a vote in the House (e.g., Curry and Lee 2020).

When committees find that their legislative outputs are less likely to be considered for passage, they understandably divert their resources toward non-legislative activities. In recent decades, committees have conducted a lower level of core legislative activities, such as holding hearings about legislation and reporting bills to the floor (Lewallen, Theriault, and Jones

Figure 4. Share of House Bills Reported by Committee Receiving a Vote and Enacted

Notes on Figure 4: Data are from Congress.gov, analysis and calculations by Sunwater Institute.

2020). Since the 1990s, both the number of hearings and the number of testifying witnesses has rapidly decreased (Ban, Park, and You 2023; Rackey, Bell, and Kosar 2022; Jones et al. 2023; see Figure 5 and accompanying discussion). Another area that evidences committees' decreased capacity is their struggle to keep important programs authorized. Adler, Langehennig, and Bell (2020) suggest that reauthorization capacity has declined, with Congress "having increasing difficulty keeping pace with the array of expiring programs and agencies that require renewal."

Our proposal for Guaranteed Regular Order for bills with careful committee consideration and bipartisan support aims to bolster committee investment in legislating, particularly through

a thorough deliberative and informative process. Our suggestion that such a rule might be reserved for authorizations of expired or expiring programs recognizes the particular importance of this class of legislation. The proposal is similar to one offered by E. Scott Adler and Jeremy Gelman in testimony before the Select Committee on the Modernization of Congress on July 20, 2021 (Select Committee on the Modernization of Congress, U.S. House of Representatives 2021). The proposal also fits within the broader tradition of empowering committees through rules such as Calendar Wednesday, which was meant to provide committees a means to circumvent a recalcitrant Rules Committee, but was never widely used because of procedural difficulties.

Ensure Consideration of Bipartisan Amendments

Unlike the rules governing the cosponsorship of bills, House rules and precedents only allow one member to formally offer an amendment on the floor. However, members may endorse an amendment offered by another member by asking the Rules Committee to permit its consideration. These members will be listed on the Rules Committee website, publicly acknowledging that a specific amendment enjoys support from multiple members (Greene and Rybicki 2023).

The Rules Committee has a protocol that amendments with at least 20 Democratic and 20 Republican cosponsors will be given preference for inclusion in a special rule which stipulates which, if any, amendments will be considered on the floor.¹ This protocol was first instituted at the beginning of the 116th Congress as one of a number of concessions extracted from Rep. Nancy Pelosi (CA) by a few Democratic members of the House Problem Solvers Caucus (McPherson 2018). This practice has the potential to promote the practice of amendment cosponsorship and encourage bipartisan initiatives (Greene and Rybicki 2023). However, a protocol is not a requirement and there is no documented evidence that it has had an impact.

The proposal outlined in this report seeks to formalize the practice of cosponsoring amendments and transform the protocol into a rule. By reducing the required number of cosponsors to 10 members from each party and making consideration of such amendments obligatory, the proposal aims to fulfill the Rules Committee’s stated purpose of the protocol,

“to encourage diverse, constructive ideas to be debated when considering legislation” (House Committee on Rules 2024).

Help Committees Operate More Effectively

Committees play a key role in the U.S. legislative process, serving as principal venues where members acquire information, debate legislative proposals, and oversee the executive branch. Historically, committees were the engine of congressional activities, enjoying sweeping powers over the content and pace of the congressional agenda (e.g., Cooper and Brady 1981; Shepsle and Weingast 1987). However, the effectiveness of committees has eroded over time. A series of reforms starting in the 1970s weakened committee government, leaving them with decreased agenda-setting power, expertise, and informational vantages (e.g., Schickler, McGhee, and Sides 2003; Cox and McCubbins 2007; Curry 2015; Kornberg 2023).

The decreased legislative capacity of committees is evidenced by the declining prominence of legislative hearings. Historically, hearings focused on finding solutions to policy issues, but recent trends indicate a shift toward more adversarial position-taking, where members focus on grandstanding and scoring political points (Kriner and Schwartz 2008; MacDonald and McGrath 2016; Lewallen 2020; Lewallen, Theriault, and Jones 2020). As a result, both the number of hearings and the number of witnesses have sharply declined since the 1980s (Lewallen, Theriault, and Jones 2020; Rackey, Bell, and Kosar 2022; Ban, Park, and You 2023). Moreover, the purpose of hearings has simultaneously shifted away from lawmaking, with the share of committee hearings that are legislative in nature decreasing from 70% in the 1960s and 1970s

2 Separately, the House Republican Conference agreed to a standing order for the 118th Congress that gives priority consideration to amendments with at least 20% of the Republican Conference named as cosponsors.

Figure 5. Legislative Hearings as Percentage of House Committee Hearings

Notes on Figure 5: Data are from Jones et al. (2023).

to approximately 20% in the 2010s and 2020s. Figure 5 depicts this trend.

Moreover, hearings are but one part of the broader picture of decreased committee capacity. A large body of scholarship shows that skilled and experienced staff improve legislative productivity. Committees with more experienced and well-funded staff generate more and better-quality legislation (Burgat and Hunt 2020), and legislators and committee chairs with longer-serving staff are able to advance more legislation (Crosson et al. 2020, Ommundsen 2022). Furthermore, being able to rely on qualified staff and specialized congressional agencies like the Government Accountability Office reduces members' reliance on interest groups and

lobbyists for acquiring information (Kosar 2020; Harbridge-Yong 2020). Despite the importance of staff for committee effectiveness, the number of committee staff positions was significantly reduced in the 1990s and has never rebounded (Brookings 2022, Tables 5-5 and 5-6; see also Reynolds 2020). Within this declining trend, the relative size of partisan staffing has increased, with the potential of undermining bipartisan collaborations that could stem from partisan legislators relying on the same independent staffers, who are typically more inclined to work across party lines (Harbridge-Yong 2020).

Capacity is further hampered by low participation in committee meetings (e.g., Hall 1996). Notably, scheduling conflicts have been identified as a

major determinant of such low participation rates. Evans (1991), for instance, observes how scheduling issues were the reason why, in 1983, the Pearson–Ribicoff Commission recommended eliminating eight standing committees in the Senate. More recent data point to similar findings, where nearly 40% of members faced scheduling conflicts during committee hearings in the 116th Congress (Orey 2020).

Research suggests that transparency rules may be helpful, particularly if scheduling conflicts were reduced or eliminated. Evidence from Switzerland, for instance, shows that publishing attendance in the Upper House decreased absences by 12% (Hofer 2017), and results from a laboratory experiment show that making votes public decreases abstention rates (Mattozzi and Nakaguma 2023). However, scheduling conflicts must be dealt with before publicity requirements are adopted, lest members be penalized for absences that are beyond their control.

Finally, in an effort to enable more rotation in committee chairmanships, the parties have reduced the role of seniority since the 1990s; Republicans have established term limits and Democrats, while not taking this route, have also placed less emphasis on seniority than in earlier periods (e.g., Cann 2008; Deering and Wahlbeck 2006). Although the previous system of strict seniority had its own drawbacks, the current system arguably lacks incentives to invest heavily in committee expertise. Moderate procedural changes might better incentivize such investment without a complete return to the prior seniority system.

This report contains several procedural proposals that address these various challenges to committee capacity discussed above. First, by requiring block scheduling and mandating the use of a deconflicting tool, the proposal

aims to remove institutional barriers to members’ attendance. Similarly, publishing members’ attendance provides an incentive for participation in committee sessions and offers members the opportunity to claim credit for their effort and dedication to committee work. The proposed procedures further aim to establish novel hearing setups that reduce partisan confrontation and improve constructive deliberation and discussion (Rackey 2024). Multiple proposals also concern committee staff capacity; increasing resources for committee staff seems desirable, particularly given survey evidence indicating that voters generally do not view increased spending on congressional and committee staffing negatively (Madonna and Ostrander 2020). Finally, by suggesting committee members privately convey their preferred choices for committee chair (for majority party members) and ranking member (for minority party members), the proposal aims to incentivize commitment to committee activities.

Protect Members’ Time for Legislative Work

Members face myriad demands on their time, including the need to regularly be present in their home districts. Still, over time Congress has structured its schedule around the “Tuesday–Thursday club” (e.g., Nokken and Sala 2002), assuming members will not be in Washington, D.C., on Mondays or Fridays. Critics argue this change has reduced the amount of attention given to serious policy challenges (e.g., Mann and Ornstein 2012; Ives 2018). Taylor (2012) documents that short work weeks are associated with a significant reduction in the number of days that Congress is in session. The Majority Leader calendars show that in

2023 the House held no five-day work weeks and (at the time of writing) is scheduled in 2024 to hold only one. Similarly, in 2022, the House scheduled only one (Lesniewski 2021).

Our report proposes that the House increase the number of five-day work weeks, ideally to one per stretch of D.C. work. Such a modest increase would still allow for members to regularly be back in their districts but facilitate more sustained attention to the negotiations and conversations that legislating requires.

Promote Bipartisan Collaborations

A crucial question in the study of bipartisanship is what can promote deeper collaboration across parties. Evidence suggests that interpersonal relationships are effective at promoting collaboration between members of different parties. Curry and Roberts (2023) conducted a series of interviews with former high-level congressional staff, and all reported that travel is “the single best way to develop relationships in contemporary Congress” (p. 346).

Informal gatherings away from the media and public eye can indeed reduce inter-party animosity and are particularly helpful for building professional relationships among members. Consistent with the idea that media attention makes it difficult to operate collaboratively and build trust, Ash, Morelli, and Van Weelden (2017) find that House members engage in more divisive speech when media scrutiny is stronger.

Another venue where members from different parties convene and negotiate is conference committees. When the House and Senate pass different versions of the same bill, relevant committee members are typically appointed to a conference committee to resolve these differences. These bipartisan conferences

require members of different parties to negotiate a common version of the bill and can serve as a space to promote bipartisan exchange. However, Lewallen (2020) shows that the use of conference committees as a means of resolving inter-chamber differences has significantly declined over time.

In this report, we introduce three types of proposals to promote bipartisan collaboration in both informal and institutional settings. First, we recommend providing more resources for bipartisan retreats, including “codels” and “staffdels” that involve travel. Second, we propose providing informal spaces that are not accessible to the press and would facilitate cultivating interpersonal relationships. Third, by reinvigorating conference committees, the proposal seeks to offer formal opportunities for inter-party negotiations to resolve conflicts between bills considered by the two chambers, thus facilitating bipartisan solutions to legislative stalemates.

Increase Member Pay

Monetary compensation is an important factor in determining the willingness of quality individuals to seek out public office. It thus has direct consequences for performance. A large body of literature has documented these dynamics both theoretically and empirically (e.g., Besley 2004). Research from the United States states suggests that when politicians are paid better, they introduce more bills and are more likely to attend votes (Hoffman and Lyons 2020). However, members of Congress have not received a pay increase since 2009 (Brudnick 2024). Adjusting for inflation, their salaries have fallen by 31% between 2009 and 2024.

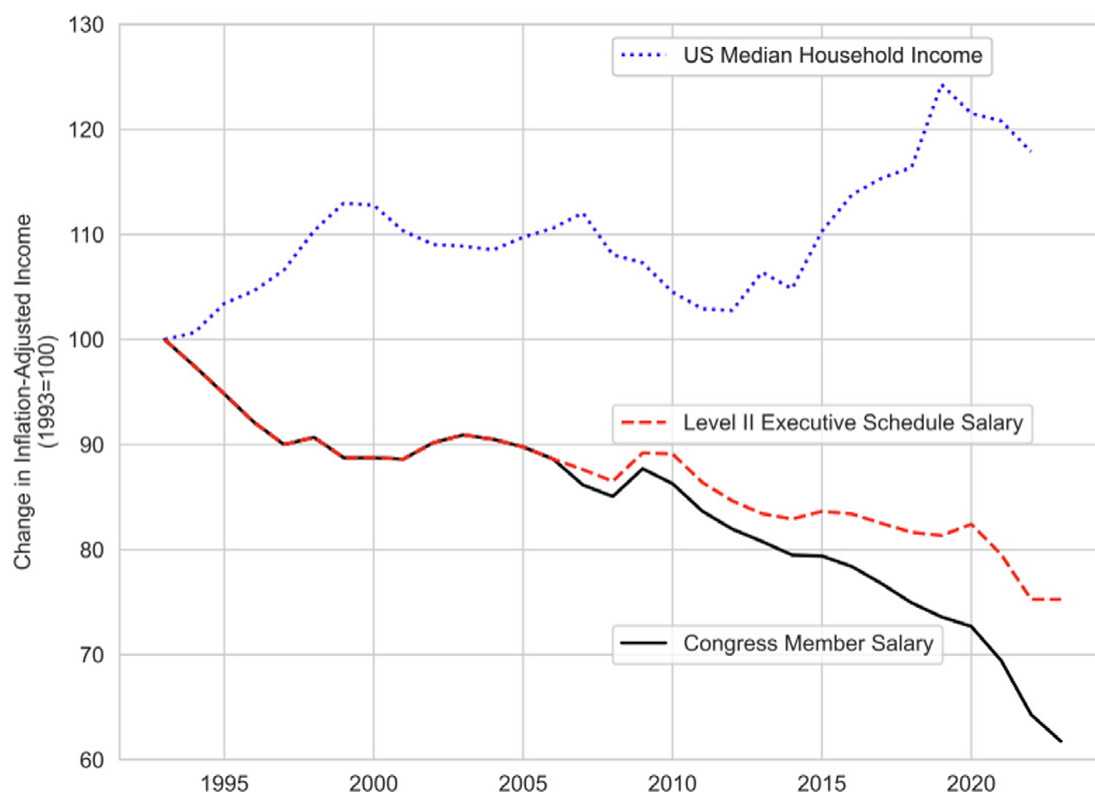
To provide a comparison of members’ pay with similar jobs in other branches of the federal

government, Figure 6 displays changes in members' salaries alongside changes in the salaries of senior executives in the executive branch. After adjusting for inflation, the salary of members of Congress decreased by almost 40% compared to 1993 levels, 10 percentage points more than the decrease experienced by comparable positions in the executive branch. The decrease is even more remarkable when compared to U.S. median household income,

which increased by approximately 20% over the same period relative to 1993 levels.

The simple yet effective proposal contained in this report aims to address the stagnation of members' wages by raising congressional salaries. This approach seeks to retain talented members and, once in office, enhance their productivity and motivation.

Figure 6. House Member Salaries Across Time



Notes on Figure 6: House salaries from Brudnick (2024), Level II executive schedule salaries from Office of Personnel Management reports, and household income and consumer price index from St. Louis Federal Reserve.

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Analysis of House Rules Changes Over Time

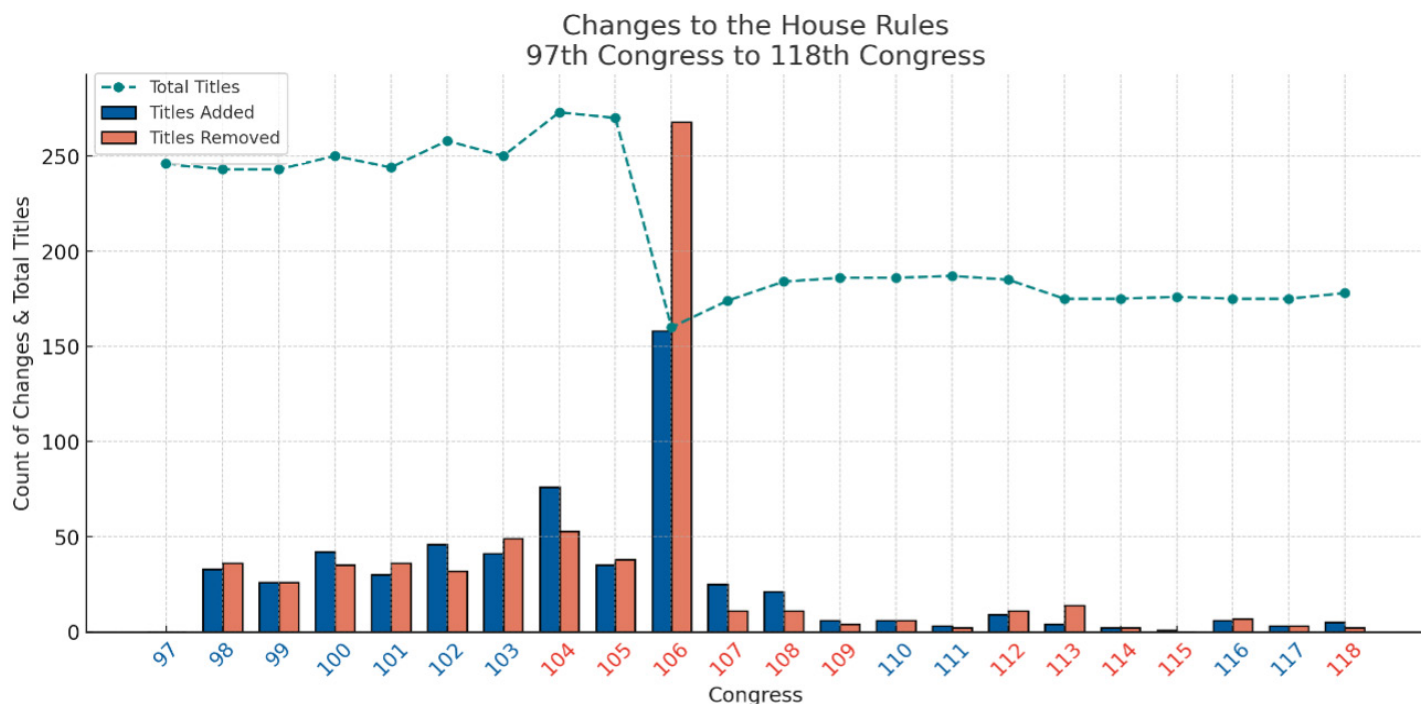
Introduction

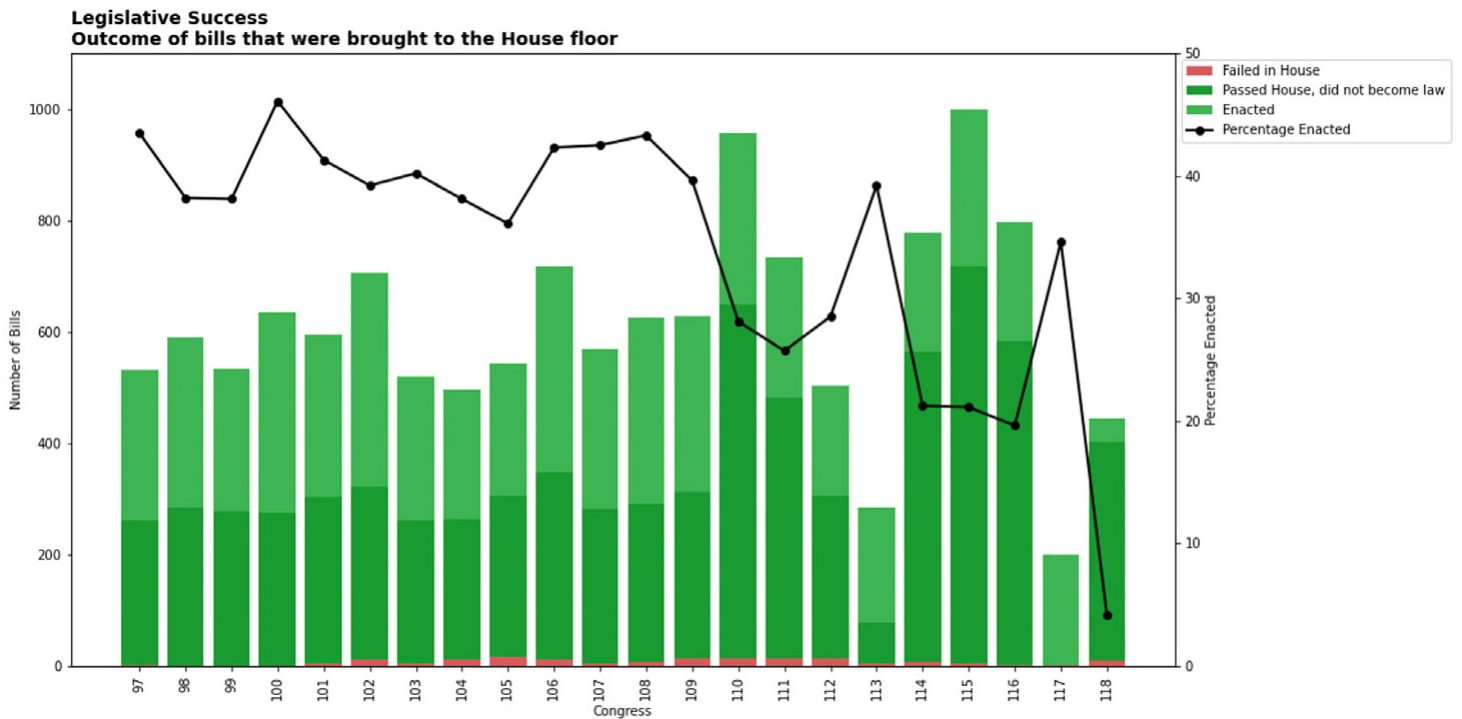
This section provides an exploratory analysis of the changes in House Rules from the 97th to the 118th Congress. A focus on rule and title changes and the introduction and removal of rules provides important context to the evolution of The House of Representatives and its operation. The Sunwater Institute built upon rules data first organized by the Foundation for American Innovation. The original data was cleaned, standardized, and enriched with legislative data from the Sunwater Institute's Legis1 platform, and LLMs were leveraged for additional analysis and summarization. The database construction and analytics were executed by Irfan Hussain and the data team at the Sunwater Institute. The rules dataset, a series of visualizations and tools, and a more expansive analysis are available on the Legis1 platform.

Historical Analysis

Between the 97th and the 118th Congress, the rules have undergone continuous change. The 106th Congress, however, marked a major restructuring and consolidation of the rules prompted by The Administrative Reform Technical Corrections Act (ARTCA) which passed in August 1996. The House Rules Committee, in conjunction with the House Parliamentarian, conducted a review of House rules and administrative functions to fulfill the law's requirements, leading to significant recodification. Note that rule changes were fewer in volume per Congress after this watershed event.

The charts and graphs below provide a visual representation of how the rules have changed over time, how legislative activities and procedures have evolved, and the general political context under which changes occurred.

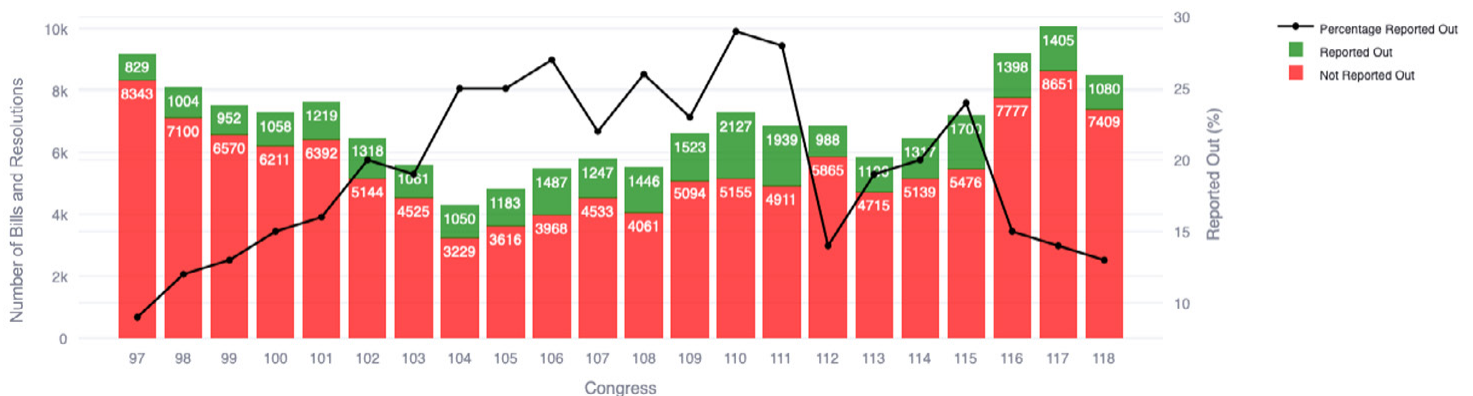




Counts reflect only bills that were introduced in the House (H.R.).
Note that the 118th Congress is still in progress as of this writing.

Committee Output

Of all bills introduced by the House, how many were reported out of committee?



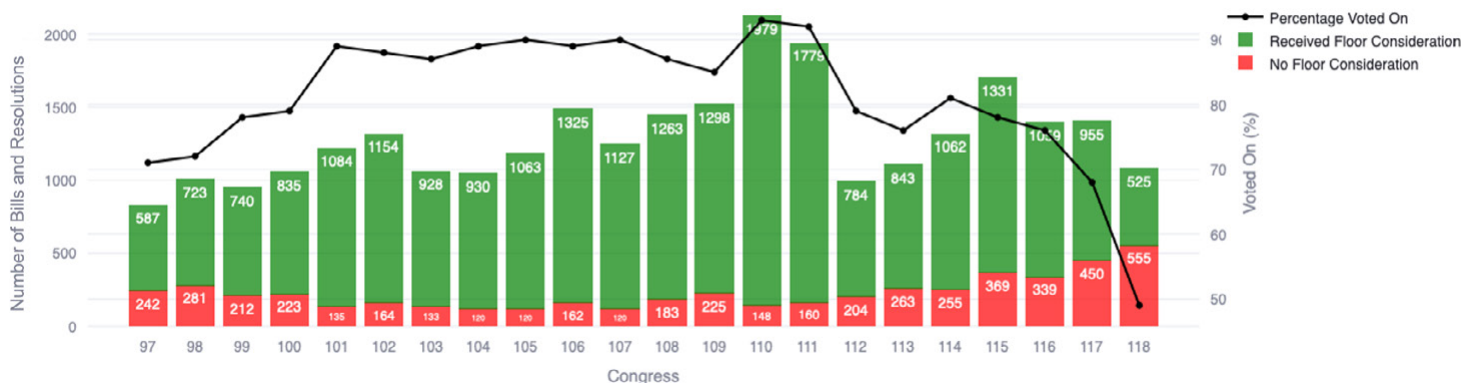
Counts reflect all types of legislation that originated in the House of Representatives

House Majority Party and Margin (with Speaker Initials)



Speaker Discretion

Of all bills reported out of committee, how many were brought to the floor?



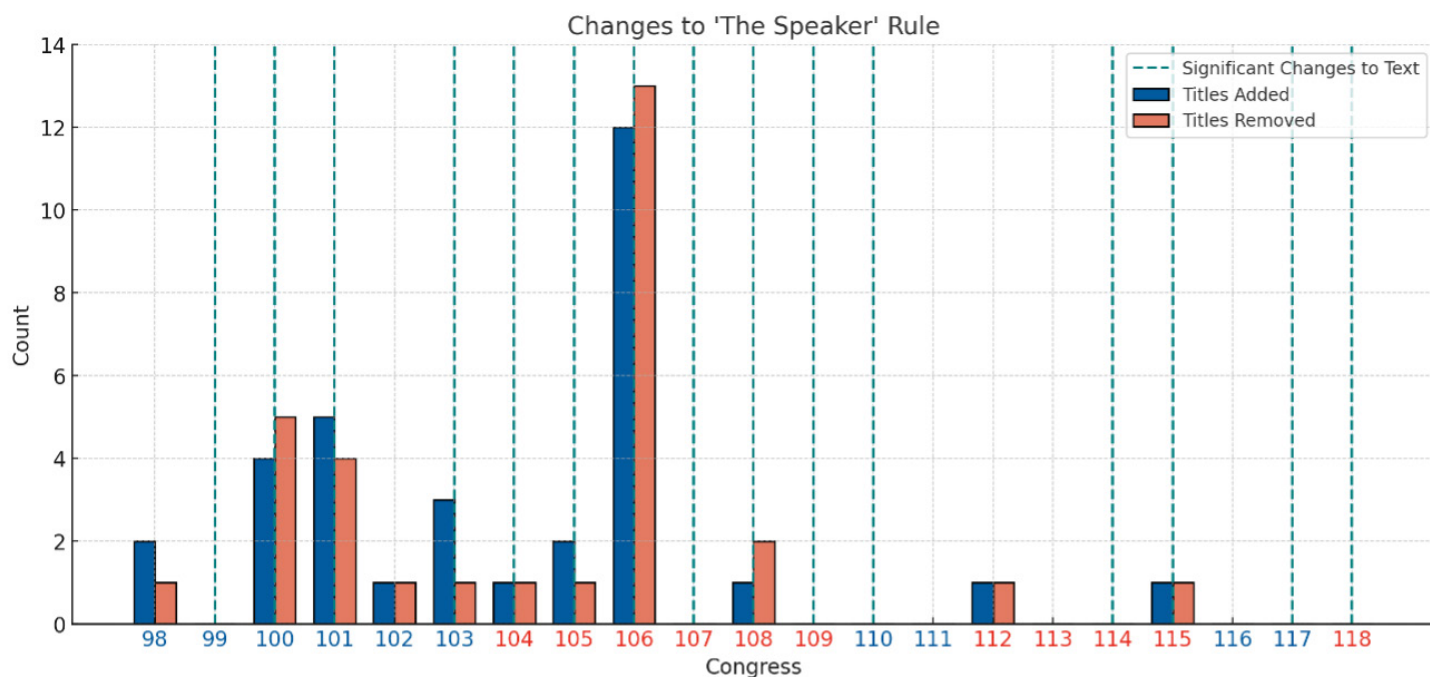
Counts reflect all types of legislation that originated in the House of Representatives

Analysis of Selected House Rules (97th–118th Congresses)

I. The Speaker

Last Appeared: 118th Congress

Rule Description: This rule pertains to the procedural operations within the House.



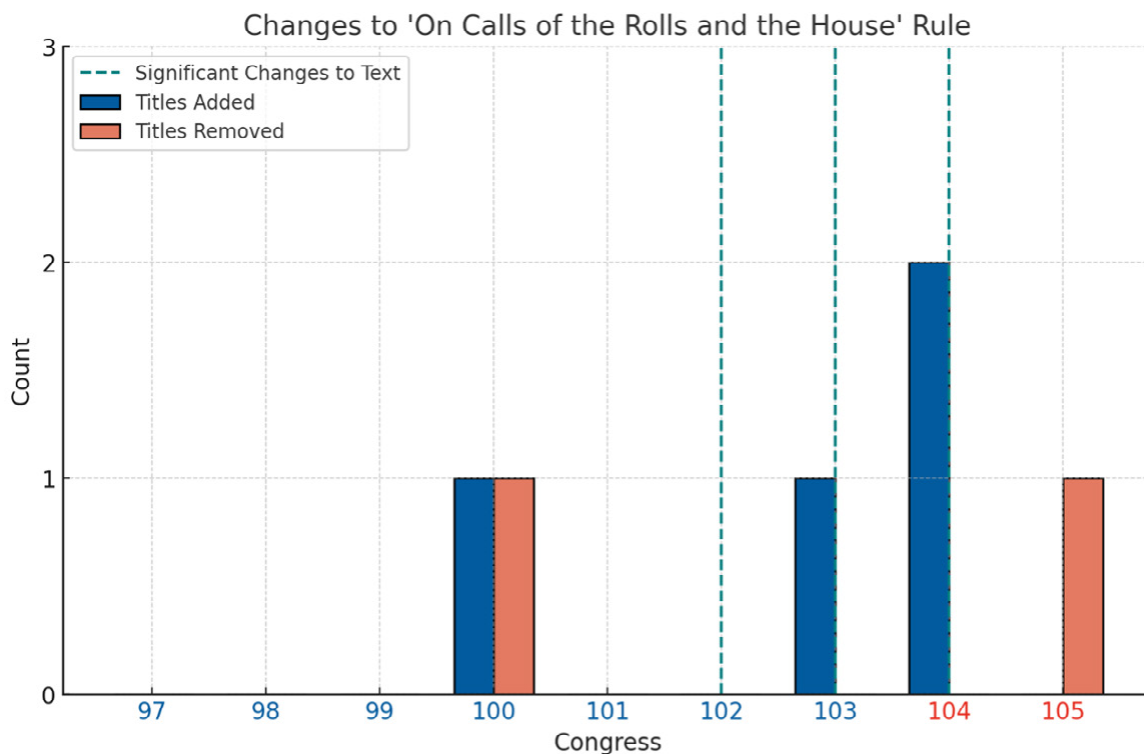
Select Changes:

- **Office and Historical Documentation:** Additions related to the Bicentennial Office, Office of the Historian, and Office of General Counsel highlight an expanding focus on historical documentation and legal oversight.
- **Procedural Controls and Speaker Authority:** Changes concerning the Speaker's control over House proceedings, including the authority to put off questions, declare recesses, and control over the Hall and rooms.
- **Travel and Recess Authorities:** Repeated additions across several Congresses related to travel authority and the power to declare recesses, increasing the mobility and scheduling flexibility of the Speaker.
- **Term Limits and Organizational Rules:** The implementation of term limits and drug testing policies.
- **Enhanced Operational Responsibilities:** Approval of the Journal, signature of documents, and maintenance of order within the House, broadening the Speaker's administrative responsibilities.

XV. On Calls of the Roll and the House

Last Appeared: 105th Congress

Rule Description: This rule governs procedures related to roll calls, quorum calls, and other House proceedings.



Select Changes:

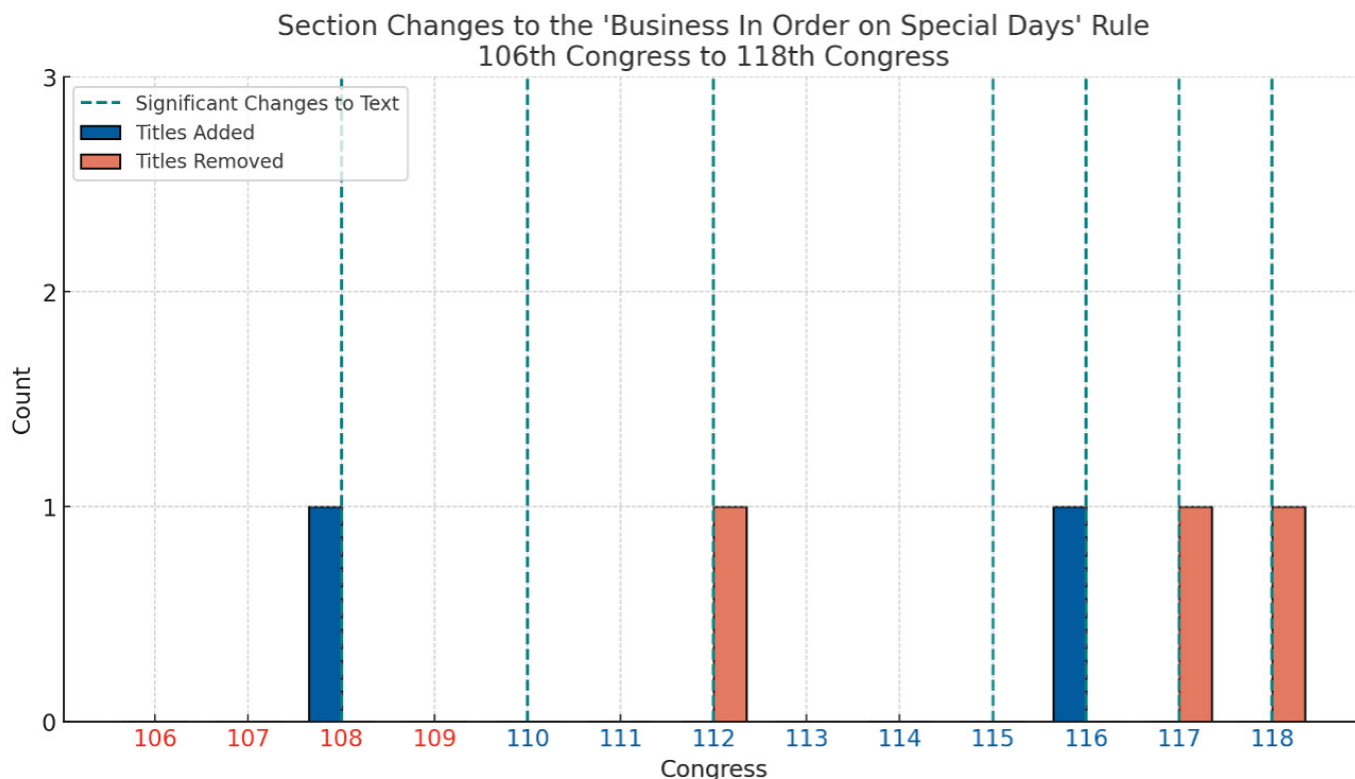
- **Technology Integration:** An introduction of electronic equipment for recording roll calls.
- **Voting Procedures:** Introduction of “15-and-5” voting.
- **Speaker’s Authority:** Expansion of the Speaker’s discretionary powers in recognizing motions for calls of the House, clarifying the role of the Speaker in procedural decisions.
- **Legislative Tools:** Implementation of procedural tools such as yeas and nays orders on certain questions.

XV. Business in Order on Special Days

Last Appeared: 118th Congress

Rule Description: This rule, introduced after the wholesale reorganization of the rules in the 106th Congress, outlines specific procedures for conducting business in the House of

Representatives on particular days, including processes for suspending rules, discharging committees, handling District of Columbia business, managing the private calendar, and calling committees on Wednesdays.



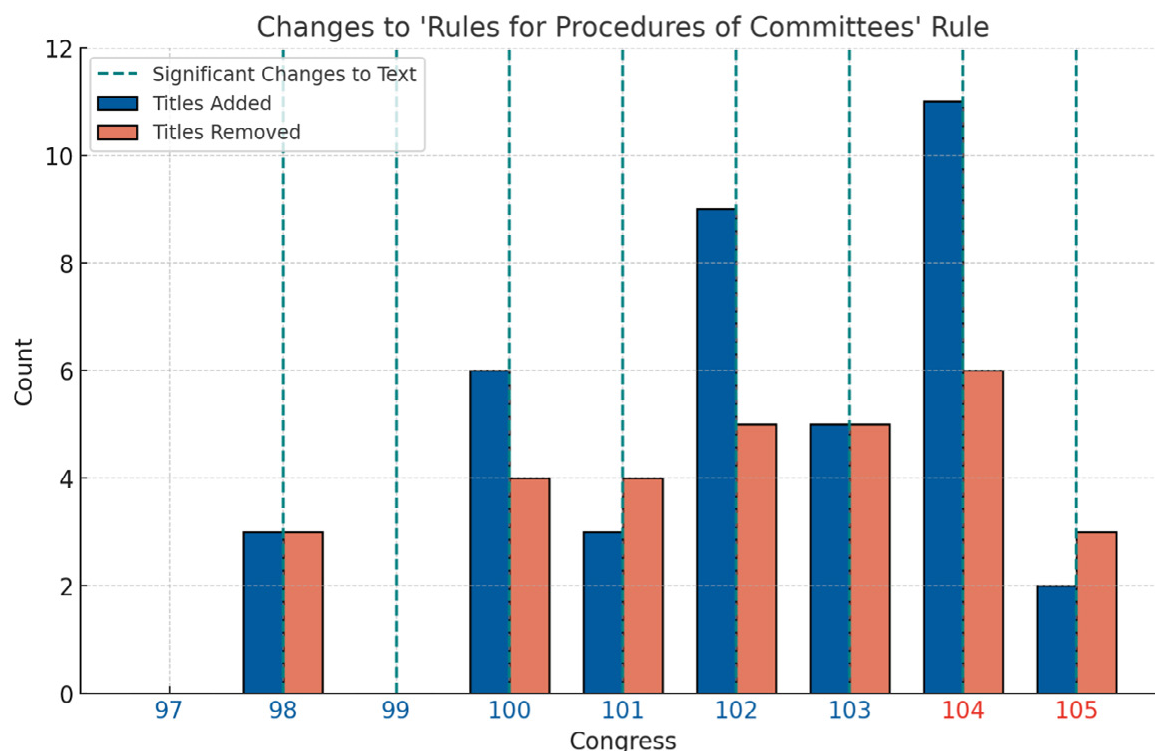
Select Changes:

- **Corrections Calendar:** Introduced in the 108th Congress for second and fourth Tuesdays, then removed in the 112th Congress.
- **Discharge Motion Process:** Updated in the 115th Congress to adjust procedures for handling discharge motions.
- **Consensus Calendar:** Added in the 116th Congress to streamline consideration of widely supported measures.
- **Committee Reports:** The title “Adverse report by the Committee on Rules, second and fourth Mondays” was removed in the 117th Congress.

XI. Rules for Procedures for Committees

Last Appeared: 105th Congress

Rule Description: This rule outlines the operational and procedural guidelines for committees within the House of Representatives.



Select Changes:

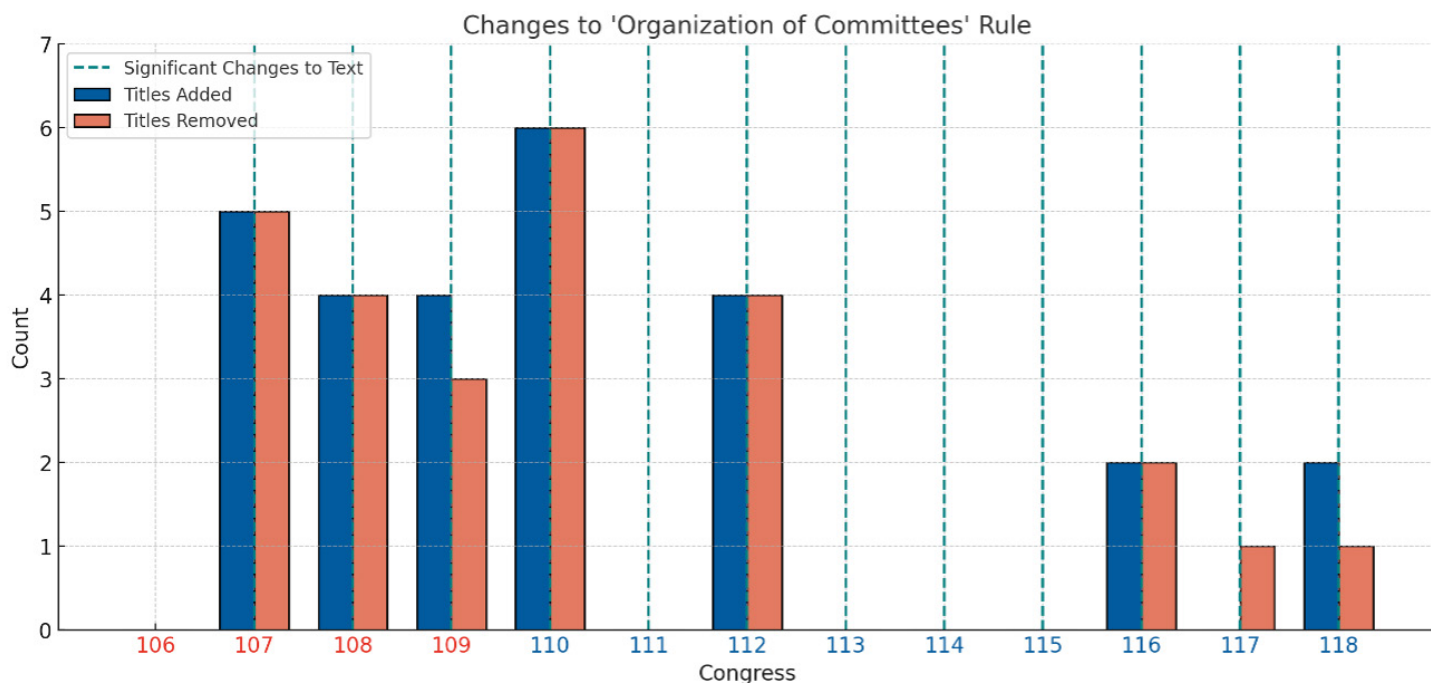
- Committee Procedures and Rules:** Establishment and refinement of committee procedures, including travel policies, meeting protocols, and reporting requirements.
- Investigative Authority and Oversight:** Expansion of committees' investigative powers to ensure robust oversight functions, including specific adjustments to the scope and methods of investigations.
- Transparency and Public Access:** Increased emphasis on making committee activities and decisions more transparent, including requirements for public availability of reports and meeting records.
- Staff and Resource Management:** Detailed regulations concerning committee staff roles, including changes to staffing levels, responsibilities, and the introduction of shared or associate staff positions.
- Operational Efficiency:** Adjustments in procedural tools such as modifications to quorum requirements, proxy usage, and electronic submission processes.
- This rule was incorporated into Rule X.

X. Organization of Committees

Last Appeared: 118th Congress

Rule Description: This rule establishes the structure and jurisdiction of standing and select

committees within the House of Representatives. It outlines the responsibilities and legislative areas each committee is tasked with, providing a framework for legislative organization and procedural efficiency.



Select Changes:

- **Committee Organization and Structure:** Organization of standing committees within the House, specifying the legislative jurisdictions assigned to each committee.

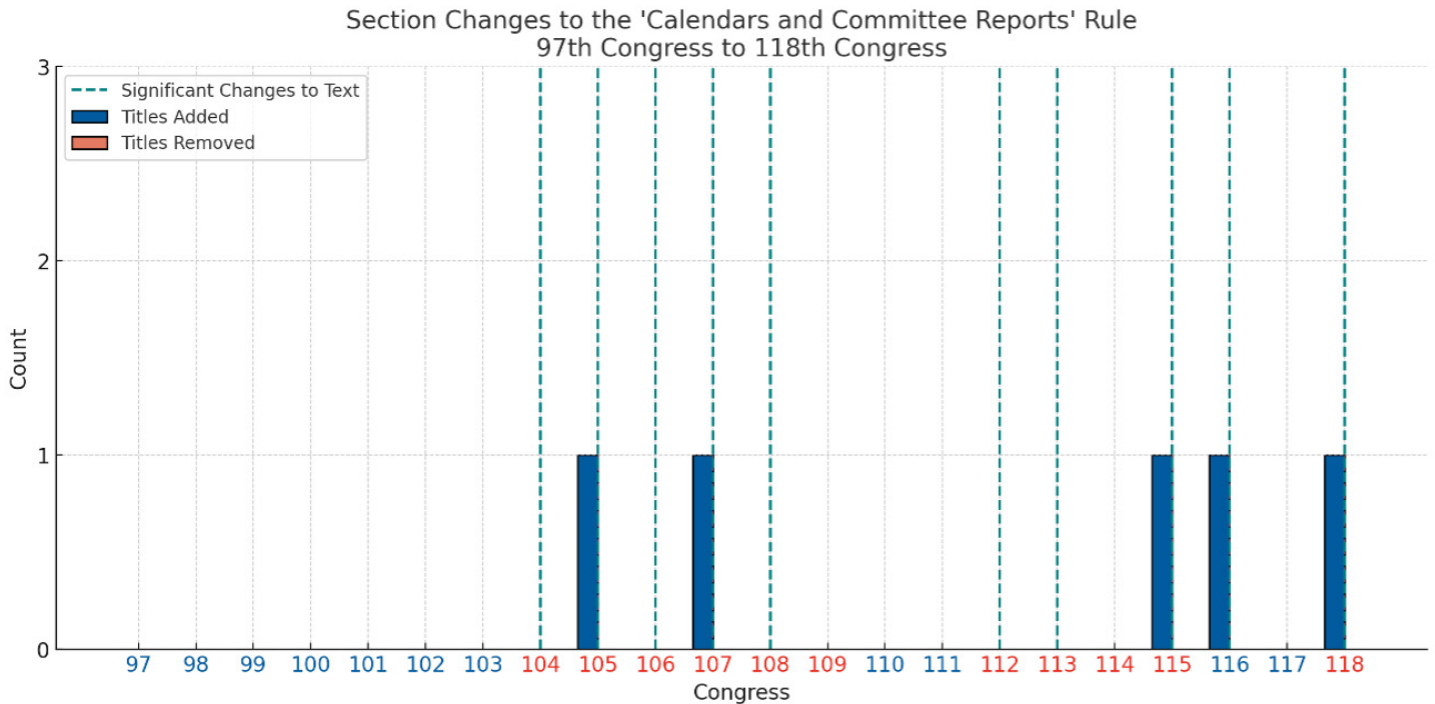
- **Legislative Oversight and Responsibilities:** Each committee is defined by specific oversight responsibilities and regulatory functions. These responsibilities are tailored to address distinct areas such as agriculture, appropriations, armed services, budget, and more.

XIII. Calendars and Committee Reports

Last Appeared: 118th Congress

Rule Description: This rule outlines the procedures for organizing and managing various

legislative calendars, filing committee reports, and specifying the content requirements for these reports. It also establishes guidelines for estimating the cost of proposed legislation.



Select Changes:

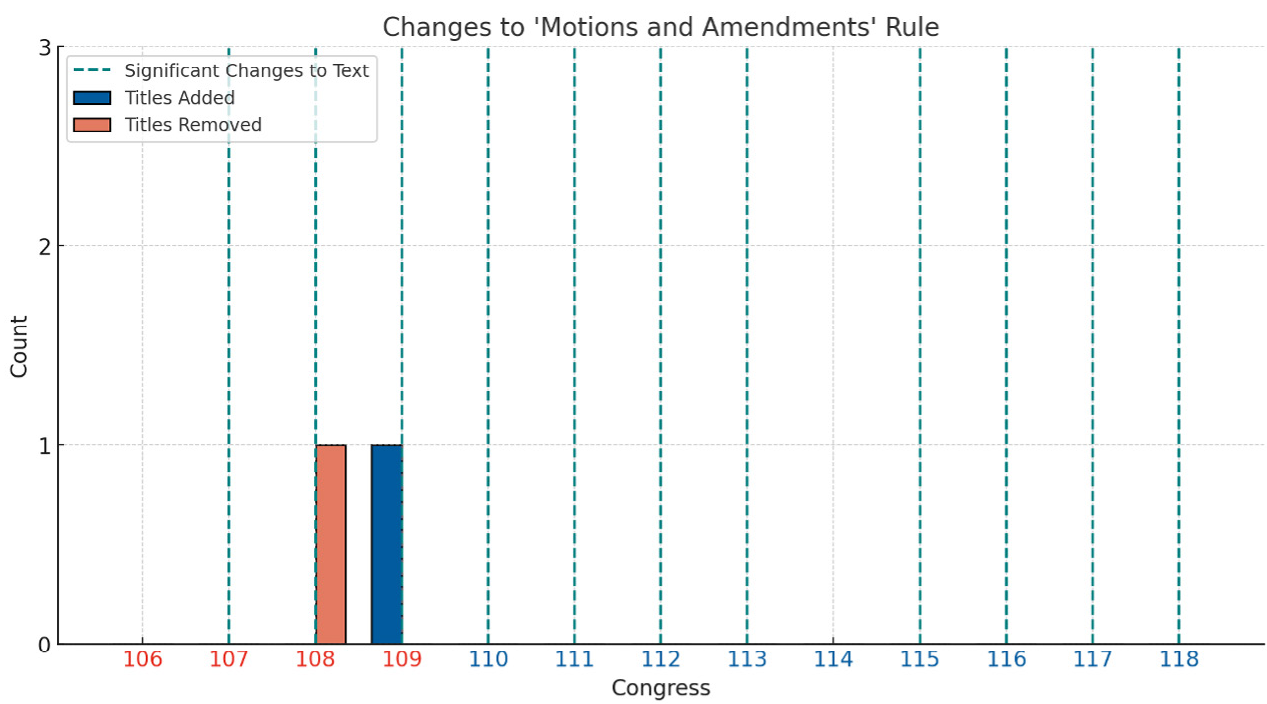
- **Legislative Process Enhancements:** Introduction of a “Corrections Calendar” and the “Consensus Calendar”.
- **Rule Modifications for Fiscal Analysis:**
 - Implementation of rules on cost estimates and macroeconomic impact analysis to provide a more comprehensive understanding of legislation’s financial implications.
 - Addition of “Estimates of major legislation” to ensure detailed financial scrutiny and transparency for significant legislative proposals.
- **Procedural Adjustments for Committee Operations:**
 - “Privileged reports by the Committee on Rules” established as a separate title to expedite procedural decisions and enhance the committee’s ability to manage legislative flow.
- **Guidelines for committee reports, cost estimates, and new types of calendars.**

XVI. Motions and Amendments

Last Appeared: 118th Congress

Rule Description: This rule covers the procedures related to motions and amendments within

the House of Representatives. It outlines the requirements for submitting, considering, and withdrawing motions and amendments, emphasizing procedural order and legislative efficiency.



Select Changes:

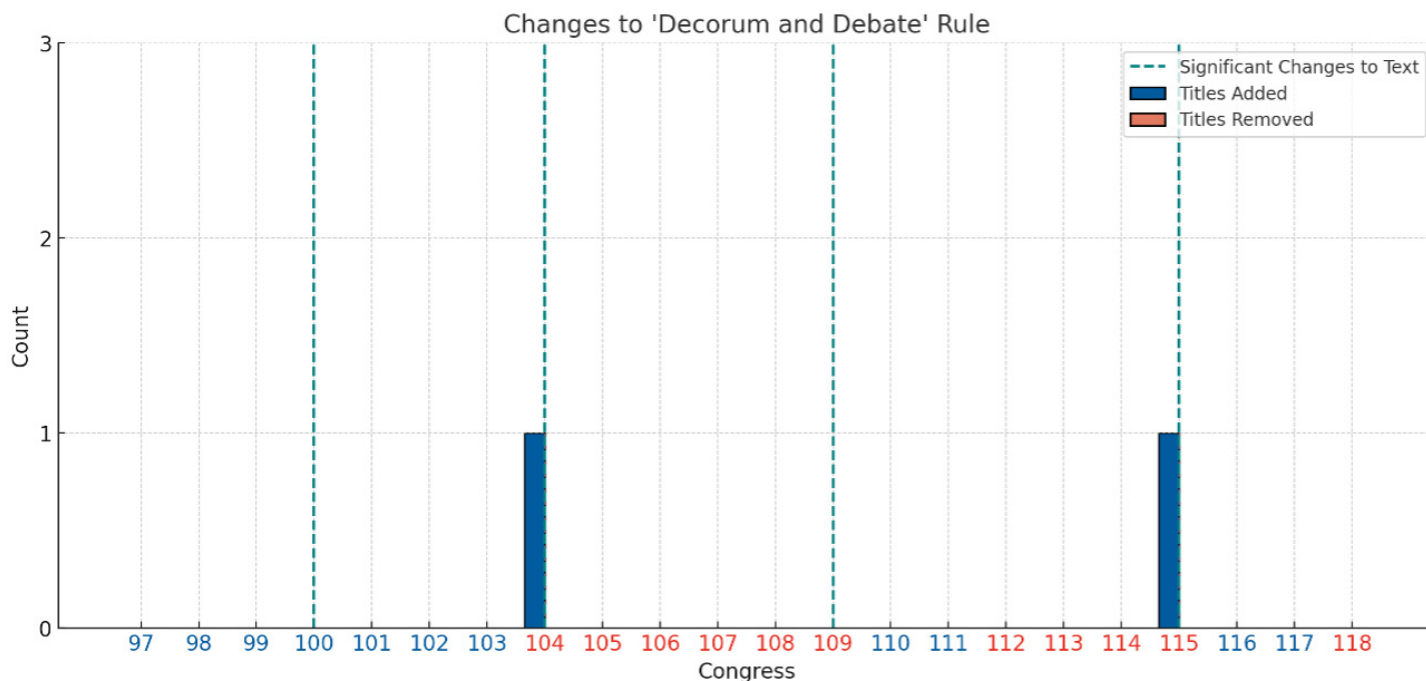
- **Motion process:** Addition in the 109th Congress to increase the flexibility of legislative operations.

XVII. Decorum and Debate

Last Appeared: 118th Congress

Rule Description: This rule outlines the procedures and expectations for conduct, speech,

and debate on the House floor, covering topics such as obtaining recognition to speak, time limits on debate, parliamentary procedure for calling members to order, and general decorum in the chamber.



Select Changes:

• Debate Guidelines and Standards:

- Introduction and later relaxation of specific guidelines on referencing Senate actions during debates.
- Addition of “Revisions of remarks in debate” to allow for corrections or modifications in parliamentary records.

• Conduct and Procedural Standards:

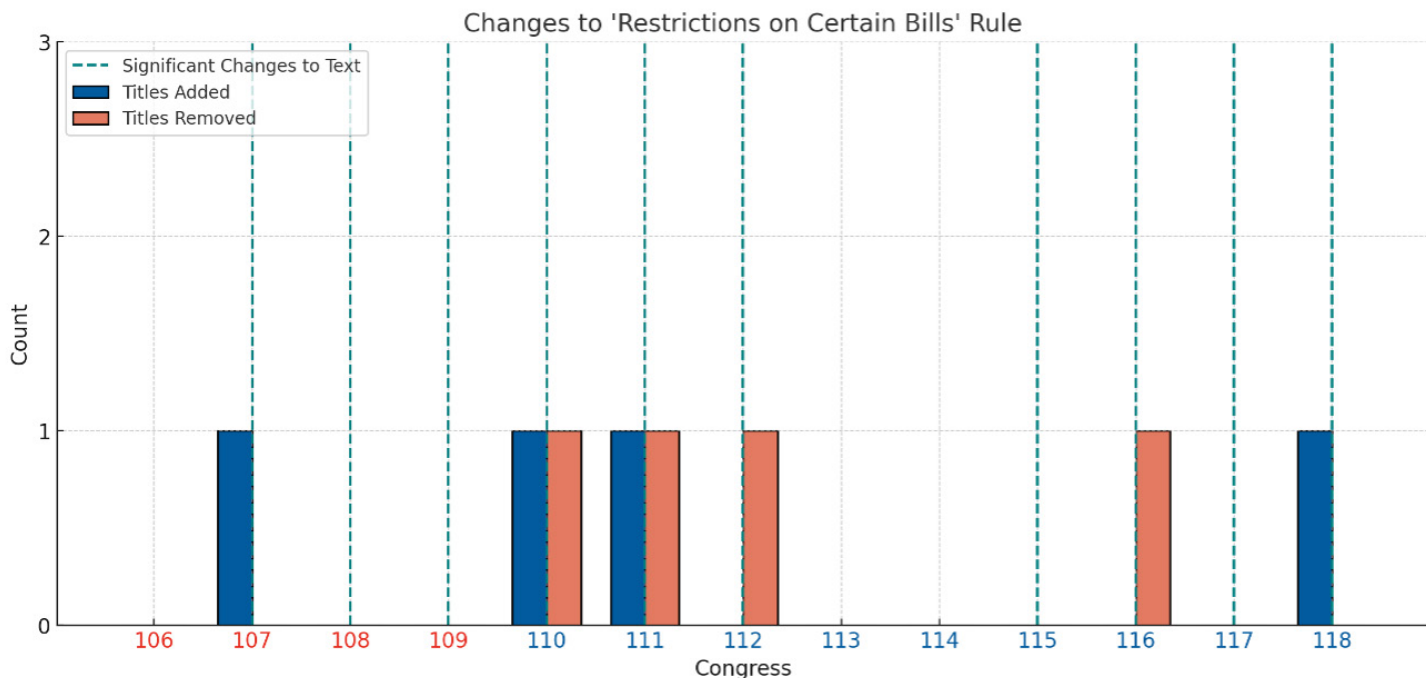
- Establishment of a “Standard of conduct” and later addition of clauses addressing “Legislative Proceedings” and disorderly conduct in the Chamber, aimed at maintaining decorum and enforcing discipline during legislative sessions.

XXI. Restrictions on Certain Bills

Last Appeared: 118th Congress

Rule Description: This rule sets forth restrictions

and procedural requirements for the consideration of certain types of bills, particularly those involving appropriations and tax measures.



Select Changes:

- **Appropriations and Budget Control:** Establishment and refinement of guidelines for general appropriation bills, amendments, and tax measures.
- **Tax Legislation:** Specific rules governing the passage and consideration of tax rate increases, including restrictions on retroactive applications.
- **Public Works Designation:** Introduction of procedural requirements for the designation of public works to enhance transparency and accountability in funding allocations.

Biographies

Brandice Canes-Wrone, Ph.D., is the Maurice R. Greenberg Senior Fellow at the Hoover Institution and Professor of Political Science at Stanford University. Canes-Wrone is the Founding Director of the Hoover Institution Center for Revitalizing American Institutions. Her current research focuses on representation and accountability, including projects on elections, campaign finance, and partisanship. She is a member of the American Academy of Arts and Sciences and the American Academy of Sciences and Letters.

Matthew Chervenak is an entrepreneur and investor focused on improving liberal democratic institutions and the advancement of science. He is the Founder and President of the Sunwater Institute, a think tank with a mission to improve the performance of Congress through research, products, and services. He is the Founder and CEO of AllSci, a scientific knowledge platform; and a founder and General Partner of Sunwater Capital, an investment firm.

The Honorable Daniel Lipinski, Ph.D., represented the Third District of Illinois in the U.S. House of Representatives from 2005 to 2021. He is currently a Distinguished Visiting Fellow at the Hoover Institution. Lipinski is also the Pope Leo XIII Fellow on Social Thought at the University of Dallas. He is working on a book about his experiences in Congress as politics transformed into sectarian partisan warfare, which now threatens the republic.

Philip Wallach, Ph.D., is a Senior Fellow at the American Enterprise Institute (AEI), where he studies America's separation of powers. Before joining AEI, Wallach was a Senior Fellow in governance studies at the Brookings Institution and the R Street Institute. He served as a Fellow with the House Select Committee on the Modernization of Congress in 2019. He is the author of *Why Congress* (Oxford University Press, 2023).

The Honorable Jim Cooper is a former U.S. Representative who served Tennessee for nearly 40 years, starting as the youngest member of Congress at age 28. Throughout his career, he served on eight committees and was instrumental in founding the U.S. Space Force. After a brief hiatus, Cooper returned to Congress, representing Nashville for 20 years until 2023. Today, he works at TVV Capital, a private equity firm in Nashville; and teaches Congress and Lawmaking at Vanderbilt Law School, where is a Distinguished Scholar. He is also a Global Fellow of the Wilson Center.

The Honorable Rodney Davis is a former five-term U.S. Representative for Illinois's Thirteenth District who now serves as Managing Director at Cozen O'Connor Public Strategies. He offers strategic counsel on government relations, drawing from his congressional experience where he championed bipartisan solutions on key issues like infrastructure, national security, agriculture, and healthcare. Davis was a strong advocate for rural revitalization and efforts to combat foreign interference in U.S. elections.

Chris Donesa has served in a variety of senior staff positions for the House of Representatives. He most recently was Counsel to the Ranking Member of the House Committee on Ethics and Legal Counsel to the Clerk of the House of Representatives. Previously, he was Deputy Staff Director and Chief Counsel for the House Permanent Select Committee on Intelligence and Chief of Staff to Congressman Mark Souder for his home district in Indiana.

Matt Glassman, Ph.D., is a Senior Fellow at the Government Affairs Institute (GAI) at Georgetown University. His work focuses on congressional procedure, budget and appropriations process, and separation of powers. Prior to GAI, he was an Analyst at the Congressional Research Service. Glassman has also worked at the House Committee on Appropriations and in the New York state legislature. He holds a Ph.D. in political science from Yale University.

Justin Grimmer, Ph.D., is a Senior Fellow at the Hoover Institution and a Professor in the department of political science at Stanford University. His current research focuses on American political institutions, elections, and developing new machine-learning methods for the study of politics.

Andrew B. Hall, Ph.D., is the Davies Family Professor of Political Economy at the Stanford Graduate School of Business and a Senior Fellow at the Hoover Institution. Hall's research team uses large-scale quantitative data and cutting-edge methods from econometrics, statistics, and computer science to study American democracy and the design of democratic systems of governance in the online and offline worlds.

Dave Hoppe is President of Hoppe Strategies. He served as Chief of Staff to Speaker Paul Ryan and also Chief of Staff to Senate Majority Leader Trent Lott.

Kevin R. Kosar, Ph.D., is a Resident Senior Fellow at the American Enterprise Institute. He edits UnderstandingCongress.org and hosts the Understanding Congress podcast. He is the co-editor of *Congress Overwhelmed: Congressional Capacity and Prospects for Reform* (University of Chicago Press), co-author of *Unleashing Opportunity: Policy Reforms for an Accountable Administrative State* (National Affairs), and the author of *Failing Grades: The Federal Politics of Education*. He also wrote the preface to *Government Project* (AEI Press, 2023) by Edward C. Banfield.

Eric Lausten is currently Managing Principal at Husch Blackwell Strategies, where he helps clients involved in transportation, energy, and manufacturing with federal government engagement. Previously, he worked for three members in the House of Representatives over 16 years, most recently as Rep. Dan Lipinski's Chief of Staff. Lausten participated in the Hoover Congressional Fellowship program and is also a Senior Stennis Fellow.

Anthony J. Madonna, Ph.D., is an Associate Professor of Political Science at the University of Georgia. His research interests include American political institutions and development, with an emphasis on U.S. Congressional politics and procedure. His work has appeared in such journals as the American Journal of Political Science and the Journal of Politics and Legislative Studies Quarterly, and he has a book on recorded voting that is forth-coming at the University of Michigan Press.

Kyle Nevins is a Founding Partner of Harbinger Strategies, a Washington-based government affairs firm. Prior to consulting, Nevins served as a top aide to U.S. House Republican Leadership. He testified before the Select Committee on the Modernization of Congress and serves on the boards of UVA's Batten School and the Center for Effective Lawmaking. He also lectures for The Brookings Institute where he co-wrote *Inside Congress: A Guide for Navigating the Politics of the House and Senate Floors*.

J.D. Rackey, Ph.D., is a Senior Policy Analyst for the Structural Democracy project at the Bipartisan Policy Center. He previously served as Professional Staff with the U.S. House of Representatives Select Committee on the Modernization of Congress. He earned his Ph.D. in political science from the University of Oklahoma and is a former American Political Science Association Public Service Fellow.

Molly Reynolds, Ph.D., is a Senior Fellow in Governance Studies at The Brookings Institute. She studies Congress, with an emphasis on how congressional rules and procedure affect domestic policy outcomes, and is the author of *Exceptions to the Rule: The Politics of Filibuster Limitations in the U.S. Senate*. Reynolds received her Ph.D. in political science and public policy from the University of Michigan.

The Honorable Reid James Ribble successfully ran for the U.S. House of Representatives, representing Wisconsin's Eighth District from 2010 to 2017. He served on multiple committees, including Budget and Finance, Agriculture, Foreign Affairs, and Transportation. Notably, he authored bipartisan legislation to protect Social Security for 75 years. After fulfilling his term-limit pledge, Ribble became CEO of the National Roofing Contractors Association in 2017 and retired in 2022. Today, he volunteers time on numerous boards and as a Practitioner in Residence at University of Wisconsin–Green Bay.

Jonathan Rodden, Ph.D., is a Senior Fellow at the Hoover Institution, a Professor in the department of political science at Stanford University, and a Senior Fellow at the Stanford Institute for Economic Policy Research. Rodden was a Fellow at the Center for Advanced Study in the Behavioral Sciences at Stanford (2006–2007), a W. Glenn Campbell and Rita Ricardo–Campbell National Fellow (2010–2012), and a John Simon Guggenheim Memorial Foundation Fellow in 2021.

Ruth Bloch Rubin, Ph.D., is an Assistant Professor in the department of political science at the University of Chicago. She has authored two books about the U.S. Congress: *Building the Bloc* (Cambridge University Press, 2017) and *Divided Parties, Strong Leaders* (University of Chicago Press, July 2025). She received her Ph.D. from the University of California, Berkeley in 2014, and was also a Robert Wood Johnson Scholar in Health Policy Research at Harvard University.

