

# GOVERNOR RICK SCOTT'S

# MAKE WASHINGTON WORK PLAN



**RICK SCOTT**  
FOR SENATE

**To the people of Florida:**

For the last eight years, I have had the privilege of working on your behalf to make Florida the best state in the nation to raise a family and get a great job. We have reduced regulations and created an environment where businesses have been able to create more than 1.6 million jobs. That economic success and record low unemployment has had a huge benefit on our families and job creators: We returned \$10 billion in tax relief back to you, the hard-working taxpayers of Florida, even while paying down the state's debt by \$10 billion.

I wish Washington had a similar record of accomplishment on behalf of Florida families, and all Americans. Unfortunately, however, federal spending seems to race ever higher and higher, with the national debt growing exponentially. Politicians constantly propose tax increases on struggling families in order to pay for their special interest projects—as if we could tax and spend our way to prosperity. Congress passes massive spending bills without even bothering to read the legislation. And when those politicians finally end their lengthy congressional careers, many of them make the short trip down to K Street, where they cash in as lobbyists or consultants, riding the special interest gravy train.

That gravy train must come to an end—all of it. I proposed my “Make Washington Work” platform for this very reason. The reforms discussed in this paper will help make Congress accountable to American families, not special interests. They will help root out wasteful spending, limit tax and fee increases, and prevent Members of Congress from getting a paycheck if they do not do their jobs. This plan will end the careers of the career politicians in Washington, and prevent them from cashing in on their “connections” once they leave public service. And last but certainly not least, this plan will make it harder for Washington to reach in to your pockets to pay for its spending.

I grew up in a family that struggled financially. We were very poor and my mom often held multiple jobs in order to put food on the table. I got my first job when I was seven and I haven't stopped working since then. There are so many families across Florida and our nation that are in a similar situation and as a U.S. Senator, I will fight for these families each day.

The folks in Washington won't like this plan. They will say these ideas are not possible and that some have been tried before and failed. But I don't buy that. This plan will remind politicians that we don't work for them; they work for us. I have spent a lifetime in business—not in politics. Together, I know we can end the failed, tired ways of thinking in Washington in order to make it actually work for families across the nation – not just for career politicians.

Sincerely,

Rick Scott



# GOV. RICK SCOTT'S 10 - POINT "MAKE WASHINGTON WORK" PLAN

## MAKE WASHINGTON WORK EFFECTIVELY

### 1. **Implement Term Limits**

*Career politicians are never going to change Washington, which is why Governor Scott is proposing to implement term limits for all members of Congress. Implementing term limits will help ensure elected officials work for Americans, not for themselves.*

### 2. **Full-Time Salary for Full-Time Work**

*The gridlocks we see every day in Washington show that Congress clearly doesn't give themselves enough time to get anything done. As a result, Congress often fails to secure results for the Americans they serve, and frequently rushes to complete its most basic legislative work, even by voting on bills without reading them. Governor Scott will work to require Congress to put in full-time work for a full-time salary, just like hard working Americans across the country.*

## MAKE WASHINGTON WORK RESPONSIBLY

### 3. **Stop Congress Members from Cashing in as Lobbyists**

*Congress should not serve as a training ground for future lobbyists. Governor Scott will work to end the revolving door by proposing to ban former Members of Congress from lobbying outright – or at the very least, extending the "cooling off" period for Members of Congress to work as lobbyists to a minimum of 10 years.*

### 4. **End Congressional Pay Raises and Pensions**

*Congressional members should not have the ability to vote for their own pay raises – especially since every dollar is at the taxpayer's expense. Governor Scott will work to require that salaries for Congressional members remain locked in from the day they are elected until the day their term ends. Furthermore, serving in Congress should not be a career – and Governor Scott will work to ensure taxpayers no longer have to foot the pension bill for Members of Congress.*

### 5. **Stop Unfair Big Government-Run Insurance Subsidies**

*Currently, members of Congress receive insurance subsidies that can total well into the five figures on top of their generous pay. This is unacceptable and Governor Scott will work to stop this unfair and unethical practice.*

# GOV. RICK SCOTT'S 10 - POINT "MAKE WASHINGTON WORK" PLAN

## MAKE WASHINGTON WORK EFFICIENTLY

### 6. **Supermajority Vote to Approve Any Tax or Fee Increase**

*Just like Governor Scott championed this year in Florida, he will work to require a supermajority vote of two-thirds of each house of Congress to approve any tax or fee increase before it can become law. This proposal helps ensure Congress rightfully treats tax and fee increases as an absolute last resort, not as a knee-jerk reaction to fund government waste.*

### 7. **No Budget, No Pay**

*Governor Scott will work to require Congress to pass an annual budget and meet appropriations bill deadlines, or they will be required to forgo their own salaries until the job is done – no budget, no pay. If Florida business owners failed to budget or do their jobs, they would be forced to shut their doors and families would be out of work. It's not fair that we do not hold government to the same standards we hold ourselves. To further protect tax payer dollars, if Congress does not pass its spending bills on time, an automatic spending freeze should be implemented.*

### 8. **Line Item Veto**

*Just like in Florida, a line item veto gives more oversight to the budget process and helps ensure taxpayer dollars are being spent wisely and with the best return on investment. Governor Scott has saved Floridians nearly \$2.4 billion by using his line item veto authority to eliminate more than 1,800 pet projects from state budgets over the past seven and a half years.*

### 9. **End Government Waste**

*Taxpayers deserve transparency and accountability when it comes to spending their hard-earned dollars. Eliminating the concept of omnibus bills, which can total thousands of pages and trillions of dollars in spending, is an important step to increase transparency and deliberation in Congress – and put our nation on the path to responsible spending.*

### 10. **Improve Transparency and Accountability**

*While Congress needs to stop the growth of federal spending, it also needs the best advice it can get in doing so. Unfortunately, the Congressional Budget Office (CBO), Congress' non-partisan scorekeeper, does not always fulfill its duty to act in an open and transparent manner when analyzing legislation. Governor Scott's proposal includes reforming the Congressional Budget Office to improve transparency and accountability.*

# MAKE WASHINGTON WORK EFFECTIVELY

The federal government continues to spend too much money and reform should also increase the accountability of Members of Congress to the constituents they represent.

## 1. IMPLEMENT TERM LIMITS:

America's founders never intended a permanent ruling class of career politicians – and it must stop now. Service as a Member of Congress should not be a job for life—nor should it become a ticket to a post-Congressional career as a high-paid K Street lobbyist. Career politicians will never change Washington, and government has imposed term limits for the president, for most governors, and for state legislators in Florida. Members of Congress in Washington should abide by the same standards—because term limits will ensure elected officials work for Americans, not for themselves.

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The best case for congressional term limits has nothing to do with the ability of American voters to choose their representatives; rather, it has everything to do with the way those representatives act once serving in Washington. Members perpetually focused on re-election have every incentive to avoid politically tough choices, as they focus first and foremost on what will keep them in their current posts. Shelling out more in pork-barrel spending projects to gain re-election should be the last thing on the minds of our elected representatives—but recent history suggests it's often the first.

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And when our current crop of Representatives and Senators do think about moving beyond Congress, many of them look to remain in Washington by obtaining lucrative lobbying jobs. For instance, one study found that nearly 400 former Members of Congress have registered as lobbyists.<sup>1</sup> That list doesn't even include the number of former Members—such as former Senate Majority Leader Tom Daschle—who serve as high-priced “consultants” to lobbying firms, without formally registering as lobbyists themselves.<sup>2</sup> Additionally, former members of Congress - no matter how long they serve - have lifetime floor privileges for both the House and the Senate. With so many former members of Congress becoming lobbyists, it is irresponsible to allow former members to influence their colleagues on the House floor while votes are taking place. With the exception of major events, like States of the Union addresses and joint sessions of Congress, members should no longer have lifetime floor privileges.



It wasn't always this way. Our nation's Founding Fathers were not full-time legislators, spending most of their time away from government by serving as farmers, practicing lawyers, or businessmen. Most members of the founding generation only served in office for a few years, preferring to return to their homes and businesses rather than continue service in a far-distant capital. Many Founders feared the development of a permanent political class, criticizing the Constitution for not limiting terms of office. Just as farmers rotate crops to ensure proper distribution of nutrients in the soil, so did Jefferson—himself a farmer—believe that term limits worked “to prevent every danger which might arise to American freedom by continuing too long in office the members of the Continental Congress.”<sup>3</sup>

Term limits in the United States actually preceded the United States itself, as many colonial legislatures imposed service limits on their members. For instance, the Fundamental Orders of Connecticut, approved in 1639, prohibited consecutive terms of service for the colonial governor.<sup>4</sup> The Articles of Confederation, which preceded the U.S. Constitution, also set a term of maximum service for members of Congress at three years out of every six.<sup>5</sup> Even today, most states have some form of term-limits for their governor and members of the state legislature. Nearly three-quarters of state governors (36) face some form of term limits, and 15 state legislatures have limited terms for members.<sup>6</sup> Florida has term limits for its executive and legislature; the state's Constitution prevents any executive officer or member of the legislature from running for re-election if that person has served in office for eight consecutive years.<sup>7</sup>

1. T.W. Farnam, “Study Shows Revolving Door of Employment between Congress, Lobbying Firms,” Washington Post September 13, 2011, [http://www.washingtonpost.com/politics/study-shows-revolving-door-of-employment-between-congress-lobbying-firms/2011/09/12/gIQAxPYROK\\_story.html](http://www.washingtonpost.com/politics/study-shows-revolving-door-of-employment-between-congress-lobbying-firms/2011/09/12/gIQAxPYROK_story.html).
2. Peter Nicholas, “Daschle Starting Consulting Firm in D.C.,” Wall Street Journal October 28, 2014, <http://www.wsj.com/articles/daschle-starting-consulting-firm-in-d-c-1414447691>.
3. Quoted in Robert Struble, Jr., “House Turnover and the Principle of Rotation,” Political Science Quarterly 94:4 (Winter 1979-80), [http://www.tell-usa.org/total/13-publications\\_files/PSQ\\_House\\_Turnover\\_1979.pdf](http://www.tell-usa.org/total/13-publications_files/PSQ_House_Turnover_1979.pdf), p. 649.
4. Fundamental Orders of Connecticut, approved January 14, 1639, Order 4, available online through the Yale Law School Avalon Project, [http://avalon.law.yale.edu/17th\\_century/order.asp](http://avalon.law.yale.edu/17th_century/order.asp).
5. Articles of Confederation, <http://www.usconstitution.net/articles.html>, Article V.
6. Council of State Governments, “Constitutional and Statutory Provisions for Number of Consecutive Terms for Elected State Officials,” Book of the States 2017, <http://knowledgecenter.csg.org/kc/system/files/4.9.2017.pdf>; National Council of State Legislatures, “The Term-Limited States,” March 13, 2015, <http://www.ncsl.org/research/about-state-legislatures/chart-of-term-limits-states.aspx>.
7. Florida State Constitution, Article VI, Section 4(b).



Constitutionally-imposed term limits of twelve years—six terms in the House of Representatives, or two terms in the Senate—would properly balance the need for Members of Congress to develop subject matter expertise, without making them creatures of Washington for their entire lives. Just as George Washington and our Founding Fathers were true citizen-legislators—returning to their farms and occupations at the end of their careers—so should our current cadre of representatives not become permanently entrenched in the nation’s capital.

## 2. FULL-TIME SALARY FOR FULL-TIME WORK:

Congress frequently has to rush to complete its legislative work at the last minute—voting on bills without reading them—because it spends so much time on vacation. From April 2017 through July 2018, a span of 15 months, the Senate only held substantive sessions on Friday twice.<sup>8</sup> Even as Senate Majority Leader Mitch McConnell rightly cancelled most of the Senate’s usual monthlong August recess in 2018, publications still talked of the “fear” that Senators have about working on Fridays.<sup>9</sup>

In December 2014, as he prepared to assume his role as Senate Majority Leader, Sen. McConnell rightly noted that “most people work five days a week,” in an interview where he also said that he wanted “to get the Senate back to normal.”<sup>10</sup> Unfortunately, the Senate since that time has continued its pattern of a three-day work week, with votes starting on Monday evening and ending on Thursday afternoon. That pattern might sound “normal” for the Senate—but for any worker or small business owner outside Washington, it sounds like a part-time job.

Congressional members collect an annual salary of \$174,000 – more than double what the average American family makes. They get paid an annual salary for a reason: to work for Americans. This means a full work week, not just a few days with long vacations on top. Governor Scott’s proposal will require members to put in a full work week, whether in Washington or in their districts, in order to keep their annual salary. Additionally, extended “recess periods” like the month-long August break, will be permanently eliminated.

“**CONGRESS FREQUENTLY HAS TO RUSH TO COMPLETE ITS LEGISLATIVE WORK AT THE LAST MINUTE—VOTING ON BILLS WITHOUT READING THEM—BECAUSE IT SPENDS SO MUCH TIME ON VACATION.**”

8. Elana Schor and Burgess Everett, “Senate’s Biggest Fear: Working on Fridays,” Politico June 6, 2018, <https://www.politico.com/story/2018/06/08/senate-recess-no-fridays-634648>.

9. Ibid.

10. James Carroll, “McConnell: Goal is Returning Senate to ‘Normal,’” Louisville Courier-Journal, December 23, 2014,

<https://www.courier-journal.com/story/news/politics/mitch-mcconnell/2014/12/23/mitch-mcconnells-goal-majority-leader-returning-senate-normal/20809535/>.

The process behind this past March's omnibus appropriations measure illustrates another example of the dysfunctional way Congress operates. House leaders posted the massive, 2,200-page document to the House Rules Committee's website at 8:00 PM the evening of March 21.<sup>11</sup> The House voted to approve the bill at 12:59 PM on the afternoon of March 22—only 17 hours after the bill had been introduced.<sup>12</sup> The Senate followed suit a mere 12 hours later, at 12:21 AM on the morning of March 23.<sup>13</sup> Fewer than 29 hours after congressional leaders introduced the measure—and long before anyone had a chance to read, much less understand, the legislation—Congress had passed the trillion dollar spending bill.

President Trump rightly criticized the process that led to this bill as a “ridiculous situation,” one that he never wants to repeat—and one which Congress should not.<sup>14</sup> When Republicans regained control of the House of Representatives in 2010, they pledged that they would “give all Representatives and citizens at least three days to read the bill before a vote.”<sup>15</sup> They even amended House rules to require that the House could not consider matters until “the third calendar day” after their public release.<sup>16</sup> But in practice, the “third calendar day” has meant not a full 72-hour period to read legislation, but merely that congressional leaders can release legislation before 11:59 PM on a Wednesday and vote on it just over 24 hours later (i.e., early Friday morning).<sup>17</sup> And Congress has violated even this requirement—as it did with the omnibus legislation earlier this year.<sup>18</sup> Congress doesn't even follow their own rules.

Except in national emergencies, Members of Congress should have at least 72 hours to review legislation prior to voting on it. Florida's Constitution has such a provision, requiring a 72 hour public review period before either chamber of the legislature passes any general appropriations measure.<sup>19</sup>

Likewise, the President should take several days to review legislation arriving from Congress, and collect input from the public, prior to signing it. Barack Obama proposed a similar requirement when running for President in 2008; unfortunately, upon taking office as President, he violated this promise within months, and the principle was quickly discarded and forgotten.<sup>20</sup>

**“ CONGRESS DOESN'T EVEN FOLLOW THEIR OWN RULES. ”**

11. House Rules Committee, “Bills to Be Considered on the House Floor: Text of Bills for the Week of March 19, 2018,” <https://docs.house.gov/floor/Default.aspx?date=2018-03-19>.
12. House Roll Call Vote 127 of 2018, <http://clerk.house.gov/evs/2018/roll127.xml>.
13. Senate Roll Call Vote 63 of the 115th Congress, 2nd Session, [https://www.senate.gov/legislative/LIS/roll\\_call\\_lists/roll\\_call\\_vote\\_cfm.cfm?congress=115&session=2&vote=00063](https://www.senate.gov/legislative/LIS/roll_call_lists/roll_call_vote_cfm.cfm?congress=115&session=2&vote=00063).
14. Julie Hirschfeld Davis and Michael Shear, “Trump Signs Spending Bill, Reversing Veto Threat and Avoiding Government Shutdown,” New York Times March 23, 2018, <https://www.nytimes.com/2018/03/23/us/politics/trump-veto-spending-bill.html>.
15. Draft of House Republican “Pledge to America,” September 22, 2010, [http://www.washingtonpost.com/wp-stv/politics/documents/GOP\\_pledge\\_09222010.pdf](http://www.washingtonpost.com/wp-stv/politics/documents/GOP_pledge_09222010.pdf).
16. Clause 4(a)(1) of Rule XIII, Rules of the House of Representatives, 115th Congress.
17. Terence Jeffrey, “Republican ‘Pledge’ Depends on What the Meaning of ‘3 Days’ Is,” CNS News December 12, 2013, <https://www.cnsnews.com/mrctv-blog/terence-p-jeffrey/republican-pledge-depends-what-meaning-3-days>.
18. Matt Fuller, “The Hollow Republican Promises to ‘Read the Bill,’” Huffington Post March 22, 2018, [https://www.huffingtonpost.com/entry/republicans-read-the-bill\\_us\\_5ab411cfe4b0decad0481ddb](https://www.huffingtonpost.com/entry/republicans-read-the-bill_us_5ab411cfe4b0decad0481ddb).
19. Florida State Constitution, Article III, Section 19(d).
20. Angie Drobnic Holan, “The Obameter: Allow Five Days of Public Comment Before Signing Bills,” Politifact May 26, 2009, <http://www.politifact.com/truth-o-meter/promises/obameter/promise/234/allow-five-days-of-public-comment-before-signing-b/>



# MAKE WASHINGTON WORK RESPONSIBLY

Just as Washington has failed to adhere to the principles of fiscal responsibility, so too have many Members of Congress taken actions that have abused the public trust. From stock trades to generous pensions to the “revolving door” to K Street, public service has never been more lucrative for today’s lawmakers—and the public recognizes the problem. A December 2017 Gallup survey found only 11% of Americans believe Members of Congress have high or very high ethical standards.<sup>21</sup> Ironically, this number represents a modest increase from the all-time low approval rating of 7% that Congress received in 2014.<sup>22</sup> Moreover, Senators and Representatives often use their post-congressional service to join one of the few professions with lower honesty ratings than Members of Congress themselves: Lobbyists.<sup>23</sup>

By its very nature, the first and last focus of public servants should be the public—not their own financial rewards. Enacting a series of comprehensive reforms in Washington should begin to restore the trust Americans have lost in their leaders.

### 3. STOP CONGRESS MEMBERS FROM CASHING IN AS LOBBYISTS:

Congress should not serve as a training ground for future lobbyists—period. At one time, elected officials served the public and then returned to their communities, homes, and prior professions. But for many, public service has now become a mere stopping ground, where Members of Congress can obtain the requisite experience and connections to become wealthy lobbyists. This “revolving door” undermines the public faith—not least because public servants have become viewed as compromised, shifting loyalties from their constituents and the public good toward special interests that will financially reward them in their post-Congressional career.



**ENACTING A SERIES OF COMPREHENSIVE REFORMS IN WASHINGTON SHOULD BEGIN TO RESTORE THE TRUST AMERICANS HAVE LOST IN THEIR LEADERS.**



21. Gallup, “Honesty and Ethics in Professions,” <http://www.gallup.com/poll/1654/Honesty-Ethics-Professions.aspx>.

22. Ibid.

23. Ibid.

The career path from Congress to K Street has become the norm, not the exception—a path equally abused by both parties. One researcher notes that, in 1974, only 3% of retiring members became lobbyists; by 2010, that number soared to 42% of House members, and 50% of Senators.<sup>24</sup> Of the 26 Members of Congress who departed after the November 2016 elections and obtained new employment, nearly two in three (62%) either work at a lobbying firm, or are employed by organizations that hire lobbyists.<sup>25</sup>

“**CONGRESS SHOULD NOT SERVE AS A TRAINING GROUND FOR FUTURE LOBBYISTS—PERIOD.**”



What’s more, former Members of Congress also utilize a loophole exploited by former Senate Majority Leader Tom Daschle—avoiding registration under the Lobbying Disclosure Act by serving as “consultants.”<sup>26</sup> These individuals work at lobbying firms, consult regularly with registered lobbyists, and advise their clients on how to lobby Congress, but because the former Members do not directly contact their former Congressional colleagues themselves, do not have to classify themselves as lobbyists under federal law—a distinction many would view as largely semantic in nature.<sup>27</sup>

For all these reasons, Congress should ban former Members of Congress from lobbying outright. While this proposal might raise possible constitutional concerns, reform-minded lawmakers have reason to embrace it regardless. At the very least, the “cooling off” period for Members of Congress to work as lobbyists, or as “consultants” at lobbying firms<sup>28</sup> should be extended to a minimum of 10

“**CONGRESS SHOULD BAN FORMER MEMBERS OF CONGRESS FROM LOBBYING OUTRIGHT.**”

24. Elliot Gerson, “To Make America Great Again, We Need to Leave the Country,” *The Atlantic* July 10, 2012, <http://www.theatlantic.com/national/archive/2012/07/to-make-america-great-again-we-need-to-leave-the-country/259653/>.
25. List available through the Center for Responsive Politics at <http://www.opensecrets.org/revolving/departing.php?cong=114>.
26. Lisa Rosenberg, “Tom Daschle’s New Job Title: Stealth Lobbyist?” *Sunlight Foundation* December 1, 2009, <http://sunlightfoundation.com/blog/2009/12/01/tom-daschles-new-job-title-stealth-lobbyist/>.
27. Fredreka Schouten, “Ex-Lawmakers Go to Lobbying-Related Jobs,” *USA Today* March 26, 2013, <http://www.usatoday.com/story/news/politics/2013/03/25/former-lawmakers-lobbying-jobs/2011325/>.
28. The Honest Leadership and Open Government Act, P.L. 110-81, increased the “cooling off” period for “very senior” executive staff (codified at 18 U.S.C. 207(d)) and U.S. Senators (codified at 18 U.S.C. 207(e)(1)(A)) to two years, while also expanding the one-year “cooling off” period for “very senior” Senate staff. Members of the House of Representatives still have a “cooling off” period of only one year. See Jack Maskell, “Post-Employment, ‘Revolving Door’ Laws for Federal Personnel,” Congressional Research Service Report 97-875, January 7, 2014, <https://fas.org/sgp/crs/misc/R42728.pdf>.

## 4. END CONGRESSIONAL PAY RAISES AND PENSIONS:

In our Republic, the people should have the power to hold their elected officials accountable for their votes and actions in office. When elected officials vote to increase their own pay, voters have the right to judge whether these politicians deserve that increase in salary.

The Framers of the Constitution fully subscribed to this belief. In fact, the first Congress proposed by a 2/3rd vote a constitutional amendment: “No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.” While introduced by James Madison—then a Representative from Virginia—in June 1789, and formally proposed by Congress to the states later that year, the amendment languished for two centuries.<sup>29</sup> Not until 1992 did three-quarters of states ratify its adoption, making it the 27th Amendment to the United States Constitution.



**WHEN ELECTED OFFICIALS VOTE TO INCREASE THEIR OWN PAY, VOTERS HAVE THE RIGHT TO JUDGE WHETHER THESE POLITICIANS DESERVE THAT INCREASE IN SALARY.**



But even before 38 states ratified this constitutional amendment, Congress had already found a loophole. A provision enacted into law in 1975—exactly one year to the day after President Nixon resigned in disgrace following the Watergate scandal—allowed legislators to receive automatic pay increases without any additional vote by Members of Congress.<sup>30</sup> The law euphemistically refers to these raises as “cost of living adjustments,” but they amount to pay increases. As a result, Congress automatically gives itself an annual pay increase, unless Members pass a law directly cancelling that year’s increase.

Since the Wall Street crisis and economic downturn, the public attention on legislators’ behavior has been so severe that Congress has explicitly overridden the pay increase provision each year; Congress’ last pay raise occurred in January 2009.<sup>31</sup> But current law defaults to give Congress a pay raise every year, making an annual pay raise the rule, not the exception. In January 2019, Congress will receive an automatic salary increase of up to \$4,000, unless and until it explicitly prohibits it.<sup>32</sup> This process—whereby Congress increases its own pay without actually voting to do so—obscures transparency and undermines the public faith in an honest government.

29. Richard Bernstein, “The Sleeper Wakes: The History and Legacy of the 27th Amendment,” *Fordham Law Review* 61:3 (1992), pp. 497-557, <http://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=3017&context=flr>.

30. Section 204(a) of P.L. 94-82, as amended by Section 704 of the Ethics Reform Act of 1989, P.L. 101-194, codified at 2 U.S.C. 31.

31. Ira Brudnick, “Salaries of Members of Congress: Recent Actions and Historical Tables,” Congressional Research Service Report 97-1011, April 11, 2018, <https://fas.org/sgp/crs/misc/97-1011.pdf>.

32. *Ibid.*

Moreover, the process established by Congress 40 years ago to raise its own pay violates the spirit—and perhaps the letter—of a constitutional amendment proposed by none other than James Madison himself. While federal circuit courts have upheld the existing pay raise process, the Supreme Court has never actually opined as to whether this mechanism is consistent with the 27th Amendment.<sup>33</sup>

For all these reasons, Congress should repeal the automatic pay raise provisions included in current law, thereby eliminating attempts to link its pay with any other member of the government or government program. While many have suggested linking Congressional pay increases to some other action, such a mechanism merely serves to create a complicated system that politicians will try to game.

Instead, the salary of each Members of Congress should remain locked at the salary level in effect when a Member first takes office – and stay completely unchanged no matter how long they serve. This change will eliminate Members’ ability to vote for their own pay raises, knowing that their specific compensation will remain fixed for the duration of their tenure in Congress.

**“ THE SALARY OF EACH MEMBERS OF CONGRESS SHOULD STAY COMPLETELY UNCHANGED NO MATTER HOW LONG THEY SERVE. ”**



In addition to taxpayer-funded salaries, Members of Congress also receive incredibly generous pension benefits.<sup>34</sup> However, serving in Congress should not be a career – and taxpayers should not be required to foot the pension bill for Members of Congress at all. Any plan to reform Washington should end the gravy train for Senators and Representatives by abolishing the congressional pension formula.

Members of Congress qualify for taxpayer-funded pensions after just 5 years, the amount of which depends on Members’ length of service and three highest years of salary. Nearly all Members participate in the Federal Employees Retirement System, which as of 2016 provided an average yearly pension payment of \$41,076, not including Social Security benefits. Members who served before 1984 receive on average \$74,028 annually from the Civil Service Retirement System, but do not qualify for Social Security benefits based on their service in Congress.<sup>35</sup>

33. The case was at the United States Court of Appeals for the District of Columbia, *Boehner v. Anderson*, 30 F.3d 156 (D.C. Cir. 1994).

34. Katelin Isaacs, “Retirement Benefits for Members of Congress,” Congressional Research Service Report RL30631, December 5, 2017, <https://fas.org/sgp/crs/misc/RL30631.pdf>.

35. *Ibid.*

While Members of Congress contribute a small portion of their salaries to their pension fund, the overwhelming majority of these contributions come from taxpayers themselves. Members of Congress and staff first hired or elected prior to December 31, 2012 pay 1.3% of their salary to the Federal Employee Retirement System (FERS), with their employing agency paying 19.1% of salary for Congressional staff, and 20.8% of salary for Members of Congress. Conversely, Members of Congress and their staff first covered by FERS after December 31, 2013 contribute 4.4% of pay, with their employing agency contributing 12%.<sup>36</sup>

The formula demonstrates the outrageous taxpayer subsidies given to Members of Congress' pensions over and above their generous salaries. Members of Congress serving prior to 2013 receive a total contribution of 22.1% of their salary, of which the overwhelming majority—more than 94%—comes not from their own paychecks, but from the paychecks of hard-working taxpayers via a federal subsidy. Even under the “new” system, Members of Congress will pay just over one-quarter (27%) of their pension costs themselves, with taxpayers on the hook for the remaining three-quarters.

## 5. STOP UNFAIR BIG GOVERNMENT-RUN INSURANCE SUBSIDIES:

Members of Congress should not receive insurance subsidies that can total well into the five figures on top of their generous pay. President Trump has previously threatened to withdraw the OPM subsidies for Members of Congress and he should follow through on his threats to cancel them.<sup>37</sup> If he does not, Congress itself should act to end the illegal subsidies by clarifying the statute.

This unfair and unethical practice began after Sen. Chuck Grassley (R-IA) offered an important amendment during the Senate Finance Committee’s markup of the bill that became Obamacare. His proposal required Members of Congress and their staff to enroll in the Obamacare Exchanges.<sup>38</sup> Given that literally millions of people received cancellation notices due to Obamacare, this provision would ensure that Members of Congress would receive the exact same health coverage as the public at large.



**“ MEMBERS OF CONGRESS SHOULD NOT RECEIVE INSURANCE SUBSIDIES THAT CAN TOTAL WELL INTO THE FIVE FIGURES ON TOP OF THEIR GENEROUS PAY. ”**

36. Ibid., pp. 7-8. The change arises from provisions in the Middle Class Tax Relief and Job Creation Act of 2012, P.L. 112-96, and the Bipartisan Budget Act of 2013, P.L. 113-67.

37. Joel Schectman, “Trump Threatens to End Insurance Payments if No Health Care Bill,” Reuters July 29, 2017, <https://www.reuters.com/article/us-usa-healthcare-trump-idUSKBN1AE0QQ>.

38. Text of the original Grassley amendment and a fuller discussion of the legislative history can be found in Robert Moffitt, Ed Haislmaier, and Joseph Morris, “Congress in the Obamacare Trap: No Easy Escape,” Heritage Foundation Backgrounder No. 2831, August 2, 2013, [http://thf\\_media.s3.amazonaws.com/2013/pdf/bg2831.pdf](http://thf_media.s3.amazonaws.com/2013/pdf/bg2831.pdf), pp. 3-7.

As the January 2014 implementation date for Obamacare approached, congressional staff complained that the bill cut off Members and their staff from the health insurance subsidies the federal government provides as an employer. But rather than change the law in a transparent manner, congressional leaders instead persuaded the Office of Personnel Management (OPM) to issue a rule allowing both staff—and Members themselves—to continue receiving employer subsidies through the Exchanges.

The result ended up becoming a prototypical example of the Washington “swamp” at work. In what amounted to a bipartisan “backroom deal,” both then-House Speaker John Boehner (R-OH) and then-Senate Majority Leader Harry Reid (D-NV) connived with President Obama to have OPM issue the regulations unilaterally, without a vote from Congress on the matter.<sup>39</sup> The regulation the Obama Administration issued allows only Members of Congress and their staff to receive an employer subsidy through the Exchanges.<sup>40</sup> Moreover, to allow Members and staff to receive these subsidies, OPM classified Congress as a small business of under 50 employees— an entirely misleading classification.

Legal analysts have found that the special rule violated federal law in several respects.<sup>41</sup> In fact, Sen. Ron Johnson (R-WI) filed suit attempting to block the illegal subsidies. While the courts were unwilling to consider one lawmaker’s lawsuit, it does not mean Washington should allow these illegal actions to continue.



**“ THIS PROVISION WOULD ENSURE THAT MEMBERS OF CONGRESS WOULD RECEIVE THE EXACT SAME HEALTH COVERAGE AS THE PUBLIC AT LARGE. ”**

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39. John Bresnahan and Jake Sherman, “Obama on Hill’s ACA Mess: I’m On It,” Politico July 31, 2013, <https://www.politico.com/story/2013/07/obama-hill-health-care-dispute-095017>.  
40. Office of Personnel Management, final rule on “Federal Health Employee Benefits Program: Members of Congress and Congressional Staff,” Federal Register October 2, 2013, <https://www.gpo.gov/fdsys/pkg/FR-2013-10-02/pdf/2013-23565.pdf>, pp. 60653-56.  
41. Moffit, Haislmaier, and Morris, “Congress in the Obamacare Trap: No Easy Escape.”

# MAKE WASHINGTON WORK EFFICIENTLY

It's clear that Washington has a fiscal accountability problem—and a major spending problem. Decades of deficits have created more than \$21 trillion in debt for the federal government—debt that our children, grandchildren, and their grandchildren will struggle to pay.<sup>42</sup>

Rather than addressing this mountain of debt, the Obama Administration made it infinitely worse. From January 20, 2009, the day Barack Obama took office, until he left office eight years later, the gross national debt grew by over \$9.3 trillion—from \$10,626,877,048,913.08 to \$19,947,304,555,212.49.<sup>43</sup>

The old axiom holds that when you're in a hole, stop digging. It's time for that spirit of common sense to return to Washington. Simple structural reforms will bring a much-needed dose of sanity to our nation's capital, forcing the President and Members of Congress to confront our chronic overspending problem, rather than avoiding it or adding to the fiscal burdens faced by future generations.

## 5. SUPERMAJORITY VOTE TO APPROVE ANY TAX OR FEE INCREASE:

A supermajority requirement to raise taxes or fees would ensure that taking more of Americans' hard-earned dollars would come as a last resort, not a first option. This type of fiscal restraint should lead Washington to become wiser stewards of taxpayer funds, and help to stop the spending binge that is plaguing the nation's capital. Making it harder for politicians to raise taxes and helping families and job creators keep more of their hard-earned money is the best way to ensure long-term economic growth.

**“ A SUPERMAJORITY REQUIREMENT TO RAISE TAXES OR FEES WOULD ENSURE THAT TAKING MORE OF AMERICANS' HARD-EARNED DOLLARS WOULD COME AS A LAST RESORT, NOT A FIRST OPTION. ”**

42. U.S. Treasury Department, "Debt to the Penny," <http://www.treasurydirect.gov/NP/debt/current>.

43. Ibid.

After all, the United States is still struggling to recover from the red ink of the Obama years. The President's first major act—passing an \$830 billion “stimulus” bill—added debt in the short-term.<sup>44</sup> And Obamacare, which will spend more than \$1.6 trillion on its new entitlements in the next decade, will add to that debt in the long term as well.<sup>45</sup> Our federal government never spent more than \$3 trillion in any fiscal year before President Obama took office—but under his watch, the federal government spent an average of \$3.5 trillion per year in his first six years in office, rising to nearly \$4 trillion at the end of his term.<sup>46</sup>

In recent years, deficits ballooned not because Washington taxed too little, but because it spent too much. For instance, during the Obama Administration, federal spending as a percentage of Gross Domestic Product (GDP) exceeded all postwar records for three straight years.<sup>47</sup> Federal spending from for Fiscal Years 2009 through 2011, totaled more than 23 percent of GDP each year, exceeding the highest level of spending as a percentage of GDP since World War II.

Moreover, spending during each and every year of the Obama presidency exceeded historical levels of taxation. Spending skyrocketed to 24.4 percent of GDP during Obama's first year in office, and fell only gradually to 20.8 percent of GDP in his last year of office. But the federal government raised more than 20 percent of GDP in revenues in only two years. In 1944, the federal government collected 20.5 percent of GDP during World War II, and in 2000, the federal government collected 20.0 percent of GDP in revenues during the height of the dot-com boom.<sup>48</sup>

During his 2008 campaign, Barack Obama told struggling middle-class families that he would not raise their taxes. In a speech in New Hampshire on September 12, 2008, Obama said that

“I can make a firm pledge: Under my plan, no family making less than \$250,000 a year will see any form of tax increase. Not your income tax, not your payroll tax, not your capital gains taxes, not any of your taxes.”<sup>49</sup>

That “firm pledge” proved to be campaign rhetoric. Within three weeks of taking office, Obama signed the first of several tax increases on the middle class, to pay for another unsustainable spending binge.<sup>50</sup>



44. Congressional Budget Office, "Estimated Impact of the American Recovery and Reinvestment Act on Employment and Economic Output in 2014," February 2015, <https://www.cbo.gov/sites/default/files/cbofiles/attachments/49958-ARRA.pdf>.
45. Congressional Budget Office, "Federal Subsidies for Health Insurance Coverage for People Under Age 65," May 2018 baseline, <https://www.cbo.gov/sites/default/files/recurringdata/51298-2018-05-healthinsurance.pdf>, Table 2. Total includes spending on "Nongroup Coverage and the Basic Health Program," along with those made eligible for Medicaid under the Patient Protection and Affordable Care Act, P.L. 111-148.
46. White House Office of Management and Budget, Fiscal Year 2019 Budget, Historical Tables, February 2018, <https://www.whitehouse.gov/wp-content/uploads/2018/02/hist-fy2019.pdf>, Table 1-1, Summary of Receipts, Outlays, and Surpluses or Deficits, 1789-2023.
47. Ibid., Table 1.2, Summary of Receipts, Outlays, and Surpluses or Deficits as Percentages of GDP, 1930-2023.
48. Ibid., Table 1-2.
49. John Kartch, "Documentation of President Obama's Middle Class Tax Pledge," Americans for Tax Reform December 12, 2012, <https://www.atr.org/documentation-president-obamas-middle-class-tax-a7382>.
50. Angie Drobnic Holan, "The Obameter: No Family Making Less than \$250,000 Will See 'Any Form of Tax Increase,'" Politifact April 8, 2010, <http://www.politifact.com/truth-o-meter/promises/obameter/promise/515/no-family-making-less-250000-will-see-any-form-tax/>.



“ **IN FLORIDA, WE HAVE FOUGHT TO STOP GOVERNMENT FROM RAIDING CITIZENS’ POCKETS UNNECESSARILY.** ”

Thanks to President Obama’s broken campaign promise, the American people suffered numerous tax increases. With the middle class still struggling to make ends meet, Americans should not face more tax hikes because Washington remains too feeble to stop its own spending sprees.

In Florida, we have fought to stop government from raiding citizens’ pockets unnecessarily. Constitutional Amendment 5, which I proposed and the legislature approved, will give Floridians the opportunity to vote in November to require a two-thirds majority vote for the legislature to raise taxes or fees. Congress should follow Florida’s lead and pass a similar constitutional amendment requiring a supermajority vote for any tax or fee increase, and send it to the states for ratification.

Seven states have required supermajority votes of legislators to raise taxes for sustained periods of time without suffering undue economic or fiscal hardship.<sup>51</sup> Moreover, many tax increases—including the largest tax increase in American history, enacted by President Bill Clinton and a Democratic Congress in 1993—have passed by the narrowest of margins.<sup>52</sup> For instance, Obamacare contained 20 tax increases raising \$1 trillion in revenues, and it passed the House by a slender 219-212 margin.<sup>53</sup>

“ **CONGRESS SHOULD FOLLOW FLORIDA’S LEAD AND PASS A SIMILAR CONSTITUTIONAL AMENDMENT REQUIRING A SUPERMAJORITY VOTE FOR ANY TAX OR FEE INCREASE.** ”



51. Daniel Mitchell, “Why a Supermajority Would Protect Taxpayers,” Heritage Foundation F.Y.I #93, March 29, 1996, [http://s3.amazonaws.com/thf\\_medi1/1996/pdf/fyi93.pdf](http://s3.amazonaws.com/thf_medi1/1996/pdf/fyi93.pdf).  
52. Ibid.  
53. John Kartch, “List of Obamacare Tax Hikes,” Americans for Tax Reform February 23, 2017, <https://www.atr.org/list-obamacare-tax-hikes>; House Roll Call Vote 165 of 2010, <http://clerk.house.gov/evs/2010/roll165.xml>.

## 7. NO BUDGET, NO PAY:

Funding government is one of the most basic responsibilities of Congress. Florida has seen firsthand the negative impacts of government shutdowns and it only hurts families—not the career politicians that failed to do their job. If Florida business owners failed to do their jobs, they would be forced to shut their doors and families would be out of work. It's not fair that we do not hold government to the same standards we hold ourselves, and Congress must be held accountable for the job they were elected to do.

In fact, for more than four decades, Congress has been required to pass a budget. The Congressional Budget and Impoundment Control Act of 1974 included explicit timetables for both houses of Congress to complete action on their budgets and spending bills—and the law still includes requirements on Congress today.<sup>54</sup> Federal law requires both houses of Congress to approve a budget for the next fiscal year by April 15, a deadline that allows the appropriations committees in each body to spend the late spring and early summer writing the 12 annual spending bills.<sup>55</sup> Federal law further requires the House of Representatives to pass all its spending bills by June 30—and prohibits the House from adjourning in July if it has not done so.<sup>56</sup>

These statutory requirements have been so regularly ignored that Congress treats them as virtually meaningless. When Democrats controlled the Senate, they went nearly four years without passing a budget. Republican leaders in the Senate started the year by stating that they had no intention of passing a budget at all in 2018.<sup>57</sup>

And both Republicans and Democrats have disregarded the requirement for the House to pass all of its spending bills by June 30. This year, for instance, the Republican-led House of Representatives passed four of the 12 spending bills by June 30—a failing mark of only 33%.<sup>58</sup> And last year, Congress barely voted on any spending bills at all—leading to a massive, 2,200 page omnibus appropriations bill being rammed through Congress in mere hours this past March.<sup>59</sup>



54. The original statute as enacted in 1974, P.L. 93-344, can be found at <http://www.gpo.gov/fdsys/pkg/STATUTE-88/pdf/STATUTE-88-Pg297.pdf>.

55. The current timetable is laid out at 2 U.S.C. 631.

56. Ibid; the statutory prohibition on adjournment is at 2 U.S.C. 640.

57. Rachael Bade and Sarah Ferris, "GOP May Skip Budget, Kneecapping 2018 Ambitions," Politico January 10, 2018, <https://www.politico.com/story/2018/01/10/gop-may-skip-budget-kneecapping-2018-ambitions-334946>.

58. Library of Congress, Fiscal Year 2019 appropriations table, <https://www.congress.gov/resources/display/content/Appropriations+for+Fiscal+Year+2019>.

59. Consolidated Appropriations Act of 2017, P.L. 115-141; text available at <https://www.congress.gov/115/bills/hr1625/BILLS-115hr1625eah.pdf>.

**“ CONGRESS CONTINUES TO SPEND THE MONTH OF AUGUST ON VACATION NEARLY EVERY YEAR, DESPITE FAILING TO APPROVE SPENDING BILLS IN A TIMELY FASHION. ”**

Unlike virtually any other employee in any business large or small, failing to meet explicit job requirements has little effect on Members of Congress. Congress did pass a “No Budget, No Pay” Act in 2013, but it only applied to that fiscal year. The requirement was mere window dressing used to give the Obama Administration a blank check to increase the national debt—once President Obama received the debt limit increase he wanted, “No Budget, No Pay” was quickly jettisoned by the Congressional leadership of both parties, never to be seen again.<sup>60</sup> Meanwhile, Congress continues to spend the month of August on vacation nearly every year, despite failing to approve spending bills in a timely fashion.

With our nation facing over \$21 trillion of debt, we must confront our dysfunctional Congress. Most importantly, Congress must face real consequences for its own dysfunction:

- Failing to meet a deadline should mean failing to receive pay. Namely, when Members of Congress do not meet the timetable laid out in the Budget Act, their salary should be withheld until they do:
  - o If both Houses of Congress do not agree to a budget resolution by April 15, Members of Congress should not get paid;
  - o If the House of Representatives—which under constitutional convention takes the lead on all spending bills—does not pass all the annual spending measures by June 30, then Members of the House should not get paid; and
  - o If Congress does not see all its spending bills signed into law by September 30, then Congress should not get paid.
- If Congress does not meet any of the deadlines listed above—deadlines that already exist—then its travel allowances should immediately cease until they comply with federal law. If Congress has not met its most basic duty—to set a budget, and to pass the spending bills that keep the federal government running—then Members should not get taxpayer-funded subsidies to go on overseas junkets, or go home to campaign for re-election. They should remain in Washington and do the job that taxpayers elected them to do.



**“ CONGRESS MUST FACE REAL CONSEQUENCES FOR ITS OWN DYSFUNCTION ”**

60. H.R. 325, P.L. 113-3..

Furthermore, While Congress should complete its work on government spending bills by the September 30 end of the fiscal year—and Members of Congress should not get paid if they do not—the general public should not suffer due to congressional incompetence. Various legislative proposals would allow an automatic extension of spending authority—in Washington-speak, an automatic continuing resolution—in the event that Congress does not pass all its spending bills on time.<sup>61</sup>

These plans have proposed different methods of determining the rate at which spending would continue.

However, for ease of implementation, the simplest automatic extension would continue discretionary appropriations (i.e., spending) at current fiscal year levels, without providing for a spending increase. Whereas the Washington establishment always wants to assume increases in spending, this proposal would default to a spending freeze.

This proposal would provide conservatives with a small but important tactical advantage. Just as the Hippocratic Oath instructs physicians to first do no harm, this concept would ensure that at minimum Congress would not dig its fiscal hole any deeper by increasing spending.<sup>62</sup> While the spenders in both political parties would still advocate for ever-higher levels of government largesse, creating an automatic spending freeze if Congress has not passed its spending bills would attempt to provide at least a modicum of fiscal restraint.



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61. For more information, see Jessica Tollestrup, "Automatic Continuing Resolutions: Background and Overview of Recent Proposals," Congressional Research Service Report R41948, August 20, 2015, <https://fas.org/sgp/crs/misc/R41948.pdf>.

62. Other proposals would provide for spending reductions at regular intervals. For instance, in 2013 Sen. Rob Portman (R-OH) proposed Senate Amendment 7 (113th Congress), which would have reduced spending by one percent after 120 days, and every 90 days thereafter. While these proposals would create automatic savings should a continuing resolution last for a prolonged period, by reducing spending at regular intervals, they could also increase pressure for Congress to arrive at an agreement that increases spending when compared to a continuing resolution that retains prior year funding levels. See Tollestrup, "Automatic Continuing Resolutions," p. 16.

## 8. LINE-ITEM VETO:

In Florida, a line item veto has given more oversight to the budget process and has helped ensure taxpayer dollars are being spent wisely and with the best return on investment. Floridians have saved nearly \$2.4 billion through the governor's line item veto authority, which has eliminated more than 1,800 pet projects from state budgets over the past seven and a half years. At least 40 other states also have a line-item veto – it's just common sense. It is long past time for Congress to reinstitute the line-item veto.

For decades, Presidents of both political parties have asked Congress to give them line-item veto authority—the ability to cancel wasteful and unnecessary spending provisions in a bill without vetoing the entire measure. Democrat Congresses consistently refused to pass such authority, but a Republican Congress finally enacted the line-item veto in 1996.<sup>63</sup> However, the Supreme Court later ruled this version of the line-item veto an unconstitutional delegation of Congress' legislative authority.<sup>64</sup>

## “ FLORIDIANS HAVE SAVED NEARLY \$2.4 BILLION THROUGH THE GOVERNOR'S LINE ITEM VETO. ”

In the time since, legislators have crafted a new version of the line-item veto that will meet constitutional muster. This version would allow the President to propose rescinding (i.e., cancelling) wasteful spending projects—and require Congress to consider the President's proposals on a fast-track basis, leading to an immediate up-or-down vote.<sup>65</sup>

Unfortunately, the movement to re-enact a line-item veto has lost steam. While the Republican-led House of Representatives passed this version of a line-item veto (i.e., enhanced rescission authority) in 2012, it never received a vote in the Democrat-led Senate—and neither the House nor the Senate has considered the measure since.<sup>66</sup> With the United States more than \$21 trillion in debt, the federal government needs every tool in its arsenal to exercise fiscal restraint and stop over-spending.



## “ AT LEAST 40 OTHER STATES ALSO HAVE A LINE-ITEM VETO — IT'S JUST COMMON SENSE. ”

63. The Line-Item Veto Act of 1996, P.L. 104-130.

64. *Clinton v. City of New York*, 524 U.S. 417.

65. See, for instance, H.R. 4890 and S. 2381 of the 109th Congress, the Legislative Line-Item Veto Act of 2006.

66. H.R. 3521 of the 112th Congress, the Expedited Line-Item Veto and Enhanced Rescissions Act of 2012.

## 9. END GOVERNMENT WASTE:

In Washington, leaders of both parties often jam numerous unrelated provisions into one catch-all piece of legislation. For instance, the “No Budget, No Pay” bill that Congress passed in 2013 was attached to a debt-limit increase that gave President Obama a blank check to increase the nation’s borrowing.<sup>67</sup> Fundamentally, the legislation intended to increase the national debt—but because Congressional leaders added unrelated matters to the bill, Members of Congress who opposed hundreds of billions in new borrowing faced political attacks for also voting against the “No Budget, No Pay” provisions at the same time. This only makes sense in Washington – not in the real world.

Congressional leaders frequently ram these massive bills through the legislative process so quickly that Members of Congress have no time to read, let alone understand, what they are voting on. Nancy Pelosi’s infamous Obamacare warning that “We have to pass the bill so that you can find out what’s in it” applies to more than just that 2,700-page monstrosity.<sup>68</sup> For instance, only weeks after the 2009 “stimulus” bill passed—estimated to cost taxpayers \$836 billion in government spending, not to mention future interest costs—did the public learn that the measure also included language allowing executives at AIG and other banks receiving federal bailout funds to keep hundreds of millions of dollars in bonuses.<sup>69</sup> Letting executives at failed banks keep massive incentive payments had little to do with “stimulating” the economy—but the Obama Administration secretly had this unrelated, and unpopular, provision inserted in the “stimulus” bill.

Fixing these flaws requires more sunshine and more deliberation by Congress to pass legislation in an orderly fashion. Specifically, all bills in Congress should remain limited to one general subject matter area—a requirement present in most state legislatures in some form or fashion. At least 41 states have constitutional provisions requiring legislation to address only one subject.<sup>70</sup> If these provisions have worked in an overwhelming majority of states, they can work in Washington as well.

Likewise, Congress should prohibit catch-all, “omnibus” appropriations bills, totaling thousands of pages and trillions of dollars in spending. Congress should pass each of its 12 spending bills separately, rather than wrapping all its work for the year into one massive “Christmas tree” bill rammed through at the eleventh hour.

These steps will not by themselves solve all of America’s fiscal problems. However, the changes outlined above will eliminate significant government waste and put our country on the path to fiscal discipline—and our elected leaders on notice that the status quo of taxing and spending our country to a debt-ridden oblivion must change, and must change now.

“MEMBERS OF CONGRESS HAVE NO TIME TO READ,  
LET ALONE UNDERSTAND, WHAT THEY ARE VOTING ON.”

67. H.R. 325 of the 113th Congress, P.L. 113-3.

68. Speech at the Legislative Conference for the National Association of Counties, March 9, 2010; video available at <https://www.youtube.com/watch?v=hV-05TLiLU>.

Congressional Budget Office, “Estimated Impact of the American Recovery and Reinvestment Act on Employment and Economic Output in 2014,” February 2015, <https://www.cbo.gov/sites/default/files/cbofiles/attachments/49958-ARRA.pdf>; “Dodd: Administration Pushed for Language Protecting Bonuses,” CNN March 18, 2009, <http://www.cnn.com/2009/POLITICS/03/18/aig.bonuses.congress/index.html>. The relevant language is at Section 7001 of the American Recovery and Reinvestment Act, P.L. 111-5.

70. National Council of State Legislatures, “Single-Subject Rules,” updated May 9, 2009, <http://www.ncsl.org/research/elections-and-campaigns/single-subject-rules.aspx>.

## 10. IMPROVE TRANSPARENCY AND ACCOUNTABILITY:

While Congress needs to exercise restraint in stopping the growth of federal spending, it also needs the best advice it can get in doing so. Unfortunately, at times the Congressional Budget Office (CBO), Congress' non-partisan scorekeeper, does not fulfill its duty to act in an open and transparent manner when analyzing legislation.

For example, earlier this year CBO made a major scoring error when analyzing a change Congress made to the Medicare Part D prescription drug program in February. While CBO said at the time that the provision would have a \$7.7 billion impact, it concluded after the provision's enactment that the change would have an \$11.8 billion impact—more than 53 percent larger than the original estimate.<sup>71</sup> Upon discovering the error, CBO concealed the matter for months—trying to hide the mistake from the public, instead of disclosing it, and explaining what steps it would take to prevent similar mishaps from recurring in the future.<sup>72</sup>

**“ WHILE CONGRESS NEEDS TO EXERCISE RESTRAINT IN STOPPING THE GROWTH OF FEDERAL SPENDING, IT ALSO NEEDS THE BEST ADVICE IT CAN GET IN DOING SO.**



For this reason, Congress should consider creating an ombudsman to oversee the Congressional Budget Office, and ensure it always acts in an open, transparent, and non-partisan manner. Members of Congress should also undertake more rigorous and robust oversight of CBO's operations, particularly in the case of clear mistakes such as the one earlier this year. An independent ombudsman would serve as an effective watchdog, ensuring that CBO does not abuse its position to act in ways that put it above or outside congressional oversight.

In addition, CBO should also release more information about the models it uses to analyze legislation, and receive comments on those models, prior to putting them to use. Director Keith Hall testified before Congress on CBO's intention to publish information about elements of its models, including those used to analyze health insurance proposals.<sup>73</sup> CBO should go further, by releasing all of the assumptions and computer code underpinning its economic models, and allowing individuals to comment on those models. In this way, think-tanks—both liberal and conservative—private economic forecasters, and other similar entities would have a chance to comment on the assumptions behind CBO's models before the budget agency begins using them. This reform would improve transparency for CBO, while maintaining the organization's non-partisan character.

71. Congressional Budget Office, "Answers to Questions for the Record Following a Hearing on The Budget and Economic Outlook: 2018 to 2028 Conducted by the Senate Budget Committee," May 3, 2018, <https://www.cbo.gov/system/files/115th-congress-2017-2018/reports/53800-sbc-qfrs.pdf>, pp. 2-3.

72. Chris Jacobs, "How a CBO Error Could Cost the Pharmaceutical Industry Billions," *The Federalist* May 10, 2018, <http://thefederalist.com/2018/05/10/cbo-error-cost-pharmaceutical-industry-billions/>.

73. Testimony of Keith Hall, Congressional Budget Office Director, before a hearing of the House Budget Committee on "CBO Oversight: The Role of Behavioral Modeling in Scoring and Baseline Construction," February 27, 2018, <https://budget.house.gov/wp-content/uploads/2018/02/Hall-testimony-Feb-27-CBO-oversight-hearing.pdf>, p. 3.

“LET’S MAKE  
WASHINGTON  
WORK FOR US!”



**RICK SCOTT**  
FOR SENATE