

Congress of the United States
Washington, DC 20515

November 19, 2010

The Honorable John A. Boehner
Speaker-designate
U.S. House of Representatives
H-204, The Capitol
Washington, DC 20515

Dear Speaker-designate Boehner:

As the Republican Conference prepares its package of proposed House Rules for consideration on the opening day of the 112th Congress, we respectfully urge you to retain the rule that enables the Delegates and the Resident Commissioner to vote when the House resolves into the Committee of the Whole, and that provides for an automatic revote in the full House when the votes of the Delegates or the Resident Commissioner are decisive.

This rule has been found to pass constitutional muster by the U.S. Court of Appeals for the District of Columbia. See Michel v. Anderson, 14 F.3d 623 (D.C. Cir. 1994). It has not impeded the work of the House during the three Congresses in which it has been in place: the 103rd Congress (1993-1994), the 110th Congress (2007-2008), and the current 111th Congress (2010-2011). The rule has been carefully crafted to allow the Majority to decide when it is appropriate for legislation to be considered in the Committee of the Whole and, more specifically, to be subject to delegate voting. Therefore, if the Majority determines that a particular bill is better considered without delegate voting, the Rules Committee can report a rule that provides for voting to be structured accordingly—as occurred in several instances during the 110th and 111th Congresses. We deeply appreciate that your Conference did not seek to repeal or otherwise alter this rule when the Ranking Republican Member of the Rules Committee offered his Motion to Commit with instructions at the start of the 111th Congress. We hope that your proposed Rules package for the 112th Congress will be consistent with that prior position.

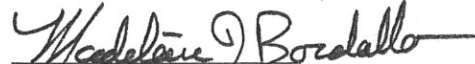
There are compelling reasons to retain the rule. First, we know that your Conference, like our Caucus, values and seeks to promote open and transparent government. Our constituents can more effectively hold us accountable if there is a record of how we vote on legislation considered by the House. Although we recognize that the vote conferred upon us by this rule is essentially symbolic, it has genuine meaning for those we represent. The rule obligates us to take public positions on issues of national importance that will affect the lives of our constituents. This enables our constituents to better evaluate the quality of our representation.

In addition, we believe this is an issue of fundamental fairness with profound moral implications. Our constituents are part of the American family. They pledge allegiance to the same flag and serve alongside their fellow countrymen in our nation's armed forces. To deprive their duly elected representatives of this small privilege, which does no harm to this institution, would send a message of exclusion to Americans living in the territories and in the District of Columbia. We implore you not to send that message.

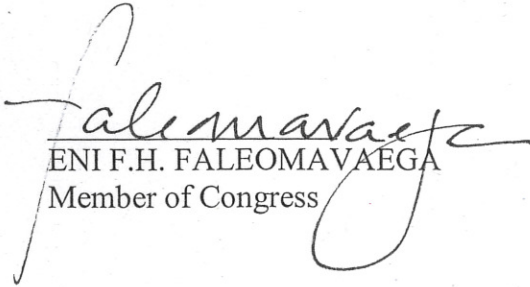
Sincerely,



PEDRO R. PIERLUISI
Member of Congress



MADELEINE Z. BORDALLO
Member of Congress



ENI F.H. FALEOMAVAEGA
Member of Congress



DONNA M. CHRISTENSEN
Member of Congress



GREGORIO KILILI CAMACHO SABLAN
Member of Congress

cc: The Honorable Nancy Pelosi, Speaker
The Honorable Steny H. Hoyer, Majority Leader
The Honorable Eric I. Cantor, Majority Leader-designate
The Honorable Louise McIntosh Slaughter, Chairwoman, House Committee on Rules
The Honorable David Dreier, Ranking Republican Member, House Committee on Rules
The Honorable Greg Walden, Member of Congress
The Honorable Doc Hastings, Member of Congress