



## Letting Majorities Rule: The Potential Impact of the Discharge Rule on the Fate of Immigration Reform

Molly C. Jackman

### INTRODUCTION



**Molly C. Jackman** is a fellow in the Governance Studies program at the Brookings Institution and is an expert on legislative institutions and U.S. state politics. She holds a BA from the University of California Santa Barbara and an M.A. and Ph.D. in political science from Stanford University.

On June 28, 2013, the Senate in an uncommon show of bipartisanship passed a comprehensive immigration reform bill. Action on immigration reform is widely popular in the electorate - 86% of both Democrats and Republicans support the controversial path to citizenship for undocumented workers that House Republicans vehemently oppose.<sup>1</sup> Pragmatic members of the Republican Party, including George W. Bush and other leading conservatives, have also expressed their support for immigration reform.<sup>2, 3</sup> Despite overwhelming popularity, the Senate immigration bill was declared dead upon its arrival in the House. To quash the bill, Speaker Boehner relied on the Hastert Rule, an informal principle that requires a majority of the majority party to support a bill before it comes to a vote.<sup>4</sup>

1. Newport, Frank and Joy Wilke. "Immigration Reform Proposal Garner Broad Support in U.S." *Gallup Politics*, June 19 2013. <http://www.gallup.com/poll/163169/immigration-reform-proposals-garner-broad-support.aspx>.
2. Bohan, Caren. "Can Paul Ryan sell immigration reform to conservatives?" *Reuters*, June 26, 2013. <http://www.reuters.com/article/2013/06/26/us-usa-immigration-ryan-idUSBRE95P18020130626>.
3. Parker, Ashley. "Big-Name G.O.P. Donors Urge Members of Congress to Back Immigration Overhaul." *New York Times*, July 30, 2013. [http://www.nytimes.com/2013/07/31/us/politics/big-name-gop-donors-urge-members-of-congress-to-back-immigration-overhaul.html?\\_r=0](http://www.nytimes.com/2013/07/31/us/politics/big-name-gop-donors-urge-members-of-congress-to-back-immigration-overhaul.html?_r=0).
4. See, for example, Gibson, Ginger. "John Boehner: No House vote on Senate Immigration Bill." *Politico*, July 7, 2013. <http://www.politico.com/story/2013/07/john-boehner-house-immigration-vote-93845.html#ixzz2YeLk1qMN>.

As politicians and pundits were quick to point out, however, House rules provide formal means for a majority of the *chamber* to bypass a majority party leadership opposed to action.<sup>5</sup> In other words, if immigration reform can garner the support of the chamber majority in the House (even without the support of the majority of Republicans), House rules would allow proponents of reform to attempt an end-run around the leadership. The most straightforward path to the floor in such circumstances involves the introduction, signing, and adoption of a discharge petition. The use of this instrument - or the threat of its use - could provide a mechanism for breaking the immigration stalemate if the GOP leadership decides not to act on the bipartisan measure passed by the Senate.

In this paper, I explore the politics of the committee discharge process and its potential effects on policy outcomes. I begin by reviewing the origins of the House discharge procedure and its subsequent evolution. Next, I provide an overview of committee discharge in the House, highlighting examples of its success and the far more frequent examples of its failure. I then turn to state legislatures, where there is wide variation in the presence and form of committee discharge procedures, to gain leverage on the question of how discharge rules affect both the balance of power in legislatures and the shape of policy outcomes. I conclude by considering the potential impact of the House discharge rule on the fate of comprehensive immigration reform.

My findings are two-fold. First, I argue that *invoking* the discharge rule imposes costs not only on the majority party leadership, but also on those attempting to circumvent the party's control of the agenda. As such, even those who stand to benefit from discharging a measure from committee may be reluctant to initiate or sign a discharge petition. The costs of this procedural right might help to explain why moderate House Republicans and House Democrats have not moved to discharge the Senate immigration bill despite strong public support.

Second, I argue that the discharge rule may serve an important purpose, even if it is not invoked. So long as the threat to withdraw a bill from committee is credible, the chamber majority gains power vis-à-vis the majority party leadership, even though this shift in power is difficult to observe directly. If moderate members of the majority party

---

5. For example, see: Klass, Richard. "How to Force Immigration Reform Through the House." *The Huff Post Politics Blog*, June 30, 2013. [http://www.huffingtonpost.com/richard-klass/how-to-force-immigration\\_b\\_3526035.html](http://www.huffingtonpost.com/richard-klass/how-to-force-immigration_b_3526035.html) ; Ehrenfreund, Max. "The discharge petition's role in the immigration reform debate, explained." *The Washington Post*, June 29, 2013. <http://www.washingtonpost.com/blogs/the-fix/wp/2013/06/29/the-discharge-petitions-role-in-immigration-reform-explained> ; Benen, Steve. "Pelosi eyes House solution for immigration." *The Maddow Blog*, July 23, 2013. [http://maddowblog.msnbc.com/\\_news/2013/07/23/19637064-pelosi-eyes-house-solution-for-immigration](http://maddowblog.msnbc.com/_news/2013/07/23/19637064-pelosi-eyes-house-solution-for-immigration).

disagree with the party leadership, the two must engage in a game of chicken. When the two sides are staring each other down, the discharge petition is one tool that tips the balance in favor of the more moderate members, making the leadership likely to swerve before the procedure is actually invoked. Thus, although invoking the discharge petition can be costly, the threat of its use lessens the impact of the Hastert Rule on the House and increases the agenda power of a chamber majority. In short, a determined chamber majority and an esoteric procedure might provide an avenue for passing immigration reform and other gridlocked legislation.

## The Discharge Rule in the U.S. House

The discharge rule has become an increasingly inconvenient procedure over the course of its House history. Prior to the late-19th century, there was little need for a committee discharge rule given the much weaker powers of party leaders in the House at the time. However, as the Speaker accrued more procedural rights - culminating in the reign of Speaker (a.k.a. "Czar") Cannon - House reformers sought a mechanism that would give a chamber majority recourse against its leadership. In 1910, the discharge procedure was created to serve this purpose.<sup>6</sup>

Legislators did not anticipate that the discharge rule would be frequently invoked. As future Speaker of the U.S. House Champ Clark noted during the debate over the adoption of the committee discharge rule:

I predict that if this [discharge] rule is adopted we will never have very many occasions to put it into operation, because it will be held in terrorem over the committees of this House, and they will report out the bills desired by the membership of the House, which is the great desideratum. Therefore the bad practice of smothering bills in committee will cease and there will be little necessity of using this rule.<sup>7</sup>

However, in its original form, the discharge rule was not only used, but abused. The 1910 discharge procedure depended on a written motion of a member. That motion could be called up on any day and, if adopted, resulted in the immediate discharge of a bill from committee and placement of that bill on the appropriate calendar. The procedure was highly vulnerable to exploitation, and the minority party quickly latched on to the new rule as a mechanism for blocking legislation that it disliked. In one instance, a member

---

6. Charles Tiefer, *Congressional Practice and Procedure: A Reference, Research, and Legislative Guide* (Westport, Connecticut: Greenwood Press, 1989), 315.

7. Congressional Record 1910: 8441-2

*In 1912, the majority party reduced the priority of discharge motions and, subsequently, the rule was fairly useless either as a tool of minority party obstructionism or majoritarian agenda-setting.*

offered 107 discharge motions as a dilatory tactic. Later, minority parties used the rule to push popular bills to the floor before the majority was ready to act on them, forcing the majority party to vote against discharge motions on bills that it actually supported.<sup>8</sup> After one particularly embarrassing incident in 1911, the majority party made sure that “the discharge rule remained for ten years a ‘dead letter.’”<sup>9</sup> In 1912, the majority party reduced the priority of discharge motions and, subsequently, the rule was fairly useless either as a tool of minority party obstructionism or majoritarian agenda-setting.

In 1924, Progressive Republicans revived the procedure, but adopted reforms to prevent its abuse. In its new form, the discharge process began with a petition filed no sooner than 30 days after a bill was referred to committee. The number of required signatories oscillated over the next several years, ranging from 145 (in 1931) to 218 (in 1925, and re-established in 1935). Today, a successful discharge petition requires 218 signatures. If the number of signatories passes this threshold, the petition is placed on the Discharge Calendar, where it waits for at least 7 days. At that point, it becomes privileged business on the second and fourth Mondays of the month (except during the last 6 days of the session). Any member who signed the petition can be recognized to offer the discharge motion. When the motion is called up, debate is limited to 20 minutes, divided evenly between the proponents and opponents. If the motion is rejected, the bill is not eligible for discharge again during that session and is returned to committee. If adopted, any member who signed the discharge petition can motion to call up the bill for immediate consideration. At that point, the bill becomes the business of the House, and an affirmative vote of the majority leads to its adoption. If the motion for immediate consideration fails, the bill is assigned to the appropriate calendar, and takes on the same status as any bill reported from committee.<sup>10</sup>

In the 1990s, the barriers to committee discharge were once again raised. Previously,

8. Tiefer, *Congressional Practice and Procedure*, 316.

9. *Ibid*, 316.

10. Walter J. Oleszek, *Congressional Procedures and the Policy Process*, 8th ed (Washington, D.C.: CQ Press, 2011), 165-167.

signers of discharge petitions were protected by anonymity. In 1993, the rule was changed so that all signatures were made public once a petition received the requisite 218 signatures. This rule was again amended in 1995 to require that the clerk's office make available the cumulative list of signers on a daily basis, and that the signatories' names be published weekly in the *Congressional Record*. The effects of this rule change have not been systematically established, and future work would do well to explore them in greater detail. However, in the meantime, we can speculate. Presumably, making petition signatures public increased the cost of withdrawing one's signature. At the same time, for members of the minority party, the act of signing - which is now essentially equivalent to cosponsoring a measure - may be motivated by perceived electoral rewards instead of a sincere desire to have a measure enacted. And majority party members may be more reluctant to challenge their leadership, knowing that their defiance will be made public.<sup>11</sup> In short, publicizing discharge petition signatures likely undermined the rule's capacity to serve as a majoritarian safety valve.

*In 1993, the rule was changed so that all signatures were made public once a petition received the requisite 218 signatures.*

## Invoking the Discharge Procedure in the House

In 1885, Woodrow Wilson wrote, "a bill committed is a bill doomed. When it goes from the clerk's desk to a committee-room, it crosses a parliamentary bridge of sighs to dim dungeons of silence whence it will never return."<sup>12</sup> In today's highly polarized partisan environment, the problem is even more pronounced, with nearly 90% of bills dying in committee.<sup>13</sup> It is highly plausible, then, that there are instances in which the chamber majority would like to consider one of the many bills that the majority party leadership (aided by its faithful agents in committees) has decided to block.

Yet, committee discharge is rarely attempted, and even more rarely successful. Since 1935, 544 discharge petitions have been filed. Of those, 36 received the necessary 218 signatures, and 17 were passed by the House. Notably, since 2002, of the 74 discharge petitions introduced, none has received the requisite number of signatures to progress to a floor vote. Only three bills have been successfully discharged from committee to

11. See John Patty, "The House Discharge Procedure and Majoritarian Politics," (*Journal of Politics* 69(3): 685, 2007).

12. Woodrow Wilson, *Congressional Government* (Boston: Houghton Mifflin, 1885), 69.

13. Adler, E. Scott and John Wilkerson, *Congressional Bill Project* (1947-2004).

eventually become public law: the Fair Labor Standards Act in 1938; the Federal Pay Raise Act in 1960; and the Bipartisan Campaign Reform Act in 2002.

The limited success of the discharge rule raises the question of *why* the discharge procedure is so rarely invoked. The majority party leadership has wide (informal) latitude to block bills that it opposes early in the legislative process, even against the wishes of the chamber majority and the electorate. Yet, it seems that legislators may prefer to maintain a highly unpopular status quo rather than to initiate or even affix their names to a discharge petition.

*This partially explains why we see so much logrolling on salient legislation: rather than be discharged, committees prefer to add new provisions to important policies so that they can appease everyone.*

One reason that committee discharge is so rarely attempted is that, as mentioned earlier, few members stand to benefit from its use.<sup>14</sup> First, all legislators in the chamber are engaged in a game of reciprocity with each other. The most essential power that committees hold is control over their own turf; that is, each committee typically decides whether or not to report a bill. Discharging a bill infringes on this basic right, and is a dangerous violation of norms of comity.<sup>15</sup> If discharge signatories do not respect the jurisdiction of other committees, there is no

reason why others will respect the jurisdiction of their own. This partially explains why we see so much logrolling on salient legislation: rather than be discharged, committees prefer to add new provisions to important policies so that they can appease everyone.

Second, the leadership is engaged in a game of chicken with the more moderate members of its party, represented by the median legislator in the chamber (the median legislator represents the preferences of the chamber majority, since she is pivotal on most floor votes). The median legislator benefits from having the party leadership on her side - she

14. Committee discharge is sometimes attempted - both in the states and in the U.S. Congress - by minority party members who (knowingly) lack the support of the chamber majority. Indeed, committee discharge is perhaps most frequently attempted by minority party members hoping to draw attention to an issue; in these cases, the goal is not to bring a popular measure to a vote, but rather to embarrass the majority party near an upcoming election. For example, a month before the November 2008 elections, the House GOP Campaign Committee blasted fourteen vulnerable House Democrats for failing to sign a discharge petition on lifting the offshore drilling ban, an issue supported by many voters in their respective districts.

15. See Cox and McCubbins, *Legislative Leviathan*; Lewis A. Froman, Jr., *The Congressional Process: Strategies, Rules, and Procedures* (Boston: Little Brown, 1967); James Robinson, *The House Rules Committee* (Indianapolis: Bobbs Merrill, 1963); Tiefer, *Congressional Practice and Procedure*.

gets more PAC contributions, better committee assignments, and other perks.<sup>16</sup> On the other hand, the median legislator has her own policy interests; she has to appease her constituents and her conscience, which may lead her to butt heads with the less moderate members of her party. The leadership, for its part, wants to maintain the party's brand – party unity is good for winning elections, and a public battle over a discharge petition pits different factions of the party against one another.<sup>17</sup> Moreover, the invocation of the discharge procedure undermines the majority party's agenda-setting authority, which is a dangerous precedent to set. So, neither the leadership nor the median legislator wants the discharge procedure used—suggesting that we should rarely see it employed (which is what we typically observe). Instead, the *potential* for a discharge petition is often sufficient to force the majority party to report a bill.

## The Efficacy of the Discharge Petition: Evidence from the States

Congressional scholar Charles Tiefer described the discharge procedure as the House's "most prominent 'safety valve' allowing bottled-up bills to come to the floor over the resistance of the majority leadership, the Rules Committee, and the committee of jurisdiction."<sup>18</sup> How do we know, though, that the mere presence of the discharge rule actually forces the leaders' hands and discourages obstructionism? As noted above, the procedure is rarely invoked, and has only been used successfully on three occasions. It may be that the *threat* of committee discharge has forced the release of bills from committee. Unfortunately, those instances cannot be directly observed. For this reason, it is hard to demonstrate that the discharge rule has any substantive effect on policy outcomes.

To establish that the presence of the discharge rule affects the shape of policy outcomes, we would ideally observe legislative outcomes in two chambers, identical save for a discharge rule in one. If the presence of a discharge rule motivates the leadership to make decisions that appease the median voter at the expense of the majority party, we would see policies that conform more closely to the chamber majority's preferences in the former chamber than in the latter one. This is, of course, an impossible test. However, we can approximate it in the U.S. state legislative chambers, where there is wide variation in the presence and form of committee discharge rules.

---

16. Oleszek, *Congressional Procedures*, 167.

17. See Cox, Gary W. and Mathew D. McCubbins, *Legislative Leviathan* (Berkeley: University of California Press, 1993).

18. Tiefer, *Congressional Practice*, 315.

**TABLE 1: CONFIGURATIONS OF CHAMBER RULES**

		DISCHARGE PROCEDURE		
		Yes	No	
COMMITTEE GATEKEEPING	Yes	72	8	80
	No	17	2	19
		89	10	99

Table 1 summarizes committee rights and discharge rules in the 99 U.S. state legislative chambers.<sup>19</sup> Like the U.S. House, most chambers give committees the right to block bills (referred to as “gatekeeping rights”).<sup>20</sup> In 72 chambers, committees can decline either to hear or to report bills to the floor, while in only 19 are committees required to hear and report all bills that are referred to them. Importantly, committee gatekeeping rights are almost always accompanied by a discharge procedure. Indeed, of the 77 chambers where committees members have gatekeeping rights, 69 allow the chamber majority to discharge committees from consideration of a bill. In interviews with clerks and secretaries, it was made clear that the discharge procedure is just as rarely invoked in the states as in the U.S. House. The Director of Legislative Services for the New York Assembly noted bluntly that legislators “do not view discharge procedures as a parliamentary tool with an eye to success.” Yet, as in the U.S. House, most state legislators deem it worthwhile to have a discharge procedure on the books, even if the rule is almost never used.

Despite the rare invocation of the discharge rule, the mere presence of the procedure is associated with diminished majority party agenda-setting power. To measure majority party power, I record the rate of “majority rolls,” or the percent of passing votes on which a majority of the majority party voted in opposition.<sup>21</sup> (Presumably, this is exactly what Speaker Boehner was trying to avoid when he invoked the Hastert Rule - a passing vote on immigration reform that was opposed by the majority of the Republican Party.) If discharge procedures lead to more votes that the chamber majority supports but the

19. There are 99 - not 100 - chambers, since Nebraska has a unicameral legislature.

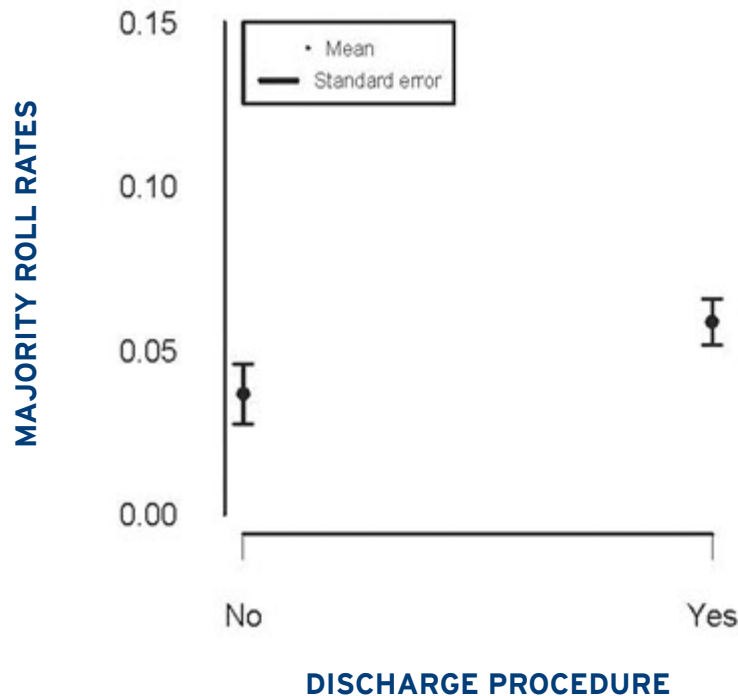
20. Data on majority party committee gatekeeping rights comes from Sarah F. Anzia, and Molly C. Jackman, “Legislative Organization and the Second Face of Power: Evidence from U.S. State Legislatures” (*Journal of Politics* 75(1): 210-224, 2013).

21. The rate of majority rolls is a widely accepted measure of majority party power in the literature on the U.S. Congress. See, for example, Cox and McCubbins, *Setting the Agenda* (New York: Cambridge University Press, 2005). Majority roll rates are from 1999-2000, and were calculated based on roll call data provided by Gerald Wright, “Representation in American Legislatures” (Indiana University: National Science Foundation Grant, 2004).



majority leadership opposes, then the presence of this procedural tool should correspond to higher rates of majority party rolls.<sup>22</sup>

**FIGURE 1: EFFECT OF DISCHARGE PROCEDURE ON MAJORITY ROLL RATES**



This is exactly what we observe. Figure 1 shows that, among chambers where committees have the formal right to block bills, majority roll rates are higher in assemblies where the chamber has a discharge procedure.<sup>23</sup> Granted, the effect is not huge - in chambers with discharge procedures, majority roll rates are about two percentage points higher. But when we consider that effect in context, it does not seem so trivial. If a chamber calls 1600 votes (the approximate number in the 112th U.S. Congress), we would expect the presence of a discharge procedure to increase the number of majority rolls by about 32. And remember, majority rolls are not your run-of-the-mill votes on commendations or inconsequential motions. These are the votes that the majority party leadership, if left to its own devices, would choose to block. In a world where 90% of roll calls are party unity votes, the majority rolls are the ones that actually have the potential to shake the

22. Data on committee discharge rules in the U.S. states come from original surveys of clerks and secretaries. See Molly C. Jackman, "Parties, Median Legislators, and Agenda Setting: How Legislative Institutions Matter," Working Paper 2013.

23. Majority rolls are calculated using data provided by Gerald Wright, "Representation in America's Legislatures," (Indiana University: National Science Foundation Grant, 2004).

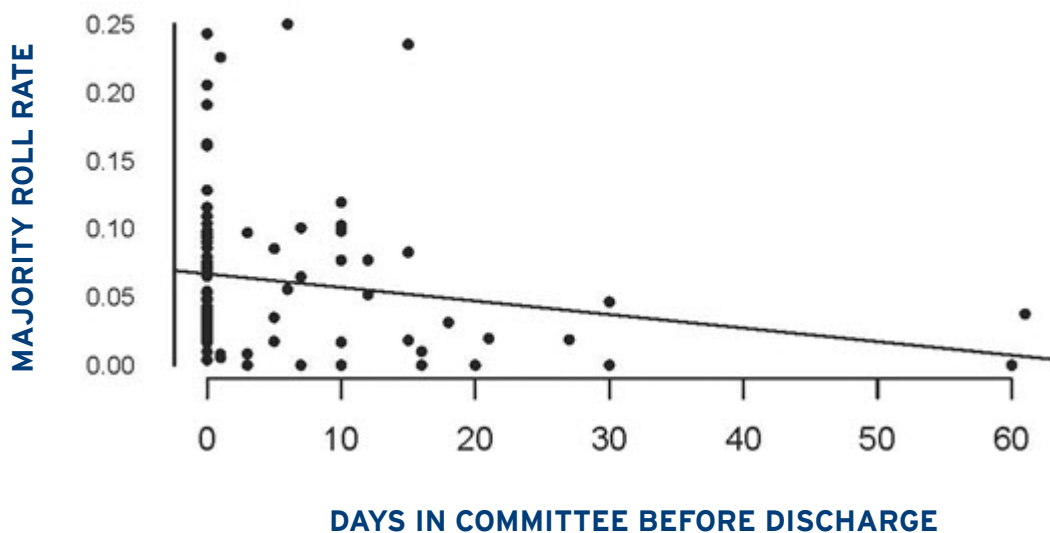
status quo.<sup>24</sup> These are the votes that could amend gun control laws and implement comprehensive immigration reform. This effect translates to 32 more votes that the chamber majority supports and that the most extreme members of the majority party oppose. When we think about it that way, the effect does not seem small at all.

## Discussion: The Role of the Discharge Procedure in Immigration Reform

So, the presence of the discharge procedure seems to decrease majority party agenda-setting power in the state assemblies. Will it serve the same function in the House, pushing the leadership to bring a version of comprehensive immigration reform to the floor?

There are a few important distinctions between discharge procedures in the state assemblies and the U.S. House that make this less likely. For one, many states allow committee discharge to occur by floor motion rather than written petition. In fact, of the 89 state assemblies with a discharge procedure, only 25 require a petition. And in those states with a petition-based procedure, majority roll rates are on average 1.8 percentage points lower. Because the House requires a petition with public disclosure of its signatories to extract bills from committee, success is less likely.

**FIGURE 2: THE EFFECT OF A TIME LAG ON MAJORITY PARTY POWER**



24. "Vote Studies 2011, in Graphics," CQ.com, [http://media.cq.com/media/2011/votestudy\\_2011/graphics/](http://media.cq.com/media/2011/votestudy_2011/graphics/).

Second, unlike most state chambers, the House's required 30 day waiting period poses an additional obstacle to committee discharge. In 53 state assemblies, there is no time required between the referral of a bill to committee and the initiation of the discharge process. The remaining chambers require that bills stay in committee for some period before the initiation of the discharge process, ranging from 1 day (in the Nevada Senate, New Jersey House, and Michigan House) to 61 days (in the New Jersey Senate). As shown in Figure 2, majority roll rates are higher in chambers that require less time between referral of a bill to committee and initiation of the discharge process. In other words, the longer a bill must sit in committee, the more likely the majority party will secure its favored outcomes at the expense of the chamber majority's views. We can simplify this analysis further, considering only two types of state chambers: those that do not require time to elapse between bill r efferal and discharge, and those that do. Majority roll rates are nearly 7% in the former chamber type, and 4.6% in the latter. All this suggests that the 30 day requirement in the U.S. House decreases the likelihood of majoritarian outcomes. This makes sense: Had the House Democrats and moderate Republicans been able to initiate a discharge petition immediately - when they had the public's support and attention - Speaker Boehner may have been less inclined to so quickly invoke the Hastert Rule.

Since the barriers to committee discharge in the U.S. House are so high, the procedure may not be a credible threat against majority party inaction. The leadership and the median legislator might both prefer to avoid committee discharge. But a chamber majority only gets the upper hand if the leadership believes that the chamber majority will use the discharge rule to release favored bills from committee. In today's House, the current leadership appears to believe - and perhaps correctly so - that the moderate members of its party (whose support would be necessary for the execution of the discharge rule) prefer to tow the party line rather than get a policy that is closer to their preferred outcome.<sup>25</sup> Under these circumstances, committee discharge is not a credible threat, and will not serve as a check against a majority party determined to block a bipartisan bill. If so, we should not expect the Senate immigration bill to emerge from a House committee any time soon.

Nevertheless, as the political standoff on immigration reform continues, committee

---

25. While House Republicans have not explicitly come out in favor of the Senate immigration bill, many do support the path to citizenship for undocumented workers that the bill proposes. Republican leaders have so far refused to take a vote on a path to citizenship, and one is unlikely to occur without pressure from within the party. See, for example, Ferraro, Thomas and Rachele Younglai, "House Republicans divided on immigration reform," Reuters, July 10, 2013, <http://www.reuters.com/article/2013/07/11/us-usa-immigration-idUSBRE9690QD20130711>.

discharge may be an increasingly appealing option for a coalition of Democrats and moderate Republicans. As political pressure mounts, the mere threat of a discharge petition may be sufficient to force the leadership's hand. Home town public opinion can be a powerful incentive for legislators. This was certainly the case in 1963, when House Judiciary Chairman Emanuel Celler filed a petition to discharge the civil rights bill from the Rules Committee. Prior to the Christmas recess, he came up 50 signatures short. When members went home to their districts, they found strong support for the bill, and, upon their return, the number of signatures quickly ramped up. Before that 218 signature threshold was reached, the committee released the bill, and the rest is history.

Whether or not a similar scenario will unfold for the immigration bill is an open question. There are, however, two factors that will increase the likelihood that the discharge procedure - either in its invocation or in its threat - will play a role. First, President Obama can draw public attention to the immigration bill. President Lyndon Johnson, in his constant referrals to the civil rights bill, was able to galvanize popular support for that legislation. Obama has the opportunity to do the same for immigration.

Second, those seeking the release of the immigration bill - both legislators and constituents - can focus their attention on lobbying moderate Republicans. Discharge petitions are markedly more successful when they are initiated or threatened by members of the majority party. Regardless of whether the Democrats need 2 Republicans or 200 to reach 218 signatures, the leadership will take the threat much more seriously if it is coming from a member of their own party rather than from minority leader Nancy Pelosi (though Democratic leaders are, themselves, reluctant to initiate a discharge petition for fear that doing so will ruin the possibility of a compromise).<sup>26</sup> Again, public opinion is a strong motivator, and moderate Republicans may be more willing to defy their caucus if their constituents make their preferences for immigration reform known. So, hope is not lost for comprehensive immigration reform. The bill is still very much in play, and the discharge procedure might force the House leaders' hands, providing a path to immigration reform.

---

26. Sargent, Greg, "Democrats divided over immigration strategy," *The Washington Post*, August 5, 2013, .

**Governance Studies**

The Brookings Institution  
1775 Massachusetts Ave., NW  
Washington, DC 20036  
Tel: 202.797.6090  
Fax: 202.797.6144  
[www.brookings.edu/  
governance.aspx](http://www.brookings.edu/governance.aspx)

**Editing, Production &  
Layout**

Beth Stone

Email your comments to  
[gscomments@brookings.edu](mailto:gscomments@brookings.edu)

This paper is distributed in the expectation that it may elicit useful comments and is subject to subsequent revision. The views expressed in this piece are those of the authors and should not be attributed to the staff, officers or trustees of the Brookings Institution.