

MINORITY VIEWS

It is increasingly evident that Congress has become polarized to the point of paralysis. It is now a rare moment when gridlock, dysfunction and partisanship do not rule the day. Unfortunately, nowhere has this been truer than in the House of Representatives during the 113th Congress.

Authors, journalists and politicians alike now look back in wonder at the late 1970s and early 1980s, when relationships like the respectful friendship of Speaker Tip O'Neill and President Ronald Reagan resulted in a Congress that took pride in shaping major legislation and passing it into law.¹

In the years since, Congress has increasingly abandoned the spirit of bipartisan cooperation and our ability to function has suffered as a result. Many have speculated on the forces that are driving this polarization – from the rise of the Tea Party, to the dominating influence of outside groups and a Majority whose agenda is at odds with the views of the American people. However, many have overlooked the degree to which a manipulation of the legislative process itself has enabled each of these forces to take root and grow.

In particular, the use of “closed rules” has excluded the Minority party from fully participating in the legislative process. Under a closed rule, no amendments are allowed on the House Floor. As a result, the Majority is able to pursue a politically-driven agenda without the Minority being able to offer commonsense amendments that could achieve bipartisan compromise.

This approach has also empowered the most extreme members of the Majority Party to pursue narrow policy goals at all costs, and resulted in a government shutdown, debt limit brinksmanship and partisan stalemates that are seemingly the new norm.

While closing down the legislative process has become more common under the leadership of both parties over the last two decades, the current Majority has broken all previous records and has presided over *the most closed Session of Congress in American history*. Over the last twelve months, the Majority adopted 44 closed rules, the highest number on record.

¹ “Tip and the Gipper: When Politics Worked.” Chris Matthews.
<http://www.msnbc.com/hardball/tip-and-the-gipper-when-politics-worked>

The Republican House Sets New Records

- **Most closed rules in a single year.** The House approved 44 closed rules this year, more than any year in the history of the House. This statistic makes this the most closed Session of Congress on record.
- **Most closed rules in a single week.** The House approved 19 closed rules from October 2 to October 8, 2013. That is as many closed rules in one week as the entire last year of the Speakership of Nancy Pelosi.
- **Most closed rules in a single day.** The House approved an unprecedented 11 closed rules on October 4, 2013. That's more closed rules in a single day than the final three years of the Speakership of Tom Foley.
- **Most closed rules on appropriations bills.** The House approved 20 closed rules for appropriations bills – more than any year on record for the traditionally open appropriations process.

Source: *Survey of Activities of the House Committee on Rules*
(House Reports 102-1101, 103-891, and 111-714)

In addition, almost half of all bills considered by the Rules Committee this year (46 percent) were considered under emergency procedures, which prevented members of the Minority from having ample time to read bills before being forced to vote.

Under this closed regime, the Majority pursued a partisan agenda with vigor, holding 46 votes to undermine the Affordable Care Act, taking the full faith and credit of the United States hostage and shutting down the government in order to placate an extreme faction. Meanwhile, important national priorities such as reforming a broken immigration system, preventing gun violence and extending emergency unemployment benefits went un-addressed.

The Majority's "my way or the highway" approach not only earned them the dubious distinction of presiding over the least

productive Congress in history,² but inflicted pain on millions of Americans. The impact of the Majority's failures has been borne by the families in Newtown, CT and Webster NY who have lost loved ones due to gun violence, the 18.4 million children of immigrant families who have fallen through the cracks of our broken immigration system, and the 1.3 million Americans who were kicked off of unemployment insurance this holiday season.

Even when the stakes were the highest, the Majority closed down the legislative process to pursue partisan gridlock over bipartisan compromise. On the evening of September 30, 2013 the House Rules Committee convened with a chance to avert a government shutdown by allowing a vote on a compromise spending bill that had passed the Senate just days prior. Instead, the Majority members of the Rules Committee changed the rules of the House to *prevent* a vote on the Senate-passed compromise. As a result of their actions, our nation endured a 16-day government shutdown that cost the economy more than \$24 billion.³

During that September 30th meeting, Ranking Member Slaughter rightfully labeled this manipulation of the House Rules an "atrocious," a position that we reiterate today. Without this rule change members of the Minority – who were already clamoring for a vote on the Senate bill – would have been able to call for an immediate vote and avert a government shutdown.

Once the government shutdown commenced, we members of the Minority repeatedly declared our willingness to find a compromise agreement and accept provisions demanded by the Majority in order to reopen the government as soon as possible. Yet, the Majority's same "no compromise" agenda that led to the government shutdown, kept our government closed for more than two weeks.

Repeatedly during 2013, the Majority only allowed bipartisan legislation to pass after exhausting their pursuit of a partisan agenda. From providing relief aid to victims of Hurricane Sandy to reauthorizing the Violence Against Women Act and keeping our government funded, the Majority prevented Congress from passing bipartisan solutions until their pursuit of partisan goals had failed, often in spectacular and costly ways.

² "This Congress Going Down as Least Productive." Matt Viser, Boston Globe. December 4, 2013. <http://www.bostonglobe.com/news/politics/2013/12/04/congress-course-make-history-least-productive/kGAVEBskUeqCB0htOUG9GI/story.html>

³ "Here's How Much the Government Shutdown Cost the Economy." Eliana Dockterman, TIME. October 17, 2013. <http://swampland.time.com/2013/10/17/heres-what-the-government-shutdown-cost-the-economy/>

After a record-breaking year of closed rules, it is clear that a willingness to work together in a divided government is the only way to end the partisanship, gridlock and dysfunction that has plagued the House of Representatives. With major policy debates on the horizon, it is our sincere hope that the leaders of the Majority stand up to their most extreme factions, finally open the legislative process, and allow bipartisanship to take hold. We are confident that if they do, Congress can once again work on behalf of the American people.

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