PRESENT:

“CHECKS AND BALANCES: PERSPECTIVES ON AMERICAN DEMOCRACY AT THE BEGINNING OF THE 21ST CENTURY”

PANEL TWO:
THE CHANGING ROLE OF CONGRESSIONAL COMMITTEES:
A HOUSE PERSPECTIVE

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1:20 PM – 2:50 PM
WEDNESDAY, AUGUST 31, 2005

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SCOTT LILLY: I’m going to be both the moderator and a member of this panel, so I’m going to give a brief introduction to try to create some context for this and then I’m going to ask Billy Pitts to talk. He is going to talk a little about leadership and floor activities in the Rules Committee, in which he was staff director, and then Jim Dyer is going to talk more about the Appropriations Committee. I’m going to give the other perspective on the Appropriations Committee. And then Janet Hook is going to do what she has always done and that is to keep the three of us honest. So she is going to follow on with the perspective of someone who has covered the committees in the House as a journalist.

It’s impossible for any legislature that is responsible for a large and complicated government to succeed without the use of committees. I’d like to simply do a little bit of an overview of the history of the relationship of the committees in the House of Representatives in the last century in order to give us some sense of where we are today and how – what has happened since 1994 fits into that overall progression of things.

At the beginning of the century, Joe Cannon was the chairman of the Rules Committee; soon thereafter became speaker, and he was one tough bird. In fact, Teddy Roosevelt once said that he had the same respect for the constitution as a tomcat had for a marriage license, but nonetheless, he ran the House with an iron hand. He appointed the committee chairmen. He served as chairman of the Rules Committee simultaneously serving as speaker, and if a chairman got out of line or did something that displeased him, he was removed, as were committee members who did not fit his view of what the House should be all about. So the committees had very little independence and it was a completely top-down operation.

He was deposed – his powers were greatly limited in 1910 and the Republicans lost the majority that same year and Champ Clark became speaker and a new era began in which members received committee assignments that were relatively permanent and they were able to keep those committee assignments and chairmanships were decided by who had served the longest on a committee.

Now, that created a much greater stability, a much greater dispersion of power within the institution. It also created some huge problems, particularly for the Democrats who controlled the House about 80 percent – more than three-quarters at the time over the next 60 years when this system of absolute seniority held sway.

The problem that the Democrats had was a regional philosophical division within their own party: the South was Democratic in party affiliation, but most of the people from the South were closer in their philosophical views to the Republicans than they were to Democrats. That, combined with the fact that in the South you had one party rule and the South had a habit of electing people as young men and having them serve their entire lives in the House, meant that they dominated the seniority system, they dominated the
committee system and there was beginning moves to try to cope with that in the 1950s with the emergence of a group called the Democratic Study Group and efforts to limit the role of committee chairman and the effects of the seniority system. There was some discussion of this in the last panel.

That really came to a head in 1974 when the system that Martin Frost described was adopted as part of the rules and chairmen had to stand not only – it was presumed that you would be chairman if you were the most senior person, but you had to stand an election before the caucus in order to have that ratified and the first Congress after those rules were passed – the Congress that began in 1975, three chairmen were passed over and the atmosphere in the House changed dramatically after that in terms of the authoritarian nature of the chairmen and the degree to which chairmen were willing to be responsive to the caucus and to their party.

I would be of the view that it didn’t change quite as much as it should have; that there was still a greater independence by chairmen than there should have been, but you had an era from 1974 to 1994 in which you really had checks and balances within the House. The chairmen had a lot of power and a lot of responsibility, but you also had a way that those chairmen that were the most independent were able to be disciplined and brought into tow. Didn’t always work, there were examples of chairmen that were completely off the reservation that were never disciplined, but it was certainly a very different era than it what had preceded 1974.

1994, Newt Gingrich took over. The first thing he did was disband DSG and the second thing he did was to take DSG type reforms way beyond what anybody in DSG would have ever dreamt of. And the power and role of committee chairmen became quite different at that point. I’m going to turn it over to Billy to get the discussion going and then I’m going to return to it here in a minute.

I did want to describe who Billy is and give you a little sense of why I’m so pleased that he is being willing to be here with us today. He began working for Congress, I believe, in 1970. I added up this morning the years of service of the people on this panel on the Hill and it’s over – including Janet’s term covering the Hill from the House press gallery, I think it’s over 120 years of experience up here, so if we look a little tattered and torn – (laughter) – you can understand that.

Billy began working in the House in 1970 and by the early 1980s he was the chief of staff to Bob Michel, the House minority leader, and he was – as Mickey Edwards referred, he really was the central strategist for the Republican Party in the House for 14 years and a giant among Hill staff.

In 1994, he retired just as the House turned Republican and he went into the private sector for a decade and proved that not all federal retirees are clueless in the world of business. He was in three extraordinarily successful business ventures, gained the kind of independence where he could do what he wanted, and decided that he wanted to come back and work for the Congress. Shows you that success and intelligence don’t always
go together. (Laughter.) He was staff director to the House Rules Committee and was very directly involved in the relationship between this leadership and its committees, and particularly the Rules Committee, for the last two years and he is now Washington business manager for information systems.

Billy?

WILLIAM PITTS: Well thank you, Scott. Is this – are we working here? Thank you, Scott, and it’s because of you that I’m here. I have always respected you and I’ve known you for a long time and I appreciate your work for the House as well.

I recently attended the retirement of one of the greatest officers the House has seen for 40 years and at the retirement I talked about the Academy Awards of 1939 and who got best actor. Now, you might think it was Clarke Gable with Gone With The Wind or Laurence Olivier with Wuthering Heights or maybe James Stewart with Mr. Smith Goes To Washington, but it was Robert Donat with Goodbye Mr. Chips, a story about a teacher who taught young people and came of age himself. And I say that because Charlie Johnson over his career in the House, that in many ways sort of matched mine, taught me a lot and I learned from a lot of people and I think that’s why I am here is I’m going to try and teach at least my perspective on the House of Representatives and maybe answer some of the questions that were raised earlier.

I’ve have had a lot of great teachers, none better probably than Bob Michel, who was first the Minority leader when he and Rhodesy decided I should go with him and then he became leader in 1980 and I stayed with him until he retired. But I’ve had friends on the Democratic side. Believe it or not, Dick Bolling who looked down his nose at most people, became a friend and probably one of my greatest friends. He was mentioned here earlier and he is going to celebrate his 50th year in Congress and I’m going to be there applauding him. John Dingell, who I believe to be one of the greatest legislators that the House has seen.

So I’ve got a lot of lessons from a lot of people on both sides of the aisle, but probably my greatest teacher of all was my father who worked himself for 41 years in the House of Representatives primarily with Republican leadership and he actually served with Charlie Halleck in the two years that we were in the majority. And it was a great honor for me after having served 25 years in the minority toiling in the vineyards there to be able to be asked by David Dreier to come back and serve with him and Speaker Hastert in the House Rules Committee.

But in talking to Scott about the role of committees and the Congress – as Bolling said, the “creatures of the House” – I thought that you needed to have a perspective about what was going on in the floor. I mean, that’s really where it all ultimately happens and the relationship of what goes on the floor plays a significant role, obviously, in what happens in committee. So during those mid-60s that Scott alluded to, committees started changing the way they met. Up until that time, all the committees met around a table probably twice as large as this with the chairman sitting at one end and all the members
of the majority in seniority down that side and across from them, all the members of the minority. They could talk to one another; they looked each other in the eye.

There’s only so much political rhetoric you can do when you’re facing someone every day sitting across from them, and the new freshman that sat across from each other were able to compare the notes back and forth, maybe cosponsor bills together, work together, but there started to be a change and I think Dick Bolling actually was the last to let go of his table in the Rules Committee. We started creating diocese in the empanelment of committees, with the chairman and ranking member sitting in the middle going down in seniority to the two sides. There was very little opportunity for the freshman member of the committee to compare notes with his counterpart without having run the gauntlet of all his majority members and all the minority members, so maybe those conversations took place someplace else.

At the same time over on the floor, Republicans who had been in the minority for some time had on the floor unofficial objectors names that most of you will have no idea, who I am talking about: H. R. Gross, Derwood Hall, John Ashbrook, Bob Balmon, Bob Walker. And they were there – some characterize it as, to keep us honest, but I talked to John Rhodes about their role and I said, Mr. Leader – he was leader at the time – I said, “Mr. Leader, well, what do you think about what H. R. is doing?” He said, “You know, if we didn’t have them, we’d have to invent them.”

But they reminded us in the minority about the importance of the rules. They reminded certainly the majority of what the rules meant, but they were a burr in the side of the majority because the constitution says that a quorum is necessary to do business. Obviously, they mean the entire House – the floor of the House. And so when there were big issues being debated, a lot of the members just wandered off, they didn’t listen. And these gentlemen on the floor could at any time stand up, as the constitution envisioned, and make a point of no quorum and call everybody back over. I think we had 33 quorum calls one time on a major piece of legislation dealing with education. Why everyone didn’t stay, I’ll never know. I think the speaker had to lock the doors to keep people in. Well, the majority didn’t want that to happen, so they changed the rules to essentially say that the business of the House is not debating. You could no longer make a point of no quorum when any issue was being debated. The only time that you could make a point of no quorum in the House was when an issue was being voted on.

Well of course, that’s also guaranteed under the constitution. You can always demand the yays and nays or object to the vote on the grounds that a quorum is not present. They weren’t giving the membership anything; they were taking away the role of debate on the floor of the House of Representatives. And Scott talked about some of the changes on the Democratic side in 1974. There were big changes proposed in a bipartisan way. The Bolling-Martin reforms that would have realigned jurisdiction with a future view, but those were sidetracked and killed by Phil Burton of California and Julia Hanson who was the chairman of the Democratic Caucus. No one wanted to give up their turf in committees.
So jurisdiction didn’t get changed, but there were some other changes that were made that quite frankly I think confounded the parliamentarians and the speaker, as well as committees, by allowing joint referrals and sequential referrals and creating a mishmash of who got primary or secondary jurisdiction of committees. And then shortly thereafter, we brought in electronic voting. It used to be that the role of the House was called twice; the bells rung and they had – the votes probably took 30 to 40 minutes: Adabo, Adair, Annunzio, aye– going through the roll with the bells being rung. (I think an R is the first time through?).

And during those times, you’d see members gathered on the floor comparing notes talking with one another. Listening sometimes how their delegation voted, but there were no computers on the floor to figure out how close it was, what the margins were. Jerry Ford would put someone like myself down there at the documentarian’s desk with two hand-clickers counting the yea’s and nay’s and running up to him saying, “it’s within one vote.”

So we brought in electronic voting. And then I believe it was the next year – certainly during that year we had a practice run, we televised the House of Representatives, so no longer did the constitution require you to be there for debate. Instead of having 40 minutes for voting, it was now 15 minutes or more, five minutes or more, and you didn’t have to be over there for anything because you could be back in your office watching on TV, or at least so they said that’s what was happening – what was going on in the floor. But what this did is it demeaned what actually was going on, on the floor – the final House consideration of legislation – and moved more power into the hands of leadership and floor staff. If it looks like a vote is only going to be 15 minutes in length and you come running over in the last two minutes, the question most often heard just inside the lobby doors are, “What’s this vote on? How am I supposed to vote?”

Oh, and there were times where all you had to do is say “It’s the Abzug amendment,” and the guy would say “Don’t tell me anything more.” (Laughter.) And they’d vote no. But those changes with the rules in the way legislation was considered fundamentally changed the way the House operated and with these empanelments with members no longer talking to one another, but instead talking to the public, which is a camera in committee, the political rhetoric went up and cooperation and working things out together went down.

So I’m a dreamer: if they were one thing I’d like to bring back to the House it would be the tables. I think it is, in my mind, really the table is the centerpiece of any legislative democracy. Every member gets his own desk, every senator gets its own desk. The House used to be all desks and then they move to large, sort of combined desks and now we just have chairs. Those desks were for each member to write his own proposal, his own ideas, but it’s the table that would bring all those individual ideas together.

We even had a room in the East Front of the Capitol when they did the renovation, EF100, that was just big enough to get a little table in there and its purpose
was for conference committees to bring the House managers and the Senate managers together to sit across the table and work things out. If you look today at these conferences, it’s these sort of big Os of tables combined where you can – they’re all the way across the other side of the room. They certainly can’t touch one another and they can just barely hear one another in conferences. So there were some fundamental changes that were going on that evolved the House in a direction that was probably not good for all of us.

Now, before I hear from the nattering nabobs of negativism about how Republicans are running the House and how unfair we’ve been, I want to give you a couple of examples from my humble perspective of the Democratic majority and how they acted. In 1981, Ronald Reagan came in and proposed, as a result of Jack Kemp and Dave Stockman’s editorial called “Economic Dunkirk,” a very large proposal to cut spending and that proposal ended up being the result of meetings that Bob Michel held with every member on the Republican side and Democrats from across the aisle. Les Aspin was there in some of those meetings. Kika de la Garza was there. They were members – and they worked together on a package.

Now, of course this was a very – we were in high spirits, we Republicans in Congress. The highest that we had gotten since the ’50s was 190 members during Nixon’s second term, but with Watergate, we went down to almost 144. The Democratic majority had twice as many members as Republicans. So here, 1980, we were back up to 190. We only needed 26 Democrats on the other side, if I recall, to be able to get to 218. And we worked with them and we got a proposal and we got a budget resolution passed. It was a close fight; passed by one vote. And Reagan for the first time used that congressional budget process that was enacted in 1974 as a result of Nixon’s impoundments and it provided for this process called reconciliation. You’re going to see it again this Congress. The first time it was used. And that directed the committees to go back and meet and achieve the goals that the budget resolution anticipated.

Well, this was the Reagan budget. The Democrats controlled committees. I’m not going to do that. Many of the Democratic chairmen said, “I’m not going to do anything,” and many didn’t. And some, like the Post Office Committee, said, “Well, we will meet our mark,” and they did by cutting a post office in every Republican district around the country. But by and large the package that was brought back nowhere achieved what the budget resolution had proposed and many committees did not even respond. So President Reagan and his beleaguered minority, with the help of some from the majority side, now had once again to essentially overcome the majority and pass the proposal that they had envisioned.

And I can remember I was responsible for this package. It was about probably four feet tall if you stack the papers up; nothing compared to some of the things we’ve seen today, and I was told that I had to take a copy of it to the Government Printing Office for printing the next day and a copy to the House Rules Committee. And I went up to the Rules Committee with that and I saw every Democratic committee staffer up there. And I ran back to my office after I dropped it off and called Ken Duberstein, who
was the House liaison on at that time, and said, “Ken, too many cooks in this kitchen. They’re going to try and undo us in Rules Committee.” And Ken said, “We’ll be ready. We’ll have the president ready to speak in the morning.”

And sure enough, they didn’t give us the up or down vote on the Reagan package. They ended up reporting a rule that divided it into seven parts, not even the entire thing – as seven separate amendments. Sort of said, take this. But from my perspective, worse than that happened because I was in my office and we were trying to rally our troops and my assistant came running in and said, “Speaker O’Neill is going to do it one-minute.” The speaker very rarely went down to the well with a one-minute – obviously on this budget. And sure enough, he gave a one-minute and you’d say, “Nobody knows what’s in this budget, this so-called Gramm-Latta budget. We were working with Phil Gramm, then a Democrat in the House, and Del Latta, the Republican ranking member on the budget committee. He said, “There was so much in it; why, there’s even a woman’s phone number in here, Rita Seymour in – you know, 226-2481” or something like that. Charlie Johnson would remember.

And I go, “What? She is a CBO analyst. What happened here?” So with that, all of a sudden, I received my copies of Gramm-Latta, this big box with every page that we sent down photo-offset; not printed in legislative form, but essentially all my pencil marks where I had crossed out and made editorial changes you could read through and you could read through Rita Seymour’s name. It said “CBO analyst” and you knew that it was being crossed out, but it was the speaker that decided to mock what we were doing.

And I looked at it and the committees were – the pages were all jumbled up and I didn’t understand what had happened to this document that I’d sent down early in the day. And I can remember Leader Michel coming into me and looking at me and I’m thinking, oh well, this is going to be a short career here. This is President Reagan’s first big initiative, literally three months in, Bob Michel’s just leader, Trent Lott’s just whip, and our package is being ridiculed.

So it took me a little while to sort of dig around and find out how that happened. And I can remember going down to a first floor committee room and Bob Michel was in there with Ham Fish and some of the moderates who wanted to discuss a little further what we were doing. I pulled him aside and we went back up to the floor as the rule was wrapping up. This rule that, as Martin Frost alluded to, we had to defeat the previous question on to offer a substitute rule – not an easy thing done in the House.

And another member of a long line of Democratic members got up and said, “No one knows what’s in this package. You know, there’s women’s phone numbers in this.” That was sort of the theme of the day. And Bob Michel in a very barrel-chested way grabbed the microphone and said, “I’ll tell you why the package looks as it does, and a gentleman from California, Phil Burton, who sits over there at the committee table knows exactly what I’m talking about because he asked the young Dick Fazio on the Leg Branch Appropriations Committee to call the Government Printing Office, bring it back to the
Capitol where they went through it, took it apart, and didn’t put it back together properly.”

Well, if you knew Phil Burton, any time his name was mentioned he had to speak. And he jumped up and admitted, yes, they had taken it and in his biography now says he did not throw it up in the air. He said, “No, I just wanted to see was it, you know, a foot tall or six inches.” You know, sort of a typical Phil Burton way of kind of joking.

But with that he admitted what he had done, and of course now the rest is history. We won the rule vote by one vote. We won the Gramm-Latta package by one vote and Reagan got what he wanted. So that’s at least a minority perspective, but when the minority, be it Republican or Democrat, have proposals and are decrying that the majority is not favorable – I mean, it has to be a sound idea. It has to be based on a good idea. It can’t be just a rifle shot idea.

President Reagan also send up a crime bill during that first term of his and the Democratic Judiciary Committee wouldn’t hold hearings on it. “We are not going to take that up.” There were a couple of small pieces that they sort of tore out of it, minor things that they brought up on the floor, but nothing that would be of such scope that Republicans could offer as an amendment or in a motion to recommit the Reagan crime package. But we laid in the bushes; we waited. Dan Lungren every day got up and said “Where is the Reagan crime bill?” And Bob Michel with (Sil?) Conti and Dan Lungren essentially conspired when a huge appropriation bill that essentially under the rule from the Rules Committee that day added all these additional authorizations and expanded the scope to such a broad extent that now the Reagan crime bill was germane to this proposal.

MR. LILLY: Billy, I don’t want to be gagging Republicans, but could you wrap up in a minute or so?

MR. PITTS: I just wanted to inoculate myself for the questions I see coming. (Laughter.)

The committee system and some of the discussion that we had earlier here, certainly does – by the way, Reagan won the motion to recommit and we got the crime bill enacted, and I’ll save for a later time the Democrats’ effort to pass nuclear freeze as a legislative proposal. The committees, unfortunately, do need work and rule 10 does need to be rewritten. There’s no question about it. The committees are way too large. Give you a couple of examples: I think the Armed Services Committee now is 62 members; Appropriations, 66; Financial Services, 69; Transportation and Infrastructure, 75. If every member just spoke for five minutes on there, that would probably take – what? – seven hours, six and a half hours. That’s not even having testimony from witnesses or questions. The committees do need to be cut down.

The multiple – being on several committees at once has got to change. They have to start making more committees exclusive like the Ways and Means Committee and like
the Appropriations Committee. They’re way too large, but this is an extremely difficult thing to do to take away from somebody that already has it – this ability to be on a committee that he says is so important to him back home.

And I – Speaker Hastert demonstrated that he can do it and he created a Homeland Security Committee. I can remember when we were working on it and I sat down to tell Don Young’s people that GSA is going to go in a new committee and they walked out of the room on me, but he got that done.

So the committees do need some reform. They need to be cut down in size. And another problem that the House has, and it’s probably more the result of our Western – West Coast members, both sides of the aisle, is that quite frankly we primarily do the work of the House between Tuesdays and Thursdays. That’s when the House meets and that’s when the most of the votes are. Well, if you don’t have to be back to vote until Tuesday at 6:30 and you’re leaving at 6:30 on Thursday, the members really don’t have much time between their committee assignments, meeting with constituents or business representatives, and voting on the floor to do everything.

And maybe a reform is that these lower tiers of the committee got to come in on Mondays and Fridays and start performing some of the oversight that we were talking about.

So, Scott, I’ll leave with that and welcome any questions later on.

(Applause.)

MR. LILLY: Jim Dyer started on the Hill about the same time that Billy did. He was staff to Congressman Joe McDade. Worked on the minority staff of the Appropriations Committee, worked on the interior bill, the foreign affairs bill. He went to the executive branch and worked in the State Department and then he was the counselor to the president for legislative affairs in both the Reagan and Bush I administrations. In 1994, Billy Pitts came in right after I became clerk for the Appropriations Committee and he said, “If you want goodwill on the Appropriations Committee, you need to give Joe McDade another slot,” so we only had one slot left and we gave it to Mr. McDade and that gave him the ability to bring Jim back. Less than a year later, he replaced me as the clerk of the committee because the House had turned over, but that was also the beginning of a terrific professional relationship.

I don’t think I’ve ever worked with anybody in either party who was more understanding or who I had a stronger, longer lasting level of cooperation with as Jim, so thank you.

JAMES DYER: Thank you, Scott, and good afternoon everyone. The noise you may have heard at the end of the lunch was the shredding of my presentation, which is just about complete now. The old axiom about if you’re going to show up, they better put you on at six in the morning, I think is especially true in my case, but it is good to be
here and to talk about a couple of things that I have lived through. And even though I’m out of the game, I’m still interested in them from the bleacher seats afar.

I’m pleased to see the Honorable Charles Johnson, parliamentarian ex officio sans retirement, with us today. Charlie and I had a long relationship and it was based upon his repeated assertion to me that the most important relationship I had was with him – (laughter) – so that whether it was numbering my amendments or writing my bills or even invading my little map drawer to try to tell me where to travel, he exercised an ombudsman-like function over my committee that I was – I was always indebted to him for it and we became fast friends.

I’m also glad to see Dr. Davidson here today. He doesn’t remember me, but I actually studied modern political parties with him. I remember him because I got an A from him and in my lifetime As have been hard to come by, so –

MR. : (Off mike) – remember.

MR. DYER: See? But I remember; it’s the As I tell you. I’m also glad to be sharing the dais with Bill Pitt. Bill does bring, as Scott said, that unique perspective of a man who was really the legislative staff driver for the Republicans in the minority when we were on the Hill and then came in and did the same thing for the majority in the Rules Committee. And much of my time in the minority was spent asking the proverbial question, “Well, what does Billy want to do?” So a question the answer to which usually puts me in good stead, so I value his friendship greatly.

I’m also glad to be with Janet, for a different reason. When I became the staff director of House Appropriations in ‘95 there’s a – appropriators are, as all of you have written, a strange lot, and we plead guilty to that. One of the reasons for our strangeness is our desperate desire to withhold information. It hasn’t been until the course of the last ten years where we have come to accept the notion that facts can be friends – at least our friends – and have tried to get them out in public to try to explain ourselves as best we can. We even went so far as to hire the committee’s first communications director and really ushered in what I thought was a new era of progress with the press in terms of getting our message out. So Janet has covered us and we have become longtime friends and I’m always grateful to be with her.

I want to make a few points about my perspective, which is somewhat different from Bill’s, about the – from the committee looking out and up and I probably ought to confine myself to the last 10 or 11 years when I served as staff director for a major committee. If there is a driving and an overriding principle in place in this House of Representatives, it is the principle of unity. In a partisan town, with razon-thin majorities, with an executive branch that has been part Democrat and part Republican, the Republican mantra has been and continues to be in conferences and in the halls and committees and on the floor, we must stick together. And it has led to a sense among Republicans that if we are to advance an agenda, we are going to have to stick together to
do it. When we fall apart, even at the fringes – when we fail, it’s not just one or two of us who suffer, it’s all of us who suffer.

Working under this relationship – I grope for a metaphor to describe the relationship between this “we’ve got to succeed and stay together” mantra and the committees themselves. It’s kind of like a little flotilla of right now we have 21 of them – a number that I think is too high – in the House of Representatives – 21 committees. And we’ve all got on our little boats and we are all going up the river and we’ve got people who are telling us where they want us to go and we are trying to get there, but sitting inside the boat we have other considerations. We have resources and staff and we have and need to make our members happy and we have a need to develop our own agenda and we have a need to have resources and we have a need to channel these resources and these members’ agendas into something that we think will leave a mark for us legislatively. And there are times when those considerations are divorced from where your leadership wants you to go.

One of the most popular criticisms of me – and there were more than one, I hasten to add – on the part of our leadership and its staff was that they’d say, “Jim, you just don’t understand what it takes to keep this place together. You just don’t understand why we need to worry about the whole, rather than your little part.” I’ve always pleaded guilty to that, although I did remind them that my little part consisted of 70 percent of the legislative activity on the floor and it had a portfolio of about $850 billion, which was a considerable amount of money and we had a big staff and we had some pretty skilled legislators and we had a – my boat was a pretty good boat, but it wasn’t always rowing in the same way as the others.

And what developed for me and for our committee on the Hill was a series of relationships. It was a relationship with the leadership. There was a relationship with the executive branch. There was a relationship with my counterparts and other 20 committees. There was a relationship with my Senate counterparts, there was a relationship with all of the agencies. And part of the job in the committee, as I saw it, was to manage the relationships. While I was doing that, and that’s arguably one of Washington’s most difficult shores, as all of you know from your daily interaction – while you’re managing this relationships, you have timetables.

Billy touched on it briefly, I can wax on it for days and days how the schedule and the scheduling decisions have affected the committee structure on Capitol Hill. Creating a schedule and legislating under that schedule and doing it often in competition with your other committee members and doing it under the broad rubric of here’s what the leadership wants, when it wants it, for public relationship purposes if for no other reason, is a major challenge. Our committee, as Scott would tell you, is a committee with yardsticks. We have to – we print up a bill on Monday and we have to circulate it for three days and then we can go to a subcommittee and then we have to wait for three days for the minority to have their views and then we have to wait to get to the Rules Committee. Then we have to wait to get to the floor and it goes on and on and on.
not a schedule that is necessarily conducive to coming in on a Tuesday afternoon, having a 6:30 vote at night, looking up and saying, “You think will be out on Thursday?”

Indeed, it complicates matters greatly and we end up – arguably one of most important relationships I had on Capitol Hill other than Bob, my parliamentarian friend, was with the House majority leader who did the floor scheduling because it was our responsibility and, you know, producing legislation is our committee responsibility, but to produce it under the rubric of chopped up schedules – and basically the mandate to me was to just get it done – was one of the most challenging things we had to do.

Someone talked about oversight and the word is bandied about in this town like it’s one of the most esoteric words that you’ll ever hear; like it would blow away if we could just get a good stiff wind around them here. It’s a sometimes thing. It comes and it goes. It has energy in certain areas and it has a lack of energy in other areas and I want to – someone said something at lunch that got my attention between bites, and that was something about the dissolution of an investigative subcommittee, like that was a big deal. You don’t need an investigative subcommittee to do oversight.

What you need are congressmen and senators and staff who can recognize a problem from constant and critical review of budgets and policy documents to say, “Hey something is wrong here.” Or, “Hey, we have to fix this.” And for all the talk that we give to those that – the three wild horsemen of Washington budgetary thought – waste, fraud, and abuse – the truth of the matter is we never really get at them because we don’t look hard enough to find them. And, again, to you look hard enough to find them compels you to spend a lot of time at it; to make it a five day or sometimes six-day-a-week thing. If the schedule does not allow for that to happen, you find another new phenomenon in this town and that is the growth and power of those who are here; i.e., the staff.

Now, when I was in the staff up there, I found that to be a perfectly wonderful thing. I’m not going to object somebody saying you’ve got too much power as long as I understand the limits of that power. And abusing power is something that once you’ve seen it, you always remember that you’re not going to do it again, but the truth of the matter is that the expertise and the understanding and the miniscule detail falls to those people who are going to be here and who are going to do the digging, commit the time, and devote the energy to it.

On an optimistic note, I have to say, one of the encouraging things that’s going on in this Congress over the last roughly, year and a half, two years or so, has been the relative emergence of the Government Operations Committee in both the House and Senate as a bit of a force. It has an aggressive chairman who is conscious of his territory and wants to do things. It has an almost unlimited broad based mandate, so it can look into things, but it provides the Congress with something it has not had unless you want to count the GAO, which is a committee that is absolutely focused on trying to conduct its oversight responsibilities and basically to make them happen in a positive way so that you do get a positive result.
I want to talk about partisanship, too, because that’s like oversight. We all suffer from an excess of it and sometimes we are criticized for a lack of it, so it’s a very ethereal thing, but most committees – I’ve really only worked on one, but I’ve had relationships with the other 20 plus – most committees start out wanting to build consensus. There’s a thought, and I subscribe to it totally, that the consensus-builders actually get better legislation. They get more independent thought. They get more people accountable. They get more public acceptance of what they’re doing, and they can produce a work product that will be more wildly embraced than anyone thought possible.

I’ve been in this town 35 years. I will tell you that I have reverential respect for a number of politicians, but one sticks out of my mind and that’s the Honorable Morris K. Udall of Arizona. When Mo Udall was here in the ‘70s, he produced Surface Mine Reclamation Act, the Alaska Wilderness Act, the Post Office and Civil Service Act, and I’ve forgotten the other five to ten other major pieces of legislation that we are still living with today. The major criticism of Mo Udall was not the fact that he was too nice a guy, but that he was too much of a consensus-builder; that he brought too many people into the process. But if you look – historians and political scientists will reflect back on this man and they will look at his work and say, “My God, whatever he did, he did something right because we have legislation that still stands today in virtually each case where he built consensus.”

I am going to stop, but I want to talk – one more point I want to make about this relationship and that’s this one of organization and size. When we took over the Appropriations Committee in 1995, I worked for Bob Livingston and Bob and I went to our own leadership and said, “We have too many members.” We had 64. And they said, “Well, what do you want?” And we said, “Fifty.” And they said – well, we argued, argued, argued and we ended up 56 – typical Appropriations: split it down the middle. And ever since then we have been playing footpack and you – they have put so many members back onto the committee that now I think is up to historic highs even where we found it above when we took over.

I am not looking to kick people off committees, but I am telling you that I think the Transportation Infrastructure Committee, which is now in the high 70s, and all the rest of these committees which are in the 70s and the 60s – there is a problem here and the problem, I think, is that if you have so many members on so many committees and members now – they have two or three committees. Unless they are on Appropriations, they can get up to three subcommittees. You are not doing the member of Congress a great service and you are not doing yourself a service either because you are diluting his energies. You are diluting his or her resources and you are diluting, most of all, their precious time, which they do not have in this town anymore because of the big schedule.

A way has got to be found and last year – the last couple of years this all falls into the big breadbasket of organizing the Congress, which is – again, it’s a subject for another Scott Lilly seminar, but the truth of matter is a modest start was made this year on Appropriations. They’ve still got tinkering to do to make it happen, I think. I do not
expect to see any major, overwhelming legislative reorganization act. It’s too politically tough. It steps on too many toes. It’s too hard to do and it requires too many sacrifices, but there ought to be hopefully in place a longer term look at how you maximize a member of Congress’ time, how you can develop more specialists, how can you maximize the resources of the committees to make sure that they have the time and the energy and the mandate to do oversight and to produce legislation?

I think in the course of doing so, you will have a stronger institution, and I would hope we could get that done. There have been – we had a flirtation here with reorganization with regard to the 9/11 legislation last year. There was an attempt to merge authorizing and appropriations committees. I pray to God that never happens. I think that is a huge legislative mistake.

There also was set to and fro and they’ve never really finished the job on homeland security where you had a Homeland Security Committee, a select committee created in the House, which ultimately grew up into a full-fledged status. We still don’t have that in the Senate. I think it is being done in Government Operations, but it’s something that policy planners really ought to continue to look at.

I can also make a powerful case, if somebody wants to make me do it, that you are really reaching the point now where you ought to be looking at the health committee. With health generating so much pressure on the federal budget in so many areas from defense, Medicaid, Medicare, everywhere else, that this something everybody ought to be taking a look at. But there is a fine line here, and I guess this is my last point – between the energy, the vitality, the resources, and the – hopefully the selective commitment of these committees and their ability to do their job as tempered against the other broad-based political agenda of how we do what we have to do to continue to advance ourselves politically and to continue to hold onto the basic party unity that has not just put us here, but kept us here.

Thank you.

(Applause.)

MR. LILLY: I want to say a few things about what I think have happened to committees in the last 10 years or before I turn it over to Janet. I would refer you to a speech that Richard Fenno made in 1997 at Louisiana State. He talked about what the speaker did when he first – Speaker Gingrich did when he first took office and what happened in the Republican conference. He abolished some of the committees and subcommittees, appointed the committee chairmen, extracted loyalty pledges from committee leaders, controlled committee staffs, selected committee members, created and staffed the ad hoc task forces to circumvent committees, established committee priorities and timelines and monitored committee compliance. The end product was an American version of a prime minister in a system of party government and legislative process with a lot less of the deliberative and incremental pacing that the committee-centered system can provide.
Now, I think what probably even a lot of people in this room don’t realize is that even though Gingrich was only there four years, the process of consolidation of power within the leadership has continued since then. It has continued for a number of reasons.

One is the ability of the leadership to reliably produce legislation and legislative products that help specific members or specific constituencies or specific interest groups; means that I you want legislation fast then you are a member, you really need to have a good relationship with the leadership.

It has also increased the very substantial money machine that the majority party has and the connection between the downtown interests and what happens on the Hill. And it is consolidated the control over that money so that it goes into pockets that can be controlled by the leaders and then redirected to people based in part on their cooperation and compliance with leadership demands.

Now, in addition to that, we’ve had an explosion in earmarking and the leadership has been very intimately involved in the committees in determining where that earmarking goes. I was in a restaurant the evening CAFTA came up and Democratic members were being called to the phone and being promised by people in the leadership projects in the highway bill that was going to come up the following day and it was no accident that that bill came up the day after CAFTA in order to get their votes on CAFTA. So the leadership has both allowed an explosion in earmarks and been very manipulative in terms of how those earmarks are distributed.

But I don’t think that there is anything that has served to consolidate their power more effectively than the term limits that are placed on committee chairmen and subcommittee chairmen. I think that is probably the greatest travesty that has occurred since they’ve taken over because the entire purpose and reason for committees is to develop expertise in members and in the leadership of the committees and the decision-makers, and that cuts right at the heart of it.

There originally was an eight-year term limit on the leadership and a six-year term limit on committee chairmen. For some reason that makes absolutely no sense in terms of the rationale of term limits, the term limitation on the leadership was repealed, but the term limitation on committee membership or committee chairmanships was retained. What that means is that the leadership sits there permanently watching the rest of the conference scramble for position and can control that.

Now, the first that happened was four years after Fenno gave his speech; 2001 was the year that the six-year limit actually kicked in and people had to give up chairmanships and go on the market and look for new ones, and I think that went fairly smoothly. There wasn’t a lot that went on there. The following cycle there was more of a quid pro quo in terms of what happened, but this last cycle was an absolute consolidation and top-down control of the entire system and I don’t think it can be better illustrated than what happened on the Appropriations Committee.
There were three subcommittee chairmen who sought the chairmanship of that committee, as Bill Young had to step down. Those three happened to control subcommittees that had 75 percent of all discretionary spending – defense, labor, and homeland security. They were encouraged by the leadership, interestingly enough, to become candidates and then were told that there would be things that they would have to do in order to be successful candidates. One was that those bills – those three big bills had to be drafted in a way that the leadership thought was appropriate. Another thing was that they had to raise very substantial amounts of money and far more than they had previously.

But the third thing and probably the one that is most troubling is that they had to make commitments for further – for future fundraising if they became chairmen, and they also had to make commitments in terms of how they would handle the committee in terms of staffing of the committee, in terms of organization of committee jurisdictions so as to suit certain leadership priorities. And so the ability of the committee to behave and perform in an independent way was very badly damaged in the process.

This affected a number of things and I think the Iraq War is a part of consequence of this. The Defense Subcommittee on Appropriations is – regardless of what people say about the oversight function of the Armed Services Committee or whatever, that is where the immediate response of the executive branch to the legislating branch occurs. If the Defense Subcommittee says you are not going to do it, it doesn’t happen. If they say we want the information, the information is provided. Nowhere else is there that direct power between the legislative and executive branches.

And what happened, because the chairman of that subcommittee was a candidate, he was told to back off of questions that he wanted to ask. He was – he refused to cooperate with the minority in routine inquiries that should have taken place with respect to the Pentagon. A lot of information about the kind of intelligence that was being performed and the activities of the Defense Department with respect to the intelligence agencies were not explored, and so you had a serious, direct diminution of the ability of the committee to perform its function as a result of leadership interference and blockage of the normal work of the committee.

But I think it goes beyond that because one of the quid pro quos of this enhanced leadership power that took place in the beginning was going to help Speaker Gingrich have the power to enact the Contract with America. The Contract with America was largely enacted, but it was later translated that it was also going to be used by the leadership to ensure that any legislation that a majority of the caucus – Republican conference did not support would not be passed, and they would do as much as they could to pass anything that a majority supported. There are 231 members of the Republican conference; that means that 116 members can block or help pass legislation in a body with 435 people. That is a very tall order.
That really means that you are trying to make the House work in a way that Thomas Jefferson wrote rules to prohibit it from working. And the only way you can do that is to plan all of your legislative activities well in advance, do all of the work in the speaker’s office, and then give the committees directions in terms of what they are supposed to be.

That really means that the committee process is no longer a deliberative process in which witnesses are brought in and equities are weighed and compromises are reached between members. It leaves what we have traditionally done in committees completely in the dirt and it converts that entire process into simply orchestrating and having a public relations campaign on behalf of decisions that were already made in the speaker’s office.

What that really means is that we have come full circle from Joe Cannon. At the beginning of the 20th century, we had a totally top-down system. At the beginning of the 21st century, we have a totally top-down system. Well, what’s wrong with a top-down system? I would just give you one statistic to think about and that is, according the historical tables published by the Office of Management and Budget, the federal budget in 1900 was $500 million. Now, that’s not inflated. We’ve actually had about 2,000 percent inflation since then. That means that in today’s dollars the federal budget was $10 billion dollars in 2000. That’s about a third the size of one of the smaller Appropriations bills, energy and water, interior are those sizes.

So you could have a top-down, speaker-led system in 1900 and oversee a relatively small government. We have an entirely different government today. We have naval ships that can sink any vessel on any ocean in the world. We’ve got bombers that can be in the air and put a precision munition through almost any doorway in the world. We have massive health research programs. We extend to every continent and every capital in the most intimate way. And for the Congress to be a partner in that, you cannot have decisions being made in the speaker’s office. You have to have a diversion of power and you have to return to the system in which committees are able to do their work, to independently look at the information and then make decisions based on their hearings, not based on what they are being told by leadership staff.

Janet is the follow-on to clean up all the mess we made. (Laughter.) And I would like to say just a few words about her. I have lost my notes in the process of doing this. Janet started working as a reporter on Capitol Hill in the late 1970s. She was with Congressional Quarterly. She is now the Washington congressional correspondent for the Los Angeles Times. She is the recipient of a number of awards, including the John S. Knight fellowship, the Everett Dirksen Award for reporting on Congress, and the American Political Science Association Award for political reporting. And I would say that despite the fact that this panel is divided in terms of partisan affiliations and in terms of philosophy, I think we all share admiration for Janet and the way she does her job, the fairness she has, and the extraordinary insight she has into the way the Congress functions.
JANET HOOK: Well thanks, Scott, and it is an honor to be here because basically a lot of what I know about Congress works, I learned from these guys. But I promised I’d never put their name in the paper. I’d go to jail for it. (Laughter.) Anyway, you know, people often talk about whether a reporter’s are biased – you know, liberal or conservative – and I actually think that our real bias is toward talking to people who knows what’s going on, who have insights into what’s going on, who can tell you what it all means and that’s what people like these guys have done to help me learn how to cover Congress.

Which speaks to – it takes me to – I agree with Scott that one of the biggest changes that we have seen in the role of committees over the last ten years has been the consolidation of greater power in the leadership office, in the House at least and to a lesser extent in the Senate. And to be honest with you, that really changed my job. I would like to say that when Newt Gingrich got his new job in 1995, I got a new job. Covering Congress hasn’t been the same ever since. Basically, like I said, we gravitate – reporters gravitate to people who have information and the power to make them happen, so we talk to a lot more Republicans than Democrats these days.

And also what I have noticed is you talk more – you get more of what you need to know as a reporter from talking to leadership, or people close to the leadership, than – I mean, before – you know, when Dan Rostenkowski was chairman of the Ways and Means Committee, if you wanted to know what the committee was going to do, all you had to do was find out what he thought.

Well, now you have to know what Bill Thomas thinks and what the leadership thinks. Whether the Social Security bill is going to have provisions for restoring the solvency of the program or not, that’s not just a Bill Thomas operation these days. And, for example, the budget bill that’s going to be going through this fall, if you want to know whether there’s going to be provisions allowing drilling in the Alaska Arctic Wildlife Refuge, you’re more likely to find out the answer to that standing outside Bill Frist’s office than you would be if you went to the conference committee, which is different from – you know, when I first came to Washington, it wasn’t quite the late ‘70s. It was a little later than that, but my first job was with the Chronicle of Higher Education, a weekly education paper. And one of my first substantial assignments on the Hill for them was to cover the reauthorization of the Higher Education Act.

Now, I gather there are a lot of academics in here; you know there is a lot of money in there. There’s big, important programs. And I got dropped in kind of late in the process, so the first thing I had to do was cover the conference committee and it really was – I mean, this almost seems kind of quaint now because it was a real honest-to-God how a bill becomes law kind of conference committee. You know, tiny room, House members on one side, senators on the other, and they had a big book with the whole bill written out – House provisions, Senate provisions – and they went through one by one.

I mean, clearly there is always behind-the-scenes negotiating, but it was days of open conference committee negotiations; reporters standing around – and of course they
never had chairs for us, but – and so you really could see how negotiations happened. And there are still some bills that are negotiated like that, but I haven’t seen one for a while of any kind of major import. Usually, conference committees get together, they have a one open meeting where they touch gloves, they make their opening statements for the cameras, and then they disappear for a couple of weeks and then they come back when the bills – the agreements have been reached.

You know, whether you – I am of two minds on the question of whether procedures – I mean, I have the feeling that the way Congress runs now bothers you a lot more if you don’t like what’s coming out than if you do. So things have changed, though, a lot and there is really no getting around the fact that the leadership really is a much more important source of power in the House that it used to be.

I don’t think it goes quite as far as Scott says. I mean, I think the – a lot of the big, marquee issues that are really important to the party, the leadership does dive really deep into the committees. But there are a lot of bills that go through Congress that the leadership doesn’t have that much say in. You know, and as a journalistic matter, actually, the enhanced power of the leadership makes it in some ways an easier story to tell because at the last session or after lunch there is some question about how the media covers the White House versus Congress and it really is a lot easier to figure out what the story is on any given day at the White House. There is one guy and what Bush says matters more than what anybody else around him says. And in Congress there are lot of important people. There is a lot of committee chairmen. There are a lot of things going on at once.

And when Gingrich became speaker, suddenly covering Congress became more like covering the White House. I mean, there was – anything that Gingrich said – I mean, he had this great knack for making news every time he opened his mouth and that’s just different and it mattered and it gave the story of the consequences of the 1994 election a little bit more focus. And I actually think that newspapers – my editors and others – became much more interested in Congress after Republicans took control and there was just sort of more of a sense of it being an institution that was leading, rather than following, the White House.

I think that that has changed now, but that was part of what I think went on in journalism in politics after the ‘94 election. I think – some of the things that Scott was saying, I think, are interesting and accurate, but to get back to my other point I think that the procedures that the Republicans are using in controlling the House – it’s not the way they are doing – it’s not – what I am trying to say? I think that it’s the way they are wielding their power, not who holds the power, that’s controversial right now. It’s not just that the leadership is very powerful, but they are using it in ways that kind of constrain the limits of debate. You know, having more rules that when the bill comes to the floor there aren’t alternatives allowed or there are fewer amendments allowed.

I mean, the Democrats did their share of that, Billy. I admit that. I do think, though, that the Republicans now are kind of pushing the envelope to the point where I
was very struck when I heard Newt Gingrich speaking at a conference earlier this year and even he was saying that he thought that the Republicans were maybe shutting things down to their own – too much to their own detriment, which is to say that he thought that by limiting debate and restricting the number of alternatives that the House actually votes on that Republicans are in danger of sort of getting out of touch with where the people are, so I think this was his quote: he said, “If you don’t allow yourself occasionally to lose on the House floor, you don’t have an indicator of how out of touch with the country you are. A House that runs purely as a machine is a very sterile institution. It’s dangerous for the House to become an instrumentality of a machine that’s insensitive to the need for the opportunity to offer other choices.”

Now, the Democrats have been trying to make an issue out of this. They kind of have been trying to connect this – the procedural shenanigans going on in the House with a larger message for the ’06 election of Republicans abusing their power, and I think it is a very hard message to get out. They of course blame reporters – you know, the press because we are not writing about it, but it’s – let me tell you, it’s hard to get your editors interested in procedural matters in the House.

But I do think that they have a point that there are important consequences to how a party uses its power, but I think so far they haven’t quite succeeded in connecting it with this theme – with issues that people care about. Interestingly, in the Senate I thought that – I was quite struck by how both of parties in the debate over the use of the filibuster in judicial nominations managed to reach a broader audience with their message than you would have ever dreamed possible. I mean, the filibuster – you know, it’s a very arcane thing that everybody associates with *Mr. Smith Goes to Washington*. But the Democrats and Republicans, I thought, both made it into a much more accessible debate, and it kind of turned into a little civics lesson in the role of the Senate in our constitutional system for those who were paying attention.

But anyway, with that I think maybe I will be a reporter and let other people ask questions. And – because I think we are running a little short on time here, so why don’t we open it to –

MR. LILLY: We have got time for a just a couple of questions. Anybody? No questions? Wendell?

Q: I guess, Billy, I have a little different version of what happened at that night in 1981 with respect to that reconciliation bill – (laughter) – but I guess I have two questions. One is, you prevailed that night and could you ever envision the minority leadership now prevailing with New York or Connecticut Republicans to defeat the majority? I have my own answer to that, but I guess I have another question and that is – and you all touched on it. The biggest change I have seen is the rise in partisanship and the loss of civility, and does that make a difference and do we have any dream of ever getting back to where laws are written in the middle, where you have both Rs and Ds on legislation?
MR. PITTS: Well, I gather that was directed at me.

Q: No, to all of you. All of you.

MR. PITTS: But remember these margins that we talked about; that the Democratic margins were the closest at 52 or 56 seats, primarily they had 80, 90, 100 vote margins. The margins are much closer. From my perspective, and I have served under seven speakers and seven presidents, this is the best leadership team I have ever seen. They are very disciplined. They work hard at it. They spend a lot of time. They – you don’t see leaks coming out about their game plan.

Will the minority be able to prevail? I look back and quite frankly there are six or eight motions to recommit that the Democrats have prevailed on. I think the primary problem with the Democratic Party in the House is they don’t have a consensus among themselves. They couldn’t put up a substitute because – the tobacco buyout. If they put the tobacco buyout in their proposal, they lost their own liberals; if they took it out, they lost their conservatives. I don’t think that the Democratic Party has any real consensus proposal. I don’t know what they stand for.

So I think when they get their act together, and they did on child care and I think they were effective on child care and I think what’s in law is pretty close to what they had proposed. Could there be consensus-building with the Republicans? I think it’s going to take some time. I think these close margins – you know, when Scott was talking about needing a 116 Republicans to effect the outcome, all you need is a defection of a dozen or so Republicans and the bill’s dead. It doesn’t go anywhere. And we are under huge constraints to move legislation in a timely way. We’ve got to get these appropriation bills done by October 1st, so – (laughter).

MR. DYER: I would just add a couple of things to that. The answer to your question about whether you will ever get civility or bipartisanship back, in my judgment, is that you will get it. You get it back now and you have it now in certain areas. You are about to witness a congressional response to the disaster in New Orleans and the Gulf and I think the response will be overwhelming and bipartisan.

You had the same thing in that wake of the terrorist attacks in New York. You’ve had appropriations bills going to the system with overwhelming votes, 400 votes to the weakest of the bills.

MR. PITTS: And they’re all under open process.

MR. DYER: You have them. It is there, but I will tell you – I will concur with you on one point: it’s pretty tough, but it goes back to the fundamental philosophy of the fact that you have to have some kind of discipline in the party rank to basically stay unified, to stay where you are, or the whole thing falls apart. And this Congress – this majority party doesn’t look for opportunities to lose very often.
I would just add on a couple of other things if I might. You know, people—there’s a lot of criticism this time on earmarking. It mostly comes from the conservatives, but the truth of the matter is everybody is participating in it—Democrats and Republicans—and originally—the original earmarking started in the ‘70s when I was a little middle-aged staffer on Interior and related and we were trying very hard because we had budget limitations that didn’t work. We were trying to take care of people and we said, “Well, would you take it inside of available funds?” And they said, “Sure, we don’t care how we get it as long as we got it.” This process has ballooned and Scott referred to its linkage to other pieces of authorizing legislation, and that’s true. However, if anybody can replace the current carrot/stick approach to life, with a superior carrot and a superior stick, I think everybody would be interested in hearing it.

I would also make the point that—and that also goes for any references to and any kind of campaign financing activities regarding these things. I mean, there is this large, large watering hole and we all there and we don’t check our political affiliation of the door. But I did want to make one final point on—in 1995 when the Republicans came to power, there was a perception—right or wrong—of committees under the other party had gotten too powerful in the 1994s. There was this perception that the Democrats had made a mess of the crime bill. The chairman of the committee who did it allowed himself to be photographed in an uncomfortable position with his feet up on a chair and a cigar in his mouth looking like he was prepared to take on all comers and it looked bad for the institution and it looked bad for him.

And the Republican leadership at that time said they won’t let that happen anymore, so what you got as a result was this thing that could keep us here for a very long period of time and it really is a pendulum going back and forth. And that is, how do you instill a sense of discipline and a sense of purpose in an organization that is in power by the thinnest of margins and has its license renewed every two years while at the same time fostering some independence and some initiative and some oversight in one of its workable arms, and we have varying and sundry opinions on that, but—I mean, I suspect that may be the gasoline that makes an engine flow around here.

MR. LILLY: I want to just respond to Wendell’s point in terms of coalition building and what Billy said. I think this is a very disciplined and very effective leadership. There is no question about that. But I would rather see a Congress in which the majority party—and even if it’s the Democratic Party—loses some votes than to see members being torn from the votes or pushed into voting for things that are against the interests of their districts or against the basic philosophy and beliefs about good policy.

And it’s no secret that that happens all the time and it happens because of campaign contributions. It happens because people are being threatened with opponents. It happens because they know they know they won’t get committee assignments. It happens because they know their bills will get killed. It happens because they know they will get cut out of projects. And that’s what’s controlling the conscience of the House now. The consensus of the House is the agenda of the leadership that puts it through.
Now, if that’s what it takes to win votes, then I don’t think we were really dealing in a democracy, and it’s not the way I would want to prevail. And I would say just one other thing in that respect and that is that as long as you have votes that are being manipulated in that way, for instance the prescription drug vote which they held open for three hours and one member’s son who want to succeed him was threatened with not getting support as one of the ways that they picked up the votes. When you have that kind of pressure being applied, then the prospects for civility, the idea that debate – I mean, I remember a time when debate probably didn’t swing a lot of votes, but it did matter. Today, debate is the formality. Persuasion is not based on ideas. Persuasion is based on raw power and raw power is dictated from the top and many members of the majority party, and I think this will be their eventual downfall, vote consistently against their own districts in order to stay in the game. They vote on major policy matters in ways that harm their region, their state, and violate the philosophies of the districts and basically the philosophy they came to Congress with. And that’s not a way to run a legislature or to win votes.

Q: In the 1980s, we used to talk about the appropriation process being a five-ring circus and that led to large deficits. Now we’ve had a shift to much more centralized leadership and we’ve still got large deficits, so I’m just wondering how important the institutional process is as it relates to public policy.

MR. DYER: If that’s the softball aimed at me, I’ll take it. (Laughter.) One thing that gives me the greatest satisfaction on Capitol Hill today is there is an albeit begrudging concurrence on the part of, I believe, the most conservative members of my party that discretionary spending right now is not the chief culprit in the world of deficits. Now, if you want to look at discretionary spending and you look at where it’s going, you’ve got double-digit defense expenditures largely because of Iraq, but you had double digit expenditures even pre-Iraq. For budgetary purposes, they set Iraq aside, as you know, and they treat it as an emergency. But with it or without it, the largest expenses are here.

You have maybe a 4 to 5 percent increase in homeland security and everything else is either flat-line, below low inflation, or slightly below and that’s – it does not – those numbers of themselves will probably not get you to a 330 or a 350, or wherever your projected deficit is now. Being an appropriator, I don’t believe in budget projections. I think the same people who got the projected surpluses wrong are the same people who get the projected deficits wrong. They simply don’t know. If any of you in this room can tell me what your projected household budget deficit will be in five years, I think you – I will get you a job in the government tomorrow.

The truth is you can’t and believe me, the people who are making these forecasts and these projections – probably a roomful of them here, so they will get me later – they can’t tell you either. But the truth of the matter is it is not discretionary spending. If you look at discretionary spending closely, it’s not there. You are in double-digit increases in Medicaid and Medicare, in a whole host of programs on the mandatory side – highways,
aviation, agriculture, you name it, they are all there and it would be my judging – if
you’re looking at spending as the culprit, then that’s where you’ve got to start to look.

MR. LILLY: I’d just add to that. In 2000, we had about a $350 billion surplus. We cut
revenues as a percentage to GDP, federal revenue as a percentage of GDP from
20.5 percent to 16 percent. That is about a $550 million – $50 billion shift in revenues.
In other words, we would be collecting about $550 billion a year more than we are. If
you look at the Iraq War, it’s costing us about $120 billion a year. If you look at the
increase in homeland security, it’s about $30 billion or more. So there has been a
significant increase in discretionary spending. It is not been an increase that the Congress
actually has to spend, but it doesn’t begin – we would have $200 billion surpluses right
now if we have the same revenue code that we had in 2000.

MS. HOOK: You know, I would say to your question – the basic question that
you are asking, though – you know, do institutional structures make a difference? I
would say to a certain – it’s tempting to say no because of the history that you just cited,
but there were – they are not quite institutional structures, but a bunch of rules that were
allowed to expire that could have – that made – had some restraining impact. But clearly
the policy and political dynamic is more important than the institutional structures that
you have set up. And in terms of policy and political dynamics, the biggest change over
those years is that Republicans, now that they’re in control, seem a little less determined
to balance the budget and cut spending overall than they were. Now they’re just doing
their kind of spending instead of the Democrats kind of spending.

MR. PITTS: Scott, I was willing to let the idea that term limits created the Iraq
War go when you said that – (laughter) – but this idea that your party is better with the
budget – you had – every appropriation bill comes up under an open rule and you have
plenty of chance. Any member on your side can move to cut spending, and if you were
to leave the revenues in place, it’s my belief that you would spend it all and
unemployment would be higher than it is today. It’s our party’s philosophy that it’s
better for people to spend their own money than government spending their money. We
obviously disagree over that, so –

MR. LILLY: You’re not just spending it, you’re borrowing it from them at the
same time. That’s where the hitch comes in. You’re giving tax cuts to this generation by
borrowing from the next. That used to be something that your party was very careful not
to do and –

MR. PITTS: Not only tax cut – we’d just spend – I’ve been hearing that for 25
years and the economy is doing strong and I’m sorry, we disagree.

MR. LILLY: With that, and we will continue to disagree and enjoy our
conversation.

(Applause.)