Floor Tactics Showcase Rule Experts

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By Ethan Wallison

Roll Call

A concerted shift by House Democrats to more aggressive floor tactics has thrown a spotlight on an obscure group of parliamentary experts in the Caucus that is expected to take on a key strategic role in the months ahead.

The ad hoc group, led by Reps. Barney Frank (Mass.) and Lloyd Doggett (Texas), has operated deep within the minority Whip organization for years. But its tactical function burst into view just before recess, when the Democrats managed to tie up Republican efforts to pass a supplementary spending package. Members of the parliamentary group now warn that there is more disruption in store for the GOP unless its leaders take steps to produce more "open" debate on the floor.

"This is all I can do," said Rep. Mike Capuano (D-Mass.), a recent addition to the group. "I didn't run for office to sit back and not even be heard."

Democratic frustration and anger over rules that Members consider too restrictive has been common since Republicans took control of the House in 1995, but it appears to have reached critical mass with the supplementary spending measure.

Realizing that Democrats would find it politically difficult to vote against emergency spending for military needs, the Republicans structured the rule so that a vote to move ahead with debate would also appear to permit raising the debt ceiling - a matter that Democrats desperately wanted to debate separately.

The Democrats responded with a rarely invoked motion to "strike the last word" in the debate - an obstructive measure that permitted Members to weigh in for five minutes apiece. Within hours, 90 Democrats signed up to speak, according to a spokeswoman for Minority Whip Nancy Pelosi (D-Calif.), whose office ran the operation.

The spokeswoman, Cindy Jimenez, said 45 Democrats had taken their five minutes before GOP leaders pulled the plug around midnight and sent the matter back to the Rules Committee for changes.

The restriction on debate "is actually worse now than it was under [former Speaker Newt] Gingrich," Frank said, referring to the four-year period, beginning in 1995, when the Georgia Republican presided over the House.

Frank said the parliamentary group began in the early days of the Gingrich era, when

Democrats felt the chamber was being led on a "forced march" through the agenda outlined in the GOP's "Contract with America."

Now it finds itself facing a Republican White House and what he called a "quiescent" Republican Conference that appears willing to march in lock step behind the leadership.

"It's a systematic effort to keep the public from knowing how the Republicans think on issues that they don't want to talk about," Frank said. "What they're doing is playing games at the expense of democracy."

Frank said the group has two basic roles.

"Sometimes it means delaying things because we don't agree with it, and sometimes it means trying to get issues brought up," Frank said. "If [GOP leaders] bring [legislation] up in a fair way, this won't happen."

The group currently includes more than a dozen Members, virtually all from the liberal activist core of the party and many steeped in parliamentary experience, often from state legislatures.

Besides Frank, Doggett and Capuano, the parliamentary group includes the six chief deputy whips - Reps. Chet Edwards (Texas), Max Sandlin (Texas), Maxine Waters (Calif.), Ed Pastor (Ariz.), John Lewis (Ga.) and Jan Schakowsky (Ill.) - plus Reps. Diana DeGette (Colo.), Gene Green (Texas), Hilda Solis (Calif.), Barbara Lee (Calif.), Louise Slaughter (N.Y.) and George Miller (Calif.).

In the aftermath of the pre-recess parliamentary showdown, Democrats appeared last week to back off earlier suggestions that their approach to the supplemental bill heralded a new obstructionist era in floor tactics.

Initially, a number of leadership aides indicated that Democrats were prepared to block nearly everything that came to the floor, starting with the suspension bills that kick off an ordinary work week. Those measures deal with naming post offices and other mundane matters, but require a two-thirds vote of the chamber for passage.

Jimenez, however, said Democrats would be "selective" in choosing the measures and rules they will fight.

"We're trying to use this group to have a presence on the floor. We don't want to obstruct. We don't want to 'blow things up,' " Jimenez said.

"For the moment, we're feeling our way through this," Capuano said. "I don't want to be obstructionist. No one does."

But Capuano added, "You have two choices in life. You either sit down and take it, or you stand up and fight. I stand up and fight."

To be sure, opportunities for procedural mischief are few and far between in the House, which was organized around the principle of majority rule.

The structure of Senate rules and procedure gives individual Members far greater power to affect the course of the legislative process.

It is not clear in any case how much delay and obstruction the Caucus would ultimately be willing to create. Capuano noted that even amid the unity and exuberance Democrats showed during the debate on the supplemental, some Members were nevertheless grumbling about not being able to get back to their families.

"I wanted to be with my family as much as anybody else," Capuano said, while suggesting some of the younger Members around him would likely begin to revolt if delaying tactics became too much a part of the floor strategy.

John Feehery, a spokesman for Speaker Dennis Hastert (R-Ill.), called the pre-recess fracas an "entire waste of time," noting that there was no specific language about the debt limit in the rule.

"I think Members of their Caucus were just as annoyed as we were," Feehery said.

Feehery said the rules of debate have been fair "by and large," and suggested Democrats were simply looking for more ways to grandstand on issues such as Social Security.

"They're making up issues," Feehery said. "There are no plans to privatize Social Security. There's no desire to privatize Social Security. But that's all the Democrats want to talk about."