

# **Business Calls For Reform Of Congress Making Washington Work Project Committee for Economic Development**

**November 9, 2006**

The Washington policymaking and political process is broken. There are hostility and paralysis in our national government. Washington politics has degenerated to the point where civic debate has become uncivil invective; analysis has been displaced by ideology; and vital public issues are not solved, but rather stored for future partisan use. And nowhere in Washington has this failure been more abject, and more consequential, than in the workings of Congress.

As members of the business community, we step forward not to ask for some law or regulation that will benefit our personal or business interest, but rather to pursue the public interest. Our own interest lies in the public interest as well. When Washington does not work, when critical issues are addressed only as political footballs, it is bad for business – and for all of America. The disappearance of what we call the “vital center,” where ideas are tested in good faith through fair debate, is a threat to our firms, our shareholders, our employees, our customers, our fellow voters, and ultimately our democracy – a threat that is unique and extreme in our experience. We cannot be silent when so much is at risk.

The inability of our political system - in the absence of a vigorous, bipartisan center - to address effectively such known and crucial issues as the rising accumulation of public debt, ballooning and crippling health-care costs, a looming Social Security shortfall, an education system that leaves too many of our children behind world standards, and serious energy and environmental problems is a scandal of monumental proportions. The governmental and political system that cannot confront these visible challenges will surely lack the reserves of comity and trust to face any unknown and sudden – and perhaps even more dangerous – crises.

In recent years, the U.S. Congress has responded to evidence of corruption and self-dealing in business with strong and swift action – especially in the Sarbanes-Oxley legislation. We believe that this law was proper, and has proved beneficial. So when faced with all of the recent evidence of its own abuse and dysfunction, Congress should have acted with the same vigor and resolve. The stakes were certainly even greater. But Congress has shown itself unwilling to impose upon itself the same kinds of disciplines that it has on others. It has done next to nothing, either to identify and root out scandal, or to resolve the pressing issues that threaten the prosperity of all Americans. This is unacceptable. It is time for Congress to adopt for itself the kind of oversight and accountability that it put on private enterprise with Sarbanes-Oxley.

Criticism without remedy has no value. So what are the principles for successful leadership in government, or in business?

First, there must be *transparency*. Decisions should be made in the open, following rules that are universally understood. The reasons why a decision is made should be stated clearly, and debated fairly. Reasonable alternatives must be allowed to be presented, and must be weighed against each other. All parties must be heard.

Second, there must be *accountability*. It must be clear who is assigned a given task – including who is responsible for monitoring and maintaining ethical behavior for an organization. Those who are assigned a task must be judged according to their performance, which must be documented fairly and openly. Also, those with responsibility must be given the tools to fulfill it, and other authorities must not interfere to pursue their own purposes.

Finally, there must be *enforcement*. In the first instance, rules should be followed. If and when rules are violated, those who have done so must be identified, and suitable sanctions must be imposed, lest the failure to do so should encourage successively greater and greater violations.

These three principles apply to virtually all of CED's concerns regarding the breakdown of institutional Washington, and we will make reference to them in every statement that we issue as a part of this project.

*The Devil Is In The Details.* Just as criticism is worthless without remedies, so principles have limited value without specific steps to fulfill them. In this instance, the specifics are daunting, because the workings of the legislative process are arcane and nearly impenetrable. Most Americans would have virtually no reason to investigate them – except that within the arcana are snags that can halt the nation's progress and can tear the reservoir of essential bipartisan trust. In the legislative process, the devil truly is in the details.

*Not A Partisan Issue; Break The Cycle Now.* While current concerns focus on today's congressional Leadership, the legislative process has been abused by those on both sides of the political aisle during past cycles of power, and an apparent cycle of alleged past abuse and continuing retribution has infected Congress. This process cannot be blamed solely on one political party. Those now in power may perceive that their own current abuses only square the public record (and those aspiring to power may believe that their planned abuses would then do the same). However, perceptions of the past will always differ, and a cycle of perceived abuse and perceived retribution can only spiral endlessly into self destruction. We must break this vicious cycle, and we must break it now – before urgent and unaddressed economic and foreign policy issues do irreparable damage to our nation.

***Enforce Existing Rules; Improve The Rules.*** In the analysis that follows, we show how the essential principles of leadership have been violated by the procedural behavior of Congress. We then explain what should be done to repair the process. These remedies may be divided into two classes. On the one hand, Congress has functioned for decades according to a set of rules of procedure and well established norms – the “regular order” – that was widely understood and provided a structure for the fair competition of ideas. Problems in recent years have come most frequently from a failure of Congress to enforce its own rules – the violation of the “regular order.” So in significant measure, the remedy for the failure of the current legislative process would require merely ending violations of Congress’s existing rules. We highlight the key rules that have been ignored, and should be observed. In addition, we propose some new rules that would help Congress to function better. Taken together, these ideas would begin to restore the transparency, accountability and enforcement that are needed for Congress to work better, and to fulfill the public trust.

### **Background**

Experts have voiced numerous concerns about the workings of Congress. The following practices would appear on many of their lists of issues:

- The increasing use of House rules through closed rules and extended roll-call votes to deny the minority a full debate or effective votes, and to alter legislation passed by the Committees of jurisdiction;
- The increasing use of filibusters, amendments, and holds to clog the legislative work in the Senate;
- Abuses in the functioning of conference committees;
- The long-term decline, over decades and changes in influence between the two parties, in the ability or willingness of Congress to make thorough use of its oversight powers to keep the Executive Branch in check;
- The breakdown of the budget process;
- Heavy reliance on riders and earmarks to must-pass appropriation bills as a crutch to act on significant policy issues, often late at night, out of the public view;
- The growing tendency toward government by Continuing Resolution; and ultimately,
- The lack of true bipartisanship and the resulting polarization of Congress.

These procedural abuses have a distinct corrosive effect on the tradition of fair play in the public square, the tradition that binds us together as American. Furthermore, with its poisoned partisan atmosphere and hobbled procedures, Congress has failed even to take up critical, time-sensitive issues facing the nation: excessive deficits and debt; substantial international financial imbalances; unsustainable obligations for Social Security and health care; energy and global-warming issues; war and terrorism among them. Unless these procedural hurdles can be surmounted, U.S. prosperity and world leadership will be under threat, and the quality of our life as a nation will be diminished.

***There Is No Silver Bullet.*** Some procedural abuses are causes of Washington dysfunction; others are symptoms. Correcting all of those abuses would be only a step toward building the legislative process that we need to address our pressing policy challenges. But failing to correct those abuses would be irresponsible.

***It Is Difficult To Curb The Authority Of The Authority.*** Many legislative abuses are exceedingly difficult to attack in any definitive way. It is often impossible to create rules and laws that can bind the very institution that itself can write its own subsequent rules and laws – and that can waive the rules, and suspend the rules, at its own whim. Any long-term change of behavior will require a long-term change of attitude and atmosphere in Congress, and attitude and atmosphere are exceedingly hard to shape. The best remedy may well be the traditional expression of the will of the voters; and this statement is a part of CED’s intended contribution to inform and convince the public that Congress must change its priorities, and put the nation first, ahead of partisanship. For all of the difficulties, there are some steps that Congress could and should take.

Here is how these failings of sound process have violated the most basic principles of leadership (with the clear understanding that several could fall easily under more than one category):

### **Violations of Transparency**

- ***Closed Rules In The House.*** The use of closed rules – a ‘rule’ is, basically, the ground rules for the consideration of individual pieces of legislation on the House floor, and a “closed rule” restricts the rights of the Minority to offer amendments and to debate – has increased steadily since the 103<sup>rd</sup> Congress. In the 103<sup>rd</sup> Congress (1993-94), there were 49 open rules and 18 closed rules. In the 108<sup>th</sup> Congress (2003-04), there were 28 open rules and 36 closed rules.<sup>i</sup> Closed rules are at times necessary to facilitate action on urgent pieces of legislation. However, experts in the workings of Congress believe that their use has expanded well beyond need, and has come to restrict unduly proper deliberation and the rights of minorities in Congress.<sup>ii</sup> The restriction of time for debate limits the opportunity for Members to express, and citizens to hear, different perspectives on important issues. Restrictions on amendments can be abused by the Majority, which can use its authority to choose which Minority amendments are offered. Thus, the Majority can limit the Minority to offering an extreme amendment that is supported by only a few Members and might be unattractive to the public, while an amendment that is representative of a consensus of the Minority cannot be offered and debated. As a result, citizens – and even the Members themselves – are not exposed to the issues involved; the Members cannot vote on a full range of reasonable alternatives; and voters do not see the Minority’s approach to solving the problem.
- ***Suspension Of The Rules In The House.*** More and more bills also have been considered under suspension of the rules. Traditionally, suspension of the rules is used to expedite consideration of non-controversial legislation, with limited

debate time. In practice, there is concern that suspensions are used where possible to limit deliberation and debate on substantive bills. Between the 104<sup>th</sup> and 108<sup>th</sup> Congresses, the number of bills considered under suspension of the rules has more than doubled, from about 400 in the 104<sup>th</sup> Congress to more than 900 in the 108<sup>th</sup>.

- *“Emergency” Procedures in the House.* 116 of 191 House rules in the 108<sup>th</sup> Congress were considered “emergency measures,” which means they did not have to comply with House rules on scheduling (which require work to be conducted during regular business hours, with notice of meetings given 48 hours in advance and relevant materials supplied to each member 24 hours in advance).<sup>iii</sup> This means that serious bills were given less than serious consideration. In particular, in many cases, there is too little time allowed to read important legislation, especially omnibus budget bills.
- *Reporting of Bills Outside of Normal Hours in the House.* Again in the 108<sup>th</sup> Congress, 76 of 191 rules were reported after 8:00 pm (and 21 of those were actually reported at 7:00 am on the following day, although for legislative scheduling purposes it was considered the previous day – through manipulation of the “legislative day”).<sup>iv</sup> Often, those reports were followed by consideration of the underlying bill very late at night (or early in the morning) or even on weekends. (For example, the conference report on H.R. 1836, The Economic Growth and Tax Relief Reconciliation Act of 2001, was reported out of the Rules Committee to the full House at 5:17 A.M. on Saturday, May 26, 2001, and the bill was taken up by the House at about 6:51 that morning – giving Members a maximum of one hour and 34 minutes, before 7:00 on a Saturday morning, to read the bill.) Again, this practice detracts from and even prevents serious consideration of important legislation.
- *Conference Committees Meeting in Secret.* There has been a growing failure of conference committees to fulfill their basic function, namely, to reconcile the differences between House- and Senate-passed bills to provide a compromise version to go to the President for his signature, and to become law. One major failing is that there is often no bipartisan conference committee at all; Members from the Majority side meet informally and in private to write legislation on their own. There is no notice of committee meetings, and Members from the Minority are not invited. (One reason for this practice is that in the House, if a conference committee has failed to report its bill after a stated length of time, the minority may issue a “motion to instruct” the conferees, which is subject to a vote on the floor with a minimum time for debate. This potential embarrassment is avoided by simply not appointing the conference committee until after the Majority Members have completed their own bill informally.) Even if there is a formally appointed conference committee, it often meets only once for a “photo opportunity,” after which the Minority Members are dismissed and the Majority writes its own bill. The conference committee may or may not meet for a final

session at which the Majority's version is approved without real debate or amendment.

### **Violations of Accountability**

- *Schedule.* Congress has lost the respect of the public in significant part because of its abbreviated work schedule; the three-day “Tuesday through Thursday Club” is bad enough, but of late, many workweeks have been even shorter. The number of days that the 109<sup>th</sup> Congress (2005-2006) has spent in session is the lowest since the end of World War II. The number of committee and subcommittee meetings is likewise a post-War low. Because Members are so rarely in Washington – often because they must raise funds in their districts, even outside of the actual election season – they are often strangers to one another, especially across the partisan aisle. Without the reserves of trust and understanding between political adversaries, it is more difficult for them to cooperate when emergency makes that cooperation essential. And although the public should understand that Members have legitimate and essential work to do outside of Washington, the deteriorating performance of Congress has surely left many intelligent and knowledgeable citizens with a sense that their representatives simply will not show up for work.
- *Workload.* With a falling congressional schedule, measured in time, has come an unfortunate decline in congressional achievement, measured in output. Although the simple number of bills passed can be a misleading indicator – different bills achieve different levels of importance – most objective observers would probably evaluate this Congress's numerically measured output, the second lowest since 1947, as, if anything, unduly flattering.<sup>v</sup> To demonstrate this point with a somewhat more meaningful measure, Congress has a deteriorating record of completing its basic homework, the required annual appropriations that fund the federal government. Appropriations bills over several decades have routinely been completed late, but in recent years, ever-decreasing numbers of bills have been completed before the beginning of the fiscal year. Over the last seven years, an average of barely one bill per year (previously 13 were required, but now 10 in the House, 12 in the Senate) has passed on time.
- *Self-Executing Rules in the House.* The House Leadership has also made use of the so-called “self-executing rule” to re-write substantive legislation in the Rules Committee, just before taking it to the floor. The self-executing rule automatically substitutes a new bill for the bill that actually was reported out of the committee of jurisdiction to the Rules Committee, or adds some amendment to that bill. Material in the new bill or amendment might not have been subjected to hearings and debate. Thus, when a self-executing rule is also written as a closed rule, it can present the House with a take-it-or-leave-it vote on a bill that has not been subjected to hearings, or debated at all, and that did not pass (or even could not have passed) the committee with jurisdiction and expertise over the relevant subject matter.

- *Holds in the Senate.* The Senate was conceived in our Constitution as providing deep consideration of important issues. Giving two Senators to every State, regardless of population, forces the Senate to seek consensus among disparate interests before legislation can become law. Thus, the Senate should be expected to slow or even block the advance of controversial legislation. Still, there are impediments to action by the Senate that are at least symptoms, if not causes, of the failure of institutional Washington to fulfill its obligations. Traditionally, Senators were allowed the authority to stop, or “hold,” Senate confirmation of presidential nominations of individuals from their own States, on the premise that Senators could be particularly well situated to exercise judgment regarding their own constituents. Over time, the scope of the hold has gradually broadened to all legislation. A hold can extend indefinitely, and the maker of the hold can maintain anonymity. Thus, the number and sources of holds in the Senate are secret and kept by the Leadership. However, many students of the Senate believe that the prevalence of holds has increased beyond any sound justification, and that holds can be used to delay action beyond any reasonable interpretation of the intent of the framers of the Constitution.
- *Writing New Bills in Conference.* The concept of “scope” in conference, under which the conference report must “split the difference” between the House and Senate bills, has been discarded. Recent conference reports have included provisions totally extraneous to both House and Senate bills – sometimes provisions that have never been considered in hearings or debated in either chamber. In some notorious instances, the extraneous provisions have been added by staff – at uncertain direction – after the Members voted final passage of the conference report.
- *Acceptance of Responsibility.* One of the procedural innovations of recent legislation on corporate responsibility has been the requirement that corporate leaders certify the accuracy of their firms’ accounting, and that their financial control processes be subject to audit. Although these requirements have been subject to early (and some continuing) criticism, they now appear to have had the positive effect of focusing accountability and providing a vehicle for enforcement and remedy. Even though legal responsibility might have been little changed, the process and the symbolism of certification and audit have contributed to an improved atmosphere of trust, and have ensured that some safeguards that might have been taken for granted are in fact examined and reviewed. There is no such requirement for the assignment of accountability and the assurance of quality in Congress.

### **Violations of Enforcement**

- *Extended Roll Calls in the House.* Under the House Rules, a roll call vote (under which each individual Member’s vote is recorded by an electronic device, triggered by an identifier that is similar to a credit card) is to last for 15 minutes.

However, on an increasing number of occasions of controversial votes, the House Leadership has held roll calls open much longer, to provide time to change the minds of some Members. The most egregious and notorious misuse of an extended roll call vote occurred when the House Leadership left the vote on the Medicare prescription drug bill open for two hours and 53 minutes, during which time a majority of the House was on record as voting against the bill. The House Leadership used the extra time (until 5:53 a.m.) against the rules of the House to round up and change votes. Although there are no authoritative quantitative measures of the prevalence of extended roll call votes, almost all close votes on controversial bills in recent years have been left open.

- *The Breakdown of the Budget Process.* From the perspective of the business sector, CED is concerned that the federal government make the best use of the economy's hard-earned tax dollars. The congressional budget process was instituted over 30 years ago to require that Congress take an integrated look at the entire budget, and make decisions on each part of the budget subject to a clear sense of an overall budget constraint. Over the subsequent years, the process evolved to include specific disciplines that would eliminate overages should policy on one or another major part of the budget – annually appropriated spending, mandatory spending, or taxes – violate the predetermined targets. As these disciplines evolved, they became increasingly effective, and eventually they contributed substantially to the achievement of budget surpluses from the 1990s into the current decade.<sup>vi</sup> In recent years, however, observation of the budget process has weakened sharply. In three of the last five (and four of the last nine) years, Congress has failed to pass a budget resolution at all. And in the years after the budget moved into substantial surplus, the will to observe the budget rules deteriorated. The budget rules were waived by Congress on several occasions, including the enactment of legislation that involved substantial numbers of dollars; and then, in 2002, the budget disciplines, which had always been imposed by Congress on itself on a temporary basis, were allowed to expire entirely. No serious attempt was made then or since to reinstate those disciplines. As members of the business community, CED believes that the failure to maintain, observe and enforce basic budget disciplines can have the most serious deleterious consequences. Congress owes voters and citizens more serious stewardship of their tax money.
- *Riders and Earmarks.* CED considers the problem of budget earmarking – including appropriations, authorization, and tax earmarks – to be so serious as to require its own separate statement. We note in this context that earmarking may be the legislative practice most offensive to the public. Earmarks violate not only the citizen's sense of fiscal responsibility, but also the need for fair play and transparency in the allocation of tax dollars. Spending riders, which sometimes are earmarks, have become an unfortunately frequently used crutch in the dysfunctional legislative process. With few appropriations bills passed on time and as individual pieces of legislation, it has become increasingly common for much of the legislative work of any given year to be embodied in one oversized

omnibus appropriations act. The easiest way to enact virtually any desired appropriation is to attach it to that one large bill. Such omnibus bills are usually passed with limited time for review, so that numerous largely unrelated provisions may be inserted without detection – often in conference committees, whose actions are largely hidden from the public. Such bills are often protected from amendment by rule in the House, and are on such tight timelines that they cannot be amended effectively in the Senate. Also, with funding for much of the federal government included in that one bill, Members have no real freedom to vote no – because many widely supported federal programs are funded in the bill, and no Member can afford politically to be opposed. Usually, it is weeks after the bill has become law before the objectionable provisions are discovered, with little if any opportunity for eventual redress.

- *Government by Continuing Resolution and Omnibus Legislation.* With the failure of the appropriations process has come increasing reliance on the Continuing Resolution to run the government. With the start of a new fiscal year, and without funding for much of the government, Congress will pass a brief Continuing Resolution, or “CR” – really a temporary, slapdash appropriations bill – to keep the affected agencies running. Large numbers of stop-gap Continuing Resolutions and unauthorized appropriations have been needed to keep the government operating; again, over the last seven years (and counting only one for this year), there have been on average almost eight Continuing Resolutions in each year. And in an increasing number of instances, the appropriations process has ended with massive, unwieldy omnibus appropriations bills that fund multiple agencies; over the past eight years, an average of over six bills per year – about half – have been combined in omnibus bills. Both Continuing Resolutions and omnibus bills are magnets for extraneous provisions that provide inefficient and unexamined spending – including the notorious “earmarks.” This unfortunate practice has several downsides. CRs generally provide funding at the same level as that of the prior fiscal year. This leads some to look kindly on CRs, because they believe that such legislation prevents spending increases. However, so it does also spending cuts. Under a CR, there is none of the essential weighing of priorities and reallocation of resources that is necessary for rational government. Also, CRs yield ineffective spending, and waste. Congress resorts to CRs because it cannot make the essential decisions about many agencies’ programs and funding; thus, a CR is really the absence of decisions. This by its nature puts agency managers on hold. Any plans for reform or restructuring of programs must be postponed. Uneven funding flows over the course of a fiscal year require the postponement of personnel and investment decisions. Under these circumstances, it is impossible for federal program managers to do their jobs effectively, it is harder to hire quality staff, and agency systems deteriorate without funding for renewal. Finally, the same failure to govern that breeds CRs also begets the absence of oversight (on which important Congressional responsibility CED will issue a separate statement). Once it becomes clear that there will be no individual appropriations bill for an agency, it becomes far too easy to slacken on the kinds of detailed appropriations hearings about agency

performance that are necessary to ensure that tax dollars are spent wisely. In short, government by CR should not gratify fiscal conservatives – or, for that matter, anyone who believes in giving the taxpayers what they deserve in return for their sacrifices on behalf of the common good.

## **Recommendations**

### ***How to Restore Transparency:***

- The House should restore its traditional “regular order,” and limit the use of closed rules to truly urgent pieces of legislation, to allow for more deliberation and a variety of views expressed during debate. The House should change its rules to specify that even under a closed rule, the minority should have the right to specify one amendment that it may offer.
- The House should return to the traditional role of suspensions of the rules for only truly routine pieces of legislation.
- The House should restrict “emergency” scheduling to true emergencies. The regular order with adequate public notice should be used in scheduling House legislative and committee business. The rules should be changed to specify the minimum layover time for most bills as 24 hours after copies of bills are available to Members (not the manipulable “legislative day”), extended to three days for bills containing “earmarks.”
- The House and the Senate should always promptly appoint Members (first and foremost those responsible for drafting the legislation) to conference committees, including Members from the Minority party. Conference committees should then meet on a bipartisan basis to debate and vote upon the issues in the respective bills. To reduce the incentive for postponement of naming conferees, the rules should be changed to allow the Minority in the House to make a motion to instruct conferees when conferees are named. (To make this effective in every instance, the motion must be allowed even if a conference report is sent to the floor immediately upon the formal naming of conferees.)

### ***How to Restore Accountability:***

- Congress (especially the House) should change its schedule to comprise at least two-week periods of Monday-through-Friday sessions, with weeks off in between to allow time in the home districts. (This could be enforced by a rule that would prohibit adjournment without a minimum number of such periods). Such a schedule would allow more time for oversight and substantive hearings. It would also bring the Members together much more than the current schedule; with such acquaintance might well come better understanding of the perspectives of others, and greater attempts to achieve consensus.

- The House should use self-executing rules only in instances of true emergencies, or where revisions of bills are purely in the nature of technical corrections rather than substantive.
- At a minimum, the names of Senators who have initiated holds on legislation and appointments, and the reasons for the holds, should be made public. Ideally, holds should be cut back to their former purpose of allowing Senators to exercise their judgment on nominations from their states, only. (We believe that the frequency and duration of filibusters in recent years, widely cited in the press, have been excessive. However, filibusters may be more symptoms of Congress failing to seek bipartisan consensus and to include the broad ideological center, rather than causes of the true problem. We believe that the use of the filibuster should be the subject of further study.)
- The concept of “scope” in conference should be restored, such that new provisions (those included in neither the House nor the Senate bill) would not be in order in conference reports. All decisions in conference committees should be made by the Members, not the staff, and should be made with the awareness of all the Members.
- Members of Congress and committee chairmen and ranking committee members should be required to certify to their compliance with key rules regarding ethics (about which CED will issue a subsequent statement). For example, Members should be required to certify publicly that they and their responsible staff have received required ethics training; that all of their travel has been in compliance with the appropriate regulations; and that they have disclosed any involvement in the placement of “earmarks” in legislation. Those certifications should be reported publicly in a fashion such that they can be subject to audit.

***How to Restore Enforcement:***

- The House should stop extended roll call votes against a majority of the members; toward that end, the House should amend its rules to specify that a roll call may not go beyond 20 minutes without bipartisan consent.
- Congress should rededicate itself to timely appropriations. Delays and uncertainty in funding waste taxpayer dollars, and render government less effective and efficient.
- CED renews its call for the reenactment of the budget disciplines – spending caps for annual appropriations, and pay-as-you-go requirements for entitlement spending and taxes – that worked effectively in the 1990s. (We note that mere deficit neutrality in entitlements and taxes will not be enough to correct the rising deficits that are likely in the coming years.)

- CED will issue a separate statement on the salient issue of earmarks. In this context, we again call upon Congress to legislate appropriations promptly and as separate bills, so that all provisions are germane and are afforded the consideration merited by the use of the taxpayers' money, and so that the use of Continuing Resolutions and omnibus appropriations bills is kept to a minimum.

### **Conclusions**

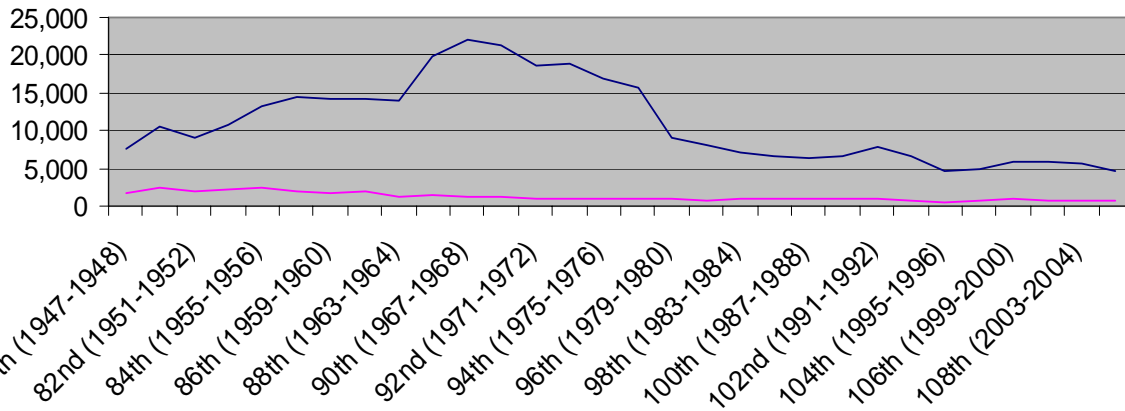
As we argued earlier, it is essential that the cycle of legislative abuse and retaliation be broken. Now, at the beginning of a new Congress and after an unquestionably negative public reaction against the continuing long-term deterioration in the performance of the legislative branch, is the best time to break this cycle. It is even more imperative that Congress act now, considering the array of critical domestic (large deficits and public debt, tax inefficiency and inequity, unsustainable Social Security and Medicare programs mere months before the breaking of a demographic wave, environmental dangers) and international (war, terrorism, and nuclear proliferation) policy challenges. The American people are ready to come together to face these challenges; our leaders should at least follow.

## Appendix

### Bills Introduced and Passed, 80<sup>th</sup> – 109<sup>th</sup>\* Congresses (1947 – 2006)

<i>Congress</i>	<i>Bills introduced<sup>a</sup></i>	<i>Bills passed</i>
80th (1947-1948)	7,611	1,739
81st (1949-1950)	10,502	2,482
82nd (1951-1952)	9,065	2,008
83rd (1953-1954)	10,875	2,129
84th (1955-1956)	13,169	2,360
85th (1957-1958)	14,580	2,064
86th (1959-1960)	14,112	1,636
87th (1961-1962)	14,328	1,927
88th (1963-1964)	14,022	1,267
89th (1965-1966)	19,874	1,565
90th (1967-1968)	22,060	1,213
91st (1969-1971)	21,436	1,130
92nd (1971-1972)	18,561	970
93rd (1973-1974)	18,872	923
94th (1975-1976)	16,982	968
95th (1977-1978)	15,587	1,027
96th (1979-1980)	9,103	929
97th (1981-1982)	8,094	704
98th (1983-1984)	7,105	978
99th (1985-1986)	6,499	973
100th (1987-1988)	6,263	1,061
101st (1989-1990)	6,683	968
102nd (1991-1992)	7,771	932
103rd (1993-1994)	6,647	749
104th (1995-1996)	4,542	611
105th (1997-1998)	5,014	710
106th (1999-2000)	5,815	957
107th (2001-2002)	5,892	677
108th (2003-2004)	5,547	801
109th (2005-2006)*	4,728	715

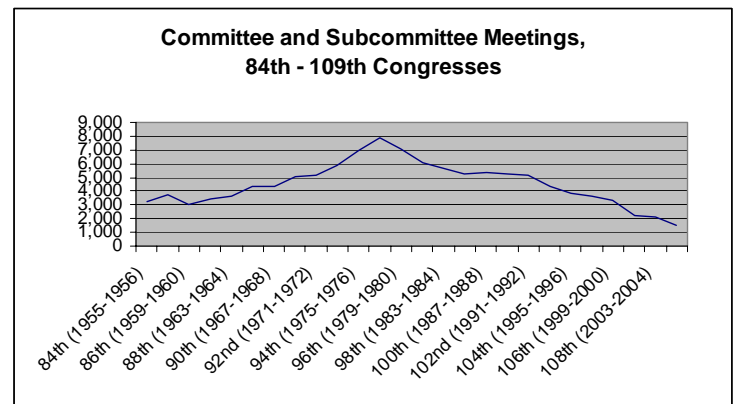
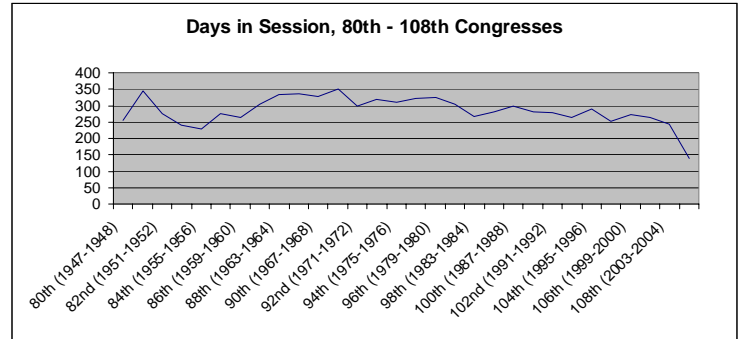
### Bills Introduced and Bills Passed, 80th-109th Congresses



\* Statistics for the 109th Congress only include the first session.

Days in Session and Committee Meetings<sup>†</sup>, 80<sup>th</sup> – 109<sup>th</sup>\* Congresses (1947 – 2006)

<i>Congress</i>	<i>Days in session</i>	<i>Committee and Subcommittee meetings<sup>†</sup></i>
80th (1947-1948)	254	n.a.
81st (1949-1950)	345	n.a.
82nd (1951-1952)	274	n.a.
83rd (1953-1954)	240	n.a.
84th (1955-1956)	230	3,210
85th (1957-1958)	276	3,750
86th (1959-1960)	265	3,059
87th (1961-1962)	304	3,402
88th (1963-1964)	334	3,596
89th (1965-1966)	336	4,367
90th (1967-1968)	328	4,386
91st (1969-1971)	350	5,066
92nd (1971-1972)	298	5,114
93rd (1973-1974)	318	5,888
94th (1975-1976)	311	6,975
95th (1977-1978)	323	7,896
96th (1979-1980)	326	7,033
97th (1981-1982)	303	6,078
98th (1983-1984)	266	5,661
99th (1985-1986)	281	5,272
100th (1987-1988)	298	5,388
101st (1989-1990)	281	5,305
102nd (1991-1992)	277	5,152
103rd (1993-1994)	265	4,304
104th (1995-1996)	289	3,796
105th (1997-1998)	251	3,624
106th (1999-2000)	272	3,347
107th (2001-2002)	265	2,254
108th (2003-2004)	243	2,135
109th (2005-2006)*	140	1,506



<sup>†</sup> Figures do not include the House Appropriations Committee for the 84th to 88th Congresses. House Appropriations Committee meetings included in subsequent Congresses numbered 584 in the 89th Congress, 705 in the 90th Congress, 709 in the 91st Congress, 854 in the 99nd Congress, and 892 in the 93rd Congress.

\* Statistics for the 109th Congress only include the first session.

---

<sup>i</sup> “Broken Promises: The Death of Deliberative Democracy” report of the House Committee on Rules Minority Staff. March 8, 2005. These rules cover non-conference, non-procedural legislation.

<sup>ii</sup> Thomas E. Mann and Norman J. Ornstein, *The Broken Branch: How Congress Is Failing America and How To Get It Back On Track* (New York: Oxford University Press, 2006), pp. 231-232.

<sup>iii</sup> House Rules Minority Report, p. 33-34.

<sup>iv</sup> House Rules Minority Report, p. 35.

<sup>v</sup> See appendix.

<sup>vi</sup> Former Federal Reserve Board Chairman Alan Greenspan has stated that, contrary to his original skepticism, the budget disciplines did in fact constrain policy and help decision makers to bring the budget back from substantial deficits. Alan Greenspan, testimony before the House Budget Committee, page 11, [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=108\\_house\\_hearings&docid=f:95792.pdf](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=108_house_hearings&docid=f:95792.pdf) .