

The Real Story of the 110th Congress: The Right-Wing Block-And-Blame Game

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Now that the American public is registering overwhelming disapproval of the job Congress is doing, congressional Republicans are claiming the reason is that Democrats are leading a “do-nothing Congress.” The facts say otherwise. What is being reported as political stalemate is in fact the product of a deliberate political strategy by conservatives in Congress, in concert with the White House, to sabotage the Democratic majority in Congress as it responds to a mandate to change what is wrong in this country.

As the minority in the House and Senate, they’ve waged a record-breaking campaign to obstruct the Democratic majority from enacting legislation that would help everyday Americans. Never before has an ideological minority obstructed so much legislation favored not only by a majority in Congress but also by a majority of the American people.

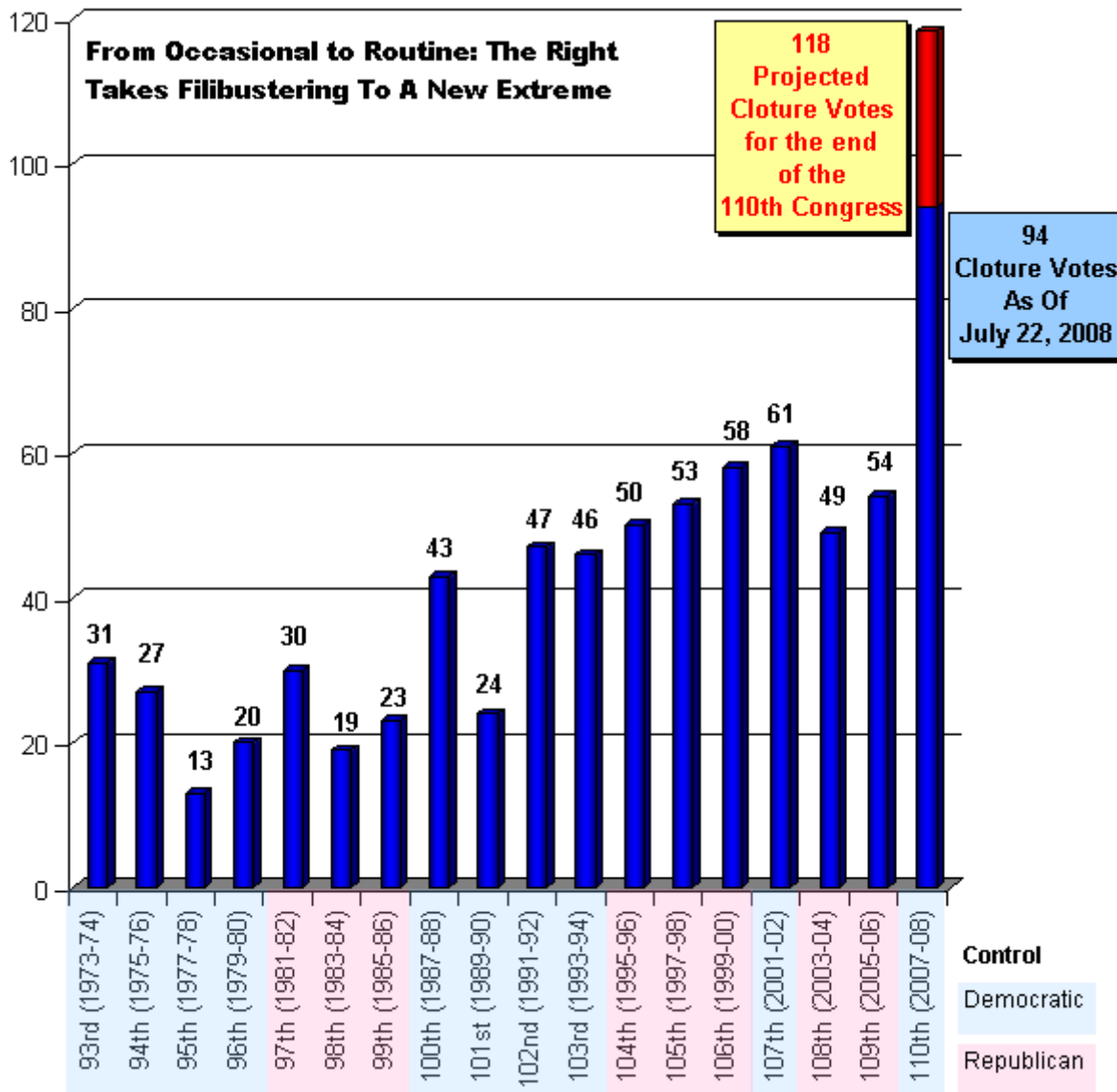
What Could Have Been

Their obstruction has blocked many needed reforms. If Republicans had not adopted this unprecedented strategy, in the past six months alone:

- About \$18 billion in tax credits would be provided to improve energy efficiency and produce renewable energy, paid for by the repeal of tax subsidies going to oil companies at a time they are earning record profits.
- Seniors would pay lower prices for prescription drugs, as Medicare would have been empowered to negotiate bulk discounts with pharmaceutical companies.
- A “cap-and-trade” process would be in place that would begin to dramatically reduce greenhouse gas emissions and would raise billions of dollars that could have helped defray the rising cost of gas for working people, while aiding in the development and deployment of green energy alternatives.
- Victims of pay discrimination would be able to pursue corrective action against discrimination, even if they didn’t discover the bias until later.

In each of these cases, majorities in both the House and the Senate favored passage of the legislation meeting these objectives, but a minority focused on partisan obstruction would not allow these measures to become law.

The same is true of a fall 2007 measure that would have initiated an orderly withdrawal of troops from Iraq, a key priority of a majority of Americans. Even full voting representation in the House for District of Columbia (and an additional representative for Utah that it is entitled to based on its population) was blocked despite bicameral majority support.



Source: http://www.senate.gov/pagelayout/reference/cloture_motions/110.htm

The 'Firewall'

The “block-and-blame” obstruction strategy is no secret. Republicans block meaningful legislation and blame Democrats for getting nothing done. In April 2007, Senate Minority Whip Trent Lott, R-Miss., told *Roll Call*, “The strategy of being obstructionist can work or fail... and so far it's working for us.” More recently, Sen. Orrin Hatch, R-Utah, touted the obstruction theme in a National Republican Senatorial Committee fundraising pitch: “I have been telling you that the Senate is the firewall that protects our country from irresponsible Democrat legislation,” he wrote, warning that Democrats are trying to “destroy our firewall.”

Indeed, conservatives have openly gloated about the strategy. As conservative pundit Charles Krauthammer said on Fox News, “I think [Democrats’ inability to pass legislation] will give the Republicans the one opening they are going to have in 2008.

Everything is running against the Republicans, but I think they have a chance if they argue that the Democrats have been in charge and they are the do-nothing Congress.”

Republicans had a majority in the Senate for 15 years, and during that time they complained that Democrats filibustered bills. However, when the Republicans controlled the Senate Democrats did not insist that every piece of legislation overcome a 60-vote barrier before it could be considered for a final vote.

During the 110th Congress, however, a group of around 40 to 45 Senate Republicans deliberately filibustered every major bill Democrats have tried to pass. As a result, the 110th Congress already racked up 94 cloture votes (called to end filibusters) by July 22, 2008. In comparison, the 109th Congress had a total of 54 cloture votes and the 108th Congress had a total of 49. The 110th Congress is on pace to double the number of filibuster threats and cloture votes in recent years.

A Political Price

While this conservative minority has had some success in tainting the Democrats, the strategy has costs. The measures being filibustered point the country in a direction that the people want to go. Now as the election nears, Senate Republicans are worried and are now reversing course. They are voting in favor of Democratic bills in an effort to run for cover. Republicans passed a housing bill after President Bush vetoed it. They also agreed to end a filibuster on a Medicare bill that they eventually approved. As Politico reported on July 22, a GOP leadership aide advised vulnerable senators to “get well” with voters by siding with Democrats on anything but energy and national security.

Poll after poll has majorities of the American public rejecting conservative policy prescriptions and embracing more progressive government policies, and the 2006 election was a clear mandate for Congress to move in that direction. Block-and-blame Senate conservatives have, until very recently, stubbornly refused to yield to the public interest. Their deathbed political conversion now only confirms their culpability in keeping Congress from delivering the change America wants.

What the Obstruction Strategy Cost the American People

The following pages list examples of bills that had majority support in both the House and the Senate, but were nonetheless blocked from passage by a minority group of Republicans. Dozens of other bills that had majority support in the Senate were blocked as well, and there are numerous instances of the Republican minority stripping key provisions from (or adding unpopular amendments to) bills that did eventually pass. Complete details of these bills are in reports posted on ourfuture.org/obstruction.

The Renewable Energy and Job Creation Act of 2008 (HR 6049)

Americans would have seen the Renewable Energy and Job Creation Act expand \$18 billion in tax credits to improve energy efficiency and produce renewable energy if it were not for the Republicans' unprecedented obstruction strategy this session. The bill would have increased the tax credit for investment in solar energy and extended it for six years. It also would have provided credits for purchasing plug-in hybrid vehicles, for energy conservation in buildings and for energy-efficient appliances. A Senate Republican minority blocked the bill by filibuster twice, preventing it from being considered for final passage.

House Vote 344 On Passage, May 21, 2008	Yes	No	Not Voting
Democrats	228	1	7
Republicans	35	159	5
TOTALS	263	160	12

Senate Vote 147 On the Cloture Motion, June 10, 2008	Yes	No	Not Voting
Democrats	45	0	4
Republicans	3	44	2
Independents	2	0	0
TOTALS	50	44	6

Senate Vote 150 On the Cloture Motion, June 17, 2008	Yes	No	Not Voting
Democrats	45	1	3
Republicans	5	43	1
Independents	2	0	0
TOTALS	52	44	4

The Consumer-First Energy Act of 2008 (HR 6022, S 3044)

The Consumer-First Energy Act of 2008 would have addressed the root causes of high gas prices by redirecting oil company tax subsidies to renewable energy and energy efficiency technology. In 2004 and 2005, oil companies received tax breaks worth \$17 billion over 10 years. Since Bush came into office, the five biggest oil companies have made over half a trillion dollars in profit. The Consumer-First Energy Act would have created a 25 percent windfall profits tax on companies that failed to invest in renewable energy sources. This would not have applied to the profits companies reinvested in clean, affordable, domestically produced renewable fuels or renewable electricity production. The tax proceeds would have developed renewable energy development and energy efficiency technologies.

House Vote 307 (HR 6022) On Passage, May 13, 2008	Yes	No	Not Voting
Democrats	222	0	11
Republicans	162	24	12
TOTALS	385	25	23

Senate Vote 146 (S 3044) Motion to Proceed, June 10, 2008	Yes	No	Not Voting
Democrats	43	2	4
Republicans	6	41	2
Independents	2	0	0
TOTALS	51	43	6

The Energy Independence and Security Act of 2007 (HR 6)

The Energy Independence and Security Act of 2007 was part of the Democratic 100-Hour Plan to move the country toward greater energy independence and security, to increase the production of clean renewable fuels, and to lower consumers' energy costs. The bill would have cut subsidies to the oil industry to promote oil independence and different forms of alternative energy if not for opposition from the Republican Senate minority.

House Vote 40 On Passage, January 18, 2007	Yes	No	Not Voting
Democrats	228	4	1
Republicans	36	159	7
TOTALS	264	163	8

Senate Vote 223 On the Cloture Motion, June 21, 2007	Yes	No	Not Voting
Democrats	45	2	2
Republicans	10	34	4
Independents	2	0	0
TOTALS	57	36	6

Medicare Prescription Drug Price Negotiation Act of 2007 (HR 4, S 3)

The federal government could have saved \$96 billion over 10 years by negotiating for drugs bought in bulk for the Medicare program. The restraint Congress had placed on government bargaining power when it created the Medicare prescription drug benefit has meant a windfall for big drug companies that has augmented their record profits. The Democratic-led House, defying a veto threat from President Bush, passed legislation requiring Medicare to negotiate drug prices with manufacturers in its first 100 hours. Senate Democrats expressed a similar desire, backed by polls that indicated that an overwhelming majority of the American public favored supported such a move. Nonetheless, a minority in the Senate blocked the legislation.

House Vote 23 (HR 6) On Passage, January 12, 2007	Yes	No	Not Voting
Democrats	231	0	2
Republicans	24	170	8
TOTALS	255	170	10

Senate Vote 132 (S 3) On the Cloture Motion, April 18, 2007	Yes	No	Not Voting
Democrats	47	1	1
Republicans	6	41	2
Independents	2	0	0
TOTALS	55	42	3

Orderly and Responsible Iraq Redeployment Appropriations Act (HR 4156)

A safe, orderly return of American troops from Iraq would have been underway by now if majorities in both the House and Senate were allowed to prevail on this bill. This legislation would have continued to provide \$50 million in funding for the Iraq war and would have allowed a continued troop presence to continue antiterrorist operations, protect diplomatic facilities and train Iraqi police forces. It also would have prohibited the military from using interrogation techniques not included in the Army field manual. The Democratic majority's support for this legislation was buttressed by popular support in numerous opinion polls. Nonetheless, President Bush's veto threat galvanized the Senate Republican minority.

House Vote 23 (HR 6) On Passage, January 12, 2007	Yes	No	Not Voting
Democrats	231	0	2
Republicans	24	170	8
TOTALS	255	170	10

Senate Vote 132 (S 3) On the Cloture Motion, April 18, 2007	Yes	No	Not Voting
Democrats	47	1	1
Republicans	6	41	2
Independents	2	0	0
TOTALS	55	42	3

Lilly Ledbetter Fair Pay Act (HR 2831)

This bill would have allowed pay discrimination claims to be filed within 180 days of the issuance of a discriminatory paycheck. The legislation is named after Lilly Ledbetter, whose pay discrimination claim was denied by a 5-4 Supreme Court decision on May 29, 2007. The court ruled that since she did not raise a claim within 180 days of the actual decision to discriminate, she could not receive back pay. But since most workers are unaware of what their co-workers earn, it is nearly impossible for workers to uncover pay discrimination and meet the conditions of the Supreme Court's ruling. The Bush Administration claimed that this legislation would "serve to impede justice" and that the elimination of the statute of limitations would prevent the expeditious resolution of such cases of discrimination. Senate Minority Leader Mitch McConnell claimed that expanding the statute of limitations on pay discrimination cases would somehow create "a massive amount of new litigation in our country." Rejecting equal pay arguments, Senate Republicans blocked cloture on this bill on April 23, 2008.

House Vote 768 On Passage, July 31, 2007	Yes	No	Not Voting
Democrats	223	6	2
Republicans	2	193	7
TOTALS	225	199	9

Senate Vote 110 On the Cloture Motion, April 23, 2008	Yes	No	Not Voting
Democrats	48	1	0
Republicans	6	41	2
Independents	2	0	0
TOTALS	56	42	2

District of Columbia House Voting Rights Act of 2007 (HR 1905, S 1257)

This legislation, if it had not been blocked, would have given the residents of the District of Columbia full voting representation in the House of Representatives. It also would have given the state of Utah an additional member, based on the reapportionment formula in the bill. Because it was expected that the new Utah representative would have been a Republican and the District representative would have been a Democrat, enactment of the bill was not likely to affect the balance of power in the House. The bill passed the House of Representatives but failed to pass the Senate four months later, obstructed on the threat of a filibuster. According to Senate Minority Leader Mitch McConnell, Republican senators deemed the bill unconstitutional because the District of Columbia is not an actual “state.” Supporters of the bill countered that the House was well within its rights to set its own voting rules so that no U.S. citizen is disenfranchised.

House Vote 231 (HR 1905) On Passage, April 19, 2007	Yes	No	Not Voting
Democrats	219	171	7
Republicans	22	22	7
TOTALS	241	177	10

Senate Vote 339 (S 1257) On the Cloture Motion, September 18, 2007	Yes	No	Not Voting
Democrats	47	1	1
Republicans	8	41	0
Independents	2	0	0
TOTALS	57	42	1