

Brookings study points to Harry Reid and Senate Democrats as source of gridlock

BY: Joel Gehrke (/author/joel-gehrke) January 14, 2014 | 4:50 pm

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Senate Minority Leader Mitch McConnell, R-Ky., said last week that the only way to reform gridlock in the Senate is "by working, and talking, and cooperating, through give and take." (Photo: Graeme Jennings/Washington Examiner)

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Brookings Institution scholars, inspired by baseball statistics, conducted an analysis of the 113th Congress (<http://washingtonexaminer.com/politics/congress>) that points rather directly at the Democrat-controlled Senate (<http://washingtonexaminer.com/section/senate>) as a the locus of congressional gridlock.

The analysis opens with the observation that the House (<http://washingtonexaminer.com/section/house-of-representatives>), contrary to expectation, passed twice as many bills as the Senate in 2013. Why? Because of the Senate committee process.

"When we look at this category, then, we begin to understand where the problem lies: even in the traditionally collegial Senate, 87 percent of bills die in committee," Molly Jackman and Saul Jackman, of Brookings, and Brian Boessenecker write in Politico

(http://www.politico.com/magazine/story/2014/01/effective-senators-congressional-moneyball-102146.html#.UtV_Q_RDuTr). "While the filibuster may grab all the headlines, committees are a far deadlier weapon."

That observation undermines the conventional wisdom about Republican opposition to President Obama (http://washingtonexaminer.com/section/barack-obama) causing gridlock. (even taking into account the statement from Senate Minority Leader Mitch McConnell (http://washingtonexaminer.com/section/mitch-mcconnell), R-Ky., who said in 2009 that "the single most important thing we want to achieve is for President Obama to be a one-term president.")

Filibusters (http://washingtonexaminer.com/section/filibuster) are the weapon of last resort for a Senate minority, in terms of procedural maneuvers they can use to block a bill's passage. Committees, on the other hand, are run by the majority party. The chairman's gavel is a hammer that Democrats can use to kill Republican proposals.

One countervailing point against the idea that the committees account for the gridlock: Senate Majority Leader Harry Reid (http://washingtonexaminer.com/section/harry-reid), D-Nev., has the authority to bypass the committee process and bring legislation to the Senate floor for a vote -- which he does on controversial issues, such as the unemployment (http://washingtonexaminer.com/section/unemployment) insurance extension.

That may sound more efficient, but it's also likely to inspire more filibusters from a minority that didn't get the opportunity to shape the bill at the committee level. The drafting process is replaced by floor amendments, which may be substantive or may just be partisan messaging votes. (And, given the likelihood of messaging amendments, Reid routinely refuses to allow most amendments to receive a vote.)

McConnell conceded last week that Republicans have staged show-votes for political reasons, but outlined a proposal to rehabilitate the Senate legislative process by empowering the committees and then have senators spend more time on the floor voting.

"The only way 100 senators will truly be able to have their say, the only way we'll be able to work through our tensions and disputes, is if we're here more," he said during a Jan. 8 floor speech (http://washingtonexaminer.com/article/2541799). "It's the best way I know to force an outcome everybody's satisfied with. We got a glimpse of that during last year's budget debate. Somebody who has two dozen amendments at noon starts to prioritize those amendments around midnight. They start talking about what it would take to get unanimous consent. That's how you reach consensus -- by working, and talking, and cooperating, through give and take."

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