



Products Overview

UPI Perspectives

UPI NewsTrack

UPI Newspictures

UPI Arabic Desk

UPI Spanish Desk

UPI SciTech

The Peter Principles: House rules

By Peter Roff

UPI Senior Political Analyst

Published 12/8/2004 5:52 PM

WASHINGTON, Dec. 8 (UPI) -- The period between an election and the beginning of a Congress is of tremendous significance in the life of the institution. Outstanding but important old business like unfinished federal spending legislation is dispensed with, one way or another, during what is known as the lame-duck session.

The primary business of the lame-duck Congress, one that remains at work even after some of its members have been voted out, is to finish that which it is required by law to do but could not complete by Election Day. In the main, this means to pass the remaining appropriations bills or bundle them together into an omnibus spending package or continuing resolution; a process that is a living, breathing example of Bismarck's observation about the kinship that exists between laws and sausages: "It's better not to see them being made."

It is also the time when the remaining members -- those who have not retired or been retired by the voters -- design the rules under which the U.S. House and Senate will operate. In that sense, the period between the first Tuesday after the first Monday in November and Jan. 3 is among the most important in the life of the institution.

Everything that happens in either congressional chamber -- and many of the things that don't -- are a result of the rules.

In the Senate, the rules are the result of two centuries of parliamentary evolution organized around the idea that any one senator can gum up the works rather effectively.

It is a very different matter in the House. The lower chamber is organized around the idea that any grouping of 218 members can almost always carry the day -- save for special circumstances like veto overrides and constitutional amendments -- and that the majority party, because it has the votes, can hold virtually absolute sway over the outcome of anything that comes to the floor.

There is typically a fight every two years over what the rules package will look like. The majority and, more importantly, the majority leadership, carefully and jealously guard its power. For this reason the minority party, which has been known to offer sensible if self-interested changes now and again, rarely prevails.

Sometimes, however, the proposals come from within the majority itself, presenting leadership with a thorny political problem: how to maintain control of the body without alienating its base. And the rules package for the 109th Congress is no exception.

The members of the House Republican Study Committee, a collection of several dozen of the chamber's more conservative members, has proposed changes for the 109th Congress that, its members argue, strengthen the hand of those who wish to better protect the principle of limited government and fiscal restraint.

Some, like the proposal to permit House members to refer to the Senate or to an individual senator's actions during floor debate, will not have much effect on the people's business. Others, particularly those that have to do with the House's power to tax and to spend, are much more significant.

One proposal being placed on the table is to eliminate the so-called Gephardt rule, named for former House Minority Leader Dick Gephardt, D-Mo., who thought it up to allow members to avoid having to cast a recorded vote on increasing the federal debt ceiling. The Gephardt rule provides for the automatic passage of a House joint resolution that changes the public debt ceiling to make it conform to the federal budget. The members of the RSC want everyone to vote if the amount the federal government can borrow is to go up.

The House leadership is being asked to adopt proposals to create a three-fifths supermajority point of order against any increase in direct spending on so-called entitlement programs and to restructure the spending process to curtail the use of so-called emergency spending legislation to bust the budget. Under the RSC plan, a reserve, non-military emergency fund would have to be part of any budget resolution reported out of the House Budget Committee. The RSC wants to provide for a point of order to ensure that spending is charged against that reserve rather than funded by additional borrowing.

Whether any of the RSC's proposed changes are included in the rules package is up to House Speaker J. Dennis Hastert, R-Ill., and House Rules Chairman David Dreier, R-Calif., whose committee is charged with pulling the package together. What is inarguable, however, is that the RSC's proposed reforms make sense and should have the chance to be considered by the whole House.

--

(The Peter Principles explores issues in national and local politics, U.S. culture and the media. It is written by Peter Roff, UPI political analyst and 20-year veteran of the Washington scene.)

--

(Please send comments to nationaldesk@upi.com.)

Copyright © 2001-2004 United Press International



[Want to use this article? Click here for options!](#)

Copyright 2004 United Press International