

Promises vs. Reality: Republicans' Failed Record to Open Government, Increase Transparency

Having campaigned on promises to make Congress more transparent and encourage open debate, the House Republican majority quickly abandoned those principles and made the 112th and 113th Congresses the least productive in history, characterized by few significant bills enacted, a record number of 'closed rules,' that limited debate, and failure to abide by their own promises on how they would run the House.

REPUBLICAN PROMISES: OPENNESS AND TRANSPARENCY

In their "Pledge to America" and in Speaker Boehner's opening address to the 112th Congress, House Republicans said they would run the House in an open and transparent way:

GOP Pledge to America: "We will fight to ensure transparency and accountability in Congress and throughout government." [9/23/10]

Speaker Boehner: "Above all else, we will welcome the battle of ideas, encourage it, and engage in it – openly, honestly, and respectfully. As the chamber closest to the people, the House works best when it is allowed to work its will. I ask all members of this body to join me in recognizing this common truth." [1/5/11]

Speaker Boehner: "To my friends in the minority, I offer a commitment. Openness – once a tradition of this institution, but increasingly scarce in recent decades, will be the new standard. There were no open rules in the House in the last Congress. In this one, there will be many." [1/5/11]

REPUBLICAN REALITY: THE MOST CLOSED, LEAST PRODUCTIVE CONGRESS IN MODERN HISTORY

While they promised transparency, Republicans' rhetoric doesn't match reality. Under the Republican majority, we've seen a record number of closed rules, blocking Members from offering amendments on legislation and limiting debate:

- As of September 10, 2014, the House Republican Majority has set a new all-time record for number of closed rules per Congress: **75**.

The House Republican Majority has also refused to allow the House to work its will and bring legislation to the Floor for a vote, resulting in the least productive Congress in modern history:

- As of September 1, 2014, the 113th Congress is the least productive since World War II, having enacted only **163** laws (compared to 460 laws in the 110th Congress and 383 laws in the 111th Congress, both led by Democrats). [Washington Post, 4/10/14] Worse, **only 25 of these bills could be considered major legislation**, and many of those measures required Democratic votes to pass. Among them are measures to fund the government, provide disaster relief, and pay our nation's bills, which are all basic responsibilities of governing.

- **Speaker John Boehner:** “I promised a more open process. I didn’t promise that every single bill was going to be an open bill.” [Christian Science Monitor, [1/6/11](#) – on bringing legislation to repeal the Affordable Care Act to the Floor under a closed rule just one day after pledging an open process in the House.]

REPUBLICAN PROMISES: MOVING ISSUES ONE AT A TIME

House Republicans pledged to advance major legislation without poison pill policy riders attached:

GOP Pledge to America: “We will end the practice of packaging unpopular bills with ‘must-pass’ legislation to circumvent the will of the American people. Instead, we will advance major legislation one issue at a time.” [[9/23/10](#)]

REPUBLICAN REALITY: PARTISAN POLICY RIDERS

But House Republicans quickly switched their stance. Throughout the 112th and 113th Congress, House Republicans have added unrelated, partisan, “poison pill” measures to must-pass legislation. For example, Republicans:

- Attached poison pill policy changes and repealed the Deferred Action for Childhood Arrivals (DACA) program in order to pass funding that would address the humanitarian crisis at the border [8/1/14]
- Linked a repeal of the Affordable Care Act individual mandate to a bill that fixed the Medicare sustainable growth rate (SGR) [3/14/14]
- Tried multiple times to repeal the Affordable Care Act in order to end the 2013 Republican Shutdown [10/1-16/13]
- Tied a one-year Affordable Care Act delay to a bill that ensured our nation could pay its bills and fund the government [9/29/13]
- Included Keystone XL pipeline approval in the Highway Bill [4/18/12], Middle Class Tax Cut & Jobs Bill [12/13/11] and Payroll Tax Cut Bill [12/23/11]

REPUBLICAN PROMISES: THREE-DAYS TO REVIEW BILLS

House Republicans campaigned on the promise that they would provide Members with at least three days to read a bill before a vote:

GOP Pledge to America: “We will give all Representatives and citizens at least three days to read the bill before a vote.” [[9/23/10](#)]

Speaker Boehner: [I]f we’re lucky enough to be in the Majority, and I’m lucky enough to be the Speaker, I will not bring a bill to the floor that hasn’t been posted online for at least 72 hours...” [Fox News, [7/23/10](#)]

Majority Leader McCarthy: “‘We’ll be making sure all bills will be available to be read for 72 hours before they’re voted on,’ he vowed.” [The Daily Beast, [11/15/10](#)]

REPUBLICAN REALITY: THREE-DAY PLEDGE IS IGNORED

House Republicans regularly broke their own pledge, often bringing legislation to the Floor for a vote before 72 hours had passed:

- Legislation to end Deferred Action for Childhood Arrivals [7/31/14]
- Highway & Transportation Funding [7/15/14]
- 2015 National Defense Authorization [5/22/14]
- FAA Continuing Appropriations [10/9/13]
- FEMA Continuing Appropriations [10/4/13]
- SNAP Continuing Appropriations [10/4/13]
- NIH Continuing Appropriations [10/2/13]
- D.C. Continuing Appropriations [10/2/13]
- Farm Bill [7/11/13]
- 2014 National Defense Authorization [6/4/13]
- Fiscal Cliff Legislation [1/1/13]
- GOP Sequester Replacement [12/20/12]
- Repeal of the Affordable Care Act [7/12/12]
- 2013 National Defense Authorization [5/18/12]
- Violence Against Women Act [5/16/12]
- Sequester Replacement Reconciliation [5/10/12]
- Surface Transportation Extension [3/29/12]
- JOBS Act [3/8/12]
- Middle Class Tax Cut [2/17/12]
- Consolidated Appropriations [12/16/11]
- Consolidated & Continuing Appropriations [11/17/11]
- Budget Control Act [8/1/11]
- 2012 National Defense Authorization [5/26/11]
- Continuing Resolution [4/7/11]

REVIEWS OF THE MOST-CLOSED, LEAST-PRODUCTIVE CONGRESS

Washington Post Editorial: “In a memorandum sent to House Republicans on Thursday, Majority Leader Kevin McCarthy (Calif.) promised a ‘busy September.’ The GOP, he wrote, will bundle together and pass again a series of bills that the House approved earlier but that never made headway in the Senate. Repackaging and restamping defunct bills doesn’t sound like much work to us. And Republicans don’t have to worry about the Senate sending any of the bundles back for final consultations before they go to the president’s desk. They contain so many proposals that are both unwise and toxic to Democrats, such as blocking environmental regulations, that the Senate will dismiss them for what they are: measures meant to make Republicans appear as though they are advancing a conservative agenda when, in fact, they are advancing nothing at all.” [9/7/14]

Dana Milbank, Washington Post: “It’s striking how quickly they dropped their vows of transparency and instead embraced and expanded the use of the Washington shenanigans they deplored.” [6/9/14]

New York Times Editorial: “Several of the House Republicans who are leaving, including Doc Hastings of Washington, Frank Wolf of Virginia and Howard ‘Buck’ McKeon of California, were once able to negotiate across the aisle to produce important bills in a manner now repugnant to their party. ... Those achievements are inconceivable now in a House that seems to pride itself on doing nothing. Passage of bills is at a historic low. ... None of this is surprising, given the contemptuous attitude of many leading Republicans and conservative groups to old-fashioned legislative accomplishment. Last year, the group Heritage Action for America urged the House to stop legislating and focus only on attacking the Obama administration. House leaders have largely followed that advice, driving away many of the best lawmakers and diminishing Congress’s role in the life of the nation.” [3/1/14]

Norm Ornstein, National Journal: "Congress is back—and the House has an ambitious plan for the year ahead. OK, an ambitious plan to cement its place in history as the Do-Nothingest Congress of all time. The House has scheduled all of 97 days in session before the November elections, with many of them being half days or pro forma ones. And Majority Leader Eric Cantor's memo to his troops outlining the plan for the year ahead made it clear that there is at most a bare-bones agenda, focused like a laser, yet again, on repealing or further sullyng and delegitimizing Obamacare... I know if your only legislative or policy plan for 2014, in the face of a sluggish economy, a crisis of long-term unemployment, and a host of other short and long-term problems facing the country, is to bet on the spectacular failure of the health care plan, you deserve the public contempt your Congress is receiving." [1/8/14]

The New York Times: "The 'do nothing' Congress is preparing to do even less. Representative Eric Cantor of Virginia, the House majority leader, is quietly playing down expectations for any major legislative achievements in the final year of the 113th Congress, which passed fewer laws in its first year — 65 — than any single session on record. The calendar, drawn up to maximize campaign time ahead of midterm elections in November, is bare bones, with the House in session just 97 days before Election Day, the last on Oct. 2, and 112 days in all... Expectations for the session are so low that lawmakers say early action on White House priorities like raising the minimum wage, restoring unemployment benefits that expired and overhauling immigration laws are likely to go nowhere. ... The chances are 'relatively low in terms of the probability that truly substantive legislation will be advanced through the House,' said Representative Scott Rigell, Republican of Virginia and a critic of Congress's work pace. ..." [1/5/14]

POLITICO: "Lame. That's what a growing number of House Republicans have been saying privately — and now publicly — about what they've seen so far of their party's 2012 legislative agenda... Staring nervously at a high unemployment rate, with the November elections around the corner, GOP lawmakers are concerned that what their leadership is revealing for this year's work is simply not enough... In short, they're yearning for more than Speaker John Boehner's signature infrastructure and energy production bill, and they worry they're going to go home to campaign with a light legislative résumé.... 'We can't blame everything on the Senate. The average American doesn't realize that,' said Rep. Lynn Westmoreland (R-Ga.). 'We need to quit passing bills over here and cheering for ourselves when we know they're dead on arrival over there. And at some point, if the Senate wants to play like this, we need to work something out to help the American people. We think we know the right answers to help them, but we're not being forceful enough to get the Senate to do it.'" [1/25/12]

The Hill: "Consequently, the prevailing mood among some rank-and-file House Republicans heading into the second year of their majority is pessimism... Lawmakers, particularly members of the vaunted class of freshmen, voiced disappointment that the GOP's modest achievements in spending cuts in 2011 did not meet their lofty expectations for taking a sledgehammer to the national debt... A few of the most conservative members of the party have characterized the past year as an outright failure, pointing to the minimal dent that the spending deals have made in the immediate deficit and to the exceptions that party leaders made to procedural reforms at the end of the year." [1/17/12]