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The Cannon Centenary Conference

The Changing Nature of the Speakership

Cannon House Office Building
Wednesday, November 12, 2003

Library of Congress, Prints and Photographs Division

Speaker Joseph G. Cannon, circa 1909

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House Concurrent Resolution 345

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. PRINTING OF DOCUMENT.

(a) IN GENERAL.—The transcripts of the proceedings of "The Changing Nature of the House Speakership: The Cannon Centenary Conference", sponsored by the Congressional Research Service on November 12, 2003, shall be printed as a House document, in a style and manner determined by the Joint Committee on Printing.

(b) ADDITIONAL COPIES FOR HOUSE AND SENATE.—There shall be printed for the use of the House of Representatives and the Senate such aggregate number of copies of the document printed under subsection (a) as the Joint Committee on Printing determines to be appropriate, except that the maximum number of copies which may be printed shall be the number for which the aggregate printing cost does not exceed $65,000.

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Part I

The Changing Nature of the Speakership

Introduction

Mr. MULHOLLAN. I'm Dan Mulhollan, Director of the Congressional Research Service, and it is my distinct pleasure to welcome all of you to this first-ever conference on the changing nature of the speakership. I say first-ever because never before has there been a conference at which all living former Speakers—Jim Wright, Tom Foley and Newt Gingrich—have participated with the current Speaker, Dennis Hastert, to discuss their role as Speaker of the House of Representatives.

In addition, I am pleased to welcome the other important presenters at this conference: the former House Members who will serve as commentators on the various speakerships, the four moderators for each speakership period, and, of course, Jack Farrell of the *Denver Post*, who will start things off with an examination of the O'Neill speakership. Professor Robert Remini, one of our Nation's most distinguished historians, will present his views on the evolving speakership. I believe all of us are in for a unique and historic opportunity. We will listen to several of the most knowledgeable people in our Nation discuss the variety of elements necessary to lead such a large and complex institution as the House of Representatives.

This conference has been organized to commemorate the election on November 9—3 days ago, but also 100 years ago, in 1903—of Representative Joseph Cannon, Republican of Illinois, as Speaker of the House. How fitting it is that we convene this conference in the Cannon Caucus Room, after whom this entire building is named. Joe Cannon, the first person ever to grace the cover of *Time* magazine, was one of the most powerful and controversial Speakers in the entire history of the House. When Cannon neared retirement from the House in 1922 after nearly 50 years of service, he modestly said, "A hundred years from now people will say it does appear that there was a man from Illinois by the name of Cannon, but I don't know much about him." But we are here more than 100 years later and if "Uncle Joe," as he was fondly called by some, was still around he would find many books, articles, and Ph.D. dissertations written about his long career and impact on the House.

This conference on the contemporary speakership is another reminder that people still remember Speaker Cannon's significant influence on the House and the course of the country at the dawn of the 20th century. To expand upon this welcome I'd like to introduce Gary Copeland, director

of the Carl Albert Congressional Research and Studies Center at the University of Oklahoma with whom CRS is fortunate to be able to co-sponsor this event.

Mr. COPELAND. Thank you, Dan. I'm pleased to be with you today representing the Carl Albert Congressional Research and Studies Center at the University of Oklahoma, which is a co-sponsor of this important conference on the changing nature of the House speakership. It is appropriate that we use the centennial of the Cannon speakership as the occasion to hold this conference because his service reflects the dynamic relationship between the Speaker and his colleagues in the House.

The Speaker, as we know, must possess and utilize enough authority to effectively lead a body of 435 individuals who are formal equals, yet he must exercise that authority with enough discretion that Members accept it as in the best interest of the Nation, the body, and themselves.

As we look over the last 100 years, we see a constant shift on where that balance is comfortably found. The balance will be affected by the personality of the Speaker, the formal powers given to him at the time, the character of the membership of the body, and the social and political culture of the time. There is no magic point that guarantees both effectiveness and widespread support. The Speakers we will consider today each approached the office in his own way and each reflected the times in which he served as well as dramatically affecting those times. Understanding the changing nature of the speakership puts the records of previous Speakers in appropriate historical perspective but also provides guidance as we move forward into the future.

The Carl Albert Center is very pleased to serve as a co-sponsor of this conference with the widely respected Congressional Research Service [CRS]. CRS is, of course, uniquely qualified to put together a conference of this sort and to contribute their expertise on the changing nature of the speakership. On this topic, the partnership between the CRS and the Carl Albert Center seems particularly appropriate and Dan Mulhollan has allowed me to elaborate a little bit on that.

The Carl Albert Center, named for the 46th Speaker of the House, has played a role in the academic understanding of the House generally and the speakership specifically for almost 25 years. The Carl Albert Center was founded and directed for over 20 years by the leading scholar of the speakership, Ron Peters. Ron's major work, *The American Speakership*, is the foremost book on the topic, providing a thorough analysis and interpretation of the speakership in historical perspective. Professor Peters has published numerous other works on the topic, and he is with us today contributing a paper to this conference.

Beyond the speakership, the Carl Albert Center faculty and graduate students have researched a variety of other topics including campaign fi-

nance, committees, the seniority system, and so forth. But the center has multiple missions, which I will briefly mention to you, in addition to the research function. We offer unique academic programs at both the graduate and undergraduate level, including a congressional fellowship for graduate students that includes a year working on the Hill in affiliation with the Congressional Fellowship Program of the American Political Science Association. And we have an undergraduate program that matches our students one-to-one with faculty members to develop a mentoring relationship. Many of those students have become partners in the research projects with which they were originally assisting and have gone on to present their research findings at professional meetings.

Third, and perhaps of interest to many of you in this room, is that the Carl Albert Center serves as an important resource on the history of Congress, primarily through our congressional archives, a collection of 20th century papers. We hold the papers of notable Oklahoma lawmakers such as Speaker Albert, Representatives Mike Synar and Mickey Edwards, and Senator Robert S. Kerr, as well as some out-of-state Members, such as Representatives Millicent Fenwick and Helen Gahagan Douglas. Our most recent additions include the important papers of two retired Republican leaders: Congressman J.C. Watts and Majority Leader Dick Armey.

Finally, the center fosters a variety of programs to provide outreach to the community at large. We are pleased to sponsor the Julian J. Rothbaum Distinguished Lecture in Representative Government, and we also frequently host speakers from Washington, including current and former Members of Congress. The center is actively engaged in programs aimed at students and young people, including being a partner in the Project 540 Grant which some of you should be familiar with. We've worked with the Center for American Women and Politics at Rutgers University to develop a leadership program aimed at encouraging women to become involved in politics. We've worked with the Close-up Foundation on their Great American Cities Project to encourage teenagers in effective citizenship skills and participation in political life. Everything we do is aimed at reflecting the quality of life and leadership practiced by our namesake, Carl Albert.

As we'll understand better as a result of this conference, Speakers are unique and special individuals who have perhaps the toughest task in our political system. Just as Speaker Albert led the House in a critical period of change, each of his successors that we will discuss today had unique circumstances and unique gifts. The Carl Albert Center is pleased to present this conference with the CRS with the hope of promoting better understanding of each of the Speakers and the special challenges and opportunities of their position. I thank all of you for being here today and, like the rest of you, I look forward to the proceedings.

Mr. MULHOLLAN. Thank you, Gary. Many people on Capitol Hill assisted CRS in initiating and organizing this conference, including the joint leadership of the House Administration Committee: Chairman Bob Ney and Ranking Member John Larson, who just came in. John, thank you very much. Thanks go as well to the leadership of the House Rules Committee. But I especially want to thank Speaker Hastert and Democratic Leader Nancy Pelosi for endorsing the organization of this conference. And last, but certainly not least, I must acknowledge the critical support not only of the Carl Albert Center but also the McCormick Tribune Foundation without whose support this conference would not have taken place. John Sirek is representing McCormick Tribune. Thank you, John, very much.

Now to some logistics. It's our plan that CRS will use the videotape of this conference for the benefit of Members of Congress and their staff. In addition, we expect that the transcript of today's proceedings, along with several reports on various aspects of the speakership, will be published and made available to Members of Congress. One of these reports is by Professor Ron Peters, who was just mentioned by Gary Copeland. Professor Peters is the noted scholar on the speakership. His paper is available as a handout to everyone who is attending this conference. At this point, in an effort to minimize distraction in today's program, please turn off your cell phones. Should today's program be preempted by an emergency or test alarm, all occupants should exit the building and proceed to designated assembly areas. If you don't know where your assembly area is, just ask a helpful police officer in an orange vest.

Please direct any questions or concerns regarding today's program to any CRS staff member wearing a tag. Further, most of today's panelists will be available for questions following their presentations. A wireless microphone will be circulating the room so if you have questions, please raise your hand and we'll try to accommodate you. At this point, before we begin, I must turn to the person who is the originator, the conceiver, and implementer of this whole conference, Walter Oleszek, a senior specialist in American National Government at CRS.

Mr. OLESZEK. Thanks very much, Dan, for those kind remarks, but there are a lot of people who helped put this conference together. Dan, I'm sure, will highlight them at a later point. My job is to introduce the moderators so we can get under way with the program at hand. Not only do we have a whole group of wonderfully knowledgeable people about the House of Representatives who we're all anxious to hear from, but we also have a terrifically talented crew of moderators. I want to introduce the moderator for this panel right now. He is Gary Hymel, whom many of you may know from his time on the Hill. He served for 8 years as administrative assistant to Majority Whip and Majority Leader Hale Boggs. He also served for 8 years as administrative assistant to Speaker Tip O'Neill. Mr. Hymel co-

authored a book with Tip O'Neill called *All Politics is Local*, a classic statement for which Speaker O'Neill is famous. Currently, Mr. Hymel is senior vice president at Hill & Knowlton. Gary, take it away.

U.S. House of Representatives photographer

Hon. Thomas P. O'Neill, Jr., Speaker 1977–1987

The O'Neill Speakership

Mr. HYMEL. Thank you, Walter, and thank you for putting together this excellent panel of people who knew Tip. It's been 10 years since Tip was with us but a week doesn't go by that his name isn't in the paper, usually associated with that saying, "All politics is local," something his father taught him. It was used last Tuesday, in the Kentucky election, for instance. The Democratic candidate was upset and a consultant said afterward that Tip O'Neill was right—all politics is local. Many Kentucky voters were angry with the previous Governor's sexual escapades. I'm not so sure Tip meant that his saying should apply in that context, but if it fits I guess it's all right.

Just last month I was talking to Lindy Boggs and she was telling me about when she was at Tip's funeral. It was very crowded because it was at Tip's parish church in Cambridge. And the fellow next to her said, "They should have had this funeral at a cathedral where they could accommodate everybody. This is too crowded." And Lindy said, "I looked at him and said, 'All politics is local.'" Two weeks ago in *The Hill* newspaper, there was a cartoon strip about a Congressman who wants to get all the benefits for his district but didn't want to vote for an increase in taxes. The last cartoon panel said, "Well, you taught me 'all politics is loco.'" Another case when Tip was invoked occurred when Arnold Schwarzenegger was elected Governor of California. The reporters interviewed John Burton who is the president pro tem of the California Senate, and they asked, "How are you going to get along with Governor Schwarzenegger?" And Burton said, "I'm going to treat him like Tip O'Neill treated Ronald Reagan." He said, "They had a wonderful personal relationship and they fought over policy, as we should."

Tip ruled by anecdote and he ruled by humor, and I'm sure you all know that. Senator John McCain, last week in a *Washington Post* story about the disappearance of the real characters in Congress, said, "To be honest my favorite was Tip O'Neill." He said, "One time I spent five hours with him on a plane, and it was probably the most entertaining five hours of my life." The other day I was taking a client through the Rayburn Building. He said, "I need a shoe shine." So we went in the barbershop and Joe Quattrone, the longtime barber there said, "Gary, I got to tell you my favorite Tip O'Neill story." And my client's listening, of course. He said, "You

know Richard Kelly,''—some of you may remember the Congressman from Florida who got in trouble for taking a bribe and was about to be sentenced. Quattrone said to Kelly, ''I'm sorry for what happened,'' and Kelly said, ''Joe, don't worry about it. I'm at peace with myself. I'm really feeling good about myself. I was just on the House floor and Tip O'Neill put his arm around me and said, 'I'm sorry for what happened, and my door will always be open to you.' '' That was Tip O'Neill.

I want to tell one last story, one former Congressman Joe McDade told me about 2 weeks ago when I saw him at a book signing. Joe said, ''Gary, you don't know this story but one time we were traveling with Tip through Europe and we stopped at the airport in Shannon, Ireland,''—and if you ever took a trip with Tip, you always stopped at the Shannon Airport because they have a great duty-free shop. ''So everybody was getting off the plane and Tip said, 'You know I'm not feeling well. You go on and shop, I'm going to stay on the plane.' '' Joe said, ''Tip, I'll stay with you and keep you company.'' So they're sitting there shooting the bull—I'm sure talking sports and politics, and the pilot, an Air Force colonel, came back and said, ''Mr. Speaker, can I get you anything?'' Tip said, ''No, no. Everything's fine. On second thought, could you take the plane up so we can see Ireland from the air?'' And the colonel said, ''Sure.'' So Joe said they revved up the engines and took this United States of America airliner up and circled for awhile. Tip saw Ireland from the air, and then they landed and got everybody on and went home. To me that typified Tip O'Neill.

Now let me tell you about some of the people who will speak about him today. First is Jack Farrell. Now Jack didn't know Tip as well as Danny Rostenkowski or Mickey Edwards or myself, but he got to know him. Jack spent 6 years researching Tip's life. He did 300 interviews and wrote a book called, *Tip O'Neill and the Democratic Century*. It sold 38,000 copies. You can still buy it today. Jack did an excellent job. Everybody co-operated with Jack because former Congressman Joe Moakley, Tip's very dear friend, said you could trust Jack Farrell. Jack is now the bureau chief of the *Denver Post*, and he will talk to you about what he learned about Tip.

Next on the podium is former Congressman Danny Rostenkowski, who was very, very close to Tip. They are very similar. They're both big persons, their fathers were in politics, they are Catholic, ethnic, big-city organization Democrats. Danny had a lot of ideas about how the House could be run better and he was very generous about giving his opinions to Tip O'Neill. And some of his ideas are still in place today. For instance, Danny is the guy who came up with the idea to have weekly whip meetings. They had never had them before. The practice of rolling votes from Monday into Tuesday, which helped the ''Tuesday-to-Thursday Club,'' also was Danny's idea. Dan could have been on the leadership ladder. He could have been the whip

for Tip, but he chose to be chairman of the Ways and Means Committee instead.

Mickey Edwards, our final panel member, is a former GOP Congressman from Oklahoma. He was sworn in by Tip when he was a freshman. He became a member of the loyal opposition. Edwards was head of the Republican Policy Committee, and chair of the American Conservative Union. In fact, he now teaches a class in American conservatism at the Kennedy School at Harvard, which he's meeting this afternoon at 2:30. We'll let each panel member speak and then take questions from the audience. With that, I'll turn it over to Jack Farrell.

Mr. FARRELL. Good morning. So a few months ago I got a call from Walter, who has now slunk away somewhere, and he asked me if I would give a talk about Tip O'Neill. And I thought I was going to be in a small conference room with maybe a few members of the Congressional Research Service staff. It was only a couple of weeks ago that I actually got an invitation and noted that this was going to be a historic event featuring all three living former Speakers and the current Speaker. And it came to me that Speakers Foley and Wright and Gingrich were all going to be here, appearing in person, giving first-hand accounts with behind-the-scenes nuggets that historians would prize forever. And if that was not daunting enough I had been selected to stand in for one of the greatest storytellers of all time, Speaker Tip O'Neill. So I was struck by one of those moments of stark panic. Desperately, I came up with the idea that I was going to deliver this speech in the first person, like Hal Holbrook doing Mark Twain. I would dress up like Tip, comb my hair back, sprinkle some flour in it so I'd have that grand O'Neill white shock of hair. Maybe strap a pillow around my waist and speak through the stub of a cigar. I ran this by Gary and Walter and got what I guess could be described as politely nervous chuckles. But as always the sharpest perspective came from my wife Catharina. She said, "Jack, I love you. But you're a lousy actor and you're a worst mimic. In all the weeks of your book tour, all the stories you told, you never once gave a good impression of Tip O'Neill. Your 'dahlings' and your 'old pals' were never persuasive. Your Boston accent is unconvincing and when you sing it's off key. You barely need the pillow and you can douse your head with as much flour as you want. It's never going to make you look like Tip O'Neill, but a little bit more like snow on Old Baldy. You just don't have enough trees at the peak." So Tip remains to be played maybe in a one-man show by John Goodman or Ned Beattie or Charles Durning. And having watched John Goodman play a Speaker on "West Wing" this fall, I think he might be the best bet even though he did play a Republican.

So now I get to talk about Tip, not to try and channel him. And the sound that you are hearing is that of 1,000 C–SPAN viewers sighing in relief. Though I spent 6 years on my biography of Speaker O'Neill, I'm

very modest about my ability to describe his motivation on many matters. As he once said, "You cannot look into a man's heart. Human beings keep great secrets." But I do believe—I do know that Tip would have approved what we're doing here today. He revered the House and the Speaker's Office and, this may come as a surprise to some in the room, he was a life-long student of history. Many of you may travel to Boston for the Democratic Convention next summer or to New England to see the leaves of autumn, and if you pause at Minuteman Park and follow where the Redcoats were chased by the Rebels down the road from Concord to Lexington, or you go to Charlestown to walk the decks of *Old Ironsides* or you visit the Old North Church or the Paul Revere House or many of the other carefully preserved historic sites on the Freedom Walk in Boston, you should tip your hat to Tip, who was responsible, or at least shared in the responsibility, of winning Federal protection and funding for these sites when he served with great enthusiasm on the National Historic Sites Commission. Tip's ability to bring home the bacon for matters of historic preservation is part of a pattern. For one of the things I discovered when doing the research for my book was that in the days before he entered the House leadership he was a colossal collector of "pork" for Massachusetts. From a junior seat on the Rules Committee, according to one reputable academic study, Tip's share of Federal postal, health, welfare, anti-poverty and education funds was demonstratively greater than those claimed by the chairman of the authorizing committee or the chairman of the Appropriations Subcommittee that had jurisdiction over those matters. And I see heads nodding among the cognoscenti in appreciation of that particular trick. Congressman Jim McGovern wherever you are, eat your heart out.

If you go to Massachusetts to visit those historic sites, you'll no doubt travel on roads that Tip played a major role in building. Not just the multi-billion dollar Central Artery Project which is rightly known as Tip's Tunnel in Boston, but also the aging elevated Fitzgerald Expressway that they're tearing down to make way for the new artery. Tip helped build it when serving as the first Democratic speaker of the Massachusetts House after World War II. In those days, before the creation of the interstate highway system, the States paid for their own roads and the Massachusetts government cut corners in the form of exit and entrance ramps to save money when building the expressway. Soon it would take 45 minutes to get from one side of Boston to the other. So when he came to Congress, Tip set about solving this. In a way, he inherited his own problem and the way he solved it 40 years later was by tapping the U.S. Treasury to the tune of $12 billion, and Massachusetts thanks you.

As he raked in the Federal largesse for his State and district, O'Neill also took the time to make sure that the Minuteman Park and the Old

North Church were protected. It's a small but perhaps telling indication that in Tip O'Neill you have a somewhat more complicated character than the popular image suggested. He was a wardheeler to be sure, but one of the first to be blessed with a college diploma from Boston College. No one was better at swapping favors, but when he first ran for office, and in his years in the Massachusetts State House, he had the tiniest bit of a hint of a sheen of a middle-class reformer about him. He was certainly no James "Take a Buck" Coffey, that memorable State rep from Beacon Hill who so eloquently summed up the code of a certain class of Massachusetts politicians. Coffey publicly announced, "I'll take a buck. And who the hell doesn't know it? I'm probably the only one who has guts enough to say I'll take a buck. I'd like to see the guy who doesn't."

Tip knew the ways, and could throw a mean elbow, but he appreciated youth and idealism and was able to change with the times. He had street smarts and Jesuit schooling. Representative Barney Frank, a Harvard graduate, once told me that he thought Tip was smart enough to teach history on the faculty at Boston College. It was only after leaving the interview and upon some reflection that I began to worry that Barney was playing with me and that his comment said more about how Harvard views Boston College than it does of Tip's particular gifts and abilities. But I brought it up with him later and Barney assured me that he meant it as a compliment to Tip, not a knock at BC.

Tip's ability to bridge the gap between the new and the old would prove to be an invaluable asset as he rose to the speakership. He and his predecessor, Carl Albert, are rightly known amongst students of Congress as the key transitional figures in the development of the modern Speaker. And, in fact, I have my own thanks to give to the Carl Albert Center and to Mr. Peters for much of the analysis that I'm about to present, and for also preserving and sharing a remarkable oral history by Carl Albert in which Carl laid it down as he saw it, with absolutely no reservations, when commenting about the character of his peers in all those years in Congress.

Albert and O'Neill presided over the transition from old to new, there's no doubt. Consider what preceded them for most of the 20th century—a rigid seniority system with tyrannical old southern chairmen, and a closed-door leadership characterized by Speaker Sam Rayburn's "board of education." The board was located in a high-ceilinged room one floor below the House Chamber and Tip visited when he was invited by his patron Speaker John McCormack, who was then majority leader. Tip sat around with Mr. Sam's closest buddies drinking hard liquor, and using the small sink that, as D.B. Hardeman and Donald Bacon so memorably put it, "served as a public urinal for some of America's most famous political figures." It was from that room that Harry Truman was summoned to the White House to be sworn in as President when Franklin Roosevelt died.

And Mr. Sam routinely invited a few up-and-comers like Albert, Hale Boggs, and Tip O'Neill to listen as he and Lyndon Johnson and John McCormack or House Parliamentarian Lewis Deschler discussed the day's events and struck a blow for liberty.

That was the House as Tip knew it when he arrived in Congress in 1953. Even the arrival of Jack Kennedy did not change things. The southern chairmen remained in control, and Tip found it particularly frustrating because—though JFK was from Massachusetts—political rivals on the President's staff kept O'Neill away from the new President. When he turned 50, he took his daughter Rosemary to dinner.

"That's it. My career is over," Tip told Rosemary. "We had a President from my own State, from my own district and I can't get in to see him." Well, as someone who's just a few months from turning 50, I hope that the next 35 years do for my career what the next 35 did for Tip. The war in Vietnam turned out to be his great opportunity. He was an early foe, representing a district that turned against the war before much of the rest of America. His stance against the war gave him credibility, and a following, among the flock of young representatives who were then beginning to arrive in Washington. Like them, he was frustrated by the way that the tough old southern chairmen refused to allow recorded votes on the war. Out of sympathy, and expediency, he joined many of their attempts to reform Congress.

Though a northerner, Tip was a veteran Democrat who could appeal to the South; he could also appeal to both the "old guard" and the "new turks." So he was selected by Albert and Majority Leader Boggs to become the Democratic whip. Then, of course, came the stroke of fortune that put Tip just a step away from the Speaker's Office. Boggs' airplane took off in unsettled weather in Alaska and he was never seen again. So it was Tip who faced off against Richard Nixon. He found himself the leader of the House Democrats in the turbulent years of Watergate. And it was clear throughout the early seventies that his strength in the House came from his ability to span this gap between North and South, young and old, new suburban representatives, and the lingering captains of the old city machines. It was a very delicate balancing act but it got him where he wanted to be—the Speaker of the House in 1976, just in time for the return of a Democratic Presidency.

But as he took the oath of office, O'Neill looked out on a House that was far different from the one he had joined in 1953. "The group that came in 1974, the "Watergate babies," were a bunch of mavericks," said Jim Wright. "All of them had run on reform platforms intent on changing anything and everything they found that had needed changing." Indeed, while the turbulence of the sixties, the Vietnam war, and the years of Watergate had led millions of young Americans to abandon the political process and

turn inward, those who persisted in politics—in Democratic politics—were highly committed activists who had cut their teeth on civil rights, the anti-war movement or the Kennedy, McCarthy and McGovern campaigns. They viewed Washington as a capital in need of purging.

Tip recalled that "these youthful, able, talented people, they didn't like the establishment. They didn't like Washington. They didn't like the seniority system. They didn't like the closeness of it and they came down here with new ideas. They wanted to change the Congress of the United States, which they did." The old politics had fallen into disrepair. The Democratic Members of the classes of 1970, 1972, 1974, and 1976 were prototypes of a new kind of Senator and Representative. They were comfortable with their ideological allies in the press corps that was undergoing similar changes. They were conversant in the politics of televised imagery and campaign commercials and generally beholden to few party leaders. They were independent political entrepreneurs who raised their own funds, hired professional advisors, and reached out to the voters using direct mail appeals, single-issue interest groups, radio, and television advertising. Said Tip, "About 50 percent of these people had never served in public life before. When I came to Congress the average man had been in the legislature, had been a mayor or district attorney or served in the local city council. They grew up knowing what party discipline was about. These new people came as individuals. They got elected criticizing Washington. They said, 'Hey, we never got any help from the Democratic Party. We won on our own and we're going to be independent.' They started in 1974 and they broke the discipline."

The House was thoroughly remade from the sleepy institution of Tip's early years in Congress. The southern autocracy was broken; the shuffling old bulls swept from the Capitol's halls. Of 292 Democrats when Tip took over as Speaker in January 1977, only 15 had served in Congress longer than he had. The average age in the House had dropped to 49.3, the youngest since World War II. The regional distribution of the two parties had begun to reflect the transformative success of the Republican southern strategy. And the old urban strongholds of ethnic white Democrats had been washed away by the great post-war migration of black Americans from the South and the subsequent white flight to the suburbs. The new breed of Democratic office holders, Tim Wirth, Gary Hart, Paul Tsongas, Michael Dukakis, and the rest, were neoliberals who sold the notion of political reform and their own personalities to suburbanites who gathered political information from television, not the local block captain. Ticket splitting was far more common. The percentage of voters who chose the party line dropped in House elections from 84 percent to 69 percent in the 20 years after 1958. Without an old-time party machine to distribute winter coats and turkeys, those new political entrepreneurs invested considerable resources into sophis-

ticated constituent service operations, answering mail and telephone calls, staffing satellite mobile field offices, chasing down wayward Social Security checks.

Between 1971 and 1981 the volume of incoming mail to Congress more than tripled. Watts lines, word processors, and computerized mailing systems became commonplace features in congressional offices. Members of this new Congress depended on televised imagery and telegenic forums. The number of committee and subcommittee chairmen had doubled to some 200 during the time O'Neill had been in Congress. The duties of constituent service and the work of these subcommittees fueled the demand for more staff. The 435 Members of the House had 2,000 employees on their payroll when O'Neill arrived in 1953. There were 7,000 such employees in 1977 and another 3,000 working for committees, subcommittees, and the party leadership. The Rules Committee served as a prime illustration. Chairman Howard Smith (D–VA), had two committee aides in 1960 when Tip served on Rules. Twenty years later there were 42. Congress was now a billion-dollar business with a commensurate demand for more lobbyists, special interest groups, trade associations, and journalists.

The average number of days in session jumped from 230 in the Eisenhower years to 323 in the 95th Congress. And the number of recorded votes went from 71 in O'Neill's first year to 834 in 1978. Gone were the days when Carl Albert, following Sam Rayburn's advice, would spend his days in the House Chamber soaking up knowledge and forging collegial relationships. Gone as well were the hours when Harold Donohue (D–MA), and Phil Philbin (D–MA), would slump in the soft leather chairs of the House Chamber each afternoon like aged hotel detectives, whiling away the hours with gossip and the occasional rousing snore. A 1977 study by a House Commission found that Members worked 11-hour days of which only 33 minutes were spent at contemplative tasks like reading, thinking, or writing. The House became a place to cast a vote and flee, not as much to mingle, converse, or enjoy the debate.

For many it was hard not to hearken back to George Washington Plunkett, the legendary sage of Tammany Hall who asked in 1905, "Have you ever thought what would become of the country if the bosses were put out of business and their places were taken by a lot of cart-tail orators and college graduates? It would mean chaos."

And so, in the early years of Jimmy Carter's Presidency, O'Neill pioneered a process by which he would govern the House for the next decade. It came to be known as the "politics of inclusion." The idea was to rope your colleagues in to secure their allegiance by giving them a stake in the results, to share the responsibility as well as the spoils, and to co-opt resistance. Did the new breed of congressmen and congresswomen—the political entrepreneurs—demand a piece of the action and a ticket to the 5 o'clock

news? Then O'Neill would give it to them in return for their loyalty. Starting with an Ad-hoc Energy Committee and three energy task forces, soon every major issue had a task force and bright, young Members to chair it: willing to trade their independence for the power and celebrity of serving in the leadership. "O'Neill didn't direct his colleagues to do his bidding," said Phil Sharp (D–IN). "He entrusted them."

The rise of Representative Richard Gephardt, elected in 1976, was illustrative. Soon after taking office, the Carter administration had discovered that the cost-of-living increases were soaring in a time of high inflation and threatening to bankrupt Social Security. The Democrats ultimately concluded that a massive hike in the payroll tax was the best way to keep the system solvent. To head the Social Security Task Force, O'Neill selected the 36-year-old Gephardt, and they pushed the bill through the House before the 1978 election season. It passed in 1977 by a 189 to 163 margin, the largest increase in payroll taxes in history—$227 billion over 10 years—but Gephardt and his task force had gotten it done. He moved into the leadership's favor and was soon being hailed in the press as a force to be reckoned with because of his ability to deal with a cross section of House Members.

O'Neill aide Irv Sprague later wrote a memo to Tip about the task force system, saying it triumphed because it "involved as many people as possible and gave them a personal stake in the outcome."

"We have the Policy Committee. We have the Whip Organization working. We got the Rules Committee working and we got the Chairmen all working together," O'Neill told the *National Journal*. "They're part and parcel of the organization. They're part and parcel of making decisions. There are more people in the decisionmaking. That's the way I like it and I'm sure that's the way the members like it."

It wasn't enough. The Carter years were a political disaster for Tip O'Neill's Democrats and justly so. When handing the Democrats control of both the White House and the Congress in 1976, the voters had looked to the party for competence, resolve, and the promise of national revival. Handed the opportunity the Democrats staged a thoroughly miserable performance. They had been petty, selfish, and spiteful. They had looked beholden to oil companies, the health care industry, and other special interests. They had refused to curb their insistent liberal base and chosen to fight a destructive and self-indulgent civil war in the Presidential primaries. They were intellectually clueless, politically inept, and O'Neill stood as the symbol of their failure. I don't know how many here remember, but the Republican television commercials showed a white-haired burley actor who ran out of gas on a highway. It clicked not because it represented just any generic big-city pol, but because it lampooned the Speaker of the clownish House in Washington.

After a fine first year as Speaker with the passage of ethics and energy packages, O'Neill's performance had lapsed to adequate in 1978 and piteous in 1979 and 1980. There were good reasons for the disaster and few in Washington were more adept than Tip at deflecting the blame toward the White House, the centrifugal effects of congressional reform, or the ideological incohesion of his party. But at a time of economical, international, and political crisis when his party and countrymen looked at Tip, he had failed. His was the party of Tongsun Park and CETA {Comprehensive Education and Training Act}, of 18 percent inflation and gas lines. When they could have been addressing the problem of America's economy, the Democrats had spent their time squabbling. The electorate's retribution had been just and severe. It was not just that the Republicans won—the White House, the Senate and the 33 seats gained in the House of Representatives in 1980—it was who won: Ronald Reagan.

"Until such time as we nominate a new Presidential candidate you are the leader of the Democratic Party as well as the highest public official of the party," leadership aide Burt Hoffman wrote the Speaker. "You are also more than ever the only person in a position to continue representing the ideas of justice and compassion."

It would be the final battle, the defining historic moment for this bruised, old, white-haired guy, and O'Neill knew it. He would sit alone in his darkened office brooding over each day's reversals. He would be betrayed by captains, scored by old foes, challenged by young rebels in his rank. His name and his pride were on the line, but so, more importantly, was what he believed. If Tip O'Neill bungled this job, if he failed to hold the bridge, the hill, the last foothold, he knew his place in history would suffer, but so would Roosevelt's legacy: the elderly whose fears of poverty and illness had been eased by Social Security and Medicare; the working class kids carrying their families' dreams of going to college with the help of Pell grants; the water and the air that were getting cleaner and the wilderness preserved from development.

Tip was no saint. Win or lose there would be no canonization of Thomas P. O'Neill, Jr. In a lifetime in politics, he'd gouged eyes, thrown elbows, bent the law, and befriended rogues and thieves. He could be mean and small-minded. But at his core there lay a magnificence of spirit, deep compassion, and a rock-hard set of beliefs. He had a sense of duty that he refused to abandon for those whom Heaven's grace forgot. He would sooner die on the floor of the House or watch his party be vanquished and dispersed than desert them.

"You know you're right?" his wife Millie would ask him as she adjusted his tie at the door in the morning. "Yes," he would say and he knew it. He knew it like he knew the sidewalks of North Cambridge, the liturgy of the Sunday Mass, or how to stack a conference committee. "Then do

your best," Millie would say and off he would go. He may not have had the looks of a movie star but he had great instincts and sound judgment and a joy for life that could match Reagan's charm. And like the new President, he had an innocence that had survived many years in a cynical game, and given time and exposure, would allow Americans to come to love him.

Indeed, Reagan and O'Neill had much in common. They were broadbrush types who liked to joke and never let the facts get in the way of a good story. They would take a punch and come back swinging. They prized their downtime, loved to be loved, and bore without complaint, or much interest in correcting, the liabilities of their parties. They each had spectacularly talented staffs. Most important, despite their acting talents, they stood out among the sharpies and trimmers in the Nation's Capital as men of deep conviction. Each was sustained in much the same way by his own distinctive mythology. Reagan was the son of the small-town Midwest, a lifeguard and radio announcer who had made his way to the Golden State and become a wealthy movie star. He revered individual liberty, and his icons were the cowboys, the entrepreneurs, the singular heroes of sporting fields and war. His speeches never failed to cite the American Revolution, which had thrown down the government of a rotten tyranny and claimed the freedom and rights of man.

O'Neill was the product of the East. Of the great crowded cities. He reveled in the collectivity of purpose and the fruits of charity, neighborhood and fellowship. His was the creed of Honey Fitz and Jim Curly, Roosevelt, and the Sermon on the Mount. He, too, revered the Founding Fathers—but for the magnificent system of government they had built which had proven so adaptable and addressed so many social ills. Tip O'Neill versus Ronald Reagan. This was no sophistic debate: these were world views clashing—hot lava meeting thundering surf. And good it was for the country to have the debate—to stake the claim of a "more perfect union" against the demand for "life, liberty, and the pursuit of happiness" once again. History was happening. The heritage of the New Deal, a philosophy of governing that had lasted for half a century was at stake. Reagan didn't want to trim the sails. He wanted to turn the ship around and head back to port. For more than 50 years Republicans had argued that the country had taken a horribly wrong turn in the thirties, that Roosevelt's social insurance programs and the taxes that supported them were seductively undermining the American way: breeding lethargy, dependence, and corruption of the spirit. Nor was there ambivalence at the other end of Pennsylvania Avenue, in the Speaker's lobby.

As Reagan proved himself so formidable a foe, the Democrats scrambled to reinforce their Speaker. Tony Coelho (D–CA), was recruited to take over as chairman of the Democratic Congressional Campaign Committee, and he raised a lot of money. One of his first acts was to put Chris Matthews on

the payroll: detached to the Speaker to help, as O'Neill put it, with "the media stuff." Once again O'Neill's great sense of timing extended to his selection of staff. Leo Diehl was his indispensable pal and protector who had notified the wise guys that times had changed. Gary Hymel had been a bridge to the southern barons and envoy to the pencil press, and he helped Tip run the House when O'Neill was majority leader. Kirk O'Donnell was hired in 1977 when the post-Watergate era called for a legal counsel with well-honed political instincts. Ari Weiss was the Speaker's chief policy analyst. "I've never seen a staff like Tip O'Neill's. There's not even a close second," said journalist Al Hunt. It said a lot about O'Neill—that he was an incredibly secure man.

Matthews found that O'Neill was self-conscious about his looks, and dubious about competing with the movie star in the White House. "He was scared to death of it because it was live television. He was so afraid he would say something wrong. He was afraid of being embarrassed. He lacked confidence. He was never sure of his looks. He was always talking about his cabbage ears and his big nose. He was mean to himself," Matthews remembered.

Television news liked simple stories. Reagan was a skilled performer and his media advisor, Michael Deaver, and his colleagues were exceptionally good at crafting scripted moments in which the President could perform. Deaver recalled that cable TV had not yet arrived. You could target the three networks and talk to 80 percent of the public. O'Neill could never hope to match such superb Reagan moments as the 40th anniversary of the D-day landings or the President's rallying address to the stunned Nation after the space shuttle *Challenger* exploded.

But there was a sturdy journalistic imperative—"get the other side of the story"—that provided O'Neill with an opening, as did the media's unquenchable thirst for controversy. Reporters from the networks and other national news organizations needed a Reagan foil, someone to whom they could go and get the other side, and that was a role the Speaker could play. But it was a tough, evolutionary process, especially for a man who had just endured 3 years of pummeling from the press. "You had to beg him to do interviews and when you did your butt was on the line. If you strung two bad interviews in a row, you were dead," Matthews remembered. "And I wanted desperately to say to him, I let the reporters in because I came here to help you become what you can become. And the way to do it is to be publicized. And the only way to be publicized is to let people write about you and the only way to let them write about you is to let them take some shots at you. That's the only way to become a figure in American politics. You cannot customize it. You cannot come in and tailor it. All you can do is go in, let them see who you are and let them make their own judgments."

The Speaker, who railed against the Reagan tax bill in July, was a far better tailored, scripted and prepared politician than the befuddled bear who had opposed the Gramm-Latta budget cuts in May 1981 or who had replied, "What kind of fool do they think I am?" when House Democrats urged him to seek network time to respond to Reagan's triumphant spring attack on the Federal budget.

Said Representative Newt Gingrich, "If you were to study Tip in his last year as Speaker and compare him to the first year as Speaker, you saw a man who had learned a great deal about television as the dominant medium in his game." Democratic pollster Peter Hart remembered, "At the beginning he was the perfect caricature of old-time politics. The Republicans took advantage of it. And he was compelled to take a position to which he was ill-prepared and ill-equipped, which was the voice of the Democratic Party." But by 1986 not only was he more comfortable with his stature and his feel for the role, but as much as the President represented an ideology and a purpose, the public saw that Tip represented an ideology and a purpose as well, and it was a purpose that as we moved through the eighties, Americans began to see as pretty important—that it was an important set of values that this man represents. He's not going to allow Congress to cut the safety net or the environmental programs or Social Security or education.

In no small part due to Ronald Reagan, the United States would embark on a new entrepreneurial era, claim triumph in the cold war, reach giddy new heights of freedom and prosperity, and command both the attention and the obligation of greatness at the end of the century. But in no small part because of Tip O'Neill, the country would reach that pinnacle without leaving its working families and old folks and sick kids and multihued ethnic and racial minorities behind. Reagan had turned the country in a new direction. The changing world with its disorienting pace of economic, scientific, and technological advancement would inevitably demand that the mechanisms of the New Deal be reexamined and rebuilt. But in 1981 Tip O'Neill drew a line for his party and his country and the core of Roosevelt's vision was preserved. It was a stirring rear guard action worthy of Horatius at the bridge or Kutuzov at the gates of Moscow.

The final point I'd like to make about the Albert and O'Neill speakerships is how many of these changes that were made in this period—television, the rise of committees, huge numbers of staff, televised sessions of the House—all were seen as liberating, creative adjustments by progressives at the time. But they helped bring on the end of the Democratic era. The shattering of the seniority system, the successful attack upon the old, southern chairmen, the advent of television and its effect on the House all helped Republican as well as Democratic young turks: Republican names familiar to us now—Jack Kemp, Trent Lott, Newt Gingrich. The Democratic reformers had shown the way and left it open for a group of real revolution-

aries, the young Republican entrepreneurs who finally triumphed in 1995 and took back control of the House.

But that's a story for the rest of the day. I'm here to talk about Tip O'Neill and to sum up by quoting from Rev. J. Donald Monan's eulogy at Tip's funeral. "Those of us who have lived through the decades since the 1930s of dramatic change in the moral dilemmas that modernity brings, in the crisis of wars and the threats of war . . . realize that Speaker O'Neill's legendary sense of loyalty, either to old friends or to God, was no dull or wooden conformity. It [was] a creative fidelity to values pledged in his youth that he kept relevant to a world of constant change." And that, in my opinion, was his greatest genius.

Mr. HYMEL. Congressman Rostenkowski.

Mr. ROSTENKOWSKI. I guess what you expect from me today is a personal view and, also, a legislative view of Tip O'Neill. I think Tip and I had a great deal in common.

We both came from an urban area. We saw poverty first hand. But, you can't look at Tip O'Neill's speakership without first looking at what a really unique challenge had been created for him by having Ronald Reagan in the White House.

Reagan was a wonderful public speaker; a classic "outside" politician who had good sound bites but not creative legislative ideas or interest in legislative detail.

Tip O'Neill was a classic "inside" guy. He looked like an old-fashioned politician. Some people liked that image, some didn't. But, there was no avoiding his physical structure. When Tip became the de facto Democratic spokesman, it was not an uneven contest. He had a very delicate balancing act. President Reagan was tremendously popular and the question became how to moderate what he and the Congress were trying to do without confronting the President head on.

In the first context, with the 1981 tax cuts, Democrats foolishly got into a bidding war that made things worse than they otherwise would have been. A lot of "blow-dried" Democrats elected post-Watergate thought that O'Neill was the wrong face for the party at that time and that it was their turn to govern.

So, even while Tip tried to present a united Democratic front, he was challenged by plotting from within his own party. The fact that there never was a public explosion is certainly to Speaker O'Neill's credit.

Unlike today's situation, the committee chairmen in the House, people like myself, had a lot of independence. The Speaker couldn't order them to do anything because they wouldn't automatically all obey. When Newt became Speaker, he centralized power, and was able to do things, especially involving the scheduling of legislation in the House of Representatives that Tip could never have accomplished.

Tip just didn't have the powers conferred on Newt. I should know. I was appointed chief deputy majority whip by Jim Wright. As a matter of fact, Tip didn't like the idea that I was going to be the deputy whip, but Jim Wright insisted because of the fact that we had had a hell of a fight for majority leader. Leo Diehl, a top O'Neill aide, who was orchestrating it with the help of Jimmy Howard from New Jersey and Danny Rostenkowski, had worked like the Devil along with people like Tony Coelho to get Jim Wright elected majority leader. We had been the ones who had talked Jim Wright into running for majority leader. Jim was very comfortable on the Public Works Committee and, believe me, made more friends in the Congress than anyone. But after the election and Tip's ascension to the speakership it was kind of an intimate legislative process.

Tip couldn't command Members to do things the way the Republicans have done since. Instead, he had to convince them. Tip would put his arm around you and give you one of these, "Gosh darn, you gotta help me on this." And, in most instances, Members of Congress would bend to the wishes of Tip O'Neill. Tip O'Neill had a great deal of faith in the system and he had tremendous respect for the individual legislator's ability to govern.

It was in those days when committee chairmen were very powerful that Speaker O'Neill recognized that he came from within that group of representatives who wanted their voices to be heard. In contrast to the present day leadership authority, O'Neill would wait for the legislative process to work and come to the Speaker's office. What he did draw out of you was a compelling competition to do the job. If you failed, it'd be at dinner that night that he'd say, "Jesus, you know Rosty, you're not doing so well over there." And, it would really boil me just like it would boil John Dingell or it would boil Jack Brooks.

Tip O'Neill had the ability to convince a legislator because he was what was termed "a legislator's legislator" himself. He had come up through the ranks and been in the trenches and that, I believe, was the secret of the successes we had.

Certainly O'Neill competed with Ronald Reagan. You've got to remember that Ronald Reagan, elected in 1980, was probably one of the most popular individuals who ever came to Washington. He broke all precedents. He came to Capitol Hill as President-elect, visiting the Speaker in the ceremonial office—never been done before. Came to the House of Representatives for the State of the Union Message and violated House rules by introducing people in the gallery—never done before. It was this "so-called" warmth that Reagan expressed and brought through to television. To his credit, and I just did a C–SPAN show this morning about the creation of C–SPAN, during the time of this creation, no one was more influential in having C–SPAN in the House of Representatives than Tip O'Neill. Tip

worked with C–SPAN founder Brian Lamb as hard as I've ever seen anyone ever work to accomplish this.

I've got to admit that I was on the other side of the argument with respect to C–SPAN. But, the day that we initiated C–SPAN, you couldn't buy a blue shirt in Washington.

Tip, in my opinion, depended a great deal on staff, depended a great deal on information that came through the legislative process, and tried to make judgments based on the coalitions which he could put together. He was good at it.

I'll never forget the first day as leadership when Tip; Jim Wright, the majority leader; John Brademas, the majority whip; and Danny Rostenkowski, chief deputy whip, went to the White House for an 8 a.m. Tuesday morning meeting. We were ushered into a small dining room off the East Room where then-President Jimmy Carter was hosting a "breakfast" for the leadership. There were little fingertip sandwiches and small biscuits and Tip O'Neill looked at Jimmy Carter and said, "Jesus, Mr. President, I thought we won the election for crying out loud!" The next Tuesday, and we were there every other Tuesday, you'd have thought we were all "Paul Bunyons" at breakfast.

O'Neill, to his credit, came to the speakership at a time when I think somebody up there liked us because it was very tough competing with Ronald Reagan. I can say this personally. Ronald Reagan as President made my job at the Committee on Ways and Means very easy because all I had to do was try to bring Ronald Reagan to the middle and he'd bring along the Republican votes that were necessary. That, coupled with Tip O'Neill's coalitions, made it possible to pass legislation.

I've so many pleasant personal memories over the years with Tip and Millie, with Silvio Conte, with Bob Michel. In summation, just let me say this. Last night, I had dinner with Guy Vander Jagt, Bob Michel, Leon Panetta, and Marty Russo. I wonder if in 10 years or 8 years, after their service, the present majority and minority leaders will get together for dinner. It's a sad commentary.

Mr. HYMEL. Thank you, Congressman.

Congressman Edwards.

Mr. EDWARDS. Well, first of all, I want to say that I probably feel more comfortable in this room than some of the other people here, like Jim Wright, Tom Foley, and Danny Rostenkowski, because we Republicans always had to have our conferences in this room because the Democrats were meeting on the House floor, so we couldn't use it. So I've spent a lot of time in here.

I can't tell the personal stories about Tip because I wasn't involved in the same way that the members of the Democratic Party were, but I do have some reflections I'd like to share. I had great respect for and friend-

ship with the men who followed Tip as Speakers—men like Jim Wright and Tom Foley—but when I came to the House they were just "Mr. Chairman" and every Democrat was Mr. Chairman of something. But Tip was "Mr. Speaker" and he remained that. It was not only his presence and the fact that he was the Speaker when I came to the House and the man who swore me in, but he looked, he sounded, he acted the way you would expect a leader of the Nation to look and sound and act. He was that imposing and that impressive.

When I teach my classes at the Kennedy School, one of the things I emphasize in the very first class period is the word "passion." That politics is about passion. Passion is what drives you to get up and do the things you have to do to get elected and to go through the very tiresome job of actually being a day-to-day legislator. You really have to be driven by your beliefs. All politics is passion just like all politics is local. And Tip was a very passionate person as those who knew him realized. But he was a different kind of politician when he first came to the Congress. He was, in fact, the quintessence of a local pol.

He was passionate about issues, but he was passionate about issues that mattered to the people in Cambridge and South Boston and the areas that he knew. He was not a Massachusetts politician. He was strictly a Boston politician, which is a lot different from Brookline or Wellesley or Newton. It was inner city. It was neighbors. It was knowing the people in the barbershop and the deli and the dry cleaners, and it was a very personalized, localized, kind of bring-home-the-bacon politics. So he was connected to the local highways and the local hospitals. What he did when he came to Congress was to be the voice, the spokesman, for the people of his area. Now I didn't realize until I started teaching at Harvard that political scientists like to refer to what they call a choice between being a "delegate" or a "trustee." I had never heard those terms before. But in the sense of being a "delegate," somebody who really represented the home people, that's what Tip O'Neill's politics was about.

I am reminded of a story about one of my colleagues from Oklahoma, Mike Synar, a really fine young man who died all too soon. Mike was once interviewed by the *New York Times* and there was a little flap that occurred as to whether Mike was an Oklahoma Congressman or a U.S. Congressman from Oklahoma. He, of course, argued that he was a U.S. Congressman from Oklahoma, which made people in Oklahoma very unhappy because they wanted him to be an Oklahoma Congressman. Well, when he got here Tip was a Boston Congressman. He was not a national Congressman in that sense. He was very much a local kind of person.

And then something happened. I've got a photograph that I hope is going to be passed out to the tables, something I found as I was going

through my files. Something happened to Tip that changed his life, that changed his speakership, and to a large extent changed the country.

When Ronald Reagan was elected President, all of a sudden Tip became not just the master of the institution which, as Danny said, he ran very well by allowing various committee chairs to be powerful in their own right. Suddenly, Tip O'Neill became the champion of progressive politics. He became the national voice—the passion of the progressive politics that had begun with FDR and had continued since and that Ronald Reagan threatened.

What Reagan brought was not only a new vision, but if you were on the other side of the aisle, an attempt to really undo a lot of what had been done over the previous decade. So Tip O'Neill had thrust upon him something he had really not prepared for. He had thrust upon him the job of being the last bulwark of liberalism—becoming the champion of the forces opposing the Reagan and Bush foreign policy proposals, preserving domestic social programs.

All of a sudden it was Tip not just being in the Speaker's office, but taking the floor, taking the microphone, and becoming the voice to challenge Ronald Reagan.

Tip became the Democratic Party, and what happened as a result of this was that we had these geniuses over at the National Republican Congressional Committee who decided that the way for Republicans to take control was to run against Tip, to demonize Tip O'Neill. That's where those television spots came from that showed this actor playing Tip and characterizing him, and, through him, the Democratic Congress as big, fat, and out of control. It turned out that the voters really thought he looked a lot more like Santa Claus. The public did not share the antipathy toward Tip O'Neill that the Republican Congressional Committee had anticipated, and the ad campaign didn't work.

There was also something else about Tip. I remember Tip, of course, as an adversary, as the advocate of what we were trying to change. But Tip's word was good. On the one hand, there was the public Republican attempt to gain control, and so, those television spots attacking Tip O'Neill. But in Republican leadership meetings, we all knew that Tip's word was good. He was tough. He was a hard fighter, but he was fair.

Let me tell a little story. Actually Jim, the story is about you, but also there is a lesson here about Tip O'Neill. I got an e-mail recently from a political science professor on the West Coast. He said he was watching a video of a debate on the House floor and since I was very involved in that debate, he wanted my input about what had happened. Jim Wright, who was then the Speaker, announced at the end of the vote—Republicans, of course, were winning the vote—that he was going to keep the vote open so people who had not yet voted could cast their votes or people who wanted

to change their votes could change their votes. As it happened, of course, Jim Wright and his team being very good at this, before time had run out, the Democrats were in the lead on the vote. Then the gavel came down and the Democrats had won.

The political scientist wrote to me and said, "I don't understand what happened. The Speaker announced that he was going to keep the vote open for anybody who wanted to change their votes, so why didn't you Republicans do the same thing and say you wanted to continue this a little longer while you tried to change people's minds."

So I wrote him back and said, "I don't think you understood. Jim Wright was the Speaker. He had the gavel. He could determine when the vote was over." The political scientist wrote back to me again and said, "Oh, I understand now. You didn't trust Jim Wright." And I wrote back and said, "No, you don't understand. We trusted Jim Wright. He is a very honest, decent man, who believed passionately that what he was doing was good for the country and that what we were doing was bad for the country. And he would do everything that he could within the rules, within the proper procedures of the House, to prevail on a cause he thought was important."

That, I think, is not only what Jim did, but it's also what Tip did. What you always knew was that Tip O'Neill could be a tough adversary. When we wanted to give Special Orders and make the whole world think we were speaking to the entire Congress, he would order the TV cameras to pan the Congress and show that we were giving these great orations to nobody in particular except a couple of our Members and our staff. So Tip was a very tough fighter, but he was always fair. He was always decent. He was dignified and people on the Republican side liked him a lot—we opposed him, but liked him a lot.

When he died, people said, "Well, he was one of a kind. There will never be another like Tip O'Neill." And I wrote a newspaper column in which I said, I hoped that was not true. It would be a terrible loss to America if there was never another like Tip O'Neill.

Mr. HYMEL. Thank you, Congressman. Before we take questions I'd like to summarize by saying again that Tip ruled by anecdote and humor, but there are four things he should be remembered for and only one has been mentioned. First, Tip brought television to the House. A lot of discussion had gone on before, and there was a lot of running up and down hills by Members and staff. When he became Speaker he said, "Turn on the TV cameras." It was that simple and, of course, we wouldn't have C–SPAN today if it wasn't for that decision which he made by himself.

Tip also destroyed the seniority system. One time in the Democratic Caucus at the beginning of a Congress, we were doing reforms and Tip offered an amendment that you could get a vote on a committee chairman

if one-fifth of the caucus wanted it. Before that, it was automatic that the most senior person on the committee became the chairman—no exceptions. Well, Tip's motion passed because you could always get one-fifth of the Members. Two years later, three chairmen were thrown out. Now, the committee leadership always had to run in the whole caucus. Seniority didn't mean as much anymore. So Tip was responsible for destroying the seniority system.

A third thing he did was eliminate the unrecorded teller vote. Some of the oldtimers might remember that. Just like in the British Parliament today, there was a procedure where Members walked through lines and were counted and then the majority decided whether an amendment wins or loses. Well, Tip and Charlie Gubser, a Republican from California, had an amendment that abolished that procedure.

The other thing was a code of ethics. Tip established a commission to write a code of ethics and Representative Dave Obey told me when Members came to Tip and said, "Tip, we have two versions—kind of a soft one and a tough one. What do we go with?" Tip said, "The tough one." Tip was linking that with a pay raise. By the way, the ethics code did go through and it still exists today. So with that, I'd like to ask the first question, if you don't mind, of Congressman Rostenkowski. Please embroider a little bit on why would a Member of Congress, who has a constituency and his own mind made up, and Tip would come over and put that big arm around him and say, "Can't you help us like a good fella?" And that's all he would say. Why would you then vote with Tip O'Neill?

Mr. ROSTENKOWSKI. Well, we have to set the stage for that. We did have a cushion. We had a lot more Democrats for a period of time, certainly with Lyndon Johnson.

President Johnson could really work the room when it came to a whip count. I think Tip credited Tom Foley and Danny Rostenkowski as probably his best whip counters. Once you found out that a certain Member had a problem with a particular vote, then you tried to figure out why. Was it because he wanted something for his district, say a bridge? Was it because he was mistreated by a chairman? Tip would do the groundwork and then walk over the rail on the House floor and whisper in that particular Member's ear, "We're going to solve your problem. Now come on, you've got to help us here. I mean, this is a Democratic vote. It would be embarrassing for us not to pass it." And, with this big arm around you, you'd cave. He had a natural, warm ability.

There are so many stories I could tell you about Tip as a person. Tip O'Neill would enter a room with his "God love you, darlin'," all of a sudden, he'd take over the party. He was an empowering figure with tremendous warmth. Every Democratic congressional campaign dinner, it was Tip O'Neill's party, and you'd never leave that dinner without the room joining

him in singing the tune, "Apple Blossom Time" to his lovely wife Millie. It was just a warm personality.

Mr. HYMEL. Thank you. Do we have any questions from the audience?

Mr. ROSTENKOWSKI. If I may I'd like to say one thing in response to what my colleague has just pointed out. Over the years, Tip O'Neill formed lasting friendships. One way he did this was that he honestly believed that Members of Congress should visit overseas and that we should have a legislative exchange with other countries. The most outstanding congressional delegation trip that Tip O'Neill organized and took was the one to Russia.

We were the first to be exposed to Gorbachev. Silvio Conte, myself, Bob Michel, and Tip O'Neill sat with Mikhail Gorbachev. At that meeting Mikhail Gorbachev suggested that we do this more often. You ought to come here and visit us; we ought to come and visit you. We reported this to President Reagan upon our return, and we told him we felt if there was anybody in the leadership of the Soviet Union who was looking for democracy, it might well be Mikhail Gorbachev. It was after that congressional trip, which Tip O'Neill chaired, that we started to see a so-called melting of the Iron Curtain. You can describe congressional delegation visits however you want, but they are a very important instrument in our democracy and friendship with other nations. Thank you.

Mr. HYMEL. Anyone? Yes?

Question. Is there anyone in the House today like Speaker O'Neill?

Mr. ROSTENKOWSKI. The changing of the House of Representatives has come so swiftly since I left it. I'm really not as close to the membership as I'd like to be. I just don't know of anyone who has the chemistry that Tip O'Neill had. Tip O'Neill, even as a liberal, had the unique capacity to get votes from the southern Members of the Congress. That's why he was able to work so well with people with very different backgrounds, like Jim Wright.

With respect to electing Jim Wright the majority leader, Tip O'Neill stayed as far away from that election as he possibly could because we had Majority Whip John McFall, we had Representative Dick Bolling, we had Representative Phil Burton in the race. Our plan was to get all the McFall votes for Jim Wright on the second count. Tip would stay away from that and, I think to his credit, when Jim Wright was elected the majority leader, he was relieved that he had as stable an individual as Jim Wright for the position. I don't know of anyone like Tip today, and I don't know that the times are the same now as they were then. There's a lot of hate in the air in the House of Representatives and that's a sad thing.

Mr. HYMEL. Congressman Edwards.

Mr. EDWARDS. I was going to make the same point that Danny did at the very end. I don't know the Democratic Members as well as I

should and I'm not sure that the times have changed for the better, but I think it would be very hard for somebody with Tip's approach to bringing people together and to lining up votes to succeed today. The balance between the two parties is very close. Since 1980, there has been more and more of a sharp divide between what the Democrats want to achieve and what the Republicans want to achieve, so I'm not sure that's exactly what's called for at this time.

But if I can tell a little story here. I went by to see David Obey, who was chairman of the subcommittee of which I was the ranking member—the Foreign Operations Subcommittee on Appropriations. I've always liked Dave, and we were sitting and talking and he said to me, "Mickey, it's not the same anymore. They don't talk to us. They don't let us in. They don't let us in on the decisions. It's all very partisan." And I said, "No, Dave it's not different. You just weren't in the minority then."

Mr. HYMEL. Jack, you want to respond?

Mr. FARRELL. I asked that question of Mike McCurry, who was then the press secretary for President Clinton. Mike's theory at that time was it would not happen again until conditions were such that "all politics is local" was again important. You need politicians coming to Washington whose basic connection with the voters was on the level of providing a winter coat, or that had a gut feeling for what people were thinking. And Mike said the Democratic Party is never going to be that Democratic Party again until the day that we actually get together and meet at bars, or we go out and we do car washes to raise money, like the Kiwanis Club, or you bring it down once again to the party of $50 contributions.

So I would never say that Howard Dean has any kind of personality like Tip O'Neill's. I don't know what it is that Howard Dean has tapped out there in the country with his Internet fundraising, with the "Move On" phenomenon, but it's interesting to me that what Mike forecast has evolved from out of nowhere. Progressives on that side of the Democratic Party are getting together and actually finding that it reinforces their values, and they feel that they have a voice by doing this kind of small-dollar fundraising that is coming back.

And for Democrats, it may be interesting to know that any Republican fundraiser will tell you that they've had just huge success with small donors and with making average people feel part of the cause. Whether or not that would ever produce somebody of the kind of charismatic personality of Tip would just be a roll of the dice.

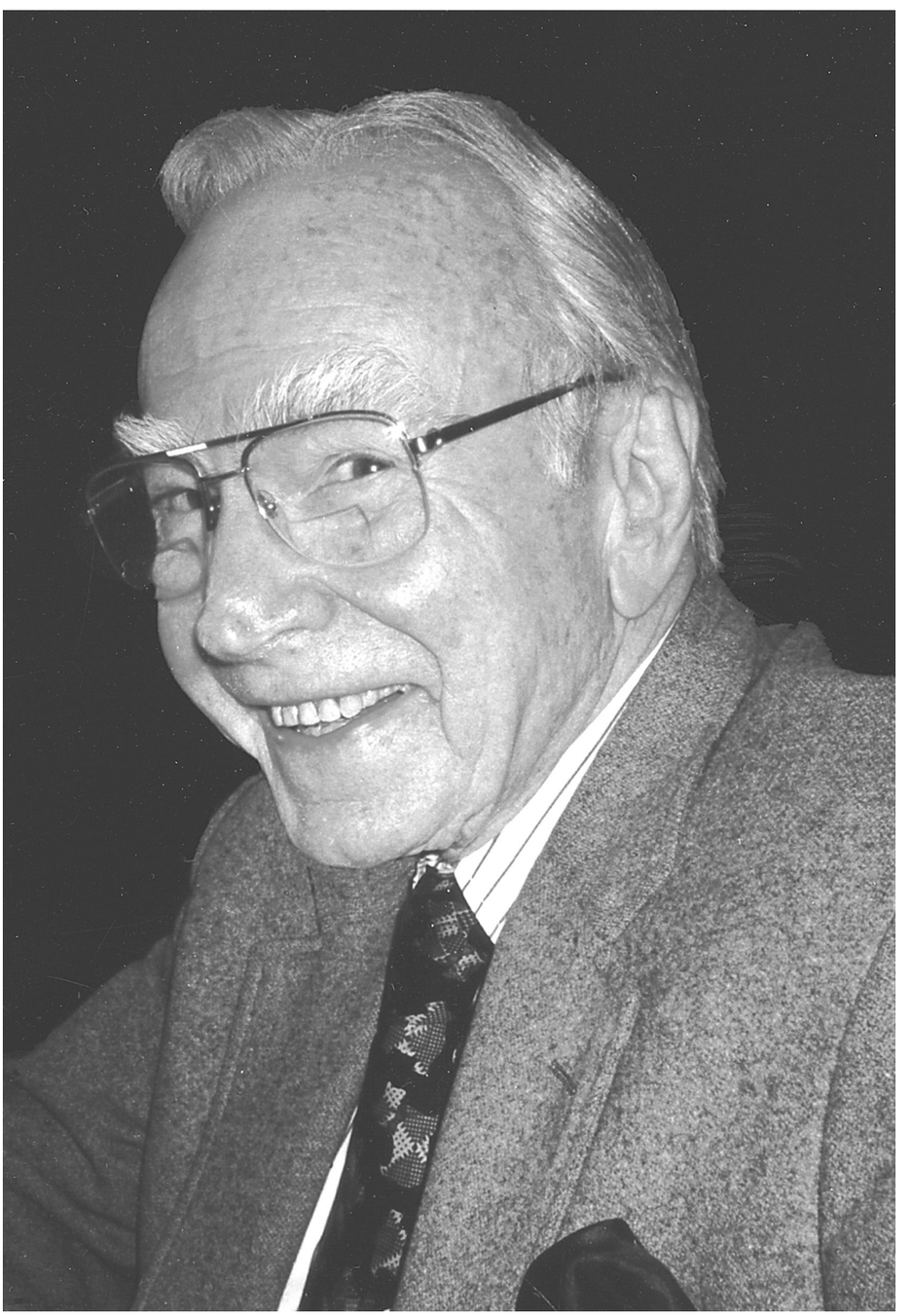
Mr. HYMEL. Thank you Jack. One more thing from Congressman Rostenkowski. That will wrap it up.

Mr. ROSTENKOWSKI. I don't mean to say to you that I believe Tip O'Neill was totally unique. It was the time and I think also that Tip was blessed with the fact that he had a Bob Michel as minority leader.

Because, from the day that we opened the session, we were legislators and it was not a sin to compromise. If you compromised and you weren't satisfied with all you got in the bill, you were coming back next year. You were going to get a little more next year.

Those of us who had programs, and Tip O'Neill had programs, were patient. We knew eventually that the social change would come. I believe that had Bill Clinton and Hillary Clinton listened the first year that they initiated comprehensive health reform and done it incrementally, we would today have had all we need as opposed to the dissent that's taking place today in both the energy and the health bills.

Mr. HYMEL. Thank you very much for your attention.



Hon. James C. Wright, Jr., Speaker 1987–1989

The Wright Speakership

Mr. OLESZEK. To start the Speaker Wright years, let me introduce the moderator for this segment, and that is Janet Hook. She is the chief congressional correspondent for the *Los Angeles Times*. Previously, she covered Capitol Hill for many, many years with *Congressional Quarterly*. Ms. Hook won the Everett McKinley Dirksen Award for superlative congressional coverage. She is also a graduate of Harvard University and the London School of Economics. It gives me a great deal of pleasure to turn the podium over to Janet Hook.

Ms. HOOK. Thank you, Walter. Walter's right. I have been covering Congress for a long time. In fact at the very beginning of my career working for *Congressional Quarterly*, I covered Congress when Jim Wright was Speaker. It was in covering Speaker Wright's House that I developed my now long-term affection for covering Congress. I've found it to be a stimulating and tumultuous place to cover. And I first learned those lessons covering Speaker Wright.

Jim Wright's career in the House spanned more than a quarter-century of great change in Congress, the country, and the speakership. When Jim Wright first came to Congress, Eisenhower was President, Sam Rayburn was Speaker of the House, and, at that point, the baby boom was just a bunch of babies. When Wright left Congress in 1989, George Herbert Walker Bush was President, baby boomers were running around the House, and the challenge of running the House as Speaker was far greater, or maybe it was just different, than it was for Sam Rayburn.

Jim Wright began his career in the Texas State legislature and as mayor of Weatherford, Texas. He was elected to the House in 1954 and quickly found his legislative home on the Public Works Committee. He unexpectedly leapt into the House Democratic leadership in 1976 when he was elected majority leader in a hotly contested race, which in the end was decided by a one-vote margin. That put him in position to rise without opposition to become House Speaker in 1987 after Tip O'Neill retired.

Jim Wright's role as Speaker was far broader than just being head of the House. He was, like Tip, the leader of a Democratic opposition to a Republican President. And he left his stamp on more than just House procedures. He left his stamp on policy, particularly on U.S. foreign policy in Central America where he played a key role in fostering the peace process

that eventually settled a decade-long conflict in the region. He left the speakership and the House in 1989 in the middle of a politically charged ethics investigation of the sort that was becoming quite common around that time. And it was a trend in American politics that Speaker Wright denounced as "mindless cannibalism" in his last memorable speech to the House. Speaker Wright returned to Texas where he has pursued an active life in business, education, and writing. He's mined his Washington experience in teaching a popular course at Texas Christian University called "Congress and the President." He's been writing newspaper columns, reviewing books and lecturing, and we're glad he could come here to talk to us about his years as Speaker.

After we hear from Speaker Wright, we will hear a Democratic perspective on Wright's speakership from David Bonior, who served in the House for 26 years and rose himself to the upper ranks of his party's leadership. He was first elected in 1976 and represented a blue-collar district in southeastern Michigan for all those years. And one of his first big steps into leadership came during Jim Wright's era when Mr. Bonior was named chief deputy whip. In 1991 he was elected majority whip by the House Democratic Caucus. He retired from the House in 2002 to run for Governor of Michigan. Since then he's served on the boards of several public service organizations and he teaches labor studies now at Wayne State University.

After we hear from Mr. Bonior, we will hear from the Republican side of the aisle, from former Texas Congressman Tom Loeffler, who was in his day David Bonior's counterpart in the House Republican leadership. He was chief deputy whip when Bob Michel was the GOP leader, and he helped to round up the votes in 1981 for Ronald Reagan's tax and spending policies. After leaving the House in 1986, he worked in the Reagan White House and with Speaker Wright on resolving the conflict in Central America. He's gone on to found his own law and lobbying firm, and he's continued to be active in Presidential and party politics. Let's start with Speaker Wright.

Speaker WRIGHT. Thank you for that gracious introduction. I can't begin without commenting about the thoroughly sentimental attachment I have to this occasion, this day, here in this gracious room. It was exactly 31 years ago today—on November 12, 1972—that I had the wonderful honor to be married to Betty. And it was right here in this room, by the grace of Speaker Carl Albert, that we had our wedding reception.

This has been a marvelous, even celebratory, occasion for me. I hope that our collective recollections will be beneficial to all of us here, and to those who view them on C–SPAN or read of them in the published transcript. Looking back in retrospect and rejoicing in remembered incidents that some of us shared together reminds me that to be chosen by one's colleagues to serve as Speaker of the U.S. House of Representatives is prob-

ably the greatest honor and among the highest responsibilities that anyone could bestow, and I shall always be grateful for that enormous privilege. The speakership provides fully as much challenge as any Speaker is prepared to accept. Over the years, the office has been what changing times and individual occupants have made of it.

Sam Rayburn was Speaker when I entered the House in 1955. He impressed me enormously. It was from his example, no doubt, that I formed my basic concept of a Speaker's role. Rayburn was an effective leader. He saw national needs and made things happen. Under his guidance, the legislative branch was more creative than passive. During the Eisenhower Presidency, it initiated most of the domestic agenda.

Mr. Rayburn was a stickler for polite and civil debate. He taught that a lawmaker's greatest asset was the ability to disagree without being disagreeable. He insisted that Members treat one another with courtesy and respect. "The Speaker," said Rayburn, "always takes the word of a Member." In his mind, we all were gentlemen—and ladies were ladies.

One illustration of the way Rayburn led is vivid in my mind. It was 1957, my second term in Congress. The Senate, for the first time since Reconstruction days, voted cloture on a civil rights bill and passed it. Throughout the Old South, including Texas, there erupted a cascade of editorial and vocal outrage. Several hundred letters of bitter denunciation flooded my office.

As the bill came to the House, Speaker Rayburn sent a page to ask me to come to the podium and talk with him. He didn't cajole and didn't threaten. I remember exactly what he said: "Jim, I think you want to vote for this bill. I'm sure you're getting hundreds of letters threatening you with all manner of retribution if you do. But I believe you're strong enough to overcome that, and I know you'll be proud in future years that you did!" As things turned out, he was right on all four counts.

That's the way he led. He appealed to the best in us. Never to fear or hate, or negative motivations. That's why I loved him. And that's why I wanted to emulate him.

From this, and from my personal friendships with Speakers John McCormack, Carl Albert and Tip O'Neill, I had developed over a period of 32 years an exalted view of the Speaker's role, maybe even an impossibly demanding conception of what a Speaker should be able to achieve for the country.

Four Policy Changes

Challenges beset every Speaker. Perhaps my most difficult balancing act lay in trying to advance a progressive domestic agenda that I thought

important, over the active opposition of a popular and determined President, while trying to bridge the gap between that President and his severest critics in matters of foreign affairs.

As I prepared to assume the Speaker's office in January 1987, our government faced three problems of critical proportions: a historic budget deficit, a threatening trade deficit, and a growing social deficit. I firmly believed that all three deserved active attention.

Before I could implement a plan to address these problems, a fourth challenge arose. We were suddenly and unexpectedly confronted with a shocking constitutional crisis whirling around the Iran-Contra revelations. That news exploded on the public consciousness just 6 weeks prior to my election as Speaker.

These four realities of the historic moment would shape the thrust and direction of my 2 1/2 years of tenure. Although clearly related, each of these problems represented a separate challenge and required a separate strategy.

What we were able to do was far from a one-man effort. I discussed these problems daily with Majority Leader Tom Foley, wise and more cautious than I; Majority Whip Tony Coelho, brilliant and creative; and my newly appointed deputy whip, David Bonior, a man of forthright convictions and trusted implicitly by our Members.

Budget Deficit

The budget deficit, unattended, could doom any serious effort to come to grips with the other two deficits. In the past 6 years, we had doubled military expenditures (from $148 billion in 1980 to approximately $300 billion in 1986) while cutting taxes by approximately $165 billion a year.

As a result, we had almost tripled the national debt. In 6 years it had skyrocketed from slightly under $1 trillion to almost $3 trillion as I took the Speaker's chair. The annual interest payments on the debt had skyrocketed from about $50 billion in 1980 to some $150 billion, draining away that much more money from our Government's commitments.

President Reagan, with all his winsome wit, inspiring charm and unshakable faith in what he called "supply side" economics, actually seemed to believe that we could double military spending, drastically reduce taxes for the top brackets, and still balance the budget simply by cutting "waste, fraud and abuse" in domestic programs.

Unfortunately, by 1987, the total elimination of all discretionary domestic expenditures would not have balanced the budget. The President, however, refused to agree to altering course. Obviously, if a change were to come, Congress would have to take the initiative.

It seemed clear to me that the costly drift could not be arrested except by a combination of three things: more revenues (translate taxes), and cuts in both military and domestic expenditures. No one of these three could attain the result alone. Most Members of Congress recognized this truth, but convincing them that the public understood and would applaud heroic action on the budgetary front was a major challenge.

What is a Speaker to do? He sees the Treasury hemorrhaging but is aware of his colleagues' nervousness about applying the only tourniquet that will stop the bleeding.

I knew how hard it would be to patch together any budget resolution that would pass the House, let alone one with real teeth in it. And the country sorely needed serious increases in several vital domestic programs.

Bill Gray of Pennsylvania was chairman of the Budget Committee and a gifted ally. Articulate, knowledgeable and patient, he led the committee with skill and understanding as its members worked and groped their way toward a realistic plan. Several times, at his invitation, I came and sat with them as they talked their way to a logical conclusion.

The resolution that emerged in mid-spring called for $36 billion in actual deficit reduction, half of this in new taxes and half in spending cuts. The $18 billion in reduced expenditures was divided evenly between defense spending and domestic programs. This budget package passed the House by a comfortable margin.

Congress still was a long way from achieving the goal, but we had made a beginning. Ultimately, I would learn just how hard it was to pass any tax bill with the White House adamantly opposed.

Trade Deficit

The trade deficit, as 1987 began, was only starting to command serious public attention. It had already stretched its fingers deeply into American pockets. Six years earlier, at the end of the seventies, we were the world's biggest creditor nation. By the time I assumed the speakership, our country had become the world's largest debtor. During 1986, Americans spent $175 billion more for goods from other countries than we sold abroad in American-made products.

A growing number of forward-looking American business, labor and academic leaders, alarmed by the trends they saw, had begun to ask for a concerted national effort to stem the tide. Our role had reversed from seller to buyer and from lender to borrower. We were borrowing from other countries not only to finance our purchases from them but to finance our national debt. More and more of our Government bonds, and more and more private domestic assets were held by foreigners—land, banks, factories, ho-

tels, newspapers. We were like a family which used to own the community bank but discovered suddenly that it no longer did and owed more to the bank than any other family in town.

The Democratic Leadership Council held its annual conference in Williamsburg, Virginia, on December 12, 1986. There I addressed the trade issue—the need to improve America's competitive position by enhancing productivity, reviving the level of industrial research, modernizing factories, updating job skills, and tightening reciprocity requirements in our trade agreements with other countries, to include fair wages for workers who produced goods in bilateral trade.

Afterward, I had a long conversation with Lloyd Hand, former White House Chief of Protocol. He and I went to see John Young who, along with other business leaders, had in the past year at President Reagan's request conducted an intensive study of the trade problem. The business group issued a report, which they felt had been generally ignored.

At their encouragement, I began to explore the possibility of a national conference on competitiveness to be attended by distinguished specialists in the fields of business, labor and academia.

Eager that our efforts should be bipartisan, I talked personally with House Republican Leader Bob Michel and Senate Minority Leader Bob Dole, as well as with Senate Majority Leader Robert Byrd. All agreed we needed such a meeting, and we made up a broad list of invitees. We sent out invitations to this blue ribbon list jointly in our four names.

This conference was scheduled for January 21, 1987, here in the Cannon Caucus Room. I talked with Treasury Secretary Jim Baker and U.S. Trade Representative Clayton Yuetter, inviting their attendance.

A week later the invitations went out to the selected cross section of experts, and I discovered how difficult it would be to perfect a truly bipartisan approach to the trade issue. Both Republican leaders, Bob Michel and Bob Dole, called to tell me they were under heavy pressure from Reagan administration officials to withdraw from formal sponsorship of the event.

The White House may have felt that we needed no change in our trade policies, or possibly it resented congressional efforts to take an initiative. I was disappointed but not discouraged. It just meant we would have to work that much harder to achieve bipartisan accord.

The conference took place as scheduled, attended by many Republican and Democratic Members of each House. The panel of distinguished authorities included corporate executives, union leaders, university presidents, and academic specialists.

So broad was the range of their constructive suggestions—from improved job training for America's work force to a renewal of business incentives for modernizing America's aging industrial plants, from antitrust enforcement to renegotiation of copyright and intellectual property rights

agreements—that I knew it would require the active cooperation of at least 12 House committees.

On the next day, I hosted a luncheon for House committee chairmen in the Speaker's private dining room. In the first 2 weeks of the session, the House, at my urging, had already passed a clean water bill and a highway bill by votes easily big enough to override vetoes. We had begun committee hearings on the first major bill to provide help for the homeless. A spirit of ebullience prevailed. We discussed the agenda for the year, the bills which would comprise our effort to surmount the three deficits. One famous first: committee chairmen all accepted specific deadlines for having their bills ready for floor action.

On the trade bill I promised to respect each committee's turf by assigning separate titles of a composite work to the committees that had jurisdiction over the varied segments. Chairmen Dan Rostenkowski of Ways and Means, John Dingell of Commerce, Jack Brooks of Judiciary, and Kika de la Garza of Agriculture each promised to give top priority to their segments of this important centerpiece of our common agenda.

Five days later, following President Reagan's State of the Union Message, Senate Majority Leader Robert Byrd and I divided the 30 minutes allotted by the television networks for the Democratic response. Senator Byrd addressed foreign and military affairs and I the domestic policy agenda.

From the cascade of mail and spontaneous telephoned response, I knew within days that we had struck a vital nerve with the public and could count on a lot of popular support if we stuck with our promises.

Eager for a bipartisan approach, I invited leading Democrats and Republicans from 12 House committees to sit together around the tables in the Speaker's dining room and discuss ways to improve our Nation's trade balance. We agreed to incorporate the best ideas from our several sources into an omnibus bill and to schedule it for action in the House on April 28.

This omnibus bill, H.R. 3, passed the House with Democratic and Republican support by the preponderant vote of 290 to 137. H.R. 3 represented the most important trade legislation since the thirties. The Senate held the bill under consideration for more than a year, altering and fine tuning several of its provisions, before finally passing it largely intact in the summer of 1988.

One provision, requiring advance notification to the workers before summarily shutting down an American plant, drew the ire of President Reagan. He vetoed the big bill, protesting that such a requirement had no place in trade legislation.

We probably could have overridden his veto. To avoid conflict, we simply removed that provision, made it into a separate bill, and then reenacted both bills simultaneously without changing so much as a comma. President

Reagan signed the two bills. What mattered to us was the result, not winning a partisan fight with the President by overriding his veto.

Social Deficit

The social deficit—a growing backlog of human problems and unmet social needs here in our country—presented a different challenge entirely. As hard as I tried to promote consensus on issues of international trade, I knew it would be futile to try to conciliate the position of the congressional majority on social policy with that of the Reagan administration. Too wide a gulf separated us.

Since the Reagan budget amendments and tax cuts of 1981, a lot of Americans at the bottom of the economic spectrum had fallen through the safety net. For the first time since the thirties, an army of homeless people had begun to appear on America's streets.

The level of funding had been cut for education and civilian research. Several years of underinvestment had begun to rip holes in our social fabric. There'd been a slow deterioration of America's public infrastructure—the roads, bridges, airports, dams, navigable waterways, underground pipes—all that lifeline network of public facilities on which Americans depend. The cities of America, and their problems, were being ignored.

Since 1980 our annual investment in America—public services such as education, transportation, law enforcement, environmental protection, housing and public health—those things that tend to make life better for the average citizen—had declined by about one-fourth.

Something else, new and alien to the American experience, was beginning to appear—the disturbing phenomenon of downward mobility. For the first time since polling entered the American scene, a majority of Americans were saying they did not expect their children to enjoy as good a standard of living as they, themselves, had enjoyed.

As Kevin Phillips would point out in his book, *The Politics of Rich and Poor*, the gap between rich and poor was widening, thanks in considerable part to the conscious economic policies of the past 6 years—less for student loans to improvident youngsters, more breaks for upper-income taxpayers.

Our spending priorities during the eighties, I was convinced, had been badly skewed. A big majority of the Democrats in Congress were eager to begin a reversal of the 6-year trend, to restore some of the necessary social underpinnings. There was evidence that the public supported this objective. Polls showed that 62 percent of the people rated the economy "not so good" or "poor" and 72 percent believed Congress must do more for the homeless, for affordable housing and educational opportunities.

As Speaker, I felt a strong obligation to set in motion a reversal of the trends that were moving so rapidly toward the concentration of America's wealth into fewer hands. This meant confronting the administration directly on a wide range of domestic priorities. Tom Foley, Tony Coelho, David Bonior, and I agreed that we would have to begin with a few identifiable and achievable objectives.

Getting the Congress and the public to focus on these specific objectives was the challenge. In my State of the Union response in January 1987, I named six action priorities. We had reserved low bill numbers to identify these agenda items. One year later, at the beginning of 1988, I was able to give a televised progress report. The clean water bill, the highway bill and the trade reform bill were H.R. 1, 2, and 3, respectively. Each was passed on schedule and each prevailed over a Presidential veto.

Additionally, we passed the first bill to provide help for volunteer groups offering shelters and meals for the homeless, and the first important expansion of Medicare for catastrophic illnesses, a bill which later would be repealed in a fight over funding. We increased amounts for college student aid. We authorized a massive effort to combat drugs, and this omnibus bill, like the trade bill, was crafted and passed with bipartisan sponsorship and support.

In 1988, for the first time in more than 40 years, Congress passed all thirteen major appropriation bills and delivered them to the President for signing into law before the start of the new fiscal year.

The public responded enthusiastically to this activist schedule. Polls showed the American people were giving Congress higher job ratings than they had done in many years.

Of the first three, overriding challenges, the 100th Congress made good on two of them—the trade deficit and the social deficit. On those, Congress may have earned an A−.

We did less well on the budget. While the House passed a budget resolution cutting the fiscal deficit by an appreciable amount and also pushed through by a hard-fought one-vote margin a reconciliation bill to carry out that objective, that level of deficit reduction, particularly as it involved taxes, could not be sustained in the Senate.

Our House budget resolution had called for a net deficit reduction of $38 billion. We had divided this figure equally among military expenditures, domestic expenditures, and selective reductions in the Reagan tax breaks of 1981 for some of America's most affluent citizens. The House reconciliation bill remained true to this pattern, and confronted me with the most legislatively confounding day of my speakership. That day was mentioned in the prior discussion segment. Looking back, I am not sure I made the right or wisest personal judgments that day.

That was the first and only time in my speakership when our system of vote counters failed us. Their composite report had showed we could pass the rule for the reconciliation bill. To my great surprise, we lost the vote on the rule. The unexpected controversy involved inclusion in the bill of some reforms in the welfare system that many Members thought should be handled as a separate bill. They prevailed, and the rule went down.

Ordinarily, this would have meant we would have to wait for the next legislative day to consider an amended rule. Meanwhile, the news media would have had 24 hours in which to trumpet the news that the House, confronted with the tough decisions on taxes and the budget, had been unable to face up to the hard choices.

Eager to forestall that, I adjourned the House and reconvened it a few minutes later. Technically, we now were in a second legislative day and could take up an amended rule and the bill, dropping the one disputed provision to be handled separately, on its own.

That was legal, but it was a rarely used tactic. A good number of my Republican colleagues thought my decision heavyhanded. Maybe it was. To make matters worse, later that afternoon, on the final passage of the reconciliation bill, there was a {one vote—205 to 206—defeat of a deficit reduction bill.} Told that Democrats Marty Russo of Illinois and George Miller of California, who were recorded "no," had changed their minds and were returning from the House Office Building to change their votes, I held the vote open for about 10 minutes to accommodate them. And their changed votes, of course, would have resolved the vote in the affirmative. They didn't return.

Just as I was about to rap the gavel and declare that the bill had failed of passage, Democrat Jim Chapman of Texas did return. He went to the well of the House and changed his vote from "no" to "aye." That flipped the margin. That vital reconciliation bill passed by that one vote!

But the way I had handled it provoked a storm of protest among the minority. Trent Lott, for one, hit the back of a seat so hard with his open hand that I supposed he'd broken it. Others, too, were quite angry.

The bottom line is that what I'd done that day did not contribute to harmonious relations. Although the maneuvers were legal and in keeping with the rules, my mind was too determined, my attitude too insistent. I believe that I offended a number of my Republican colleagues. I won the vote but sacrificed a more precious commodity—good will. In the end, it wasn't worth it. If that day were to do over again, I like to think I'd do it differently.

Our ultimate performance on the budget was impressive only in the sense that it kept things from getting much worse. Maybe we deserve only a C+ on the budget. Maybe a B+ overall.

As Speaker, I spent a large piece of my political capital in the effort to make the tax burden fall more fairly, only to discover that I had overmatched myself!

Any tax bill, I learned to my dismay, was virtually unattainable absent the President's agreement. It takes two-thirds to override vetoes. We simply could not get public opinion focused clearly on the issue of tax fairness and the unambiguous fact that, without more taxes from somebody, the budget can never be balanced. Having failed to draw that issue sharply enough, I believe my leadership was just not quite equal to that particular challenge.

Iran-Contra

One major challenge remained—to head off the constitutional crisis brewing over the newly revealed Iran-Contra scandal, and to settle the bitterly divisive issue of our covert involvement in Central American wars.

On three occasions, Congress had voted to discontinue all military assistance to the Contras attempting to overthrow Nicaragua's Government. In the previous year, we had voted to ban the selling of any weapons to Iran.

Now we learned that a secret group, operating out of the White House, had contrived, contrary to these laws, to sell U.S. weapons to Iran. Perpetrators had turned over the proceeds, without notifying anyone in Congress, to the military forces trying to overthrow Nicaragua's Government. President Reagan vowed that he had not known personally of this, and I wanted ardently to believe him.

This was the most shocking revelation since the Watergate burglary and coverup. At least four laws—the National Security Act, the Arms Export Control Act, the Department of Defense Appropriations Act, and the Anti-Terrorism Act—had been blatantly violated.

So flagrant was the flouting of law that a hot volcanic lava of anger began boiling inside the Congress. First whispers, the audible demands for impeachment proceedings growled in private conversations wherever Democratic Members met. Congress was out of session when the shocking news broke, but pressure was building. Soon word leaked out that Lt. Col. Oliver North was systematically shredding all written evidence relating to the illicit adventure before Congress could reconvene and subpoena the documents. This fanned the flames to a higher intensity.

This situation had explosive potential. During December, several House committee and subcommittee chairmen contacted me, each wanting to schedule hearings on some separate facet of the big story, which dominated Washington news that month. Without a clear sense of direction, the new Congress could degenerate into a ten-ring circus as committees vied with

one another for sensational confrontations with various officials of the executive branch.

The last thing we needed was an impeachment outcry, or a frontal challenge to the President's personal integrity. Like other Members and millions of private citizens, I had agonized through the long weeks in 1973 that led to the impeachment hearing on President Nixon, culminating in his resignation. I wanted no repeat of that scenario. The country could ill afford it.

Determined that all of the pertinent facts must be disclosed in a dignified way, preserving the congressional authority without precipitating a full scale constitutional crisis, I met with Senate Majority Leader Robert Byrd. He felt exactly as I did. We saw no national purpose to be served by embarrassing the President personally.

Jointly, we announced that there would be one congressional hearing on the subject, not several. It would be a joint meeting of select House and Senate committees. Senator Byrd and I would appoint Democratic Members; Minority Leaders Michel and Dole would select Republican Members.

Anxious to protect the credibility and prestige of the special select committee, I very carefully chose the most respected authorities I could find: Chairmen Peter Rodino of Judiciary, Jack Brooks of Government Operations, Dante Fascell of Foreign Affairs, Les Aspin of Armed Services, and Louis Stokes of Intelligence.

To signal the importance I attached to this mission, I asked House Majority Leader Tom Foley to serve as my personal representative and appointed Edward P. Boland to the panel, the principal author of several of the laws that had been violated. And I told each of them personally that I thought it would be a disservice to the Nation if anyone mentioned the word "impeachment."

I thought a long while before choosing a chairman for the whole group and finally settled on Lee Hamilton of Indiana, ranking member of the Foreign Affairs Committee and former chairman of the House Intelligence Committee. He had a reputation for objectivity and a judicious, noninflammatory manner. I did not want the hearing to be, or even seem to be, a witch hunt. As much as I disagreed with Mr. Reagan on domestic priorities, I disapproved anyone with a private agenda of personally embarrassing the President. To complete my list of appointees, I named Ed Jenkins of Georgia, a good country lawyer. I was not trying to prejudge the committee's findings. I was trying to moderate their explosive potential to split the country apart.

Senator Byrd also chose a responsible panel. He and I agreed that, to the extent of our ability to influence it, the hearing must not smack of partisanship. It would be open to the media and nationally televised. Byrd's chairman, Senator Daniel Inouye of Hawaii, was ideally suited by tempera-

ment and conviction for his role. His demeanor was calm and rational. He and Hamilton did their best to be impartial and scrupulously fair to Republican colleagues appointed by Dole and Michel and to hold down temptations to inflammatory rhetoric.

Hamilton wanted to agree in advance to an arbitrary date to terminate the proceedings. Otherwise, he argued, they could go virtually forever to the detriment of other business. He also proposed giving limited immunity from prosecution to induce testimony from Lt. Col. North, the individual most involved in handling a number of the details of the covert transaction. At least two of the House panelists privately protested, but a majority agreed to back the chairman's decision. As it turns out, this may have compromised the efforts of the special prosecutor, Lawrence E. Walsh. But our overriding concern in the congressional leadership, frankly, was less in embarrassing the administration and sending people to jail than in getting at the truth, maintaining the Nation's equilibrium, emphasizing the rule of law, and avoiding a bloody constitutional confrontation.

Additionally, I felt that we had to heal the malingering wound that had festered for 5 years over our country's secret and sometimes illegal sponsorship of the gory attempts to overthrow the Nicaraguan Government by force of arms. More than 100,000 people had died in Nicaragua and El Salvador. Congress itself had been closely divided, vacillating between funding and rebuffing President Reagan's demands for military aid to the Contras.

In July 1987, my friend and former colleague, Tom Loeffler, came by my office to inform me that he had been appointed by the President as an emissary to Congress. We talked about Central America. I told him I thought the Iran-Contra revelations had destroyed any chance of the President's getting renewed funding to resume the war.

Tom Loeffler was already a good friend, a fellow Texan, and I trusted his word implicitly. He suggested something entirely new and different: That as Speaker I join President Reagan in a bipartisan initiative for peace. We would jointly call on the Central American nations to negotiate settlements in Nicaragua and El Salvador based on a cease-fire, political amnesty for those who had been in revolt, and free elections to resolve the issues in dispute by popular will. In other words, ballots instead of bullets, with assurances of U.S. support.

That idea appealed strongly to me. After talking with the White House, Republican House leaders, and the bipartisan Senate leadership, I was encouraged. Some of my fellow Democrats were skeptical of the President's intentions, but most felt I should take the risk if there were a chance it could lead to peace. I talked also with Secretary of State George Shultz, who was instructed by President Reagan to work with me in the drafting of a joint statement.

Before formally agreeing, however, I wanted to test the waters in Central America. I had personal conversations with Presidents Duarte of El Salvador and Arias of Costa Rica. Both of them rejoiced at the prospect. They believed a united propeace front in Washington could lead to a series of negotiated settlements throughout Central America and end the bloodshed.

House Republican Leader Bob Michel and I asked Nicaraguan Ambassador Carlos Tunnermann to meet with us in the Capitol to probe the Nicaraguan Government's probable response to such an initiative as we had in mind. "What would it take," we asked, "for your country to get rid of Cuban and Russian military personnel, live in peace with your neighbors and restore the constitutional freedoms of your people that were suspended in the emergency law?"

Tunnermann answered that his government would be quite willing to do all of these things if we would simply "stop financing the invasion" of Nicaragua.

The President and I jointly issued the call for a regional cease-fire, and peace negotiations on August 5, just 2 days before the five Central American Presidents were to meet in conference in Esquipulas, Guatemala.

The result was better than I had dared hope. The Costa Rican Ambassador called me from the conference site to report the happy news that all five Presidents had entered a formal agreement embodying almost all the elements of the Wright-Reagan plan. The principal architect of the Esquipulas accord was President Oscar Arias of Costa Rica. For this work, he was awarded the Nobel Peace Prize.

At my invitation, Arias stopped off on his way through Washington in September and addressed the House. Meanwhile, the Nicaraguan Government appointed a peace commission, opened newspapers and radio stations that had been shut down, offered amnesty to those who had made war against the government, and invited them to participate in the political process including truly free elections, which ultimately would be held in 1990. The same amnesty procedure was going on under Duarte's direction in El Salvador. I was on cloud nine! From my point of view, everything was on track.

At about this point, I discovered that the White House was far from happy with the turn events had taken. While I fully expected our joint statement to stimulate the movement toward peace, President Reagan's advisors apparently anticipated refusal by the Nicaraguan Government to comply. Negative comments emanating from the White House gradually made it clear to me that highly placed people in the administration did not actually want a peacefully negotiated settlement in Nicaragua. They fully expected the talks to end in acrimony so they could use the "failure" of the attempted peace efforts as a justification for renewing the war.

This confronted me with a moral dilemma. At the urging of the administration, I had joined in the bipartisan call for peace. Overjoyed at the initial success of our efforts, I had met, at the White House's request, with leaders of the Contra directorate. Most of them, I saw, had faith in the peace effort. I also met with the Sandinista leaders whenever they came to my office. I was convinced that most Nicaraguans on both sides were eager for peace. But some bitterness lingered. Someone, aside from me, had to be a go-between, an honest broker who could bring the two sides together. Ideally, a Nicaraguan.

The only Nicaraguan fully trusted by both factions, I had learned from trips I'd taken to the region, was Catholic Cardinal Miguel Obando y Bravo. Responsible people in both camps agreed that he was the one to monitor the cease-fire and help arbitrate the differences. As Speaker and co-author of the call for peace, I met with the cardinal, whom I knew personally, at the papal nuncio's office in Washington, on November 13, 1987, and encouraged him to undertake that critical role. He agreed, and Nicaraguan President Daniel Ortega, at my personal urging, agreed to give the cardinal a free hand.

The White House, bitterly resentful of my efforts in helping to keep the peace process on track, began attacking me angrily in the press. The President and Assistant Secretary of State Elliott Abrams considered my endeavors intrusive and presumptuous. Perhaps they were. But having committed myself in good faith to the effort to make peace, I was unwilling to be a party to its deliberate unraveling or allow that result if I could prevent it. Too many lives already had been lost. As a percentage of Central America's population, their war dead would equate to something like 5 million Americans—more than we have lost in all of our wars combined.

On two occasions—in December 1987 and February 1988—the President's forces tried to forsake the peace process altogether and revive the war by renewing military aid for the Contras. On both occasions, a majority in Congress voted down the request. At my personal urging, Congress did appropriate funds for humanitarian assistance—food, clothing, shelter and medical needs—for the Contra forces during the cease-fire.

As a consequence of my unwillingness to abandon the effort I had helped set in motion, I became a target for many personal attacks, both in the conservative press and from some of my Republican colleagues in Congress. It is ironic that, in bringing peace to Central America, I unconsciously drove a wedge between myself and the congressional minority, which ultimately inhibited my capacity to promote consensus on other issues.

In retrospect, I firmly believe I did the right thing. We ended the war and brought democracy to the region. One of the unavoidable challenges of the speakership is determining when the end result is worth risking one's

own popularity, perhaps even one's moral authority, with a segment of the membership. I do regret my inability to make peace between Democrats and Republicans over this issue. Perhaps a more cautious, more sensitive, more understanding person could have done that.

Shortly before the inauguration of the first President George Bush, the new President-elect and I had a long personal visit over lunch in my office—just the two of us. We explored the areas in which we could find agreement—including Central America and a balanced budget.

It was March 1989, with George Bush's blessing, that Secretary of State James Baker and I, along with others of both parties in the congressional leadership, issued a second statement which clearly disavowed the use of American-supported military force, and put all the influence of the United States behind the peace negotiation. This culminated in the free and fair election from which Violetta Chamorro emerged on February 25, 1990, as President of Nicaragua. In a broad sense, the fourth goal of my speakership was attained, but its attainment used up almost all that remained of my political capital.

What we did achieve is a result of the unstinting cooperation of many dedicated and cooperative Members. I am indebted to Minority Leader Bob Michel, as is the country, for his unstinting patriotism and his personal kindness. I could have done nothing as Speaker without the active advice and support of Tom Foley, Tony Coelho, David Bonior, and a host of others too numerous to name here.

Today, almost 14 years after retiring from Congress, I look back in amazement and look forward in hope, grateful to have been one of those few privileged to serve our country in this capacity, and hopeful that my colleagues and I may have contributed something worthwhile to the ongoing success of the dream that is America.

Ms. HOOK. Thank you very much Speaker Wright. And now we'll hear from David Bonior.

Mr. BONIOR. Good morning. How wonderful it is to be back with so many friends to share our experiences and to listen to those who were at the helm. Let me also express my thanks to the Congressional Research Service, the Carl Albert Research and Studies Center at Oklahoma University, and the McCormick Tribune Foundation for their commitment to the study of Congress and, in particular, the speakerships we recognize and we celebrate today.

In February 1999, I was accorded the honor of representing the House of Representatives at the funeral of King Hussein of Jordan and the U.S. delegation was led by President Clinton but it also included former Presidents Ford, Carter, and Bush. As we waited in a very ornate palace room for the funeral procession to begin, an aide entered the room and announced

for all to hear, "Mr. President it is time to proceed." I could not help but notice at the words "Mr. President" that all four Presidents, as well as their staffs, moved forward. Despite the somber nature of our roles that day, I was moved by the historic moment of being with four Presidents—two Democrats, two Republicans. It was a remarkable feeling. It was an affirmation of our democracy and I feel that very same way today. It is such a privilege to participate in this conference.

With wisdom and enthusiasm, Speaker Wright has just shared with us his speakership. What I would like to do is comment upon his speakership first by offering some thoughts about Jim Wright the man. Second, I want to make some observations about the historic 100th Congress which he led so magnificently. Finally, I want to reflect upon the role he played as we have just heard in bringing about peace in Central America.

First, Jim Wright the man. Jim Wright has always had a commitment to ideas, often big ideas. And his ideas spring from a rigorous intellectual foundation. A serious thinker, a prolific writer, Jim Wright is a man of letters—a wordsmith, an author of many books and articles. He is a literary man. Jim Wright loves history and he understands well the prerogatives accorded the Congress under our Constitution. Like Senator Robert C. Byrd, Jim Wright appreciated our Founding Fathers' fear of granting excessive power to the Executive. He was a steadfast champion of the institutional power assigned to the Congress. A serious student of Lyndon Johnson and Sam Rayburn, Jim Wright could also expound upon the ideas of Henry Clay to whom some scholars have favorably compared you.

Proverbs advise us that where there is no vision the people perish. Drawing from his broad historical perspective, Jim Wright had a vision and the ability and the will to pursue that vision. He rejected the notion that the President proposes and the Congress disposes. Rather, he believed as John Barry so very ably illustrated in his book *The Ambition and the Power* that Congress is a body which can initiate, a creative body which can lead.

The columnist Murray Kempton once observed about Walt Reuther that Walt Reuther is the only man I have ever met who could reminisce about the future. Well, I would likewise add Jim Wright. Jim Wright had an unusual wisdom about the connectivity of our past and present to our future, and he was famously determined and forceful in pursuing that future. A plaque in his Capitol office read, "Don't tell me it can't be done. Show me how it can." He's always been a doer. And to be a successful doer requires toughness. It requires daring qualities, which marked his tenure as Speaker.

Jim Wright was smart enough and tough enough and daring enough to take advantage of rule changes both in the Democratic Caucus and in the House of Representatives. You may recall that the newly elected Democratic Congress classes of 1974 and 1976 shifted powers away from committee chairs and put them on notice that the caucus would not tolerate separate

committee fiefdoms at the expense of the caucus or the House. The days of autocratic rule by the likes of Judge Howard Smith (D–VA), on the Rules Committee, were over. The stage was set for a Speaker to centralize power and to move a coordinated agenda forward. That reality, however, would await the election of Jim Wright as Speaker of the House in 1986. As the labor scholar Taylor Dark wrote, "Speaker Wright successfully concentrated power taking advantage of the previously unrealized potential of congressional reforms of the previous decade."

Together with his loyal and dedicated staff, Speaker Wright assembled a team which I was proud to be a part of, including Tom Foley, Tony Coelho, Danny Rostenkowski, Dick Gephardt and others. We initiated. It was the right time. The stars were aligned. President Reagan's Presidency had lost the momentum of its last 2 years. The Democrats had just regained the Senate and we had picked up seats in the House of Representatives. For 40 years Jim Wright had prepared for this opportunity. The previous 10 years were spent as a loyal majority leader to Speaker Tip O'Neill's team. Seneca once said, "Loyalty is the holiest good in the human heart." Leader Jim Wright had shown that loyalty to Tip O'Neill. Now, in turn, Tom Foley, Tony Coelho, and myself would demonstrate a similar loyalty to Speaker Wright as he inspired us with his passion and with his enthusiasm.

And so we turn to the 100th Congress. In Jim Wright we had a populist and an egalitarian as our Speaker. Seizing the moment, he crafted an agenda that resulted in one of the most productive Congresses in the history of the country. As the Speaker himself has recounted for us all, parts of the legislative machine were finely tuned so that when he started the engine in January 1987, our agenda would take off.

In preparation, Jim Wright gathered the committee chairs. He said he would be fair with them but that certain priority bills must be reported and reported on schedule. And, I'll tell you, I remember that meeting—the first one—with each chairperson taking the measure of their new leader knowing he was tough. There was no doubt about his expectations. Yes, these committee chairs would parent their legislation, but they would work with a progressive whip operation.

As a member of the Rules Committee appointed by Speaker Tip O'Neill, I knew where my responsibility to the caucus rested, in my appointment by the Speaker. Speaker Wright requested a meeting with each Democratic Rules Committee member, individually seeking their interest in serving another term and clearly conveying his expectations. This unprecedented process was another expression of Speaker Wright's determination to get off to a quick start.

Beside Speaker Wright, Tom Foley had the most experience in our leadership ascending from whip to majority leader. He was a generous source of counsel in helping us navigate the rules and the precedents and the sub-

stance and the politics. And, of course, Tony Coelho brought enormous talents to our whip operation, which met with stunning success especially in the early months. As effective as Speaker Wright was within the institution, he was equally impressive in rallying the support of the outside. You've got to have an inside and an outside.

A very close relationship existed between Jim Wright and the AFL–CIO, especially Lane Kirkland, its president; and Bob McLaughton, its chief lobbyist on the Hill. The AFL–CIO saw the 100th Congress as a moment of opportunity. Kirkland appointed McLaughton, an African-American, and Peggy Taylor as his assistants, adding much diversity to their operation. In addition, three important international unions during the eighties returned to the AFL–CIO: the UAW, the Mineworkers, and the Teamsters. A valuable symbiotic relationship developed. Our leadership would reinforce the concerns of labor and working people. The AFL–CIO would, in turn, support a broad array of issues. So there was born a process of effective cooperation between Capitol Hill and the "House of Labor" on 16th Street. Bob McLaughton was able to speak forcibly for a united labor movement and their growing army of lobbyists on the Hill. Indeed, his virtual authority to make a deal on the spot was crucial to our effectiveness in moving bills quickly and successfully.

So no one in our caucus would mistake our priorities, Speaker Wright, as he has just illustrated for us, reserved the first several House bill numbers for the clean water bill, the highway bill, and the omnibus trade bill. During the first 2 weeks, we passed the clean water bill and the highway bill by enough votes to overcome a Presidential veto. A few months later H.R. 3, the most significant trade bill since the thirties, passed by a vote of 290 to 137, again enough to override a veto. We inserted one of the most important labor provisions that the Congress would enact in the eighties—the plant closing and notification bill—into that trade bill, which Reagan vetoed in May 1988. We also reported out the plant and notification bill separate from the trade bill, and they both went to the President and became law. In 1981 the AFL–CIO's rate of success in the House of Representatives during the Reagan Presidency was 47 percent. Under Jim Wright, it went up to 92.8 percent in 1988.

In addition, the 100th Congress passed into law major bills to aid the homeless, the first important expansion of Medicare for catastrophic illnesses, and a welfare reform bill with progressive features to move people from welfare to work. Amazingly, the Congress also passed all 13 major appropriation bills and delivered them to the President for signing into law before the start of the new fiscal year.

There were sure to be some legislative disappointments for Speaker Wright. When the budget deficit exploded out of control, as he has just recounted for us, Speaker Wright early on in our caucus pushed hard for

tax fairness. But in his own words, he admitted, and I quote, "I spent a large piece of my political capital in the effort to make the tax burden fall more fairly only to discover that I had over-matched myself."

Well, many also thought that he had overmatched himself in challenging President Reagan in Central America, but his critics underestimated Jim Wright's passion for peace. He was not about to surrender his constitutional responsibilities. The right to declare war, as written in Article I of the Constitution, rested with the Congress. Henry Clay, who became Speaker in 1811, was the last Speaker to dominate foreign policy. Too many subsequent decades of congressional acquiescence had accompanied American foreign policy, none more devastating and misplaced than during the Indo-China war in the sixties and seventies.

A new crop of Vietnam generation legislators increased the congressional role in foreign affairs from enacting the War Powers Resolution to an aggressive human rights advocacy campaign. With the Contra war and the war in El Salvador ravaging Central America, claiming some 100,000 deaths, some of us were not going to tolerate it in silence or without a legislative fight. The previous legislative abdication had lasted 16 years and cost over 58,000 American lives and over 1 million Vietnamese lives.

Ronald Reagan gave more speeches on Nicaragua than on any other issue of his Presidency. During the eighties, we had 15 major debates on the House floor on this contentious issue, voting three times to cut off all military assistance to the Contras. Secretary of State Jim Baker accurately noted, and I quote, "The war in Central America was the Holy Grail for both the left and the right in the United States. It was the divisive foreign policy issue." Personally, I sometimes felt as if I spent more time in Managua and San Jose and San Salvador than in my own district.

The Reagan doctrine and the Monroe Doctrine were colliding with self-determination and with liberation theology. The mix was volatile and deadly and the region had spun out of control. Into this maelstrom stepped Jim Wright. Once again he was the right person at the right time. He spoke Spanish. He was a student of the region. He personally knew the leaders. Speaker Wright has told us how he proceeded—the meetings with Ambassador Tunnermann; the Wright-Reagan plan; the Esquipulas accord; our meeting with Cardinal Miguel Obando y Bravo; our continued fight to keep military aid from the Contras; our furious work to wind this all down while we had the momentum.

Before I close permit me to share one personal story that I'm sure Tom Loeffler will elaborate on. When Tom came to see the Speaker about a joint peace proposal, I was adamantly set against it. I did not trust the administration. I thought it was another setup that would fail and when it did the floodgates for more military aid would open up. I strenuously pressed my point of view in a very emotionally charged meeting. Finally, the Speaker

said to me, "People who are interested in peace do something about it." I paused. I thought. I reflected. I went along.

While I had lost faith in the administration, I had not lost faith in Speaker Wright. It became my job, along with Tom Foley and others, to sell the proposal to our caucus. You know, sometimes you just have to take a chance for peace. You do not make peace with your friends. You make peace with your enemies. This lesson I learned from Jim Wright. In a handwritten "thank you" to Jim Wright, Secretary Baker wrote, "But for you there would have been no bipartisan accord, without which there would have been no election."

President Oscar Arias of Costa Rica, winner of the Nobel Peace Prize, which many believe should have been shared with Jim Wright, included in his "thank you" to Speaker Wright the following, and I quote, "Those [who advocated] peace will not forget you and thank you for your vision and your deep commitment to the highest ideals of justice, peace, and progress. The Esquipulas II process finally moved forward and is showing visible results for 28 million Central Americans." President Arias continued, "The Wright-Reagan plan, the bipartisan agreement between the Congress and the Executive, and finally the change in policy of the Bush Administration toward Central America are a testimony and confirmation that you were not mistaken. In truth, you did more for us in Central America than many of those who here call themselves standard-bearers of freedom. I feel that it has been a privilege to know you. Count me among your friends," concluded President Arias.

Wallace Stegner, one of our greatest American writers, wrote of friendship in his fine novel, *Crossing to Safety*. He said this about friendship. "Friendship is a relationship that has no formal shape. There are no rules or obligations or bonds as in marriage or families. It is held together by neither law, nor property, nor blood. There is no glue in it but mutual liking. It is therefore rare." Jim Wright is my dear friend. He has many friends in this room and around the country and around the world. He has done marvelous good deeds in his life. With a lust for life, he continues to live productively contributing to the public dialog, teaching at TCU, enjoying his many friends and family. John Barry captured my intense respect and admiration for Jim Wright's speakership with these words, "The ambition belongs to many men but none more than Jim Wright. He would use the 100th Congress of the United States, convened during the Bicentennial anniversary of the Constitution to earn his place in history. He would rise up and fill the sky with lightning bolts and he would become a target for them."

Mr. Speaker, it was a high honor to be part of your team. Bless you and Betty for your extraordinary service to our country.

Ms. HOOK. Thank you very much, Mr. Bonior. And now we'll hear from Tom Loeffler.

Mr. LOEFFLER. Thank you, Janet. It is an honor for me to be included amongst this distinguished group, and to be able to share my observations concerning an individual I admire and respect, Speaker Jim Wright. I'm delighted to appear with David Bonior. In one of the highlights of Jim's career, David's career, and my post-House career, we were able to work together to bring about something that was extraordinary given the political climate of the time. In a moment, I will go into more detail on the remarkable achievement, which would never have been possible without the leadership of Speaker Wright.

As a Texan fresh out of law school and new to Washington, D.C., I had the great opportunity to grow up under the tutelage of Senator John Tower. I also had the privilege of working in the Ford White House, where I met many of my senior congressional colleagues before I actually served alongside them in the Congress. I can recall a moment in December 1976 after the election of Jimmy Carter when the newly elected Members were convening to organize the new Congress for 1977–1978. The tickertape in the East Wing of the White House was just going nuts. I walked over to it, and I looked, and it says: "Jim Wright wins by one vote" the majority leader position in the House of Representatives. Little did I know that 2 years later I would be his colleague.

Before I speak of Jim Wright in a global way, I wish to share with you the perception of those of us who served with him in the Texas delegation. Whether we were Democrats or Republicans, we knew that Speaker Wright had an incredibly tight rope to walk. Politically, he did this in a very adroit fashion because Texas politics were changing. In 1971, when I was beginning my work with Senator Tower, Texas was evolving into a two-party State.

It is important to understand that as Jim grew in leadership within this body, his advocacy for issues didn't necessarily jive with the evolving Texas political landscape. Through his astute political skills, Jim was able to continue to grow in leadership within his party, ultimately rising to the pinnacle of Speaker, while still having the absolute stout support of all Texans. He did all this in spite of the changing party dynamic back home. And remember in Texas, as we were reflecting upon the O'Neill speakership, Texans liked to poke fun at Tip. But that never transferred to Jim. Even before he was part of the official leadership on the Democratic side, he was a capable leader in the Texas delegation. Jim was always there to help on every issue that was a Texas issue, whether it was in a Democratic congressional district or a Republican congressional district. There was a bond among those of us in the Texas delegation where we always knew that when

there was a day of reckoning and we needed help for Texans, Jim Wright would be right by our side.

Jim Wright's word is his bond. He is one of the fairest people that I have ever worked with. He is also one of the most articulate Members that this Congress has ever had or will ever have in its body. Mr. Speaker, I will never forget the time at a Texas State Society luncheon when you and Senator Tower were speaking together, and, all of a sudden, Tower became quiet. Never one to yield the floor, unless of course he was good and ready, I asked the Senator why he had stopped talking. He answered very strictly, "Because I didn't want to take Jim Wright on. I knew I'd lose."

The final comments that I have concern the formulation of the Wright-Reagan plan. I had left Congress to return to my home State and run for statewide office, as David Bonior recently did in Michigan. After my failed run for Governor, I had a call from Howard Baker asking me, on behalf of the President, if I would return to the White House to work with my many friends in Congress to bring about a unique and unbelievable occurrence. It was President Reagan's hope that the Congress and the White House would speak with one voice on American foreign policy as it related to Central America. In my lifetime I could not remember when that had been the case.

After I arrived at the White House, my first call was to Jim Wright. I went to his leadership office and we sat down and began a frank discussion. As we concluded, the only thing that we could give to each other was the understanding that we would be honest with one another, we would tell each other the truth, and if we could move it forward on behalf of the President and the speakership, we would. And, if we couldn't, we would shake hands and go about our business knowing that we had done our very best.

Before returning to the White House, I stopped in to see Minority Leader Bob Michel and reported that in our meeting the Speaker indicated an extremely high interest in moving this forward. As one could have expected, after our initial meeting a lot of things happened that nearly derailed the process. I remember when David Bonior and Majority Leader Foley and I were alone after one of Speaker Wright's meetings—Trent Lott and Bob Michel had gone off, and Tony Coehlo and Jim had gone off—and the two of them looked at me and said, "Do you know what you're doing to the Speaker? You're absolutely setting him up." All I could say was, "I hope not." They, obviously being very honorable and very close friends with respect for me and knowing what a failed outcome could mean, said, "We pray you're not."

During the course of this 10-day period, something rare and significant occurred. Speaker Wright and Senate Majority Leader Bob Byrd convened a meeting in H127. The room was full, 25 to 30 Members of Congress on

both sides of the aisle, along with Secretary of State George Schultz and Colin Powell, Deputy National Security Advisor to the President. Here the initial parts of what was being discussed between the congressional leadership and the administration were laid out for those who would be critical in seeing the legislation through. This group consisted of such people as Congressman David Obey and Senator Jesse Helms, and everyone in between. That meeting—and all of our meetings for 10 days—never became public knowledge. If they had gone public, I do not believe that the Wright-Reagan plan would have reached fruition.

The night before the Speaker and the bipartisan congressional delegation from the House and the Senate arrived at the White House for the final stamp of approval on the Wright-Reagan plan, Jim Wright called and said, "You know, Tom, we've had a great run together. You know the President and I are not the closest of friends. I would really like to do something that would be meaningful to the President because I know this is an unbelievable moment, and I know that he has shot straight with me, been honest and fair, and this is going to be a big day. What would you suggest?" After some thought, the commonality of their western influence struck me, so I said, "Jim, why don't you wear your black ostrich boots?"

Well, the morning that everyone was arriving at the White House, we had a few little glitches that we had to iron out, and I was never able to get to the President and give him the heads up on Jim's wearing of cowboy boots as a friendly gesture. So, everyone went in, and I was the last one into the Oval Office. The President was sitting with Jim at his side, and I'll be darned if President Reagan didn't turn to the Speaker to say, "Jim, I sure like those boots." And I thought at that moment: "We've made it!"

Jim is a rare breed in our business. A most distinguished gentleman, master politician and negotiator, loyal and honest as the day is long. Mr. Speaker, I'm delighted we've had a chance to play a role together. And I'm honored to stand here today once again by your side. Thank you.

Ms. HOOK. Thanks very much Mr. Loeffler and Mr. Bonior, and I'm sure many of you would like to ask questions of the Speaker. We're running a little late though, but I'm sure Speaker Wright will be around and maybe you can approach him and talk to him informally. I'd just like to close by thanking Speaker Wright for traveling here to join us today and thanks to the Congressional Research Service for making this whole panel possible.

I want to close by recalling a line that I remember. I don't know what the context was when Mr. Wright said this but it stuck in my mind while I was covering him and it has stuck in my mind for many years. I think it's something that summarizes Jim Wright's ambitious approach to the

speakership. He once said, "We make a greater mistake when we think too small than when we think too big." Thank you all very much.

Hon. J. Dennis Hastert, Speaker 1999–

Reflections on the Role of the Speaker in the Modern Day House of Representatives

Mr. MULHOLLAN. It is my great pleasure and honor to introduce Robert Michel, who served in the House of Representatives from 1956 to 1994 and was the Republican leader from 1981 until his voluntary departure from the House.

I think it is appropriate on this day after Veterans' Day to acknowledge Mr. Michel's service with the 39th Infantry Regiment as a combat infantryman in England, France, Belgium, and Germany from February 10, 1943 through January 26, 1946. He was wounded by machine gun fire, awarded two Bronze Star medals, the Purple Heart, and four battle stars.

In 1993, Mr. Foley said of Mr. Michel, "As prevailing political philosophies have changed over the years, Bob Michel remains steadfast in his commitment to consensus in the interest of the nation and the institution of the House of Representatives." It is the esteem that Mr. Michel holds for this institution of Congress for which we are all grateful. Thus, it is so fitting that he introduce our next Speaker, Dennis Hastert, who, on assuming the speakership of the House, was quoted as saying that he would try to emulate "the humility and grace of his one-time mentor, Bob Michel."

Mr. MICHEL. It was indeed a distinct honor and privilege to serve, and what a fulfilling experience it was. I've enjoyed so much this morning's session listening to the comments from all those who participated. My role here at the moment is to introduce the current Speaker and I relish that opportunity.

In times of crisis, the United States always seems to find exactly the right leader—maybe we're just plain lucky. Maybe it's the flexibility and the responsiveness of our political system. Or maybe it's the working out of divine providence, although it is probably not politically correct to say such a thing these days. The House of Representatives in 1999 found in Denny Hastert exactly the right person for the right job at the right time. In sports, we say about certain players that they lead by example. In 1999, the House, where words mean so much, was at a point where rhetoric could not do the job of healing and renewal. The House needed a leader who would lead by example. The House didn't need any more hype. It needed reason to hope. The House needed a leader who was capable of walking

the walk, not just talking the talk. The House needed someone with a solid foundation of character on which, over time, trust could be rebuilt.

The House found all of these things—yes, and much more—in Denny Hastert. Winston Churchill once said short words are the best words. And old words, when short, are the best of all. Churchill in this, as in so many other things, was right. When we think of Denny Hastert, we think of old words, simple words, strong words. Words like trust and strength, fairness, faith, decency, honesty, integrity and courage. History will say of Denny Hastert that in a moment of institutional crisis, the House of Representatives was led by his example, strengthened by his resolve, and renewed by his character. It is a distinct honor and high privilege for me to introduce a man who continues to lead by example, my dear friend, the Speaker of the House, Denny Hastert.

Speaker HASTERT. Bob, thank you for that very kind introduction. I want to thank you, Bob, for what you've meant to me. You were my first mentor here in Washington.

You, Bob, the man who should have and deserved to be Speaker, taught me the value of patience. You took me under your wing when I first came to Congress, and you showed me how Congress worked. You helped me with my committee assignments, and gave me my first leadership responsibility heading up the Republican leader's Health Care Task Force in response to First Lady Hillary Clinton's efforts on health care. You taught me that it is the workhorse who wins in the legislative game, not the show horse.

Your cheerful demeanor hid a will of steel, and your abundant common sense served your colleagues and your country well.

Bob, we know that you are going through a tough time with the loss of your beloved wife Corrine. We share your grief. Know that our thoughts and prayers are with you during this most difficult time.

I appreciate this opportunity to reflect on my current job. Clearly, the role of the Speaker has changed over the years. It has changed because of the times, because of those who have occupied the office, and because of the nature of the institution.

Joseph Cannon, the man from Danville, ruled from the Speaker's chair with iron power. Tip O'Neill ruled with Irish charm. Newt Gingrich brought star power to the office. Sam Rayburn ruled for a generation, while Joe Martin had only a fleeting chance to assert Republican control.

Each used their principles to guide them in times of great challenge. O'Neill was challenged by a popular President, Carl Albert was challenged by a constitutional crisis, Rayburn through war, and Tom Foley by a series of institutional crises.

I have my own set of principles that have worked for me.

I never thought I would be Speaker. I didn't run for the job. I didn't campaign for it. I didn't play the P.R. game. I just did my job as best

I could for my constituents and for my colleagues. In fact, if you had asked me to predict Newt Gingrich's successor, I wouldn't have been on my own list.

My first principle is one I learned from my friend Bob Michel. To be good at the job of Speaker, you must be willing to put in the time to be a good listener. By this, I mean you must listen to the Members of the House.

Before I became Speaker, I thought I knew the importance of paying attention to Members' needs. I had served in the whip organization when Bob Michel was leader and I served as chief deputy whip when Newt Gingrich became Speaker.

When you are a whip, you need to listen, because to get and win votes, you need to hear what the Members are saying. But when you are Speaker, the sheer volume of voices is increased, and the problems become more difficult to solve. I learned that the best way to find solutions was to get people around the table to talk it through.

When you have a small majority, like I have had for pretty much my entire tenure, you have to do a lot of listening. And when you talk, you have to keep your word.

That brings me to my second principle. When you are Speaker, people expect you to keep your word, and they will not quickly forgive you if you cannot deliver. I learned that keeping your word is the most important part of this job. You are better off not saying anything than making a promise that you cannot keep. And you have to keep both the big promises and the small promises.

My third principle is that a Speaker must respect the power of regular order. I am a regular order guy.

I think it is important to rely on the committees to do their hearings and markups. I don't like to create task forces to craft legislation. The committees are there for a reason, and we should use them. There are times when you need to establish working groups to coordinate the work of standing committees when big projects cross jurisdictional lines, but those working groups should "coordinate" not supplant the committee structure. I have also found that it is easy to find the problems in legislation through the committee process.

My fourth principle is that while a Speaker should strive to be fair, he also is judged by how he gets the job done.

The job of the Speaker is to rule fairly, but ultimately to carry out the will of the majority. Unlike some other parliamentary bodies, the Speaker in the U.S. House of Representatives is the leader of his party. He is not merely a disinterested arbiter of parliamentary rules. This creates a unique tension within the Office of the Speaker. It is not always easy to be fair when you have a vested interest in the outcome. But if the chair

is seen as being unfair, the likely result is a breakdown in parliamentary comity. We take the job of fairness very seriously.

We seek our best parliamentary experts to serve in the chair as Speakers pro tempore, people like Ray LaHood, Doc Hastings, Mac Thornberry, Mike Simpson and others. We also have professional Parliamentarians who avowedly are non-partisan. Charlie Johnson and his team play a critical role in advising me on jurisdictional referrals and parliamentary judgments from the chair. This is traditional stretching back beyond Louis Deschler, and it is a good tradition. We make certain that those serving in the chair do not serve on the committees of jurisdiction for the business on the floor.

And we try to be fair in the Rules Committee process. We guarantee the minority the right to recommit the bill with instructions, giving them one last chance to make their best arguments to amend the pending legislation.

But while we strive to be fair, we also strive to get the job done. We are not the Senate. The rules of the House, while they protect the rights of the minority, also insure that the will of the majority of the House will prevail.

So, on occasion, you will see us taking effective action to get the job done. Sometimes, we have a hard time convincing the majority of the House to vote like a majority of the House, so sometimes you will see votes stay open longer than usual. But the hallmark of an effective leadership is one that can deliver the votes. And we have been an effective leadership.

My fifth principle is to please the majority of your majority. On occasion, a particular issue might excite a majority made up mostly of the minority. Campaign finance is a particularly good example of this phenomenon. The job of Speaker is not to expedite legislation that runs counter to the wishes of the majority of his majority. As in campaign finance reform, our majority thought it was a bad bill that weakened the party structure and promoted abuse by special interests. As a side note, the emergence of 527 organizations in the next election will prove our point that special interests, and not political parties, will have more influence because of campaign finance reform. So we fought the efforts by advocates of campaign regulation to pass it. They did what they thought they had to do, getting enough signatures to sign a discharge petition. I made them go through that process twice in order to prove two points. First, I wanted my troops to know I opposed the bill. Second, I wanted to let them know that I had no choice but to schedule the legislation. I was not going to abandon my party's position under any circumstances.

On each piece of legislation, I actively seek to bring our party together. I do not feel comfortable scheduling any controversial legislation unless I know we have the votes on our side first.

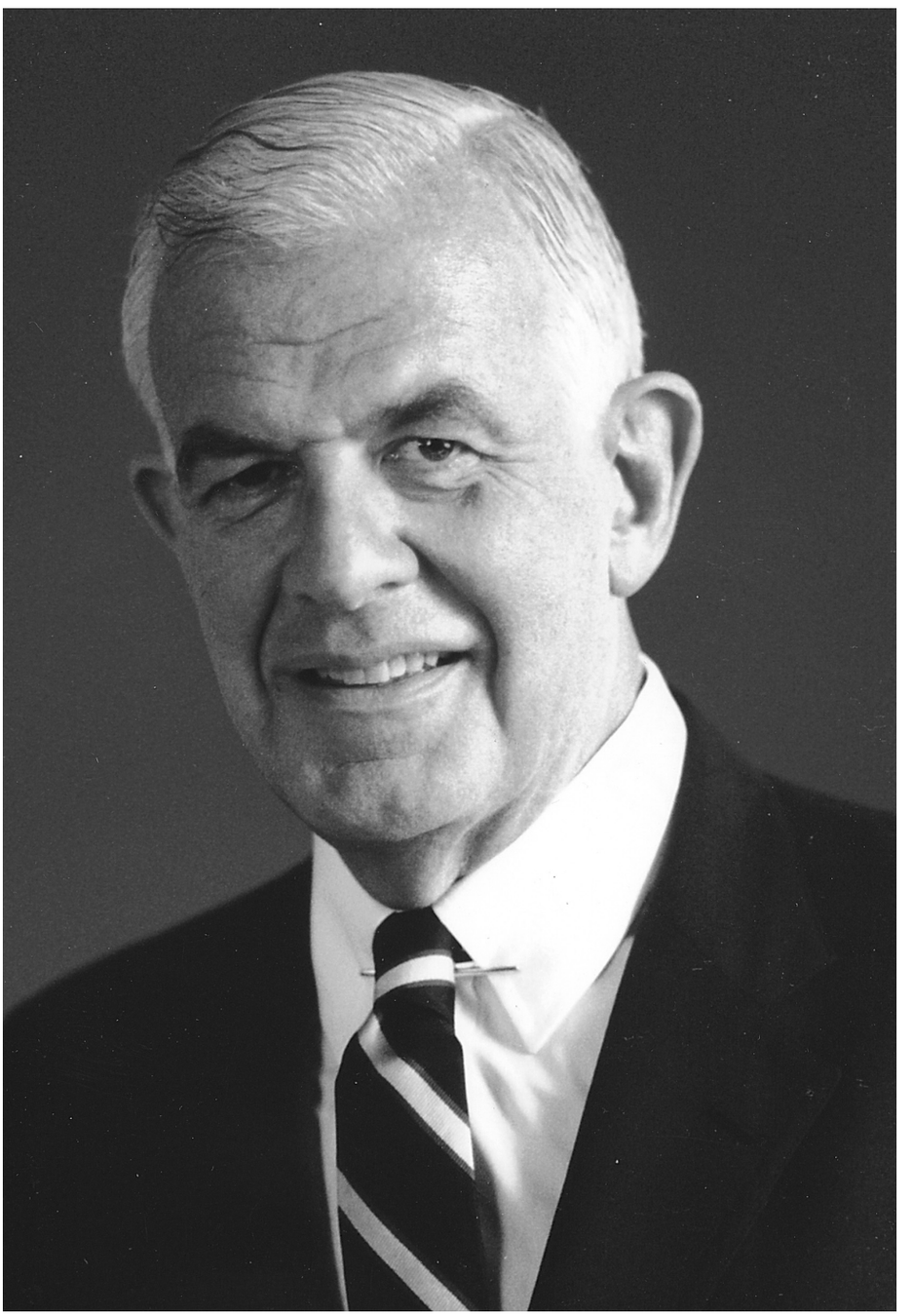
My sixth principle is the Speaker's job is to focus on the House and nothing but the House. This is a big job. It is a time-consuming job. And it is an exhausting job. I said that when I became Speaker, I would focus only on running the House. And I found out that means more than just sitting in the Speaker's chair. It means doing those things necessary to keeping the majority, whether that means fundraising for incumbents or campaigning for challengers. You don't see me spending too much time on television shows, or giving big speeches. I have no interest in running for President or making the jump to the Senate. This is an important and big job. And it requires singular focus to get it done.

My final principle is my most important principle: Never forget who sent you to Congress in the first place—your constituents. I get home to Illinois every weekend. Of course, it is nice to see my wife, who inevitably gives me a list of chores to complete when I get there. But it is also important to see my friends and my constituents.

It is very easy to get lost in the muddle of Washington, DC. The world of amendments, campaign fundraisers, motions to recommit, and jurisdictional battles is foreign to Yorkville, Illinois. As a matter of fact, most of my constituents are none too impressed with the trappings of power. My constituents sent me to Washington not to argue, not to debate. They sent me here to get the job done. They are not content to play the blame game, they don't want to hear about how this bill died in the House or that bill died in the Senate. They want us to pass laws that make their lives better.

When I go home, I am not Mr. Speaker. To my wife and friends and voters, I am Denny. And I tell you, that healthy dose of humility does me a world of good every time I come back here to Washington. It helps me to connect to what the American people are really thinking about, and it helps me to understand what concerns my colleagues are facing.

At the end of the day, the Speaker of the House is really just the guy who stands up for the people of America. In our Constitution, the Speaker of the House is the first officer mentioned, because in our system of government, it is the people who rule. Since January 1999, I have had the great honor and privilege to be that guy. Thank you for inviting me here today and for this most fascinating symposium. I wish you the best of luck the rest of the day.



Hon. Thomas S. Foley, Speaker **1989–1995**

The Foley Speakership

Mr. OLESZEK. It's my pleasure to introduce Jeff Biggs as our moderator for the Foley speakership. Mr. Biggs was a long-time press secretary to Speaker Foley. I want to point out that Mr. Biggs and Speaker Foley co-authored a book on Mr. Foley's career in the House, which I recommend to all of you, entitled *Honor in the House*. It was published in 1999 by the Washington State University Press. Today, Mr. Biggs is the director of the Congressional Fellowship Program of the American Political Science Association [APSA]. With that, let me turn the podium over to Mr. Biggs.

Mr. BIGGS. Thank you, Walter. All of us on the podium would like to thank the Carl Albert Center, the McCormick Tribune Foundation, and particularly the Congressional Research Service [CRS] for having sponsored this special day. I would like to extend a special thanks to the Congressional Research Service. For some 50 years, the CRS has helped prepare the journalists, political scientists, RWJ [Robert Wood Johnson] health policy fellows, a Native American Hatfield fellow, domestic and foreign policy specialists from the public service, and international congressional fellows for their 10-month congressional staff assignments on the Hill. This year's 40 APSA congressional fellows are part of the audience today. In fact, I believe that every Member of Congress in the audience today hosted a fellow during their congressional tenure.

Memories are short, and the two commentators on our panel did great honor to the institution of the U.S. House of Representatives during their years in Congress. They deserve more than a cursory introduction. My thanks to Congressional Quarterly's *Politics in America* and National Journal's *The Almanac of American Politics* for their admirable biographies of the Members of Congress. On my left is former Congressman Bill Frenzel. Before arriving in Washington, DC, he was an executive in his family's warehousing business, and served four terms in the Minnesota State legislature. His moderate brand of Republicanism appealed to his Third Congressional District constituents in 1970, and they never tired of it. Over two decades, his Twin City supporters always returned him to office with more than 60 percent of the vote. While he would come to be regarded by his colleagues as one of the intellectual guardians of GOP economic orthodoxy, he maintained his moderate views on many social and foreign policy issues. Over the course of his congressional career, Bill Frenzel became a senior member of the Min-

nesota delegation and emerged as one of the hardest working and most influential Republicans in the House.

Described by *National Journal* as "loud and brainy, partisan and thoughtful," he put his stamp on every debate in which he participated. With intellectual ability, oratorical skills and the work habits of a true legislator, Bill Frenzel left his mark in both policy and institutional arenas. As the ranking member of the House Administration Committee, he introduced a bill to create the Federal Election Commission in 1974. His interest in congressional ethics led to his participation in writing an ethics code in 1977. On the Ways and Means Committee, he became the Republicans' leading voice on trade matters and, along with Tom Foley, was an outspoken advocate of free trade.

But if he fared well as a Member of Congress, his party did not. Frustrations began to emerge. He must frequently have recalled 19th century Republican Speaker Thomas Brackett Reed, who was once asked by a Democratic Member, "What is the function of the minority?" "The function of the minority, sir," the Speaker replied, "is to make a quorum and to draw its pay." Bill Frenzel's frustration with what would become the 40-year Democratic majority in the House, from 1954 to 1994, rose to the surface in early 1989 when he threw his political weight behind Representative Newt Gingrich's effort to vault himself into the Republican leadership. Bill Frenzel nominated Mr. Gingrich to be GOP whip. As a respected senior member of both the Budget and Ways and Means Committees, Frenzel was just the kind of legislatively-oriented, older generation Republican who would have seemed a natural adversary of Mr. Gingrich's confrontational, partisan style. But support from Members such as Mr. Frenzel went a long way toward explaining Mr. Gingrich's upset victory. Bill Frenzel was a formidable legislator and advocate during his congressional career in the minority.

He retired in 1991 after 20 years of service. One can only imagine what the talents of this moderate Republican could have achieved in the majority. Bill Frenzel is a guest scholar at the Brookings Institution and, along with Messrs. Fazio and Foley, serves on the American Political Science Association Congressional Fellowship Programs Advisory Committee. I guess that's my third plug.

Former Congressman Vic Fazio is on my right. As was the case with Speaker Foley and our Republican commentator, Mr. Frenzel, Vic Fazio is one of that unfortunately diminishing breed, an institutionalist in the U.S. House of Representatives. During two decades representing California's Third Congressional District in the House, he carried an enormous amount of water for his colleagues on both sides of the aisle. He took on responsibility for what most observers would characterize as an insider's portfolio. He served in what one might regard as the trenches of House politics. He did so without losing sight of how these tasks also served to improve the

operation of the U.S. House of Representatives as the great deliberative body of our Nation. As one of the so-called "college of cardinals," the 13 Appropriations subcommittee chairs, Mr. Fazio chaired the Legislative Branch Subcommittee responsible for such unpleasant housekeeping chores as defending congressional pay raises and congressional office budgets. His willingness to bear those burdens warranted the respect and gratitude of Members from across the ideological spectrum who were glad to have someone else take the heat for what they wanted.

During an era of heightened public antipathy toward the Congress, a phenomenon which seems ever with us, Mr. Fazio added to his burdens when he chaired the Democratic Congressional Campaign Committee, served as the vice chair, and then chaired the Democratic Caucus. He accepted a position on the House Ethics Committee during the period it reviewed the case of Speaker Wright. In 1989, he co-chaired an ethics task force under Speaker Foley which, among other reforms, eliminated speaking honoraria for the Members of Congress. A strong, unapologetic partisan, these were roles which unquestionably added burdens at home in what was becoming a marginally Republican district.

To the end of his time in the House, Mr. Fazio was outspoken against those Members whose electoral instincts were to vilify the House in order to gain political advantage, particularly incumbents who ran for reelection as purported "outsiders," criticizing the very body in which they served. At the same time, he was sensitive to the public perceptions of Congress and its possible excesses. During the 101st Congress, for example, he pushed for substantial reforms of the congressional franking privilege despite the criticism of his colleagues. He was a politician in the very best sense of the word. For Vic Fazio, there is life after Congress. He is currently a partner at Clark and Weinstock. And, according to his wife Judy, he is overly involved in non-profit and charitable activities.

And now to the subject of this panel: Thomas Stephen Foley. Thomas Foley would never have described himself as the predominant Washington, DC, "type A" personality. He rose to the top of the leadership ladder without displaying the type of vaunted ambition usually associated with such success. Even his first candidacy to represent the voters of eastern Washington's Fifth Congressional District in Congress was reluctantly undertaken at the urging of others. In 1974, he chaired the Democratic Study Group, which served as the strategy and research arm of liberal and moderate Democrats. The next year, he became Agriculture Committee chair under unusual circumstances. His predecessor, the elderly and conservative W.R. Poage of Texas, was targeted for removal by the huge bloc of reform-minded Watergate-baby Democrats. Ever the institutionalist, Foley backed Poage. But when Poage was unseated anyway, the Democratic Caucus turned to Foley and promoted him chairman of the committee.

Foley continued to rise within Democratic ranks. After the 1980 election, the position of Democratic whip opened up. And when Mr. Rostenkowski (D–IL), chief deputy whip and first-in-line, decided to take over the Ways and Means Committee chair, Speaker Tip O'Neill and Majority Leader Jim Wright, both looking for someone with parliamentary skills, chose Foley as the party's whip. When Speaker O'Neill announced his plan to retire at the end of the 99th Congress, there was no guarantee Foley would ascend to the majority leader's spot. A number of Members wanted a more partisan figure. In the end, no challenger to Foley emerged and the same dynamic was there in 1989 when Foley rose without opposition to the speakership.

It sounds like a happily-ever-after story. It wasn't. Not only was Foley the first Speaker from west of the Rocky Mountains, he was a rare Speaker who did not represent a safe seat in his marginally Republican district. The higher his Democratic profile became, the greater his vulnerability. Ultimately, he was the first Speaker defeated for reelection since 1862. Maybe it could have been avoided. But he felt putting your career on the line, and at risk on principled stands, was a test of doing the job right. And he did so in favor of gun control and in opposition to what he viewed as an unconstitutional Washington State term limits referendum. Later, the Supreme Court after the 1994 elections confirmed his view. Foley had built his career and reputation in part on being a facilitator and conciliator with the ability to appreciate opinions on the other side of the aisle, and in part on congressional reform initiatives.

As Speaker, Foley inherited a Democratic Caucus which had gotten too used to big majorities and now struggled to find the discipline to marshal tough votes. In the seventies, he had played a key role in the reforms which opened up the Congress to the press and the public, and challenged the power of committee chairs by making their appointment subject to a secret ballot in the caucus. As Speaker, his reform instinct was called forth to counter what emerged as decades-old institutional abuses, such as the House bank. The abolition of the bank led to the appointment of a House administrator, the elimination of long cherished perks, and the appointment of a bipartisan panel to look at more sweeping reforms. Foley initiated a program under the direction of Representative Martin Frost to provide congressional assistance to the emerging eastern European democracies. Most of these changes remain to this day.

His long-admired bipartisan instinct was newly challenged under the unified government of President Clinton. Foley undertook to pass a legislative agenda, including a budget proposal that failed to receive a single Republican vote, and comprehensive health care reform which ultimately failed to make it to the floor of the House. These brief illustrations highlight the value and importance of the qualities that Foley brought to the House for three decades. He placed a premium on governance following an election,

whether the President be Democratic or Republican. He stressed a legislative search for solutions, rather than the perpetuation of the campaign. He urged a willingness to accept bipartisan compromise. He recognized the international role of the Speaker. These were qualities which remain essential to the institution of the Congress and remain part of his legacy to the speakership of the House.

Speaker FOLEY. Thank you, Jeff. I'd like to begin by repeating what others have said about the Congressional Research Service, the Carl Albert Center, and the McCormick Tribune Foundation for their support of this wonderful day for me, and for many others. The day provides a chance to see so many friends and associates of past years, and a chance to reminisce over three or four decades of one's past life. It is a special pleasure for me today to be with Jim and Betty Wright, my predecessor in the Office of the Speaker. And later with Newt Gingrich, my successor. The day prompts many pleasant memories of Carl Albert and Tip O'Neill. I am also delighted to be here with Bob Michel, who was the Republican leader all the time that I was Speaker and a man for whom I have unbounded admiration as a model of congressional and public service. And as Speaker Hastert said today, we all are saddened by your wife's recent death.

Looking back at the time that I first came to Congress, I recall a story I've told before. I hope those who have heard it may forgive me. I joined the Congress in 1964 as a part of the 89th Congress. It was a young and rather large Democratic majority. In those days and today, the parties meet in December to organize their work and to offer newly-elected Members a chance to familiarize themselves with their responsibilities. Speaker John McCormack addressed us newly-elected Members at that 1964 December meeting. He said that the leadership probably would have to make a judgment 2 years later about whether we had been elected seriously by our constituents or by accident. Members are sometimes elected by accident, he said, and we won't really know which you are until you are reelected, if you are. With that warm greeting, we proceeded into the orientation program.

One of the speakers was Michael Kirwan from the State of Ohio, who was a powerful member of the Committee on Appropriations. In fact, he was "Mr. Public Works." You couldn't get a footbridge built in the United States without Mike's approval. He leaned forward to tell us that he wanted to warn us about the single greatest danger that could occur to a new Member of Congress entering his or her congressional service. We leaned forward to hear what this was—an ethical problem or whatever. He said that the danger was thinking for yourselves! Avoid that, he said, at all costs. Avoid thinking for yourselves. You must follow the subcommittee chairman, follow the committee chairman. Support the chairman of the Democratic Caucus.

Follow the majority whip. Support the majority leader. And especially, above all, support, defend and follow the Speaker.

I remember being quite outraged. I had gotten elected as a new Member of Congress, I thought, to make some contribution to my time in public life and perhaps even beyond. And the idea that I should subcontract my judgment to the political leadership of the party was really offensive. And Kirwan went on to say that in his experience, more people had gotten into trouble in the Congress of the United States by thinking for themselves than by stealing money. That unbelievably shocking statement made me truly angry. Later on, it was my opportunity to become a subcommittee chairman, a committee chairman, the chairman of the Democratic Caucus, the Democratic whip, the majority leader under Jim Wright, and, finally, taking the oath of office as Speaker of the House of Representatives. And I recall that as I was taking the oath, the wise words of Mr. Kirwan came back across a generation of time. How right he was!

But fortunately, then and now, Members do think for themselves. And they not only think for themselves on the Republican and the Democratic sides of the aisle, they think for themselves inside each party. I had an opportunity to talk a little bit with Speaker Hastert today at lunch. We both recognize that one of the problems of the speakership is to deal with very strong and powerful voices within one's own party. I came to the speakership of the House as a former committee chairman, but not the most senior of them. Dan Rostenkowski, John Dingell, Jack Brooks and others had been powerful and wonderfully effective legislators and committee chairmen. They had extensive knowledge and experience in their fields. This is true not only with the committee chairmen, but with subcommittee chairmen, who have proliferated dramatically over the years. I think we had something like 160 Democrats in the House of Representatives who were subcommittee chairmen. Sometimes there were conflicting jurisdictions between Appropriations subcommittee chairmen and authorizing committee chairmen or subcommittee chairmen. There is a problem, sometimes, of managing strong, effective, and powerful personalities. That's one of the jobs that I didn't really anticipate when I became Speaker—how much time is required managing jurisdictional disputes and trying to mediate between conflicts of approach. It's the sort of kitchen work, as my former mentor Senator Warren Magnuson spoke of, in terms of the day-to-day work of a Speaker—conciliating, organizing, trying to move the tasks of the Congress forward.

As Speaker Hastert said, I had a particular notion that it was the institutional responsibility of the Speaker, a special obligation, to be absolutely, as far as humanly possible, fair in the judgments made from the chair. The British model, the Westminster model as it's called, takes the Speaker out of all party politics. My first opportunity to meet a British Speaker after I became Speaker was Bernard Wetherow, who moved from the House of

Lords to become the Speaker of the British House of Commons. He resigned even from social clubs that were overly associated with the Conservative Party, so that his absolute impartiality would never be questioned. By the way, Speaker Wetherow asked me what number Speaker I was. I said, "Mr. Speaker, I'm the 49th." He said that he was the 322d. I said, "Sir, that's what we call in the United States a put-down. I'm the 49th, you're the 322d, or whatever." He said, "Well, we started in 1277 or in 1388, depending on how you count the speakerships in the House of Commons in the U.K." And he said, "And 10 of us were beheaded, 2 on the same day when the king was in a particularly unhappy mood." We don't have that problem here, at least physical beheading. We sometimes have political beheading. I know something about political beheading.

But the role of the U.S. Speaker is a combination, as Speaker Hastert said, of the party leader and the impartial British-type judicial Speaker. It's not an easy task. You are pushed by your own party to move legislation forward and you want to do it. You face the problem that sometimes a motion to recommit with instructions if proposed in a certain way may create great problems. There's a tendency, sometimes, to perhaps cut a little too close on what others feel is the absolute right of the minority. Those are tough decisions. I had, however, the great benefit of having an impartial Parliamentarian, who Speaker Hastert also talked about. The two offices that are voted on that are usually without any controversy are the Parliamentarian and the Chaplain. It is important that the rulings of the chair in critical times can be depended upon by both parties.

We had a few occasions when there was an objection to the ruling of the chair, and someone called for a vote on that decision. I don't think any time that happened that Bob Michel didn't support the chair. He felt, I think, that the chair's ruling had been correct and that it should not be the subject of controversy in the House. On the other hand, the price for that support was that, as Speaker, I had to ensure that the rulings are fair so that they can elicit bipartisan support. In many legislatures, appealing the ruling of the chair is a constant event and takes place routinely. I think in 50 years, we may have had a dozen or so formal challenges to the ruling of the chair.

During the time I was Speaker, I served with President George Bush 41, as we now say. President Bush was President for 3 years of my speakership and President Clinton for 2. It was interesting to me that there is a difference in whether you have divided or united government between the congressional leadership and the Presidential leadership. We have had, for most of the period after World War II, divided political responsibility—generally Republican Presidents with Democratic majorities in the Congress and those have a particular dynamic. There is a tendency, frankly, for relations between the Congress and the Presidency to be as good, and in some cases even

better, with divided government. For some, that might come as a surprise. But the fact is that the need to make the system of government work leads to a kind of elaborate, almost diplomatic, sensitivity between the White House and the Congress to the reactions of the other.

In contrast, if there is united government with the White House and Congress under control of one party, Congress expects that the new, let's say, Democratic President is going to solve all the problems that they want to have addressed and they now think it's possible to go forward with a very energetic and effective legislative program. The congressional majority Members expect all those they appointed in their districts to be happy and satisfied with them. At the same time, the President feels that his program should be taken up without much question and enthusiastically passed by his congressional colleagues. The disappointments that are possible on both sides of this united government are great.

During the period of divided government, I was blamed, along with then-Senate Majority Leader George Mitchell, for having talked President George H.W. Bush 41 into agreeing to some tax increases. Some attribute his defeat in 1992 to his having allegedly broken his "no new taxes" promise. As I look back on that period, one of the things that I admired most about President Bush was his willingness to confront internal problems in the Republican Party by taking that decision. It was a decision taken along with spending restrictions on the budget. But an agreement on spending cuts and new taxes was obviously going to be a problem for President Bush and it turned out to be.

I used to say, somewhat jokingly, that there are two sins in politics—one is the obvious sin of not keeping your campaign promises. But sometimes I think that's the more venal sin. The sometimes more mortal sin is keeping your campaign promises. If they turn out to be wrong for the country, wrong for the future of the Nation, then I think whether we're in Congress or the White House, we have to reconsider that. I had great respect for President Bush's willingness to take that risk.

When President Clinton came to office, he was the first Democratic President in 12 years. With George Mitchell in the Senate and me in the House, there were many Democrats who wanted to see the new President succeed and wanted to support his major legislative agenda. Looking back on it, I think that perhaps we could have been more supportive of the administration by, once in awhile, being a bit more candid with the President. I think the new administration came in with great enthusiasm, particularly on health care. The White House overstressed the institutional support of the House. We had to decide, for example, whether to put the President's health care reform bill through the established committees of Congress, such as Ways and Means and Commerce, or push the legislation through a task force. The task force idea I rejected. I thought the legislation should go

through the ordinary committee structure. But that required multiple committee referrals.

Eventually, the Congressional Budget Office was overwhelmed by the demands of individual Members to examine the cost of their amendments. The system slowed down and was greeted on the Republican side with a decision to straight-out oppose, rather than just try to modify, the health care bill. We all know the consequence of that—the bill did not proceed through the end of that Congress. I think this was a contributing factor to the country's disillusionment with the Democratic leadership and the 1994 defeat of the majority in Congress. In retrospect, I think we would have been wiser, as Dan Rostenkowski suggested today, with a more incremental approach such as the Kennedy-Kassebaum bill, a step-by-step process, as opposed to trying to achieve everything overnight in the way of health care reform. We might have been more effective and successful.

Tony Coelho gave me good advice one time after he left Congress. He said, "Don't look back and don't regret." I think that's a good rule. You may have made mistakes. There may have been opportunities you didn't fulfill, but you did what you could while you were there.

In the session on Jim Wright, the question arises as to whether it's better to be more assertive or more cautious. If I have a regret, it's probably been on two or three occasions that I wasn't as assertive as I think now perhaps I should have been. But one of the things that I hoped we would see—and I'm disappointed we do not see today—is a continuation of the kind of relationship between the majority and the minority that existed when I was Speaker and Bob Michel was the Republican leader. We met almost every day and the staff certainly met every day. We went back and forth to the other's offices. I always felt that Bob was an extremely effective Republican leader. It was necessary to know exactly where we wanted to go and to see if we could compromise or find an approach that would lead to some accommodation of the issue, rather than a confrontation.

Our efforts in those times were sometimes rewarded with success, such as was the case with most of our party members in different camps on the 1991 Gulf war. Despite those differences, we had a debate which I still think was one of the most thoughtful and impressive that I can recall in the Congress. There was a full discussion of whether the United States should authorize war and give the President authority to enter the war. It's interesting to me that President Bush 41 wanted this vote to come after the election so it would not be politicized. The vote in the present case came before the election. In any event, I'll never forget Bob Michel coming up to the Speaker's chair, where I was sitting, wearing that combat infantryman's badge, which he won so well in World War II. Here was a big tough guy with tears in his eyes. He said, "This is the hardest vote I think I've ever had to cast because I'm putting young men and women at risk and I know

it. But I think it's the right thing to do." He and I voted differently on the bill, but it was a sense of, I think, the mutual respect that Republicans and Democrats throughout the House had with the differing opinions of their colleagues on an issue of enormous importance to the country.

I regret that in recent years there's been a tension between persons, as well as between parties and policies. There was even a civility conference a few years ago at Hershey, Pennsylvania, where Members of both parties came with their families to try and reconcile those harsh personal relationships in the House and try to get a sense of comity and friendship and a common effort.

The House of Representatives is the voice of the American people, the Senate the voice of the States. That's the way we see it in the House. Former Representative Richard Bolling was once accused of making a derogatory comment about the House, saying it was made up of "provincials." He defended his remark by saying that that is what the House was supposed to be. It is intended to be the place where people represent their districts, represent the differences in our country. House Members represent the communities in which they grew up and where they have their primary residence in life. I think Speaker Hastert reflected that again today when he spoke of returning to his district on weekends and his desire to keep always in front of him the origin of his service in the Congress and his speakership.

Former Speaker John McCormack once said another thing that I'll never forget. He said if the day comes when you look up at the Capitol as you come to work in summer, in fall, in rain or in snow, and you are not individually thrilled and heartened by the enormous honor of representing 500,000 or 600,000 people as constituents, and if you don't think that that is something that you should be deeply grateful for—he said quit, just quit. Because if you don't have that sense of thrill, that sense of great honor and opportunity, he said you've stayed too long. I think that's good advice, and I think that those who have had a chance to serve here will look back on that service, regardless of their party, with a sense of first great obligation and thanks to their constituents.

For over 30 years, my constituents sent me to Washington and allowed me to represent them as best I could. Those of us who have held the Office of Speaker have had a second honor bestowed on us. Speakers have that special sense that they have been chosen by their fellow Members—all of them representatives and delegates of a great national constituency. To be elected Speaker is even a greater honor in many respects than being elected to represent a constituency. And whether we have done the job well or less well, whether we have achieved all that we might or not—and none of us achieves everything we wish—I think we can look back on being Speaker as one of the great opportunities and one of the great honors of our lives. And I am happy today, regardless of differences between individuals and

parties and personalities, to join with others who have had that experience. I thank you all for taking part in this conference. Thank you.

Mr. FRENZEL. Thanks, Tom Foley. Thanks, Library of Congress. Thanks to all of you for being here. And thanks to whomever was rash enough to invite me.

Being asked to comment on the Foley speakership creates a real temptation to deliver a eulogy while a body is still warm. And I'm going to have to succumb to it, because it was my great privilege to serve all my time in Congress concurrently with Speaker Foley and have had many opportunities to interact with him.

I remember the first time I really met him was in the early seventies on a trip to Japan. Tom was then a very ancient senior Member of four or five terms, and I was just a rookie from the minority. He showed me around and I remember being very impressed with his reception by the Japanese and with his knowledge of that country and its political system. And, of course, more than 20 years later, it was my pleasure to dine in his house at our Embassy in Japan where he was representing all of us with distinction as our Ambassador in Tokyo.

Of course, distinction has followed Tom wherever he has gone. Those of us who served in the House are wont to say that he really gave politics a bad name. He was forever thinking selfish thoughts about integrity and decency and service and trustworthiness and about doing a good job for the constituents. That really was Tom's hallmark.

I have served with only four Speakers, all of them Democrats, and all of whom I consider friends. And so I'm not really anxious to get into comparisons. But one of the things that I enjoyed about Tom and his leadership—not just as Speaker, but as majority leader, as a committee chairman—almost certainly from the time I came to Congress, was that he could be a real Democrat, a "big D" Democrat, but still respect and be respected by all of the Members of Congress, be they Republicans or Democrats.

I don't know if that arose from the fact that Tom came from a fairly competitive congressional district where you had to make friends with everybody. Perhaps it did, or perhaps it simply originates from the fact that he is that kind of a person, respectful and respected.

In watching him, I learned that you could be a party loyalist, but still remember that you had representational responsibilities to the whole country, to all the people within your district. And remember, too, that you have to be fair to every Member of the House, especially when you're the boss. As he spoke of trying to work compromises with my great hero Bob Michel in the House, with whom I was also favored to serve, I thought that with great men like that, compromise does not represent weakness. On the contrary, it represents the strength of our system. That made me terribly proud to be a part of the system.

The House is a very tough political environment. Compared to the other body, it is like the difference between professional football and chess. The majority has an important duty to move a program. Often, it is moved over the dead bodies of the minority, or by stretching the rules a bit. But that's not an easy chore, because the majority has to put its troops together.

And I can imagine that when Tom got ahold of the gavel and got up there on the Speaker's podium, he was praying that every one of his caucus would follow the admonitions of Chairman Kirwan and follow the Speaker's wishes. But sometimes they didn't. And that's one of the reasons that it is rash to compare speakerships. The House is different at all times. It has different Members. It has different issues. It has different cross-currents. There are different coalitions. Everything is different. And Speakers are different, too. And while their problems are similar, they are by no means the same.

Tom presided over the House in what we now recognize was a period of the decline of the Rooseveltian coalition, which was beginning to come apart. It apparently had good, strong majorities. But, on the other hand, after 62 years of ascendancy with two small imperfections, most of its Democratic Members believed that they were born to rule and that their rule was ordained by the Almighty.

That was a nice feeling, except for Tom. It gave him an army of all generals and no foot soldiers. And it was not a really easy matter to put all of those people together in a single place for any bill. He also ruled at a time when the committees were manned by very senior "old bulls" in the party. As everyone knows, when they are at full strength, the Speaker is never quite at full strength.

Jeff touted him as a conciliator, a facilitator, a mediator, and so do I. He was, for me, just a remarkable affirmation of what our system should be. As a member of the minority, I trusted and respected Tom Foley.

Now remember, I didn't vote with Tom Foley a lot. I thought he was kind of squirrelly in his voting habits. But he was doing the best he could. You remember Dennis Hastert gave us his admonition, which is people expect you to keep your word. For me, you could put Tom's word in the bank. And that's pretty hard to equal. That's about as good as you can do in Washington in my judgment.

I saw Leon Panetta out in the audience and I was just remembering that there was a time when Leon and I went to see Tom about a matter that had to do with the Budget Committee. Leon was then chairman and I was a flunky. Leon said, "Mr. Speaker, can you help us with this problem?" And the Speaker said, "Of course. I think you're right on this." The Speaker made one phone call and resolved our problem instantly.

The following year we were back with the same problem. I said, "Mr. Speaker, can you help us with this problem?" And the Speaker said, "No,

I can't do that for you." Since I was the minority person, I had to challenge the statement. I said, "Why not, Mr. Speaker? You did it last year." And he said, "Ah, but I was new in the job and then I did not know the limitations of my power."

So if you think it is an easy job to be Speaker, forget it. But also, if you think it's going to be easy for any future Speakers to live up to the reputation and achievements of Tom Foley, abolish those thoughts as well. As far as I'm concerned, he was the greatest.

Mr. FAZIO. Jeff, thank you and the Library of Congress for including me in this discussion of the speakership. I think it is the most important, most difficult, most under-appreciated and least-understood leadership position in American Government, second only to the President. There's no question that I tend to agree with a lot of what Bill Frenzel has said. I'd like to concentrate on the question of Foley's marginal seat and the impact it had. I think he's the last—not just one of the few as Jeff said—but the last Speaker who will come from a district that was evenly balanced and could go either way in any election.

Tom Foley was elected to the House in the midsixties during a Democratic ascendancy. He kept the district with some tight races for 30 years, largely because of the force of his own personality and his effective representation of the wheatgrowers and all the other elements of that district. He always put the needs of his constituents first. That was his first and most compelling assignment and he always carried it out well. But the speakership had evolved to a multifaceted, 24–7 job. It became not just the internal collaborative leadership that the Speakers are required to provide, but also the "outside job," the fundraising, the Sunday talk shows, the speeches in faraway places—not just to help your colleagues with their fundraising and their reelection campaigns, but as a way of projecting the party on issue after issue and raising money for the Congressional Campaign Committees. It means that inevitably the district fades to some degree. And it's not just the fact that you can't be there as much as you may have been, but it's also the reality that you have to take more partisan positions than they are used to hearing you express at home.

So inevitably, I think, Tom Foley's career in the eastern district of Washington State ended when his speakership did because not only was the Democratic Party in eastern Washington State weakening, but the traditional Democratic Party that Bill Frenzel referred to as their Rooseveltian coalition was disintegrating as well. The style of leadership that Foley brought to the speakership was also changing. No question it influenced how he ran the House. Tom Foley was like Tip—a man of the House that he grew up in. That was why Speaker Foley was so much a regular order kind of guy.

I was thinking earlier today about the health care legislation, still referred to as the Clinton health care plan. Other names have been attached over the years, but the bottom line is this Speaker felt regular order needed to prevail in order to bring a health bill to the floor that could pass. I am sure Danny Rostenkowski remembers meeting after meeting in the Speaker's office when we tried to put together the votes, either in the Commerce Committee or the Ways and Means Committee, to begin the process. We didn't have those votes and could not move the legislation. I realize now what Newt Gingrich would have done, and we did it regularly in the next speakership—put a task force together. Denny Hastert earlier referred to them as, he said, a way of undermining the committee system. But Speaker Gingrich would not have hesitated about moving a bill of that importance to his party and his President through by irregular order. He would have found another way to do it and it somehow would have gotten to the floor and probably passed by a couple of votes, as so often has been the case since 1995.

I respect Tom Foley's approach. He knew his caucus was not as unified as it needed to be and most of all he respected the committee system that had served the House so well. He was a product of that tradition. It was also regular order for Speaker Foley when it came to supporting the Clinton administration. Having observed the conflicts between the O'Neill speakership and the Carter Presidency, Tom Foley took a different, more supporting approach. You remember it was Hamilton Jordan, Carter's Chief of Staff, who was frequently called "Hannibal Jerkin." There was real antipathy there. Most Democrats saw, in retrospect, that the discord didn't necessarily aid the Carter administration in their difficult reelection quest.

Speaker Foley, as he's already indicated, did all he could possibly do to help implement President Clinton's agenda. All those who were members of his last caucus look back with pride on that budget vote in 1993 which brought us, Democrats believe, a balanced budget and a decade of prosperity. It also probably contributed significantly to the decline and ultimate defeat of our majority. I remember later when we took the crime bill to the floor, we had a very tough choice to make. Do we move the assault weapons ban as a separate, stand-alone piece of legislation, or do we make it part of the omnibus crime bill, however difficult that would make it for many moderate and conservative Democrats with strong NRA constituencies to vote for it? Parenthetically, we even had some on the left voting against the crime bill rule because they didn't support any provisions relating to the death penalty. It was a very good example of how fragmented and diverse our Democratic Caucus had become, and how difficult it was to bring it all together. We chose to, as I think my friend Leon Panetta said, give the President a victory

and pass that bill with the assault weapon ban in it. But we also had tremendous negative fallout for many of our Members just 1 year later.

Speaker Foley personally paid the price for the bill in his own race. He lost the NRA's support for the first time in his career. There's no question that Tom Foley liked to work with his fellow committee chairs. He was one of them. He came through the Agriculture Committee to be its chair, then moved into the elected leadership and ultimately the speakership. He respected the diversity within the bipartisan committee process. Remember, it was an era when you put out bills with as broad a bipartisan majority as you could get. When possible, you worked with the Republicans during those years in the majority, in part because it gave us more impetus, more momentum when we got to the floor. After all, we weren't always sure where all those elements of that Democratic coalition were going to be at vote time. Fragmentation had set in within our caucus, and the committee structure normally gave the Democratic leadership the broader support it needed to pursue its agenda on the floor.

Tom Foley's time in the leadership was already an era when we were closely divided. But it was also the era when the one-party South, the Democratic majority in the South, had totally disintegrated. It was also a period where the diversity that had become one of the keys to changing our caucus in the eighties and into the nineties, worked against us. We didn't all know or empathize with each other. We didn't share common experiences. And that certainly was true of the House in general as well as the Democratic Caucus.

I remember hearing stories about Bob Michel and Danny Rostenkowski driving to and from Illinois together through many of their years in Washington. That sort of friendship, that sort of personal relationship above and beyond party, had almost vanished during Tom Foley's speakership. What existed was a more divided House with little community. It's a trend that has continued to this day. Families live in their districts, not in Washington. Two- and three-day weeks are common with jet travel back and forth to the district. There is pressure on the leadership from the Members to come in late and go out early. These circumstances contributed to an incredible amount of disarray, not just in one party, but in the House in general.

On top of that, we suffered greatly from the internal troubles brought about by all of the so-called "scandals" that the House came under scrutiny for—the bank, the post office, and so on. We had elements of our caucus, generally older Members and those from safe seats, who felt that if we would just hold tight, these problems were transitory and they would all blow away. Other elements, people younger and more marginal in their seats, were under such pressure in their districts that they couldn't go home for a weekend without coming back fully inflamed about what these problems that they didn't really know much about, or hadn't participated in, were

doing to their reelection chances. So Tom Foley had a very tough time reconciling the generational shift that was going on within his caucus—the large influx of people in 1974, plus the Members who carried over for 30 and 40 years, and a lot of people who had been elected in the late eighties and into the nineties whose tenure was quite tenuous.

And so I think Tom Foley epitomized modern collaborative leadership in this very difficult environment. He worked very hard at bringing people together, brokering compromises, working with State delegations and the exploding number of informal caucuses, dealing with committee assignments, and assigning legislation to one or more committees. These kinds of one-on-one, small group gatherings are leadership requirements that are really the hallmark of the speakership. It wasn't just that other strength he has of being a great stentorian speaker and floor leader. It was also the personal touch. The need to be putting your arm around somebody, bringing together a compromise that might otherwise have been lost.

There's no question when you ask Members to look back on their years in the Foley House, they will relate to his ability to go into the well and extemporaneously make remarks that actually moved votes, and, I believe, probably on both sides of the aisle. He was also great in our districts. For those of us who had him come by and speak to our contributors and our supporters, it was always a positive experience. He has wonderful rhetorical skills. I think back on all those stories that I came to know almost so well that I could repeat them myself—the words on Jefferson's tomb were the basis for one of my favorites. And Mike Kirwan—a far more familiar figure with the American public today because of Tom Foley's stories that you heard a version of earlier. This was a man who could communicate in every sense of that term. He was someone whom I was proud to serve with, and I look back on that time very fondly. Thank you.

Mr. BIGGS. We still have some time and would welcome questions.

Question. How important is it for Congress to be more assertive in foreign and defense policy? That concern has come up in a couple of different speakerships, and I think in today's climate it is an appropriate question.

Speaker FOLEY. I think it's obviously important for the House and the Speaker to have their voices heard on foreign policy. The President, by some constitutional opinion, inherited the powers of George III to make foreign policy and to command the military services as commander in chief. But the power of the purse, the power to implement foreign policy, which is essential today in any foreign policy undertaking, requires the House and the Senate to be involved. I think the Speaker must be involved in that. We talked earlier here today about Jim Wright and the work that was done with the Reagan administration. Looking back, for example, on Tip O'Neill's service—I was a whip when Tip was Speaker—I never saw a case where President Reagan called and asked Tip O'Neill to do something that Reagan

thought was in the interest of the country's foreign policy that Tip didn't agree to do it. But he would also tell the President what he thought about various foreign policy issues. He told him privately and told him candidly. But, on the other hand, Tip felt very strongly that the Speaker should be supportive of the President on those issues where he could conscientiously support him in the interest of the foreign policy of the country.

I want to take the opportunity again to express my regret at the sort of permanent campaign we have under way now. It's a function of both congressional and Presidential politics that the campaign never really ends. Fundraising goes on constantly, and preparing for the next election almost begins the day after the returns come in from the last one. That has consequences for the ability of the House or the government to work together after an election to move the country's agenda and purposes forward. It can be a very critical problem, obviously, in foreign policy.

So, how do we get over the political consequences of the permanent campaign and restore a sense of comity and trust that both branches are trying to move the country's agenda forward? As a Democratic Speaker, I also wanted to see a Republican President succeed in every way when I could conceive it as being in the interest of the country. Anyone who doesn't want a President to succeed, who wants a total failure, is, as they say, no friend of the republic.

I should also say that one of the things I felt when I was in office was that we needed to have opportunities for Democrats and Republicans to find ways to talk together outside the formal debates of the House. There was a case that occurred when I was Speaker in the 102d Congress when we had one of those briefings for new Members. I was telling the new Democratic Members that I thought they should take an opportunity—I didn't think the press was present—to miss a vote. Not a serious vote, not one that would affect their reelection, obviously, or affect public policy, just miss some kind of ordinary, routine vote so they could never, ever think about having a 100 percent voting record. I mentioned this because we had a couple of Members who had 100 percent voting records. When one of them finally failed to get back to the House in time, he wept on the floor after missing the first vote after 17,372 consecutive votes. I also recall that former Representative Bill Natcher came from the Bethesda Naval Hospital on a gurney, on life supports, to vote so his consecutive voting record would not be broken.

I told the new Members to avoid that situation. Just sit through a roll call vote on approving the *Journal* or something—you get 99.99 percent, but you can't get 100. Second, I said that you ought to travel, if you get a chance in your committee, to some place where the committee's jurisdiction is involved. You'll learn something important about the committee's work. But you'll also have a chance to have some association with your col-

leagues. There's nothing like being together on an airplane for awhile, and being in a foreign country, to make Members who don't usually have much opportunity to see or talk to each other do that. You learn that there's a lot of wisdom and judgment and good character on the other side of the aisle, if you had any doubts about that. If you needed a political reason for travel, sometime later in your career you might get a vote from the Republican side of the aisle on something the Member had no particular interest in except the fact that you and he were together, or you and she were together, somewhere on committee business.

Anyway, it turned out there was a press reporter in the room, and the next day he reported that Tom Foley, as Speaker of the House, told the Democrats of the 102d Congress to miss a vote and take a junket. Fox Morning News the next morning said they were shocked to learn that the Speaker of the House had told the newly elected Democrats to miss as many votes as they could—miss as many votes as they could—and never miss a chance to take a publicly financed trip abroad.

There is a need for Members of Congress to have this opportunity to get through the divisions that we have on committees, the divisions that we have across the aisle, and to have a chance to know each other and to learn the kind of respect that follows from that. I think it helps in the legislative process. I think it helps bring about an opportunity for compromise and common effort.

When you sit down here and reminisce about the past with other Speakers, I am reminded that I always had the problem of being mistaken for Tip, in part because Tip and I were about the same weight. Naturally, we both have white hair and big Irish mugs, as Tip said. When I became Speaker, I weighed about 283 pounds. I weigh about 90 pounds less than that today. But I remember I went to a gym in New Orleans when I was Speaker. A very old retainer of the club had been very helpful to me, and I thanked him. He said, "Don't thank me, Mr. Speaker. It's been an honor and pleasure to have you here, and I'm going to tell all the club members we had the Honorable Mr. Tip O'Neill here in our club today." I didn't know what to say except thank you. A year later I was in Nordstrom's in San Francisco with Tom Nides, who was on my staff, and I bought a shirt. As I was leaving the counter, I heard the two clerks talk and one of them said, "Do you know who that was?" And the other said, "No." He said, "That's the Speaker of the House of Representatives." He said, "Tip O'Neill?" The other said, "No, dummy—Jim Wright." Anyway, it was an honor to have followed both Tip and Jim.

Mr. BIGGS. We've got time for one last question.

Question. You talked about carrying out the speakership through processes of negotiation and coalition building that had to span both sides of the aisle. That's a mode of operation, as we've heard today, that goes right

back to the "Board of Education" room and Sam Rayburn, if not before. I remember having the impression that when the *New Yorker* magazine did a profile of you during your speakership, that in a lot of cases the negotiations you were engaged in tended to be putting together different factions within what was a very large Democratic majority. We've also heard commentators say today that we're now in a more partisan era where a lot of the coalition building tends to take place within the majority party.

To what extent, then, did the necessity of carrying out coalition negotiations—just to hold the large and diverse Democratic majority together—contribute to the situation in which the minority tend to get more and more left out of the coalition process? Did this trend contribute to a more partisan operation in the House?

Speaker FOLEY. I think there's some truth to what you say. I think in recent years a close majority in the House and the Senate put an emphasis on getting legislation through with your own troops, and keeping the core coalition of your own party together. And that inhibits reaching out very much to the other party. It all depends on time and circumstances. In the Democratic Party, frankly, we had many more Members who were on the conservative side politically than Republicans had Members who were very liberal. There were a few, but I think the spectrum in the Democratic Party was much broader than it was in the Republican Party. So we had to deal with the possibility that Republicans would attract some support from Democrats. We had a committee chairman, I should say a subcommittee chairman, who somebody calculated had voted against the Democratic position on key bills 85 percent of the time. I had to justify our continued support for him by the fact that he voted to organize the House, which was an important vote by the way.

Coalition building also depends on whether there's a closely divided House and what party is in the White House. If you've got a Republican White House with a Democratic majority in the House, that requires greater consultation. It is true, frankly, that Republicans, I think, felt much more abused—I don't know what the right word is—much more ignored or much more overridden than the Democrats felt they were overriding or abusing. So it's a perception problem, in part. Now Democrats tell me whatever we did then pales compared to what the Republican majority is doing to the Democrats in the minority.

I remember Speaker Hastert saying about a month ago, when this issue arose in the press, that at least the Republicans didn't take away the Democrats' parking spaces or office keys. With great respect to the Speaker, who I do admire very much, I can never recall us going so far as taking away a parking space or an office key. That would be really intervening. But it's always as seen by the beholder. I guess the other thing that's gone, in my judgment, is this kind of bipartisan social relationship. There was, I think,

a tendency to become almost like the British parties. There is a tension not only on policy and even on party principle, but even personal tension. That is the degree to which, I think, the situation has gone too far and where it has had a deleterious effect on the House and its operations.

Actually, my admiration and interest goes to the great Speakers of the 19th century, who were pretty authoritarian Speakers, by the way. My favorite is Thomas Brackett Reed, who was an enormously powerful Speaker and a very witty one. As legend has it, he was asked one time if he was going to go to the funeral of a political opponent. He said, "No, I'm not going, but I approve of it highly." Somebody suggested that he might be a candidate for President himself and he said, "They could go farther and do worse and they undoubtedly will." One Member was excited on the floor making a speech and said, "Mr. Speaker, I'd rather be right than be President." The Speaker leaned down and said, "The gentleman need not exorcise himself. He has very little chance of being either."

Mr. BIGGS. Could you speak for just a couple of minutes about something that is a little extra-legislative, and that is the whole idea of the budget summits during your speakership?

Speaker FOLEY. The budget summits are the only time that I have a twinge of nostalgia about not being in the House anymore. And I don't understand why because budget summits were great periods of tension. We had two or three of them when I was a majority leader and Speaker. They involved various problems. One was the stock market crash of 1987. We had to do an emergency reduction of the budget in order to strengthen the market, along with the Federal Reserve's quick infusion of a lot of liquidity. I chaired a bipartisan House-Senate committee at that time—a task force, I guess. Senator John Stennis asked someone if that young Foley was chairing it. They said, "Yes," to which he responded, "I like young people to get their chance." I treasure that remembrance.

We also had budget summits with President George H.W. Bush and it involved constant meetings in my office and other places where Nick Brady [Treasury Secretary] and John Sununu [White House Chief of Staff] and Mr. Dick Darman [OMB Director] would come up and we would work over the various alternatives. I remember the famous budget summit we had over the Gramm-Rudman-Hollings bill. Senator Fritz Hollings said his name on the end of the legislation was a sure way to anonymity because the proposal generally became known as Gramm-Rudman.

This is an interesting form of the previous question. The House was then in Democratic control and the Senate was in Republican control. The summit was between House Democrats and Senate Republicans. We sat around my office—Senator Pete Domenici, Senator Warren Rudman, Senator Hollings, and others. The question was whether we should invite the minority to take part in it, that is, House Republicans and Senate Democrats.

It was one of the Republican Members, who shall remain anonymous, who said, "No, no, no. We are the governing coalition, the Democrats of the House and the Republicans of the Senate on this bill. And if we invite in the minority, yours or ours, they will have no particular incentive except to obstruct and delay." I didn't think that was right. I thought we should have invited the minority Members. But it was overruled at that time. Budget summits also can lead to very serious consequences. I think the defeat of the budget summit by the House under Newt Gingrich's leadership was a seminal event at the time.

By the way, it's interesting for me to recall that single events that don't seem to be connected can have significant consequences. For example, Senator John Tower was appointed by President George Bush 41 to be the Secretary of Defense. He ran into the opposition of Senator Sam Nunn, and the Senate Armed Services Committee failed to report his nomination affirmatively. This was an embarrassment for the administration and they decided, I think, that they needed someone to appoint as Secretary of Defense that would be instantly confirmable—unanimously confirmable. They decided that person was Dick Cheney, who was then Republican whip. He was taken from the House whip's job, nominated as Secretary of Defense, and unanimously confirmed by the Senate. Cheney's departure led to a race in the House between a moderate Member and Newt Gingrich to replace Secretary Cheney as GOP whip and Newt won by one vote. All this came about as a consequence of the opposition of some Democrats to John Tower's nomination to the Secretary of Defense job.

Events have consequences. There are connections and some of us are old enough to recall them. By the way, I think Dick Cheney did a very credible job as Secretary of Defense and that, I think, led to the possibility of him becoming Vice President of the United States. So these things are interestingly connected.

I'm generally not very much in favor of these extraordinary legislative vehicles like task forces and budget summits. But in times of emergency, sometimes regular order just doesn't function that quickly and that responsively to a crisis that exists in the country.

I'd like to—because he's here and others are here—just say a word of great admiration for Dan Rostenkowski. He talked about Tip being a great legislator. I think Dan Rostenkowski was a great legislator. He also was a legislator who worked between the two parties in getting legislation out that was otherwise difficult to do. He would charge the President, if it was President Bush or whomever, to take care of his side of the aisle and he would take care of the Democrats. People I've talked to over the years remember with great respect Dan's service on the Ways and Means Committee. They have always commented that Dan kept his eye on the ball, knew where the legislation had to go, and was extraordinarily effective

at getting things done. It was an era of great figures like Dan and John Dingell. Both of them were great figures because they were both great chairmen.

Mr. BIGGS. Thanks to Messrs. Fazio and Frenzel, Speaker Foley, and the audience. We can now declare a recess until the next session begins.

The Historical Speakership

Dr. BILLINGTON. It is my pleasure as Librarian of Congress to be here with you at this commemoration of Speaker Cannon and this happy gathering of so many distinguished and historymaking Speakers of the House. I always say that the Congress of the United States has been the greatest single patron of a library in the history of the world, gathering in books and materials as no other legislature, or no other government for that matter, has done so effectively. The collections come to us through copyright deposit of the creative output of the whole private sector of America, and also include much of the world's knowledge: two-thirds of our books are in languages other than English.

I have to say that all of the Speakers that have been discussed so far, as well as the Speaker yet to come, have themselves played interesting and important roles sustaining the idea that every democracy—and especially one in a big, complex country like this—has to be based on knowledge and on ever more people having ever more access to ever more information. That was certainly true of everyone on the last panel that spoke, and I want to just take a moment to particularly single out Vic Fazio who, in his thankless work as chairman of the Appropriations Subcommittee on the Legislative Branch, played a particularly important role in the restoration of the Jefferson Building, without which that beautiful, extraordinary structure would not be seen in the same beauty and majesty that it is today. He also offered the first congressional support for the Library's digital outreach to the Nation, which has now reached the point that we had 3 billion electronic transactions last year. This began in a small way with an important congressional appropriation, even though it has been largely funded by private money.

And I should also mention in that regard the special role that Speaker Newt Gingrich played with his desire to have congressional information placed online: the whole THOMAS system owes a great deal to his initiative and support. I am here in active, humble gratitude for past and future users of the Library of Congress and also to give thanks to the private supporters of this important centennial; the foundations that have also made it possible; and, of course, to the Congressional Research Service under Dan Mulhollan's able leadership for putting all of this together.

My job today is to introduce a real expert on this whole subject, Professor Robert Remini. He is associated with the Library to fulfill a congres-

sional mandate, a mandate from the House in particular, to produce a history of the House of Representatives—one that would have scholarly substance and at the same time be accessible to a broad audience. We have been very fortunate to have enlisted the services of one of the most distinguished of American historians, Robert Remini. He is at present a distinguished senior scholar at the Kluge Center at the Library of Congress. As some of you may know, last week we gave out the first international prize in humanities and social sciences at the Nobel level through a Kluge endowment, and that has enabled us to bring some very distinguished scholars to the Library of Congress. The former President of Brazil, Fernando Henrique Cardoso, just joined us last week. One of the most distinguished of all of these scholars is Bob Remini, and certainly one of the most important of the projects being done there is his history of the House of Representatives.

Despite the bad light and my failing eyes, I will read you some of his many distinctions. He is compiling a congressionally authorized one-volume narrative history of the House of Representatives, which he has called—I'm quoting now—"an extraordinary institution with its vivid and sometimes outrageous personalities." You can see the little bit of adjectival twinkle already even in this brief characterization. He hopes his book will capture—I'm quoting again—"all the excitement and drama that took place during the past 200 years so that the record of [the House's] triumphs, achievements, mistakes and failures can be better known and appreciated by the American people."

Professor Remini was educated at Fordham University, and graduated in 1947 from Columbia University, where he finished his Ph.D. in 1951. He has been a teacher of American history for more than 50 years, the author of a three-volume biography of Andrew Jackson, and many other studies of Jackson's Presidency and of the Jacksonian era. He has also written biographies of Henry Clay, Daniel Webster, John Quincy Adams, and Joseph Smith. We know him as an earlier collaborator with the Library of Congress because he crafted the historical overview to a volume called *Gathering History: the Marion S. Carson Collection of Americana* in 1999. This is one of the Library's most important private collections of American history. It deals particularly with families in Pennsylvania from the early 1800s, and includes the first picture of a human face probably ever taken anywhere by a photograph, which was taken, it turned out, in Philadelphia, and which turned up in this collection. Professor Remini brought it to life in this wonderful volume, as he has brought to life so much of the American past and particularly our history and the functions of our government.

Thus, we have with us a historian who has looked at America through a variety of perspectives from the top down, from the bottom up, through the lives of great men, and through the artifacts of American cultural life. Now he is writing about the legislative institution that for over 200 years

has grown to be the most consequential one in the free world. It is really hard to imagine a person better qualified by his long experience, and, I might add, by his energetic prowling of the halls of the House that he has been doing for the better part of a year. He has won many friends here. It is hard to imagine anyone better qualified by learning, experience, and temperament to undertake this task. Necessarily, his perspective, of course, has given him some insight into the role of Speakers over the years, and it is about them and their activities that he will speak to us this afternoon. So, it is my pleasure to present to you as close as we will ever get to a full chronicler of some of the early history of the House and someone who, with his own energy, vitality, and endless questioning for more than a year now, has this noble task of recording the story of the most important and the most representative legislature in the world. I give you Professor Robert Remini.

Professor REMINI. Thank you very much, Dr. Billington, for that gracious introduction. I have a lot of people to thank. First of all, the Congressional Research Service who invited me here to come and talk about what I'm doing now in writing the history of the House of Representatives. I want to begin by singling out Congressman John Larson, whose idea it was to have a history written of this most important institution. Such a work has never been really done well, but there are indeed many books written about the House. I also want to thank Dr. Billington for inviting me to become a Kluge Scholar, and for providing me with an office in the Library of Congress, where I could write the history.

I wasn't sure I could do justice to this history. I've always done biographies. I've never written an institutional history. But all of the biographies, or most of them, are about people who have served in the House, like Jackson, like Martin Van Buren, like Henry Clay, like Daniel Webster, like John Quincy Adams. And I thought writing such a history would be fun. I could come into Congress and meet all the Congressmen and get involved in congressional politics, observing the problems and challenges that the Members have to contend with.

One of the things that is disheartening to me is that we do not honor the men and women who have shaped this most important institution. And especially the men who were the Speakers. This institution has evolved, and it is continuing to evolve, just as the Office of the Speaker has evolved from what Speaker Foley said was the British system. Which is what the Founders, I think, intended.

When I was researching Henry Clay, a student of mine came to me and said, "What are you working on now?" And I said, "I'm doing a biography of Henry Clay. Do you know who Henry Clay was?" He said, "Sure." I said, "That's wonderful. Who was he?" He replied, "He was the father of Cassius Clay." And he didn't mean the abolitionist Cassius Clay, either.

Who today knows who Henry Clay was, for example? The Senate has selected five, I think it is, of their greatest Senators and recognized them. There is a room where their portraits are displayed. The presiding officers have their busts done after they step down. Two months ago, they had a commemorative ceremony for former Vice President Quayle. If you go into the Chamber of the House of Representatives, what do you see? George Washington—well, that's OK. I mean after all, he is the father of the country—you wouldn't have a republic without him. But what's his relationship to the House of Representatives? He gave it the back of his hand the first time they asked him for the appropriate documents related to the Jay Treaty so that they could legislate the moneys needed to implement the treaty. He wouldn't give the documents to them, replying instead, "If you want to impeach me, then you can ask for these documents." But there he stands. In truth, he is the father of the country and deserving of great honor.

On the other side of the rostrum is the Marquis de LaFayette. Now you tell me in God's name what did LaFayette have to do with the House of Representatives? He was the first foreigner to speak to the House. Big deal. You see what I mean? Rather, we should honor the people who have done important things in the House such as Henry Clay. The Founders, I think, intended that the legislature would be central to the whole governmental operation. Notice the Constitution talks a great deal about the Congress and all of its responsibilities and powers while those not listed are reserved to the States and the people. But then you look at the other two branches, which are supposed to be separate and equal, and there is relatively little discussion. The judiciary—there will be a supreme court and such inferior courts as Congress shall, from time to time, establish. The executive was not much better. He may receive reports from the departments. What departments? It does not say. It was up to the Congress, then, to flesh out these other two co-equal branches.

It was also expected that the men who attended the First Congress would complete the process of establishing the government, and indeed they did. First, they chose a Speaker. As the present Speaker, Dennis Hastert, said, "That's the first office that is mentioned." And in creating the office they were thinking, I believe, of someone akin to the British Speaker, who was nothing more than a traffic cop, recognizing one person over another, calling for votes, being non-partisan.

The Office of the Speaker changed almost immediately with the formation of political parties because then you had two distinct views about how the government should operate. And I must say, as an aside, that what has happened here today having this conference is something that should be done much more often. There ought to be a greater awareness and sense of our past. We honor the living Speakers here present, but how about those who came before? This is, in part, my job and I think the fact that the

Members of the House have asked for a history of their institution shows some indication that they are anxious to have the collective memory of the House preserved and respected.

Theodore Sedgwick was the first Speaker who really used his office in a partisan way. But none of those early leaders were really creative in revolutionizing the office. Not until you get Henry Clay. He was elected on the first vote of the first day of his own tenure in the House. But the Members knew who he was, and his reputation. They wanted somebody who could really lead this country in the direction that they felt they needed to go. And here was a man who saw his opportunity to take an office which was practically insignificant and so reshape it to be the most powerful in the country politically after the Office of the President. Because that is what, in effect, he did. And the Members who elected him Speaker knew he would be dealing with very difficult men, in particular John Randolph of Roanoke. Randolph had been a powerful chairman of the Ways and Means Committee and Jefferson's floor manager in the House until he broke with him. He brought his dogs into the House. How about that? And anybody who tried to interfere, he would strike them with his riding whip. It was chaotic.

Let me give you an example of some of the chaos that we've had in the House. I'm sort of jumping out of the period for the moment, but I'll be right back. I'm quoting from the *Cincinnati Enquire* of June 20, 1884. "If every man in the House should fall dead in his seat, it would be a God's blessing to the country. And in less than two months, we would have a new set of men who would be just as wise and good as their predecessors. Today the Congress is a conclave of hirelings, wind bags, mediocrities and dawdlers. Members of the House are sprawled in their chairs and put their feet on the desks. They abuse door keepers, munch peanuts, apples, toothpicks, suck unlit cigars. {Uncle Joe Cannon was a great one for sucking unlit cigars.} Spit tobacco on the rugs and carpets and clean their fingernails with pocket knives. No matter how persistently the Speaker pounded the gavel, the representatives kept right on talking to one another. With bar rooms in the cloak rooms and below stairs, whiskey flowed as freely as oratory. Saturdays were special in the House—then representatives could hold forth with bunkum speeches that no one heeded on any subject they pleased and fill 70 pages of the *Congressional Record*."

It was when you had strong leadership and Speakers who embrace a vision of where they think the country needs to go and have the will, the brains, the strength to direct them in that direction, toward that goal, that is when the House really asserts its authority. Clay had his American system, and for 10 years it was the House of Representatives, under his direction, that determined domestic policy in this country, which is amazing. But he had problems in handling particular Members. A man like John Randolph of Roanoke, for example. They finally fought a duel, as you probably know.

Once, they were walking down the street toward one another, each coming closer and closer, neither willing to give way. Let the other man step aside for me. And when they got practically eyeball to eyeball, Randolph stopped in his tracks and he looked at Clay and said, "I never side-step skunks." When Henry Clay heard that he said, "I always do." And he jumped out of the way!

Speakers have to be smart to be great, I find. Sam Rayburn said it best, "You need two things to be Speaker: brains and backbone." I have found that many of the great Speakers have very sharp minds and very sharp tongues. You heard what Speaker Foley said about Speaker Reed—I've got a lot of examples of Reed's quick mind and tongue. For example, he said to one Representative at the time, "You are too big a fool to lead and you haven't got enough sense to follow." In other words you're useless.

Henry Clay, of course, is a very unique figure. And the pity is that he has not had the attention and recognition that the House itself ought to accord him. And, it should be noted, when you don't have a Henry Clay, you get a Thaddeus Stevens, who isn't the Speaker, he's the chairman of the Ways and Means Committee, but during Reconstruction, the most powerful man operating in the House. It's not until you get toward the end of the century with Samuel Randall and Thomas Reed that things change, men who then begin to realize that the only way you can really do the people's business and get men to attend to their duties is to use the rules and shape the rules for that purpose.

Many Speakers have described what they believe are the responsibilities of a Speaker. Notice the Speaker today talked about what he felt his duties were. Henry Clay, when he spoke of them, said that they "enjoin promptitude and impartiality in deciding various questions of order as they arise; firmness and dignity in his deportment toward the House; patience, good temper, and courtesy toward the individual Members, and the best arrangement and distribution of talent of the House, in its numerous subdivisions for the dispatch of the public business, and the fair exhibition of every subject presented for consideration. They especially require of him, in those moments of agitation from which no deliberative assembly is always exempted, to remain cool and unshaken amidst all the storms of debate, carefully guarding the preservation of the permanent laws and rules of the House from being sacrificed to temporary passions, prejudice or interests."

Each of the many men who have served in this office tries to describe his duties in a way that recognizes that there is this tension between a man who is really the majority leader of his party and also the presiding officer of the House who is expected to be impartial and even-handed in his relations with all the Members.

In the 19th century, they didn't have a majority or a minority leader as such. Presumably, the man who lost the election for Speaker from the

opposite party was the minority leader. But there was no whip. All of that comes at the end of the 19th century. And the role of Speaker is one in which he uses his office to forward a program or a vision that he has (or is stated in the party platform) that says that these are the things that we stand for, that we feel are important and helpful to the American people, and want to see legislated. Yet he has another role, which is to be the moderator of a number of men who can disagree violently and have in the past actually attacked each other with knives. We have lots of stories just before the Civil War, as you know, when they were physically attacking one another because of their differences over slavery. How do you balance those two aspects of the Speaker's position? Notice that the Speakers today always mention that they tried to be fair in their dealings with all the Members to be sure everybody and each side receives equal treatment. Reed, who was probably the first great Speaker after Clay, said this: "Whenever it is imposed upon Congress to accomplish a certain work, it is the duty of the Speaker who represents the House and who, in his official capacity is the embodiment of the House to carry out that rule of law or of the Constitution. It then becomes his duty to see that no factious opposition prevents the House from doing its duty. He must brush away all unlawful combinations to misuse the rules and he must hold the House strictly to its work." He also said, "The best system to have is one in which one party governs and the other party watches. And on general principle, I think it would be better for us to govern and the Democrats to watch."

He had trouble with the Democrats who would pull what was called a "disappearing quorum." They would call for a roll call, and they were present in the Chamber, and those who did not respond when their names were called were marked absent. Finally, Reed decided he would put an end to the disappearing quorum. So when the clerk called the roll and an individual didn't answer, the clerk was ready to mark him "absent." When the clerk got to the Member from Kentucky by the name of McCreary, who did not answer and would normally be marked absent, Reed directed the clerk to mark him present.

McCreary objected. "I deny your right, Mr. Speaker," he said, "to count me as present." Then Reed very calmly turned to him and said, "The Chair is making a statement of the fact that the gentleman from Kentucky is present. Does he deny it?" So from then on, if a Member was physically present in the House, he was counted present whether he said "present" or not. Sometimes when they would start the roll call, Members would duck under the chairs and under the tables so they wouldn't be seen.

Dilatory amendments were another technique to stall action on bills. Sometimes the session ended with 1,000 bills still waiting for action. When Reed was Speaker not only did they pass all the bills they were supposed to, they appropriated for the first time $1 billion. And people said, "My

God—a billion dollars." And Reed responded, "It's a billion dollar country." Joseph Cannon inherited this power. Now Cannon was a very gregarious, delightful, loveable tyrant. He used his power to maintain the status quo. They said if there had been a meeting or a caucus to decide whether creation would be brought up out of chaos, Cannon would have voted for chaos rather than creation. Let's keep things the way they are. This was his motto. When he was the chairman of the Appropriations Committee, he supposedly said, "You think my business is to make appropriations, it is not. It is to prevent their being made." That gives you some idea of his position. He also said to William McKinley, "That it was easier for a politician to get along with a reputation as a sinner than with a reputation as a saint. I have been accused of being a profane man, who played cards and showed other evil tendencies. While McKinley had a reputation for being thoroughly good and kind and gentle. Who never swore or took a drink or played a game of cards. He couldn't talk plainly to people because of his gentleness. And he could not take a glass of beer without shocking the temperance people who had endorsed him. On the other hand, I could do much as I pleased without unduly shocking anybody. For little was expected of me. If I showed gentility, I simply caused surprise at my improvement. Or," he said, "I could throw the responsibility on the newspapers for misrepresenting me."

Cannon also said that he had looked into the matter of being Speaker. "I have control of the South half of the Capitol. I manage the police, run the restaurant, settle contests over committee rooms and in general, I'm a Poo Bah[1]." The Speaker who followed him was a totally different man. As you know, Cannon became Speaker in 1903, which is 100 years ago. So in that sense, we do honor him particularly today. He showed what it was like to have the kind of government in which nothing really happened. He opposed any kind of reform, whether it came from his own party or not. He disliked Teddy Roosevelt and his program, as well as the program of the opposition.

But he finally pushed it too far. The revolution continued and he was stripped of his powers in 1910. The House then had to remake itself and the Office of the Speaker. You have people coming forward like Nicholas Longworth, who aided the process. When he was elected Speaker he recognized this tension between presiding over the House and leading his party. He said, "I propose to administer with the most rigid impartiality, with an eye single to the maintenance, to the fullest degree, of the dignity and the honor of the House and the rights and the privileges of its members. I promise you that there will be no such thing as favoritism in the treatment by the chair of either parties or individuals. But on the other hand, the political side, to my mind, involves a question of party service. I believe

[1] A reference to a character from Gilbert and Sullivan's operetta *The Mikado.*

it to be the duty of the speaker standing squarely on the platform of his party to assist in so far as he properly can the enactment of legislation in accordance with the declared principles and politics of his party. And by the same token, to resist the enactment of legislation in variance thereof. I believe in responsible party government."

I think, following him, the most important Speaker—and I'm not going to comment at all on those who are still living. I'll have my say when the book is finished later in a few years—was Sam Rayburn, who presided longer than any other Speaker. He is a fit candidate for recognition as a statesman and great leader. Lyndon Johnson seemed to think otherwise. He claimed, "Rayburn is a piss poor administrator. He doesn't anticipate problems and he runs the House out of his back ass pocket." Others had a better opinion in which one man said, "Mr. Sam is very convincing. There he stands, his left hand on your right shoulder holding your coat button. Looking at you out of honest eyes that reflect the sincerest emotions. He's so dammed sincere and dedicated to a cause, and he believes in his country and his job, and he knows it inside out so well that I would feel pretty dirty to turn him down and not trust him knowing that he would crawl to my assistance if I needed him." I think that almost sounds like what they {participants in this conference} were saying earlier with respect to Tip O'Neill. Rayburn himself said—and I mentioned this before—that a man needs to have a backbone and brains in his head. He remembered Reed, and he said, "I remember him well—big head, big brains." He added, "I always wanted responsibility, because I wanted power. The power that responsibility brings. I hate like hell to be licked. It always kills me."

I think what the Speakers, the good ones, have learned is that the only way you get things done is not to treat the Members the way this man {pointing to a picture of Cannon} did, as just servants or slaves to do his bidding. Instead, treat those men as his equal, to whom he can go and make his pitch with all of the sincerity and the passion in him if he really cares about the bill that he's trying to sponsor, and get these men to know that he feels sincerely that this is what the people want. This is what is good for the country. Because that, in the long run, is what their duty is to the country, to the Nation. They are legislating for all of us and we only hope to God they are doing it for all the right reasons and are led by men and women who care passionately about what they were doing.

My research has taught me something else that surprised me. And that was how intelligent, how gifted so many of the men and women who are Representatives today really are and how mistaken the American people are about the quality of the men and women who serve them. I think it is a great shame, and I hope to do something to change that opinion. Thank you very much.

Dr. BILLINGTON. We're a little over time, but I think we have time for perhaps one question if there is one from the floor.

Question. Is there in Longworth's speakership the beginnings of the process of trying to find the levers by which to recentralize power in the House that continues through Rayburn and subsequent Speakers. Can you speak to that?

Professor REMINI. You see, you have two different types, and I didn't really have time to develop them, in which you get men who are very, very intelligent, quick-witted, well-read. And those who come out of the prairie like Uncle Joe and are much more interested in the process rather than in the results. And they know, of course, that they have these levers of power and they have to use them. When it got to a point where power was misused, then you got a new man, Longworth, who was intelligent, educated, and felt passionately about the House and what he was doing. He was a man of great ability to handle different sides of a difficult question. He could handle difficult people. After all, he was married to Alice Roosevelt, who was a very difficult woman. He knew how to win compromises. You know, I'm going off on a tangent, but I hope I'm making the point.

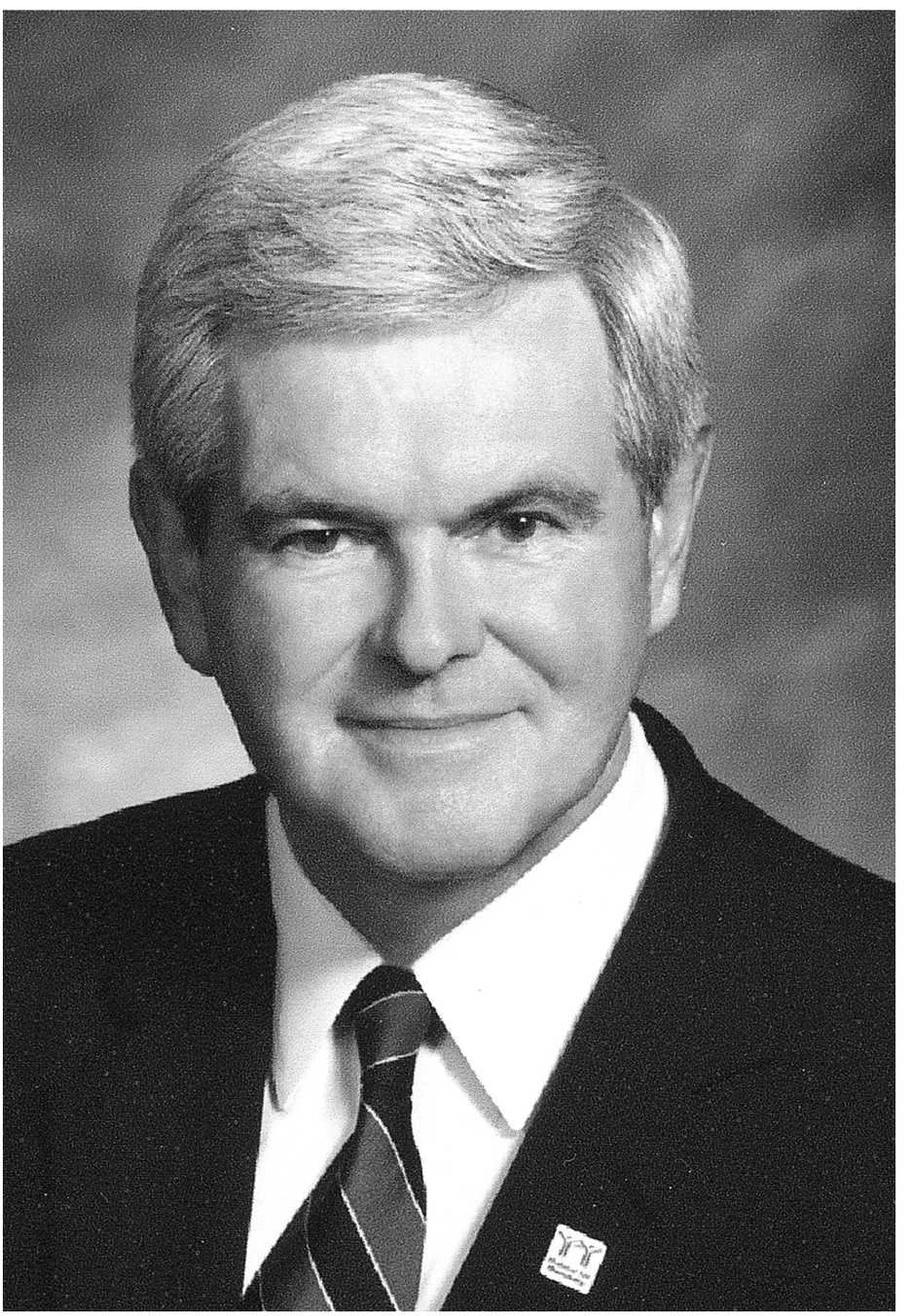
When I wrote my book on Henry Clay, the title of it was *Henry Clay: The Great Compromiser*. And the editor said that, "No, today people think of compromisers as men and women who have no principles at all." But that is not what Henry Clay was. Henry Clay was looking for solutions to avoid conflict. To him compromise meant simply this: that each side gives something that the other side wants so that there is no loser and no winner. Because if you have a loser and a winner, you are going to perpetuate the quarrel. The only way to resolve these problems is to give a little, to get a little, and be willing to accept that. That's what happened with the Missouri Compromise. That's what happened with the Compromise of 1850. That's what happened with the Compromise Tariff of 1833. And that was the lesson that they understood.

This is what Longworth then tried to do. He wanted to compromise the differences between those like Cannon who wanted an authoritarian kind of leadership, and those who were determined to go the other way and have a freewheeling, very liberal kind of leadership. And it's that kind of individual who can find those means to make men who have to work together co-exist. That's why I think it's important today to have sessions like this, so that men and women of the two different parties can at least speak to one another. Did you notice how often it was mentioned today the civility that once existed seems to have been diminished? Oh, there's always incivility. When Thomas Hart Benton made some remarks that offended southerners, the argument became very heated. When one southerner reached into his pocket and pulled out a pistol, Benton tore open his shirt and said,

"Shoot, you damn assassin—shoot." And you can imagine what happened in the Chamber.

Oh, there are some glorious scenes of pandemonium in the House and in the Senate as men tried to compromise their differences. And I'm not saying that you have to give up what is essential to your position. But you have to give in order to take. I don't want to go into any specifics with Longworth as to his style. It would take more time than I have. But it is that kind of leadership, I think, that makes the difference between great Speakers and those who are failures. I've always thought that Speakers are like Presidents. We've had great ones and we've had failures, and a lot of in-betweens. We have the Lincolns and the Washingtons and the Roosevelts who were Speakers, and we also have the Buchanans and the Hardings. The difference, I think, is one in which men try to bring about a consensus for the sake of the American people and what they need and what has to be done.

Dr. BILLINGTON. Many of you will remember that for the 200th anniversary of the Congress, David McCullough spoke to a joint session and pointed out how little attention has been paid to the history of the Congress. He specifically mentioned a large list of Speakers for whom there is no reliable, serious biography. Certainly the historical study of the Congress as a whole is an important and neglected subject. I know that former Congressman John Brademas is trying to set up an institute for the study of Congress at New York University. There is great and growing interest in this subject. So I hope that this conference is not the last where we will get people together so that we hear both from the distinguished Members who have sat in these important positions and from the historical profession that gives us some perspective on it all. I think you will all want to join me in thanking Bob Remini for sharing with us his vitality and enthusiasm, that I think is infectious, and his knowledge. We all look forward to seeing those qualities in the history of the House when it comes out. Thank you again.



Photograph by DeJonge Studio

Hon. Newt Gingrich, Speaker 1995–1999

The Gingrich Speakership

Mr. OLESZEK. This conference now turns to an examination of the Gingrich speakership. I am delighted to introduce our moderator for this panel—Don Wolfensberger. As many of you know, Don is a 30-year House veteran who was staff director of the Rules Committee during the chairmanship of the late Gerald Solomon of New York. Currently, Mr. Wolfensberger is the director of The Congress Project at the Woodrow Wilson Center for International Scholars. He is also the author of an award-winning book titled *Congress and the People: Deliberative Democracy on Trial*. Don, the podium is yours.

Mr. WOLFENSBERGER. Thank you, Walter. I want to add my thanks to the Carl Albert Center and to the McCormick Tribune Foundation for sponsoring this event. I also want to add my kudos to the Congressional Research Service, Dan Mulhollan, Walter Oleszek and their whole team, for putting together just a marvelous all-day conference. Please join me in thanking them. What I'll do is introduce Newt Gingrich first and then I'll have introductions for each of our two discussants, Leon Panetta and Bob Walker, when it's their turn to speak.

I vividly recall a day in early October 1994—I think it was after a Republican leadership meeting—and Newt Gingrich made me a bet, or tried to. He said, "Wolfie—I'll bet you 50 cents that we take control of the House in the next month's elections." Well, I kind of brushed it off and I said, "I'm not really a betting man, but I sure hope you're right." But I remember thinking to myself—does he really believe that's going to happen? You know, all the pundits, the political pros, the prognosticators at the time were saying, in effect, that the Republicans might pick up 20, maybe even 30, seats in the 1994 elections for the House.

Well, as you know, the rest is history. On November 8, 1994, the tsunami happened and Republicans picked up not just the 40 seats that they needed for a bare 218 majority, but 52 seats and brought in 74 freshmen Republican Members. I think, to his credit, Newt Gingrich had prepared his party for the takeover. Not only was the "Contract with America" unveiled in September, the product of a year-long development effort by the Republican conference, but he had also tasked each of the ranking minority members on the committees and their staff to put together an organizational

plan, a game plan, for how they would run their committees for the first year once we won the majority. And this was done early in 1994.

I was really grateful, as the appointed staff director of the Rules Committee, that we had that document in our hands when we awakened on the morning of November 9. Everyone was plugged in to Newt's planning model—"vision, strategy, projects, tactics." And everyone also knew the leadership model of "listen, learn, help, and lead." So we were trained for this, but we had no idea, really, of what we were getting into.

The Rules Committee, where I was working for Jerry Solomon, was at the center of the action in processing the Contract bills. You may recall that the Contract with America was a 10-plank legislative program. But that really translated into about two dozen bills when it was broken down. And most of these, if not all of them, were coming through the Rules Committee where we were busily still trying to find out where the bathrooms were. I remember thinking in the middle of the 100-day Contract period that I wish Newt Gingrich had been a little more like Joe Cannon in one respect. Joe Cannon once said, "We don't need any new legislation. Everything is just fine back in Danville."

But for me, the high point really of the whole experience was the opening day of 104th Congress when we worked all day and well into the night debating and voting on a package of House reforms that had been developed over the years. Not only did the Contract have an 8-point plan for various House reforms such as banning proxy voting, putting term limits on committee chairmen and so on, but there were 24 other reforms that had evolved over a 3-decade period that I had had the pleasure and the honor to work with our leadership in developing. Most of these were put into effect in just 1 day. You can imagine how that would be the highlight of a career for someone like me.

As I mentioned in my book about this whole experience, I did leave the Congress after the first 2 years of the Republican takeover. I had my 30 years of government service and was ready to do something new. But I looked back on it and I said that this was a very interesting 2 years. It was like a roller coaster ride when you consider all of the ups and downs of the 104th Congress. But I would not have missed it for the world. So with that, I probably for the first time want to thank you for quite a ride, Newt. And with that, I give you Speaker Newt Gingrich.

Speaker GINGRICH. Thank you, Don. It's very good to be here with two of the friends I served with for years. Bob Walker, who helped found the Conservative Opportunity Society—we did so many different projects together—and Leon Panetta, with whom I served in the House and got to know even more when he became Chief of Staff for President Clinton. I also want to acknowledge Chairman Rostenkowski—it's great to see you back. We were over just now in Speaker Hastert's office reminiscing with

four Speakers, which I think is the only time I know of that you've had four Speakers at one place. Many of you who are true students of the House will appreciate the speed with which we arrived on the topic of the Senate and found a bipartisan, non-ideological passion and agreement, which I'm not going to go into today because of my interest in comity.

I thought about this chance to talk, and I want to try to keep it fairly brief. I want to give you an overview of my understanding of what happened to us when we won control of the House. And I want to suggest to everyone—if you get a chance—please read *Kings of the Hill* by Dick and Lynne Cheney, both the first edition, which came out in 1983, and the second edition, which came out after I had become Speaker.

The first point I want to make is that they captured two things in their works. First, if you look at page 194, they said, "Today's House has neither strong leadership nor any other well-developed centralized power. Authority is dispersed among a few elected leaders, many committee chairmen, and a multitude, or so it sometimes seems, of subcommittee chairmen (there are currently 137)." They then go on to describe the kind of leadership that might be needed in the information age, arguing that it would be a party leader who could combine debates on the floor with grassroots activism in real time—a synergistic network. They wrote this in 1983 and I think it's a very good forerunner for what we actually did in the intervening period. Again, I would encourage everyone to look at the two editions of *Kings of the Hill*, they are very revealing each in their own right.

To a degree that it's almost impossible to get this city to think about, the Republican capture of the House was an intellectual effort. I think that has been very hard for people to appreciate. It was a long march in the sense that there are some fundamental things that I had learned early on. I always recommend Peter Drucker's *The Effective Executive* to groups, which I first read in the late sixties. If you read books like that, you begin to think about how much we had to aggregate resources and how many things we had to do right, because 1994 was not an accidental campaign. It was a campaign which required some help from our opponents and which we would not have won under other circumstances. We could have gained 25 seats and probably would have but not without all of the previous 16 years of work. And so I start with that.

Additionally, I would say that House GOP campaign chairman Guy Vander Jagt was the unsung hero, both because Vander Jagt insisted on supporting my candidacy when I had lost twice, and because when I became a freshman, even before I was even sworn in, he asked me to chair the long-range planning committee to look at how to become a majority. I always point out to people—we failed in 1980, 1982, 1984, 1986, 1988, 1990, and 1992 before we won in 1994. So first of all, it wasn't like there was this sudden magic moment. I mean we had a lot of things that didn't work

right. It's a sign that if you can persevere, that can be a very important component of victory over time. In that context, I think you have to look at a series of stages.

However, I just want to cite another book for 1 more minute. The 1994 election was essentially based upon Norman Nie's *The Changing American Voter*, and Robert Remini's *The Election of Andrew Jackson*, and it is actually worth your time to read these two books if you are a serious student of how this business works. We were looking for models of how do you get very large-scale change? Remember, the point Don made wasn't unusual. I think only a small number of chairmen, including Bob Walker, thought we could win a majority. If you look at the news media prediction outtakes during the weekend before the election, they are almost funny in retrospect because it was inconceivable that we could create a majority—it had been so long. What people failed to understand is the hardest election was going to be in 1996. Republicans had become a majority in 1946 and we had become a majority in 1952, but we had not won a second consecutive election since 1928.

September 17, 1994, was the day that Joe Gaylord briefed the GOP team. We had a team that was going on a campaign swing on September 17—Dan Meyer, Steve Hanser, Kerry Knott, Joe Gaylord, and myself. Literally, as we were taking off at National, I asked both Kerry Knott, who headed up our planning operation, and Dan Meyer, what were we planning on the night after the election? At that time, I was still the minority whip and Bob Michel was still the GOP leader. I said, "On election night, are we planning for me to be minority leader or to be Speaker?" And Gaylord broke in and said, "Well, you better be planning to be Speaker, because you're going to be." Dan Meyer then turned to him and said, "OK, before we do anything else, explain this prediction." Gaylord started in Maine and, by memory, went through every congressional seat in the country and came up with a 52-seat gain. I think we gained 53, so he was off by 1.

From that date on, my entire goal was to be able to maintain the momentum of doing what we had pledged while winning a second election in 1996. And I would argue the second election was much harder. Leon Panetta may want to comment on that. Democrats did a brilliant job of orchestrating resources, designing images, and really taking it to us. By our count, there were 125,000 negative ads around the country that had me in it. We made a conscious decision not to defend me, and we made a decision that our historic goal was to keep control. We also decided to balance the budget and we knew that meant you had to reform Medicare. We were close enough to AARP and Horace Deets, its executive director, who had the nerve to stay with us long enough that we ran seven points ahead of Bob Dole among senior citizens and that was the margin of victory. Very briefly, I think that there are six stages that are worth looking at. First,

how did we grow the majority? You have to look at Bob Walker, Vin Weber, Connie Mack, Duncan Hunter and the entire GOP team that created the Conservative Opportunity Society as well as GOPAC and the extraordinary work of people like Bo Callaway and Gay Gaines in creating a nationwide network of literally, at its peak, 50,000 activist Republican candidates and incumbents receiving audio tapes and training.

Second, how did we implement the revolution? And there you have to look at what was really an extraordinary team in a specific moment as the loyal opposition. Dick Armey, Tom DeLay, Bob Walker, Bill Paxon and I sat down and said, "OK, can we be a single team? Because if we're a single team, we can amass the energy to win the election, but if we are five independent egos competing with each other, we probably can't win a majority." And to his credit Dick Armey, who was clearly the decisive person at that point, said, "This is really hard for me. I've always flown solo. You're asking me to fly in formation. I really have to go home and talk to my wife and pray about it." And within a week, he came back and said, "We are one team." We operated, from that point on, as one single unified team, and it was an amazing accomplishment.

The other person you have to recognize is the new Governor of Mississippi, Haley Barbour, and it concerned a key moment in Annapolis, Maryland, where the Republican Senators had gone to decide what to do about Hillary Clinton's health care plan. Over a drink at the tavern right across from the State Capitol, I said to Haley Barbour, then the chairman of the Republican National Committee {RNC}, "If you will help us, we will do a contract with America and we'll include tort reform." And he said, "By George, if you'll include that, I'll pay for the ad." It was at that point that his assistant said he would never again go out for a drink, because it was the most expensive single trip he had ever made.

All this became a process. We now had a commitment from the RNC to run a two-page ad in *TV Guide*, so you could now go back to Members and say, "Gee, we've got to get a contract, because we've got the ad to fill." We began a dialog where "listen, learn, help, lead" came in because you had to get 350 independent entrepreneurs called Republican candidates to sign a contract. Remember: this is the only time in American history that candidates didn't have a platform which says, "We believe in such and so." Instead, we had a contract which said, "We will vote on specifications," which is a much higher standard.

There were only three incumbents, to the best of my knowledge, who did not sign the contract. Everyone else signed the contract. The contract, in my mind, was a management document which enabled me to pivot and turn to Bob Walker, Dick Armey, and Tom DeLay and say, "You guys get this through." Armey literally had total control of the floor in a way I don't think any Speaker normally has delegated that responsibility. From

day one, I turned over control of the floor so I could then focus on figuring out with Bob Livingston, Bill Archer, and John Kasich how we were going to balance the budget, because you couldn't have done both in the same setting. You had to have different leadership operating both projects. So everything that was driving Don crazy on the floor was being driven by Armey based on what was in the contract we had signed before the election. By the way, we wouldn't have gotten it signed after the election. Once these guys got to be chairmen, there was no hope they were going to sign a contract because it gave away too much power. We then had a pretty serious effort to centralize authority in the speakership, something, which is fair to say, has continued to this day.

The next phase after that was winning the crucial election of 1996. And there the key, as Don was saying, was an enormous effort. I have a tremendous respect for Dan Miller of Florida, because he trained every single one of our Members with very few exceptions. They could then all go home and answer Medicare questions and win the Medicare argument, because we thought that was the crisis of the campaign on our side. The other two things I'd say is we had a very close working relationship with Scott Reed, Dole's 1996 Presidential campaign manager, a guy named Don Rumsfeld over at the Dole campaign, and a very close relationship with Haley Barbour. Frankly, if we had not had the foreign campaign contribution scandal of the last 10 days, I think we might have lost control of the House. But the combination of winning Medicare, having raised enough resources with the aid of Bill Paxon, and then having the ability to focus a lot of energy on the question about foreign contributions got us through winning reelection for the first time since 1928.

Fourth, we had a phase of working with Bill Clinton. And the fact is, if you look at welfare reform, which was signed; you look at the balanced budget, which was negotiated out and signed; you look at a number of other issues, including creating the Hart-Rudman Commission; there were a whole series of things working in 1996 and then particularly in 1997, where I thought there was a real momentum of cooperation. This is a period that you have to look at as genuine bipartisan cooperation. We were actually passing bills and routinely getting about half of the Democratic Caucus to vote with us.

Part five of this in my mind is that perjury drowned out the bipartisanship. The question of what was happening with the Presidency just shattered party cooperation, and the President couldn't risk any of his left so we were pinned into being in a fight with him. All of 1998 was, in a sense, a great lost opportunity. If that had not happened, if that particular scandal had not broken out, my hunch in retrospect is you would have seen a much different 1998. We would have passed an amazing amount of very positive

legislation on a bipartisan basis. I think that's where President Clinton was headed, and I think that all went down the tubes in December and January.

Finally, the sixth and last stage for me was when it was clearly time for a new Speaker and there were a lot of different factors there. One was my exhaustion. A second was the fact that the ethics war against me had taken its toll. A third was the fact the House is really not designed to have an entrepreneurial dominating figure in the speakership position. Henry Clay pulled it off in a very different world in very different settings. But it's very difficult to do because the House really is a collection of equally-elected people who have real authority and real power. Far more than the Senate, the House really delegates authority to its committees, and its committee chairmen really acquire mastery of their topic. The idea that there might be some guy at the center who is going to run over them is anathema to the way the House has been structured—except for a very brief period, I would argue, under Cannon and a very brief period earlier than that under Speaker Reed from Maine and under Clay in a very different world. It's very hard to go back and imagine the House of Representatives when Clay was Speaker because it was so much smaller and so very different.

I basically had burned out the centralizing process. Losing seats in November 1998 sealed that and, in my judgment, made it appropriate for me to leave and to permit a different kind of speakership to emerge. I also think that Speaker Hastert has actually carried out a more conciliatory, more managerial speakership with extraordinary skill and has gotten an amazing amount done, given the size of his majorities.

In retrospect, I'll just close by saying there are four big things I would do differently. The first, looking back on September 17, 1994, I should have understood that the jump from the minority whip's job to the leader of a national movement at the center of the national news media and chief organizer of the House was an enormous jump. We should have brought in a number of very senior people with Presidential and gubernatorial experience, because we needed to upgrade our operations. This is not a bad comment about anyone on the team, nor is it a bad comment about any of our staffs, who are fabulous. It is simply an objective fact. We were suddenly on a different playingfield and we were going to get overmatched by reality, even though I think we accomplished an amazing amount.

The second is I should have had much more media discipline. I say this not because of the times when I would say things that would get me in trouble, when I was just being a partisan Speaker, but because I would get confused about my role. There's a side of me that's permanently analytical, that likes coming and giving the speech, and that side of me should not have been allowed out of the box for the entire time I was Speaker. If I really had to say something, I should have said it into a tape recorder for the archives and brought it out as a book 20 years later. Instead, I would

go and say something controversial. You go back and look at the whole Air Force One example where I just handed Leon Panetta and his boss an opportunity to just beat me around the head and shoulders for no good reason.

If you actually go and look at the text of my comments at a Sperling breakfast {sponsored by the *Christian Science Monitor*}, they were analytical comments about the difficulty of understanding how to negotiate with Clinton. I wasn't complaining about what happened except to say, "I don't know how you read him." Within an hour, my observation was immediately turned to "Gingrich was whining," which then got turned into a picture of me as a crybaby on the front page of the *New York Daily News*. That story led some of my colleagues to think I'd lost my mind. Well, I will tell you in retrospect, they were right. A fully professional Speaker would have understood that it was somebody else's job to comment on Clinton, that that wasn't my job. I have the greatest respect for President George W. Bush and the later phase of President Clinton's term, when he got much more disciplined, and for President Reagan, who understood that this is who I have to be in this context to play this game, captured brilliantly by John Keegan in a book called *The Mask of Command*.

Third, the ethics charges have never been actually looked at. I really recommend, if you want to understand my speakership, that you read the volume published by the Ethics Committee. It includes all of my planning documents. You'll understand how intellectual this process really was, because it's all been published. It's all available for students of how you do these things. In retrospect, I underestimated the degree to which there was a legal strategy. Frankly, we should have gotten an attorney who was prepared for that kind of litigation-style strategy. Early on we didn't and if you go back and look at the 83 charges, no serious charge was ever judged to be true. What I got hammered on was having signed a letter which was inaccurate, which was written not by my attorney nor by a partner in his firm, but by a new hire who was an assistant. Now, that's still my responsibility. I still failed, but in retrospect, it was a combination of bad litigation and not taking the entire fight seriously enough. That was an erosive process and the truth is, without Randy Evans having come in and having fired my prior attorney, I probably wouldn't have survived. The entire process just eroded my authority substantially.

Last, I would say in retrospect, we should have insisted on celebrating. We did so many things so rapidly that we never slowed down. I'll give you an example: the Medicare fight. Because we never stopped and celebrated being the first reelected majority since 1928, the only majority ever elected to the House as Republicans with a Democratic President in American history, we never had 1 day of stopping and saying—this is amazing. So nobody figured out that we had won the argument over Medicare, and that we had

run seven points ahead of Dole in the November 1996 elections, and that, in fact, senior citizens were our margin of victory. And so people felt like you lost because you're so badly bruised and you're so tired. That was sort of the mood that we had throughout a good bit of late 1996 and early 1997. Those are the things I would have changed. I look forward to my colleagues' comments. Don, as you said, it was a pretty wild ride.

Mr. WOLFENSBERGER. Our first discussant on the Gingrich speakership is Leon Panetta, who is the co-director with his wife Sylvia of the Panetta Institute in Monterey, California. It's a non-partisan center dedicated to the advancement of public policy. Mr. Panetta served from 1977 to 1993 as a Representative from the Monterey area in California. And then beginning in 1993, Mr. Panetta served 4 years in the Clinton administration, first as OMB Director, and then as White House Chief of Staff. On the one hand, he was spared serving in the House under a Republican majority; on the other hand, he was fated to deal with that same majority during 2 of the most turbulent years in the history of Presidential-congressional relations. In the House, he was known as the top budget expert on the Government's budget. In the White House, he became known as the top expert on how to keep the Government running without a budget. I give you Leon Panetta.

Mr. PANETTA. Thank you very much. I also want to extend my thanks to the Congressional Research Service, and to the Carl Albert Center for having this forum on the changing nature of the speakership. There are obviously differences as we look at each of the Speakers who are reviewed today in terms of their personal relationships with Members, as well as their leadership styles. And I think it helps us define the place in history for each of them. When it comes to my friend Newt Gingrich, I don't think there's any question that, of the four Speakers, he represents the more controversial figure, because of both the personal and leadership styles that he brought to the speakership.

Let me preface my remarks by saying that I had the opportunity to serve with Newt as a colleague in the House, and developed a friendship with him during that time. I then had the opportunity, obviously, to work with him when I became Chief of Staff to President Clinton. We began a series of efforts to try to negotiate various issues.

Incidentally, if you all want to feel insignificant, you want to sit in a room where Newt Gingrich and Bill Clinton are having a conversation. These are two individuals who are extremely bright, well-read, full of ideas, and full of enthusiasm about how to resolve issues. If you listened to the both of them, there was no question in your mind that they could solve any issue in the world. What was interesting is that they came to basically oppose each other on most issues that they dealt with. But it was interesting.

Part of the reason I term his speakership controversial is because it became a conflict between the role of the Speaker as leader of his party, and the role of the Speaker as leader of the House dealing with individual Members and also the Speaker as leader of the Nation. I think he was without question a successful leader of his party. His ability to be able to pull the party together, to consolidate the political power that was important to obtain the majority, and the fact that he put together a very effective agenda that became the platform for the Republican Party—this was an exceptional achievement. He, in effect, created a revolution in politics. But the challenge was also how to convert that revolution into effective policy-making on a continuing basis to help govern the Nation. And that's where I think the distinction has to be made.

In academic terms, for those of you who are academics, let me refer you to James MacGregor Burns' book on leadership, in which he talks about transformational leadership, and what's called transactional leadership. Transformational leadership is leadership that tries to attract people by offering a higher purpose, a higher calling. It goes beyond simply cutting deals. On the other hand, the transactional leader is a person who provides rewards or penalties for compliance. And generally, if you want to be Speaker, it probably involves using both of those capabilities. There was no question that Newt Gingrich wanted to be a transformational leader. He wanted to be a Disraeli, a Wellington, a Churchill, a Jack Welch. He tried to inspire Members and push them to a higher calling, to a higher standard, that went beyond just simply cutting deals, and basically serving their own interests. He tried to rise to a higher calling with regards to the party and the agenda of the party. But the problem is that a Speaker is not a CEO. A Speaker is not a general. And a Speaker is not a Prime Minister. You can't take the parliamentary model and try to apply it to a branch of government that is based on the separation-of-powers approach to governing.

The House of Representatives, as has been pointed out time and time again during this forum, is a unique legislative body. It's a unique institution in which each Member is autonomous and independent; in which Members basically try to ensure their survival through their own election and through responding to their constituency. That's the nature of a House of Representatives. So, you're not going to get Members to take the hill unless they're convinced that in the end it's in their interests to take the hill. The point is, if you're going to be a visionary or a transformational leader in the House, and if you really want to transform both the House and the country, which I believe Newt Gingrich was trying to do, then you damn well had better make the right decisions. And beyond that, you had better be able to adapt to changing circumstances, or else you're going to lose the support of your Members. The force of your personality is simply not

enough in itself. There has to be a pragmatic side to that leadership as well.

There's no question that Newt had great successes as the leader of his party—the first GOP majority in 40 years. That is a significant achievement for an individual, to nationalize the congressional elections. This is really one of the first times, instead of every Member fighting on his own in his district, where Newt broadly nationalized elections with the Contract with America. Moreover, he brought all of those items in the Contract with America to a vote within the first 100 days, which is also a significant achievement. He did implement reforms. He cut the number of committees. He implemented term limits. He got rid of proxy voting. He also accomplished some significant legislation like welfare reform, the freedom to farm bill, the telecommunications bill, and the line item veto. He pushed for a balanced budget. Which leads one to ask, "Where the hell are you now, when we need you, Newt?" [Laughter.]

So he clearly achieved some successes. But if you're going to have a high profile, if you're going to be a high-profile charismatic leader, the transformational-type of leader in a legislative body, you have to be careful that you don't make some big mistakes. I think the problem was that he made some mistakes that began to erode the support that he needed from his own Members.

What were some of those mistakes? I guess they're obvious to all of us. First of all were the shutdowns that took place in 1995 and 1996. I mean, clearly, when you're going to impact the citizens of this country, either through an inconvenience or through a reduction or a temporary loss of benefits, you're going to suffer a blow. I remember Bob Dole, when we were sitting in the Oval Office, talking about the fact that we really shouldn't be in a shutdown. Bob Dole said, "You know, in my experience, you can probably shut the Government down over the weekend, but if you shut it down for any longer period of time, people are going to come looking for you." And he was right. I think Bob Dole understood that it would be a mistake to do that. Frankly, my own view, I think Newt Gingrich understood this point as well. But the problem was that he had created a revolution within his own Members, with the sense they would wholeheartedly fight for everything they were trying to achieve. And that led to an almost impossible situation in that the strong ideological constituency that he had created in the House made it impossible for him to be able to compromise. We were probably very close to compromising at one point. But for whatever reason, it just could not happen. And that, of course, led to the shutdown.

In addition, I think the disaster relief he asked for—disaster relief, flood relief, for the Midwest—was important, but it had a couple of amendments attached to it by the Republicans, and was ultimately vetoed by the Presi-

dent. I think the Republicans were basically blamed again for preventing disaster relief because of those amendments. I think that was a tactical mistake.

Obviously, the handling of President Clinton's impeachment, which created the impression of being more partisan than balanced, and the Speaker's own ethics violation, continued to erode his status. Ultimately what happened is that he became in a very real way a campaign liability. He was polling badly in the country as a result of that. If you're a charismatic leader you can't afford to poll badly in the country. So the consequence was like all revolutions: in the end, Members turned on their own leader and moved him out of the speakership.

Let me just reiterate that the speakership of Newt Gingrich, as I defined it, was controversial and it perhaps may go down in history as one of those that was the most controversial. As a result, there is a profound lesson, I think, to be gained from that speakership. There is no question that you can be a strong charismatic leader of the party, and there have been strong charismatic leaders within the House of Representatives. But at the same time, if you're going to be a leader of the House, you have to stay in touch with your Members. You have to respond to their needs. You've got to listen to them. You've got to compromise when necessary in order to govern. And you always have to be willing to change with the needs of the Nation, to adapt to changing circumstances, even if that involves compromising an ideology. I think that's the difference between success and failure; and I think that is perhaps the profound lesson of the Gingrich speakership. Thank you.

Mr. WOLFENSBERGER. Our second discussant on the Gingrich speakership is Bob Walker, who is chairman of Wexler and Walker Public Policy Associates here in Washington. Many of you remember him, though, as a 10-term Pennsylvania Congressman from 1977 to 1997, a ubiquitous floor presence in the House, and a top Republican strategist, tactician, and parliamentary guru over most of those years. As someone who worked closely with Bob Walker and the Republican leadership on various procedural matters, I often wondered where he got his kinetic energy. I stopped wondering after I once sat down with him for breakfast in the Rayburn cafeteria, and his breakfast of chocolate milk, a chocolate-covered donut, and a half-grapefruit covered with sugar. Now you know the secret of what it is that makes the "Energizer Walker" run. Congressman Bob Walker.

Mr. WALKER. My staff always said they knew it was going to be a bad day when I had two chocolate donuts. Newt has done a pretty good job of walking through how we got to where we were in 1994 when we took over the House. But it seems to me that when we got there, we discovered a few things about ourselves that speak to the issues that Newt faced inside his speakership.

The main lesson that we learned very quickly was that governing is hard. When we had been in the minority, we never had any responsibility to do any governing. We had fought the good fights, we had charged up the hill every day, we had gotten bloody fighting with our flags flying, and so on. We would come down off the hill if we lost, but we felt really good about it because we had fought glorious battles. All of a sudden, we found ourselves in a position where we actually had to govern, where it did require compromise, where it did require a lot of work with individual Members. And at the end of the day you got part way to where you wanted to go. You won, but you didn't feel really good about it.

It was going through that transition in the majority that for everybody was a huge learning experience. And Newt was in the position of having to work through that. He was in the position of having to work with a number of things that we had set up in advance very consciously. The Contract with America was a political document and a governing document. How much of a governing document became very clear to us on one of the opening days when we had come back to Washington after the elections were over. We were faced with all of the freshmen who had been elected, who came in and said very clearly to the people who were going to be in the leadership, "We're going to do the Contract, right?"

You know, they had internalized this to the point that there was no changing anything that was in the document. They were determined to ensure that it was the direction that the leadership was going to go. And that was a positive thing from the standpoint of our being able to do an agenda right at the beginning of the 104th Congress. Remember, we had also committed to do that agenda within 100 days. While the 100 days was an arbitrary figure that we thought had great political saliency, when it came to actually accomplishing it, it was a major slog through the legislative process, because you had the rules of the House to contend with, such as layover requirements and a number of different procedural things that you had to be aware of.

What it meant was that you had to have a lot of direction from the top. And Newt did use his leadership to help implement the agenda. The fact is that committee chairmen learned from the very earliest days of the Gingrich speakership that they were taking orders from the Speaker's Office, and that we were going to go through this agenda. It was going to get done in a way that reflected exactly what we had put in the Contract with America. That seems to me to be something that then played itself out in a variety of ways throughout the speakership.

From then on, people who ended up with problems inside their committee structure as they dealt with issues felt that they could come to the Speaker because, after all, the Speaker had in the earliest days forced the agenda through. So we were constantly in some of those committee battles.

The chairmen were also faced with a new situation where we had term-limited them. They did not have long-term prospects in the job. Their power was somewhat diminished by the fact that they were only going to be there a short period of time. It seems to me that the 100-day agenda was a very important part of shaping the way the speakership evolved in the years ahead.

There's another thing that has not been discussed here that I think needs to be recognized about Newt's speakership. There was a great technology focus in it. Dr. Billington made mention here a little while ago of the fact that Newt in the earliest days, as a personal crusade, created the THOMAS computer system for the House of Representatives. For the first time, it brought online all of the documents of the House of Representatives for the public to have easy access to and to learn what was actually going on inside the Congress. It was Gingrich's recognition that we had entered a new technological era in this country, and that Congress needed to be a part of it. I believe that it is a technology revolution that continues today.

It has certainly changed the shape of those of us who are lobbying in town. It used to be that one of the things that a lobbyist could produce was the documents out of the House of Representatives. Only lobbyists could easily get them because they went to the House document rooms for their clients out across the country. Now the clients can get the documents simply by going online.

Speaker Gingrich also was focused on science and technology as a broad general subject. The whole business of doubling the budgets of NIH grew out of a relationship between Newt and John Porter on the need to have amounts of money flowing into some of these technology areas that were so important. Technology also was frustrating for him because that was a part of the agenda for which the Republican conference was not completely on board.

I remember going out to the Xerox center outside of town just after we had completed the 100-day agenda, and Newt was determined to have us adopt a new agenda to move forward. Part of that agenda was to make the Republican Party into the leadership party of the information age. Newt had drafted some concepts for the conference to consider and ultimately adopt that would move us in that direction. When we got to the Xerox center and broke into groups to discuss these various agenda items, Members took a look at some of the things that were supposed to take us into the information age. I remember one committee chairman—where I walked into the room to listen—who described the discussion as "psychobabble." That was probably one of the kindest things that was said about these discussions. By the time we got back into the general session, this was a portion of the agenda that was just written off. I remember Newt, following the meet-

ing, being very discouraged because it was clear that the conference participants simply didn't understand where we were headed at that point in the economy and how we could be leaders in that arena.

Another thing, as I reflect on this, that seemed to me to be a shaper of the Gingrich speakership was the fact that we had a number of people in the freshman class who arrived in 1994 who were "self" term-limited. They had decided on their own that they were only going to be here for a short period of time. Those folks became people inside the conference who resisted whenever we attempted to make long-term deals and look down the road a long way. They were there for a very short period of time. They wanted to get things done now, or they wanted to stop things from being done now. Interestingly enough, it was a number of those people who ended up being at the base of the revolt that took place against Newt's leadership later on.

Newt's operational style was often not understood by a lot of people. It was to empower folks to go out and do things with regard to issues that came up. If a young Member of Congress came to the Speaker and said, "You know, I'd like to do something about this issue." Newt's tendency was to say "yes" and empower them to go do it. The problem with that was, for a number of us who were part of his leadership team, we almost immediately got a call from a committee chairman or a subcommittee chairman who didn't realize that this responsibility had now been given to some freshman Member of Congress. The chairman was outraged by the fact that this person had seemingly been empowered by the Speaker. So there were a number of us in the leadership team and on Newt's staff who would have to go to the freshman and say, "You may not have understood exactly what the Speaker was saying." We would try to work out some of these arrangements.

Certainly, part of the problem that Newt ultimately ran into were the dozens of ethics charges that were filed against him. The ongoing issues there stem from the fact that many people in the opposition party, in the Democratic Party, never really got over their anger about the confrontational tactics that had been used in order to take the majority. That made it very difficult to work with the Democratic leadership. And it may have been partially work that we didn't do very well. Additionally, many in the Democratic leadership didn't work very hard at forging a relationship. That reality really led to much of the decision of the Republicans that we had to go it alone. No matter how narrow our majority we had to do it on our own, and it was a way of shaping policy throughout the Gingrich speakership.

I must say that working with President Clinton was different, and Leon Panetta has somewhat characterized this relationship. Newt and President Clinton did have this ability to talk to each other, because they were both policy wonks. Yet there was no end of frustration on our end of Pennsylvania

Avenue when Newt and the President would get together and talk about something, and Newt would come up to explain this great deal he had just cut. Somebody in the leadership would say, "Newt, we can't do that!" And then there would have to be more discussions that followed our meetings. I believe that there was an understanding that we could, through that relationship, forge some legislative packages. As has been mentioned, there were some things that were done, such as the welfare reform package that ultimately was a major change of direction in American policy.

I have a somewhat different view of the Government shutdown than Leon's. I think that most of us felt as though that was very successful. It would have been a disaster had it led to us not being able to retain the majority in 1996. The fact was that we were able to retain our majority despite having gone through the shutdowns. Many of us have felt that the shutdowns convinced a lot of the markets that there was a serious effort under way to balance the budget. It wasn't just rhetoric anymore. There was, in fact, a serious effort under way. A lot of the growth that happened in the economy after that really resulted from the willingness of the Republicans to take the political heat that came with the government shutdowns.

Let me just sum up here. There are a half a dozen things that I would say are probably the legacy of the Gingrich speakership. First, it seems to me that his speakership affirmed the national Republican political ascendancy. Up until then there had been a lot of feeling that the Republican Party was basically a party where a personality, Ronald Reagan, had managed to bring us to a status that gave us a fighting chance in politics. With the speakership of Newt, and the ability to win successive elections after 1994, it certainly affirmed our political ascendancy.

Second, his legacy should certainly include that he moved the House of Representatives into the modern technology era. Third, it seems to me that his speakership also changed the relationship between the Speaker and committee chairmen. Clearly, there is a much different relationship that continues to this day. Fourth, the speakership of Newt Gingrich and the way in which the Republican majority approached legislation assured the long-term vibrancy of Reaganism. We took much of the Reagan agenda and assured that it was what we were enacting as a result of our work in the Congress. Fifth, it seems to me that the Gingrich speakership created a positive visionary platform for dealing with national issues from a conservative base. In large part, that kind of visionary outlook resulted in our ability to keep a majority in the House over a long term.

Finally, sixth, it seems to me that what the Gingrich speakership also did was change the nature of the political dialog in the country. Up until then we had debated the issues largely from the standpoint of liberal rhetoric. We changed a lot of that rhetoric. Just the idea that we went from discussing how long we were going to have large deficits to the fact that

we could actually have a balanced budget was a tremendous change in rhetoric. Despite the fact that we're having trouble keeping those balanced budgets today, we still talk in terms of balanced budgets in ways different than we did before. That's my view. Thanks.

Mr. WOLFENSBERGER. Because we did get a late start, I've been authorized by the organizers to go a little late in this, so we can allow for some questions. But what I'd like to do is first of all give Newt a couple of minutes to make some comments on what was said since he last spoke, and also if Mr. Panetta would like to do so as well. Mr. Panetta will probably have to leave before our question period is over to catch a plane. So I want to make sure he has an opportunity for a last word as well. Newt.

Speaker GINGRICH. First of all, just a couple of quick observations. I think there are two grounds for focusing on my speakership. The first is that it was actually a team effort all the way through. You can't describe my rise without talking about the Congressional Campaign Committee, Guy Vander Jagt, Joe Gaylord, and others. You can't describe our rise in the House without mentioning the Conservative Opportunity Society and people like Bob Walker and Vin Weber and Connie Mack and others. You can't describe how we ran the Contract with America without looking at the extraordinary role Dick Armey played. And you can't look at how we ran the House in the first couple of months without looking at Armey and Walker and DeLay. Finally, you can't describe balancing the budget without including Kasich and Livingston and Archer. So there was an extensive team process. I was the central executor and I had very substantial power, but it was as the leader of a collectivity. It wasn't just me and then you drop down 100 feet to the next person. The team concept was a very conscious design.

Second, because of the separation of powers that Leon pointed out, I believe it is a mistake to see 1994 in isolation, and Bob Walker came closer to the right model—which is, Reagan in 1980 brings us back from a distinct minority party status to being competitive. We, I think, helped get ourselves to parity, recognizing that much of the Contract was in fact standing on Ronald Reagan's shoulders. Bush now has to see whether or not he can move beyond parity to majority.

You can go back to earlier studies of American politics in the 19th century. There are three things to think about in terms of what I tried to accomplish: the political, the policy, and the personal. The first thing, and I wrote down what Leon said because I thought he caught it right, although he and I probably will disagree on it. He said, "effective policymaking on a continuing basis to help govern." This is the 9th year of a Republican majority in the House. The last time we were in the 9th year of a Republican majority in the House was 1927. So at a political level, it's pretty hard to argue that we weren't successful. Just as a fact.

Second, on policy grounds, look at welfare reform, balancing the budget, reforming the FDA, strengthening the National Institutes of Health, increasing the Central Intelligence Agency's budget, cutting taxes. It's hard not to say that those 4 years were fairly substantial at a policy level.

And the third is personal. Here I'm quite happy to have people decide that I failed in the end because I left the House. But it's a little hard for me to look back and not feel success as a former Army brat who had no great personal wealth, no ties, and I arrived in Georgia courtesy of the U.S. Army at a time when it was segregated and Democratic. Georgia is now a State that has a Republican Governor, a Republican Senator, I think a soon-to-be Republican second Senate seat, and a majority of Republicans in the House. I arrived in Washington when we were in our 24th year of being in the minority. We're now in our 9th year of being in the majority. I got to have a dinosaur in the Dinosaur Room, as Denny Hastert reminded me today. What's to feel bad about? This was an enormously successful run that changed the House, changed the Republican Party, and marginally changed the country.

In the end, I don't think you can be that aggressively entrepreneurial in Washington in the speakership and sustain it very long. So you either have to decide, "I really want to get all of these things done and then I'll have to go do something else for a while," or you have to decide, "I'd rather stay around here and get a lot less done." I don't think there's a game in the middle between those two styles. Most successful Speakers don't try to do as many different things, and they're right. But we had a very unique brief window to really change things.

Last, I agree totally with Leon about the disaster relief fiasco in 1997. That was one of the reasons we ended up with my leadership in rebellion. I thought it was crazy for us to be in the fight. It was a moment of saying, "You know how good Bill Clinton is at this stuff, why are you putting your head up so he can just beat on you for three hours?" I couldn't agree more. That's one of the places I failed. I failed in part because by then there were too many things going on and too many moving parts, which is the weakness of a centralized leadership in the House.

The shutdown, though, is really important for sophisticated people to look at for a long time. Livingston and Kasich have both told me in the last year they are absolutely convinced we wouldn't have gotten to a balanced budget without the shutdown. They see it as shock therapy. But there's a key mantra, which is, "We lost." I want all of you to think about this. We were the first reelected majority since 1928. We are the only majority ever reelected with a Democratic President winning the national election in 1996. What is it we lost? People say, "Oh, that was a terrible period, and we lost." But what did we lose? We had a running brawl 9 months before the election. We proved that we were really deadly serious about

solving our Nation's problems. Leon has his version, and mine is a totally different discussion. We have to get Bob Livingston to come in some time and do an entire session on whether the shutdown was a mistake. I think you would have Leon on one side and you would have Kasich and Livingston on the other side.

I would just say that as a professional designer of campaigns, the shutdown did not cost us anything except in the press corps and in this city and at cocktail parties. It didn't cost us anything in the country. In the end, we were able to win election in a way that nobody had done since 1928. We didn't feel good about it, so people tend to undervalue the sheer fact that it's still Speaker Hastert.

Mr. PANETTA. Well, I guess I would just caution that the fact of simply holding power in and of itself is not necessarily an indication that you're governing the country. Democrats made the mistake of basically assuming that because we held power, that somehow we didn't have to deliver in terms of governing the country. I've often said that we govern in our democracy either through leadership or crisis. Leadership that's willing to compromise and willing to find solutions is the most effective way of governing this country, in order to avoid crisis. But I think if you look at the last few years, we are a Nation that more and more governs by crisis, as opposed to leadership. Crisis drives policy. It drives energy policy. You've got to have the lights shut down in order for the country to respond to the energy problem. On budget issues, there's always the threat of some kind of shutdown or forcing Members to stay beyond an adjournment date to pass appropriations bills in this place. The same thing is true on health care. The same thing is true for Social Security. The same thing is true for Medicare. Ultimately, we are doing more and more as a result of crisis driving policy. Now, whether we're Democrats or Republicans, I think that's a reality. And let me add, the public may for a period of time basically allow that kind of gridlock to proceed. But, as the California example demonstrates, there is a point at which angry and frustrated people are going to take their vote out on leaders who are in office. If there's any lesson you should take away from the California recall experience, it's that incumbents ought not to feel too comfortable about where they are at the present time. I think there is an angry and frustrated public out there, that at some point may do exactly what happened in 1994, which is to change the leadership because they are frustrated with the fact that we are doing more by crisis than by leadership.

Mr. WOLFENSBERGER. I think we have time for one question.

Question. In what way did your view of the speakership change during your tenure?

Speaker GINGRICH. Virtually none. My view was that we had to be very different than traditional speakerships. My assumption was that we

would be faced with overwhelming resources against us from the White House, large parts of the media, and the capacity to raise money from interest groups who would be threatened by changing government and changing priorities. Leon mentioned Wellington, and Wellington is one of the leaders I looked at because I expected to be in a peninsular kind of campaign where the other side had more resources. We had to be very sure we were focused on what it took to win. And my models were actually not so much prior speakerships, although I understood a fair amount about people like Tom Reed and Henry Clay and Cannon and Rayburn. My models were much more how do you organize people to be effective in a situation of enormous pressure where you're trying to get things done? In that sense, I do accept Leon's point that I tended to take as models Alfred Sloan of General Motors or George Catlett Marshall in the Second World War or a Franklin Delano Roosevelt. I was trying to find ways to be able to rally our people to do the things we wanted to do.

Mr. WOLFENSBERGER. I'm now going to call on CRS Director Dan Mulhollan to make a few closing remarks, but please join me in thanking our panel for doing an outstanding job.

Mr. MULHOLLAN. This closes our session. I want to thank everyone who participated in this important conference and everyone who attended the various sessions. One of the things it underscores is that each one of you being here indicates an interest, a caring about the institution of the U.S. Congress, and for that we are quite grateful. I must also add that, in order for this event to take place, a lot of people worked very hard. I wanted to mention Justin Paulhamus, Karen Wirt, Jill Ziegler, and Robert Newlen of CRS who worked to make the conference a success. Another CRS person merits special mention because he had the idea for the conference and carried it out in a highly successful manner. He is Walter Oleszek, my colleague and friend for over three decades, and we should thank him for his initiative and efforts.

Part II

Perspectives on the Speakership

Four Speakers, Cannon Centenary Conference, November 12, 2003

Chapter 1

The Speakership in Historical Perspective

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Just over 100 years ago, on November 9, 1903, the Honorable Joseph Gurney Cannon, a Republican from Illinois, was sworn in as the 34th Speaker of the U.S. House of Representatives. "Uncle Joe" Cannon became, perhaps, the most powerful Speaker in the history of that office, exercising almost complete control over the legislative process, dominating the committee system, often determining the content of legislation, and standing toe to toe with Republican Presidents Theodore Roosevelt and William Howard Taft. Cannon was a colorful figure, earthy in appearance, demeanor, and sense of humor. He was the most prominent legislator of his day and perhaps, at that time, the only Member of Congress to gain extensive public recognition. In fact, his power in the House of Representatives became increasingly controversial until finally, on St. Patrick's Day 1910, the Members of the House rebelled against him, stripping him of control over the Rules Committee and putting the party regime that had evolved since the Civil War on the path of extinction.

The speakership of the House had not always been so powerful an office nor such a pure expression of party interest as Cannon made it. During the formative years of the Republic, the political party system was in flux, and House Speakers were not usually cast in the role of national party leaders. Henry Clay of Kentucky, the most important Speaker of the antebellum period, was indeed a partisan figure; but his influence extended beyond the circle of his partisan supporters and as a national figure he, in effect, transcended the offices that he held. Other antebellum Speakers were less noteworthy. It was not until after the Civil War, with the rise of the stable, two-party system that we have known since, that the speakership became defined as a position of party responsibility. This development sharpened the fundamental tension between the Speaker's partisan and institutional roles that is latent in the constitutional design. From 1865 until the turn of the 20th century, the political parties became more entrenched and the speakership became an increasingly important position of party governance. Several Speakers during this period became powerful political leaders. These included Republicans James G. Blaine of Maine, Thomas B. Reed of Maine, and Cannon himself, and Democrats such as Samuel J. Randall of Pennsylvania, John G. Carlisle of Kentucky, and Charles F. Crisp of Georgia. Clearly, however, Cannon was the most powerful of them all, and his speakership represented the apotheosis of the office. Cannon came to the speakership just as that office reached its zenith under the rules of the House and of the Republican conference. The Speaker controlled floor recognition, named the members of committees, chaired the Rules Committee, determined referral of bills to committees, and controlled the floor agenda. Speaker Cannon's power

was made emblematic by one disgruntled GOP progressive Member who, when asked by a constituent for a copy of the rules of the House, sent a picture of the Speaker.

Today, we remember Cannon as the Czar of the House, and the office building that bears his name is a monument to his power. It is equally important to remember, though, that Cannon's speakership witnessed the peak of the Speaker's powers and the beginning of their decline. The St. Patrick's Day revolt of 1910 stripped the Speaker of his control over the Rules Committee and led to the defeat of the Republican Party and of Cannon himself in the 1912 elections. Cannon was reelected in 1914 and the Republicans recaptured their House majority in the election of 1918. The speakership, however, was never again as powerful as it had been under Cannon. It is ironic that the building that bears Cannon's name was emblematic of an institutional shift that would, over time, erode the power that he had enjoyed.

When the Cannon House Office Building was completed in 1908, it was the first detached office building serving the U.S. House of Representatives, and it symbolized, and gave further effect to, an underlying transformation in American politics and in the House of Representatives. It was at or near the beginning of the era of "institutionalization" of the House.[1] The demands of legislative work and constituency service had created the need for each Member of the House to have adequate staff and appropriate office space in which to operate. No longer would Members have to meet with constituents in the halls, lobbies, hotels, and restaurants. Henceforth, Members would have their own space and that space would be at some distance from the legislative Chamber. The first step in isolating Members from each other was taken out of institutional necessity.

The Cannon House Office Building opened during a period of electoral realignment and the attendant sharp political conflicts. Progressive western Republicans allied with northern and southern Democrats to dislodge Cannon from the Rules Committee. When the Democrats took the House in 1911 their Speaker, Champ Clark of Missouri, relinquished to Floor Leader Oscar Underwood of Alabama control over the House floor. Underwood experimented with government through the Democratic Caucus (much to the displeasure of their erstwhile allies, the progressive Republicans), but eventually power flowed to the committee system where it remained ensconced until the reform movement of the early seventies.

The transformation of the House from a party-centered to a committee-centered legislative body was manifested by the construction of two additional office buildings. The Longworth Building, named after Speaker Nicholas Longworth (R–OH), was completed in 1933. The Rayburn Building was completed in 1965 and was named in honor of the House's longest-serving Speaker, Sam Rayburn of Texas. These buildings were monuments to the power of the committees. While the Cannon Building had few committee hearing rooms, both the Longworth and Rayburn Buildings are organized around them. With the exception of the Appropriations, Rules, Standards of Official Conduct, and Ways and Means Committees, which today occupy offices in the Capitol Building, all other committees established their operations in the detached office buildings. The party leaders occupied space in the Capitol. Just as the physical layout of Washington, DC, reflects the constitutional separation of powers, so, too, did the arrangement of Capitol Hill reflect the institutional divisions between the party leaders and the committees and their chairs.

The influence of political party competed with that of the committee system under Democratic majorities from 1911 to 1918 and under Republican majorities from 1919 until 1930. The Democrats experimented with "King Caucus" while diminishing the role of the Speaker. The Republicans managed business through a small group of legislators whose most influential Member was Longworth. As Speaker, Longworth demonstrated vestiges of the power that Cannon had enjoyed, but only that. Beneath the surface, a trend was already underway that would alter the House and the speakership for generations: longevity in service was steadily on the rise. This trend was especially accentuated in the southern States dominated by Democrats. When the Democrats

[1] Nelson Polsby, "The Institutionalization of the House of Representatives," *American Political Science Review*, v. 62, March 1968, pp. 144–168.

returned to power in 1931, southern Democrats were at the top of the seniority lists and came to chair many key committees. The Democrats were to hold power for all but 4 of the next 64 years, and, until the reforms of the early seventies, the southerners sat astride the committees and the House like statues on the balustrades of an ancient castle.

I have elsewhere labeled this the "feudal" era in the history of the speakership because of the manner in which Speakers showed deference to the committee chairs.[2] There were related political and institutional reasons for this deference. Politically, the ascendency of the committees and the relative decline of the speakership was the product of the Democratic Party and the coalition that supported it. The Roosevelt coalition combined voters from northern cities with the "solid South." The quid pro quo was always implicit: the South would provide reliable congressional majorities and the North would leave civil rights alone. To ensure that this political bargain stuck, congressional Democrats opted for seniority as an almost inviolate rule for advancement up the committee lists. They granted extraordinary powers to the committee chairs, powers that enabled them to set the agenda, determine committee meeting times, cast proxy votes, name the subcommittees, and, in effect, control legislation. The southern barons could block any legislation thought inimical to southern interests. The Rules Committee, which had been the bastion of Cannon's power, now functioned autonomously and often at odds with the leadership. The Ways and Means Committee, whose chair had formerly served as floor leader and deputy to the Speaker, now functioned autonomously in controlling vital legislation and serving as the party's Committee on Committees. The speakership that Cannon knew had become unrecognizably eroded.

This was just fine with Democratic Speakers. Their job was to preserve the Democrats' hold on power. This meant holding the coalition together. Conflict resolved or avoided in the committee rooms would not infect the Democratic Caucus or erupt on the House floor. It was in this context that Sam Rayburn became the longest-serving (and by many accounts) most esteemed Speaker of the House. Rayburn represented a district in a southern State. His obligations as a national Democrat were always in tension with the attitudes of his Texas constituents.[3] Rayburn shaped the culture of the House of Representatives. He was both feared and revered by Members. Because he did not exercise active control over the committees, he was not held to account for their actions. At the same time, he was able to influence the committees when he needed to do so, precisely because he cultivated relationships with their chairs, his fellow southerners. Together, they taught a generation of new Members that "to get along, go along," go along, that is, with Rayburn and the committee dons.

This House of Representatives defined what political scientists later called the "textbook Congress," replete with "norms" such as reciprocity, collegiality, deference, hard work, and, of course, seniority. These values were ingrained in Members and those who best adapted to them were the most likely to rise in the party hierarchy. Rayburn's socialization of the House even stretched across party lines. While the Republican Party always demonstrated a more centralized tendency than did the Democrats, their most senior Members rose on the committee rosters and learned that their best interests were served by embracing the Democratic system and working with its leadership. Rayburn developed a close friendship with Republican Leader Joseph Martin of Massachusetts, and, when Martin served as Speaker during the 80th (1947–1949) and 83d (1953–1955) Congresses, he perpetuated many of the values that he had assimilated during his service in Rayburn's House. Rayburn held daily sessions in a room at the Capitol that was dubbed the "Board of Education." Martin would join the Speaker in bending an elbow on bourbon and branch water while discussing the issues of the day. A generation of favored Democrats and Republicans assimilated bipartisan norms as they absorbed the Speaker's liquor.

[2] Ronald M. Peters, Jr., *The American Speakership*, 2d ed. (Baltimore, MD: Johns Hopkins University Press, 1990 {1997}).

[3] Anthony Champagne, *Congressman Sam Rayburn* (New Brunswick, N.J.: Rutgers University Press, 1984).

The "textbook Congress" did not last forever, indicating perhaps why textbooks always need to be revised. During the fifties, there arose increasing tension between the northern, liberal wing of the Democratic Party and the southern conservatives. The two Texans leading the Congress, Rayburn in the House and Senate Majority Leader Lyndon B. Johnson, were tugged to the left, Johnson by his Presidential ambitions, Rayburn by the increasingly restless liberals in the Democratic Caucus. When John F. Kennedy was elected President in 1960, he realized that the southern stranglehold on the House would frustrate many of his policies. In 1961, in the last great battle of his career, Sam Rayburn led a successful effort to enlarge the Rules Committee to give it a loyal majority. Thus, the path was cleared for the subsequent passage of the landmark Civil Rights Act of 1964.

After Johnson's landslide Presidential election in 1964, substantial liberal majorities in the House and Senate swept away southern opposition to enact his Great Society. Still, House liberals such as Richard Bolling (D–MO.) believed that the time had come to break the southern grip on the committee system. By the decade's end, they had enough votes to push through the Legislative Reorganization Act of 1970 and, during the early seventies, a series of Democratic Caucus reforms that both strengthened the speakership and weakened the committee barons. The Speaker was given operating control over the Rules Committee. By party rule, he named the chair and the majority members of the committee. The Democratic Steering and Policy Committee became the party's Committee on Committees, and the Speaker appointed a number of its members. All committee chairs were to be nominated by Steering and Policy and ratified by the full caucus, as were the subcommittee chairs of the Appropriations Committee. The caucus itself met monthly, providing a venue for the liberal majority to express itself.

Even as the power of the speakership was thus enhanced, that of the committee chairs was reduced. The Democrats pushed through a "subcommittee bill of rights" that guaranteed that bills would be referred to the subcommittee of jurisdiction. Subcommittees were provided staff, budget, and jurisdiction. With a more autonomous set of subcommittees beneath them, and with the full caucus and its liberal majority hovering over them, committee chairs could no longer control the legislative process and dictate the content of legislation. The erosion of the power of the full committee chairs reached its apex in 1975 when, led by the Watergate class of 1974, three southern committee chairs were deposed by the caucus. After that happened, committee chairs were more careful to nurture their relations with the caucus as a whole.

The general effect of these reforms may be described in three rings. At the center, the party leadership, especially the Speaker, was empowered by these reforms. Leadership stock went up, committee chair stock went down. In the middle ring, power was decentralized within the committee system. By the late seventies, over 150 members of the Democratic Caucus served as subcommittee chairs. Each was granted considerable autonomy in managing the subcommittee's business. To sustain their influence, committee chairs had to negotiate relationships with the subcommittee chairs. Rivalries naturally developed and the committees became venues for bargaining and compromise. In the outer layer, the House floor became a more important venue. The weakened committee system was the subject of less deference on the floor. The introduction of electronic voting, in 1973, made Members more accountable. Televised coverage made the floor more accessible to the public. Issues that might once have been resolved behind the closed doors of the committee rooms were now settled in open floor fights. And the floor was leadership territory.

Thus, the modern speakership was to operate in a very different legislative milieu than at any time in the history of the House. During the late 19th century, the Speaker was able to dominate the House. During most of the 20th century, the committee barons were in control. During the last three decades of the 20th century, the decentralization of power created the need for other control mechanisms. Under these circumstances, more power was given to the Speaker, but more was expected of him as well. Thrust onto center stage, House Speakers became more pivotal and more vulnerable. Members had higher expecta-

tions; political opponents had greater incentive and opportunity to cause mischief.

Political scientists have written for a long time now about the "post-reform House." The term remains useful in differentiating the transition away from the committee-centered regime of the textbook Congress. By now, however, it may obscure more than it reveals. It has not been the reforms alone that have altered the context of the modern speakership. An underlying realignment has reshaped the political landscape that gives definition to institutional processes. The most obvious manifestation of this realignment is the fact that in 1994 the Republicans won control of the House for the first time in 40 years. As early as 1968, pundits had been anticipating a rightward drift in American politics.[4] Barry Goldwater had prophesied it and Ronald Reagan had pressed it forward. Newt Gingrich completed it. The linchpin of this realignment has been the transition of the South from Democratic to Republican control. This process began with the passage of the Civil Rights Act of 1964, which drove many southern, white Democrats into the camp of the Republicans. This development has led us to where we are today. Richard Nixon carried a substantial percentage of the black vote in 1960. More Democrats voted against the Civil Rights Act than Republicans. The Republican decision to seek the votes of southern whites had its intended effect, swinging a majority of southern congressional districts, Senate seats, and electoral votes to the GOP; but it has cost them dearly among black voters who now vote 95 percent for the Democrats. This racial and regional polarization meshes with religion and other cultural variables to shape the present narrow political division in the country.

The parity between the two parties shapes the political and institutional context of the speakership today. The reformed House had one set of consequences when it was run by entrenched Democrats holding a comfortable majority of seats most of the time. It runs differently when run by a narrow Republican majority determined to hold on to power in a protracted war for control of the House. For example, the relationship between the party leadership and the committees is fundamentally different under the Republicans than it had been under the Democrats. The Democratic committee chairs saw their power eroded, but were never dominated by the party leaders. Even when several committee chairs were deposed by the Democratic Caucus, the initiative came from within the caucus and the leadership supported the chairs. The Republicans have simply bypassed several senior Members as committee or subcommittee chairs, and have punished deviating Members by denying them chairs to which their seniority would have entitled them. Thus, if the reformed House is different from the pre-reformed House, the Republican House is different from the Democratic House. No matter which party is in the majority, the narrow division that has been in place between the two parties since 1995 has shaped the legislative environment in ways that the reformers of the early seventies could not have anticipated.

One manifestation of this new environment is the upheaval that the speakership has experienced in the past 15 years. Almost a century ago, Uncle Joe Cannon was stripped of much of his power, defeated for reelection and, upon being reelected, reduced to the role of elder statesman within the Republican conference. During the 20th century, the speakership has witnessed great stability, even as its stature was in many ways diminished in relationship to the committee system. The reform movement and the development of partisan struggle for control of the House have created a more politicized environment than any since Cannon's time. This has taken a toll on the speakership. One Speaker resigned from office, a second was defeated for reelection, and a third declined to seek another term in office. These events say as much about the contemporary climate of American politics as they do about the individual Speakers.

This inquiry into the speakership today, then, comes at a critical moment in the history of that office. This volume presents a variety of perspectives on the changing speakership. Part I provides the proceedings of the Cannon Centenary Conference on "The Changing Nature of the Speakership," co-sponsored by the Congressional Research Service and the Carl Albert Congressional Research and Studies Center of the Univer-

[4] Kevin Phillips, *The Emerging Republican Majority* (New Rochelle, NY: Arlington House, 1969); Richard M. Scammon and Ben J. Wattenberg, *The Real Majority* (New York: Coward-McCann, 1970).

sity of Oklahoma. (Funding for the conference was also provided by the McCormick Tribune Foundation.) The conference addressed in detail the speakerships of: Thomas P. "Tip" O'Neill (D–MA; 1977–1987); Jim Wright (D–TX; 1987–1989); Tom Foley (D–WA, 1989–1993); and Newt Gingrich (R–GA; 1995–1999). In examining each speakership, the book offers a statement by the Speaker himself (or, in the case of the late Speaker O'Neill, by his biographer, John Farrell) along with commentary from Democratic and Republican Members who served with that Speaker. Additional insight is provided by noted historian Robert Remini, who traces the broad path of the speakership's evolution. Of particular note is the contribution of Speaker Dennis Hastert (R–IL; 1999–) who offers his most definitive statement on the speakership and his conduct of it to date.

Part II provides additional depth of analysis in chapters arrayed topically. Prepared by political scientists and congressional specialists at the Congressional Research Service, these chapters offer an analytic perspective on the speakership. In Chapter 2, Walter Oleszek and Richard C. Sachs examine the impact of three Speakers—Reed, Cannon, and Gingrich—on the rules of the House. They argue that these three Speakers were distinctive in their proactive efforts to implement a fundamentally new institutional order in the House. Their account reminds us that Speakers are not entirely hostage to circumstance, and that exceptional Speakers have been able to bring about important institutional changes.

Chapter 3, by Christopher Davis, surveys the history of the House Rules Committee and the relationships of House Speakers to it. During the partisan era of the late 19th and early 20th centuries, the Rules Committee served as a reliable arm of the majority party leadership, and Speakers such as Reed and Cannon used control over the committee to push party legislation. With the rise of the conservative coalition in the late thirties, the Rules Committee assumed considerable independence, and became an impediment to legislation pushed by the liberal Democratic majority. Since the reform movement of the early seventies, Houses Speakers have once again taken control of the Rules Committee. The Republicans, who complained bitterly about the tyrannical dictates of the committee when in the minority have, Davis finds, been as assertive as the Democrats in using their control over Rules to structure floor debate and to shape legislation brought to the floor.

In Chapter 4, Elizabeth Rybicki traces the relationship between the Speaker of the House and the leadership of the Senate. She identifies the key differences between the two bodies that structure this relationship, and examines how the role of the Speaker in bicameral coordination has become more challenging in the modern era. Of particular interest is her description of the mechanics of bicameral relations. Among these are the legislative conferences through which the two Chambers reach agreement on the final language of bills.

Of increasing importance has been the relationship between the Speaker and the press, addressed by Betsy Palmer in Chapter 5. Her account stresses the changing relationship between House Speakers and the media, affected by the historical and partisan context, the personalities of individual Speakers, and evolving media technologies. During most of American history to date, Speakers had informal and sometimes personal relationships with a core group of press corps veterans. With the emergence of broadcast television, cable television, and Internet technologies, Speakers have had to develop more sophisticated media strategies to counter those of the President, Senators, and other House Members. The decision to open House proceedings to broader media coverage has changed the political environment. The increasing partisanship we see today echoes that of a century ago, but the relationship between the Speaker and the media is greatly different today than it was then.

There has been no more important relationship for House Speakers than that which they have encountered with Presidents of the United States. In Chapter 6, Eric Petersen provides a template for understanding the Speaker-President nexus by considering the relationship between Speaker Cannon and President Theodore Roosevelt, on the one hand, and Speaker Rayburn and President Franklin Roosevelt on the other hand. In the former case, despite Theodore Roosevelt's efforts to court Cannon, the relationship was at times strained, as Speaker Cannon often dis-

dained the legislative initiatives of the President. Forty years later, Speaker Rayburn was a pillar of support for Franklin Roosevelt's New Deal and wartime policies. In each case, however, the Speaker's relationship to the President was shaped by the needs and expectation of the Members of the House.

Chapter 7 elaborates on the relationship between Speakers and Presidents by considering that relationship in the context of national emergencies: the Civil War, World War I, the Great Depression, and World War II. In it, Harold Relyea argues that times of national emergency affect the role of the Speaker and the relationship of the speakership to the Presidency. In our system of separated institutions sharing powers, the Presidency naturally emerges during times of national crisis. The Congress, in general, and the speakership, in particular, tends to defer to Presidential leadership. This may take the form of passing Presidential legislation or in acquiescing to Presidential actions. In such times, House Speakers tend to be supportive of Chief Executives. Still, relationships between Speakers and Presidents during national emergencies have varied due to personality, partisanship, ideology, institutional stature, and statesmanship.

In the book's final chapter, I provide an overview of the many changes the speakership has experienced and offer a reflection on its role in the House today. This discussion echoes many of the specific themes developed by the other authors. In particular, it reinforces the perspective that the speakership has evolved over time according to underlying changes in the American political system, producing periods of partisan turmoil as well as periods of bipartisan stability. Speakers have had to adapt their leadership style to the contexts in which they were called upon to serve, yet each Speaker has put his stamp on the office. The present period is characterized by a strong partisanship not experienced since Uncle Joe Cannon was at the zenith of his power, a century ago. Whether this augurs well or ill for the House of Representatives, the speakership, and the country, is a story yet to be told.

Chapter 2
Speakers Reed, Cannon, and Gingrich: Catalysts of Institutional and Procedural Change

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"The elect of the elect of the people" is how a little-known Speaker described his position more than two centuries ago.[1] Most of the early Speakers with very few exceptions, such as Speaker Henry Clay (1815–1820, 1823–1825), functioned largely as presiding officers rather than leaders of their parties. This condition began to change during the post-Civil War era with the growth of partisan sentiment and party-line voting in the House and in the country. Speakers became both their party's leader in the House and influential actors on the national scene. Perhaps the most powerful and institutionally important of these late 19th century Speakers was a man nicknamed "Czar" Reed, which is why our analysis begins with him.

From Thomas Brackett Reed (R–ME, 1889–1891; 1895–1899) to J. Dennis Hastert (R–IL, 1999–), 20 lawmakers have served as Speakers of the House of Representatives. Only a few are remembered for the procedural or institutional changes they initiated or supported during their occupancy of this constitutionally-established position. Arguably, three Speakers during this century-plus period ushered in ideas and meaningful developments that reshaped the operations of the House: Reed, Joseph Cannon (R–IL, 1903–1911), and Newt Gingrich (R–GA, 1995–1999). A central feature of the three speakerships was the exercise of "top down" command in an institution

[1] Asher Hinds, "The Speaker and the House," *McClure's*, vol. 35, June 1910, p. 196. Hinds, a former Member and long-time Parliamentarian of the House, was quoting Speaker Nathaniel Macon (R–NC, 1801–1807).

largely known for its decentralized power structure. Each Speaker, too, was a formidable protagonist to the President at the time (William McKinley, Theodore Roosevelt, and Bill Clinton, respectively).

Reed, Cannon, and Gingrich were strong personalities, but much of their claim to institutional fame arises because they changed the culture and work ways of the House. Reed ended the virtually unstoppable dilatory practices of the minority and riveted the majoritarian principle into the rulebook of the House; Cannon so dominated institutional proceedings that he provoked the famous 1910 "revolt," which diminished the Speaker's authority and facilitated the rise of the committee chairs to power; and Gingrich introduced procedural changes that permitted him to lead the House as few other Speakers before him.

To be sure, other Speakers presided during periods of important procedural change. Speaker Sam T. Rayburn (D–TX; 1940–1947, 1949–1953, and 1955–1961) led the House when it enacted the Legislative Reorganization Act [LRA] of 1946. He was also instrumental in expanding the size of the Rules Committee, a 1961 initiative to ensure that President John F. Kennedy's New Frontier agenda would not be buried in a panel hostile to JFK's legislative program. The expansion marked the beginning of the end of an era—roughly from the 1910 revolt to the early seventies—in which powerful committee barons exercised significant sway over Chamber proceedings. John W. McCormack (D–MA, 1962–1971), was Speaker during debate and passage of the Legislative Reorganization Act of 1970; Carl Albert (D–OK, 1971–1977), and Thomas P. O'Neill (D–MA, 1977–1987), both led the House during periods of major institutional change—from a resurgent Democratic Caucus to changes in the bill referral and committee assignment process to statutory reforms such as the War Powers Resolution of 1973, the Congressional Budget and Impoundment Control Act of 1974, and the Balanced Budget and Emergency Deficit Control Act of 1985.

The principal advocates of many of these innovations, however, were change-oriented individuals (Richard Bolling, D–MO, for instance) or informal entities such as the Democratic Study Group, rather than the Speaker. When the Senate passed its version of the 1946 LRA and sent it to the House, Rayburn "gave it a skeptical glance and let it sit on his desk for six weeks;"[2] Speaker McCormack "resisted the reform of the House";[3] or, as Representative Bolling said about McCormack's efforts in trying to block what eventually became the Legislative Reorganization Act of 1970: "Behind the scenes, Speaker McCormack has exerted every effort to prevent enactment of any version of the bill designed to provide a limited measure of modernization of the antiquated machinery and antiquated ways of doing business in both House and Senate."[4] By contrast, Reed, Cannon, and Gingrich were the principal advocates or instigators of momentous institutional change.

THOMAS BRACKETT REED AND THE "REED RULES"

THE PRE-REED CONTEXT.—Thomas Brackett Reed, Republican of Lewiston, Maine, became Speaker on December 2, 1889, at the start of the 51st Congress. Previous occupants of that high office had little success in preventing a determined minority from delaying and obstructing the business of the House. With few procedural tools to move the legislative agenda, Speakers before Reed entertained motions that were plainly dilatory in intent, or as Reed himself characterized them, "motions made only to delay, and to weary . . ."[5] The dilatory motions came in numerous forms: repeated motions to adjourn, to lay a measure on the table, to excuse individual Members from voting, to reconsider votes whereby individual Members were excused from voting, and to fix the day to which the House should adjourn, among others.[6] These filibustering tactics often prevented the majority party from enacting its legislative priorities and opened it to public criticism.

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[2] D.B. Hardeman and Donald C. Bacon, *Rayburn: A Biography* (Austin, TX: Texas Monthly Press, 1987), p. 319.

[3] Ronald M. Peters, Jr., *The American Speakership: The Office in Historical Perspective* (Baltimore, MD: Johns Hopkins University Press, 1990), p. 151.

[4] Richard Bolling, *Power in the House* (New York: E.P. Dutton and Co., 1968), p. 248.

[5] U.S. House of Representatives, *Hinds' Precedents of the House of Representatives* [by Asher C. Hinds], 5 vols. (Washington: GPO, 1907), vol. 5, p. 353.

[6] Ibid., p. 354.

Woodrow Wilson wrote critically of the House's inability to conduct business because of the paralyzing effect of dilatory practices. In his classic study, *Congressional Government* (1885), Wilson described the conduct of a pre-Reed House filibuster on a pension bill brought to the floor by the Democratic majority during the 48th Congress (1883–1884):

> [T]he Republican minority disapproved of the bill with great fervor, and, when it was moved by the Pension Committee, late one afternoon, in a thin House, that the rules be suspended, and an early day set for consideration of the bill, the Republicans addressed themselves to determined and persistent "filibustering" to prevent action. First they refused to vote, leaving the Democrats without an acting quorum; then, all night long, they kept the House at roll-calling on dilatory and obstructive motions . . ." [7]

By "leaving the Democrats without an acting quorum," Wilson is referring to the infamous and long-standing House practice dubbed the "disappearing quorum." Under Article I, Section 5, of the Constitution, "a Majority of each [House] shall constitute a Quorum to do Business." This provision was, however, interpreted by Reed's predecessors to mean one-half of the total membership plus one, who formally acknowledge their presence in the Chamber as determined by a roll call vote. Though physically present on the floor, the disappearing quorum allowed Members to avoid being counted as "present" for the purpose of a constitutional quorum if they failed to respond when the Clerk called their names. "The position had never been seriously questioned that, if a majority of the representatives failed to answer to their names on the calling of the roll," stated a biographer of Reed, "there was no quorum for the transaction of business even if every member might actually be present in the hall of the House." [8]

The practice of the disappearing quorum originated in 1832 when Massachusetts Representative John Quincy Adams, former President of the United States (1825–1829), first used the tactic to frustrate House action on a proslavery measure.

> Prior to Adams, it had been customary for every member who was present to vote. In 1832, when a proslavery measure was being considered, Adams broke precedent by sitting silently in his seat as the roll was called during voting; enough members joined him so that fewer than a quorum voted on the measure. Without a quorum . . . the House could only adjourn or order a call of the House to muster a quorum. [9]

In short, the House Chamber could be filled with the total membership, but if less than half responded to a call of the House, there was no quorum and no substantive business could be conducted. No wonder Representative Joseph Cannon referred to the disappearing quorum as "the obstruction of silence." [10]

These two procedural devices—dilatory motions and the disappearing quorum—enabled partisan minorities to slow or stop the flow of House business. The stalling tactics were effective, for example, in forcing the House, in 1850, to conduct 31 roll call votes in a single day on a California statehood bill; to require, in 1854, 101 roll call votes during one legislative day on the Kansas-Nebraska bill; and, on a legislative day in 1885, to conduct 21 roll call votes.[11] Critics of these procedural logjams, Woodrow Wilson among them, charged that "more was at stake than the ability of the majority to act in pursuit of its legislative agenda; the public reputation and even the legitimacy of the House as a democratic institution was under challenge." [12]

THE REED RULES.—It may appear surprising to some that filibustering tactics often prevented the majority party from advancing its agenda during the post-Civil War period. This era witnessed the rise of the current two-party system and greater partisan cohesion in Congress. It was an era "marked by strong partisan attachments [in the electorate], resilient patronage-based party organizations, and especially in the later years [of the 19th century], high levels of party voting in Congress." [13] Yet, despite the rise of party government in the House, no Speaker until

[7] Woodrow Wilson, *Congressional Government* (Boston: Houghton, Mifflin and Co., 1885), p. 80.

[8] Samuel W. McCall, *Thomas B. Reed* (Boston: Houghton Mifflin and Co., 1914), p. 166.

[9] Roger H. Davidson and Walter J. Oleszek, *Congress Against Itself* (Bloomington, IN: Indiana University Press, 1977), p. 23.

[10] L. White Busbey, *Uncle Joe Cannon* (New York: Henry Holt and Co., 1927), p. 74.

[11] U.S. House of Representatives, *History of the United States House of Representatives, 1789–1994,* 103d Cong., 2d sess., H. Doc. No. 103–324 (Washington: GPO, 1994), p. 181. Hereafter referred to as *1994 History of the House*. See also U.S. House of Representatives, *Journal of the House of Representatives*, 48th Cong., 2d sess., March 2, 1885 (Washington: GPO, 1885), pp. 731–765.

[12] Quoted in *1994 History of the House*, p. 181.

[13] Randall Strahan, "Thomas Brackett Reed and the Rise of Party Government," in Roger H. Davidson, Susan Webb Hammond, and Raymond W. Smock, eds., *Masters of the House: Congressional Leadership Over Two Centuries* (Boulder, CO: Westview Press, 1998), p. 36.

Reed used the power of his office to end the filibustering tactics of the minority party. Speaker James Blaine (R–ME, 1869–1875), said when a lawmaker suggested he count as present Members in the Chamber who refused to vote: "The moment you clothe your Speaker with power to go behind your roll call and assume there is a quorum in the Hall, why gentlemen, you stand on the very brink of a volcano." [14]

Reed was willing to "stand on the very brink" for two key reasons. First, he was a strong proponent of the idea that the majority party must be able to govern the House. "Indeed, you have no choice," he wrote when he was Speaker-elect prior to the convening of the House in the 51st Congress (1889–1890). "If the majority do not govern, the minority will; and if tyranny of the majority is hard, the tyranny of the minority is simply unendurable. The rules, then, ought to be arranged to facilitate action of the majority." [15] Second, the 1888 elections produced unified GOP control of Congress and the White House for the first time in 14 years. (The House's partisan composition was 166 Republicans and 159 Democrats.) These two conditions, "together with the frustrations and criticism that had surrounded the House in the previous Congress, created a 'critical moment' in which an unusual opportunity was present for large-scale institutional innovation." [16]

When the 1st session of the 51st Congress convened on December 2, 1889, Speaker Reed was determined to end the long-standing ability of the minority party to frustrate majority lawmaking through dilatory motions and disappearing quorums. Unsure whether he had the votes to make these fundamental changes, Reed even planned to resign as Speaker and from the House if the Chamber did not sustain his rulings. "[I] had made up my mind that if political life consisted of sitting helplessly in the chair and seeing the majority powerless to pass legislation, I had had enough of it and was ready to step down and out." [17]

Part of Reed's strategy was to block adoption of the rules of the preceding Congress and have them referred to the Rules Committee, the panel he, as Speaker, chaired. On the opening day, the House adopted a resolution directing that the rules of the 50th Congress be referred to the Committee on Rules for review and revision.[18] Until new rules were promulgated for the House, Speaker Reed presided using general parliamentary law and could, therefore, decide when to rule dilatory motions and disappearing quorums out of order. For example, functioning "as the presiding officer under general parliamentary law, Speaker Reed consistently refused to accept dilatory motions"—a harbinger of the procedural changes to come.[19]

The House operated under general parliamentary rules—which included adoption of resolutions establishing committees and the Chamber's order of business—for nearly 3 months. It was during this period that Reed made one of the most consequential rulings of any Speaker: terminating the disappearing quorum. Speaker Reed understood that he was handling political dynamite and carefully calculated how best to end the practice. He chose a contested election to force the issue because these cases were highly partisan and would galvanize Republicans to support the Speaker. Under the Constitution, the House is the judge of the elections, returns, and qualifications of its own Members, but the usual practice was that contested seats were nearly always awarded to the majority party's candidate as a way to increase their margin of control. In the period from 1800 to 1907, "only 3 percent of the 382 'contests' were resolved in favor of the candidate of the minority party." [20] Mindful of this history, the minority Democrats realized that the Reed-led Republicans would surely seat the GOP Member in any election contest. Their plan: employ the disappearing quorum.

[14] Representative James Blaine, remarks in the House, *Congressional Record*, Feb. 24, 1875, appendix, vol. 3, p. 1734.

[15] Representative Thomas B. Reed, "Rules of the House of Representatives," *Century*, vol. 37, March 1889, pp. 794–795.

[16] Strahan, "Thomas Brackett Reed and the Rise of Party Government," p. 51.

[17] Quoted in Strahan, "Thomas Brackett Reed and the Rise of Party Government," p. 53.

[18] *Congressional Record*, vol. 60, Dec. 2, 1889, p. 84.

[19] Peters, *The American Speakership: The Office in Historical Perspective*, p. 63.

[20] Douglas H. Price, "The Congressional Career—Then and Now," in Nelson Polsby, ed., *Congressional Behavior* (New York: Random House, 1971), p. 19.

The procedural battle was joined on January 28, 1890, when a contested election case was brought to the floor. The specific issue involved who should be seated from the Fourth District of West Virginia: Charles B. Smith, the Republican, or James M. Jackson, the Democrat. Unsurprisingly, the GOP-controlled Committee on Elections submitted a resolution to the House that recommended the seating of Smith. Speaker Reed then put this question to the House: "Will the House now consider the resolution?"[21] Democrats demanded the yeas and nays on the question, which produced a vote of 162 yeas, 3 nays, and 163 not voting. With 165 a quorum at the time, Reed appeared to prevail until two Democrats withdrew their votes upping the nonvoting total to 165. With Democrats crying "no quorum," Speaker Reed directed the Clerk to record as present Members who refused to vote, declared that a quorum was indeed present, and ruled that the resolution was in order for consideration.

Bedlam erupted in the Chamber. Outraged Democrats used such words as tyranny, scandal, and revolution to describe the Speaker's action. One Member, James McCreary (D–KY), prompted this exchange with the Speaker:

> MR. MCCREARY. I deny your right, Mr. Speaker, to count me as present, and I desire to read the parliamentary law on the subject.
>
> THE SPEAKER. The Chair is making a statement of fact that the gentleman from Kentucky is present. Does he deny it?[22]

The parliamentary turmoil lasted 3 days before the House again turned to the case of *Smith* v. *Jackson*. Democrats ended their delaying tactics and motions when it was plain that Reed had the votes to sustain any of his rulings. On January 31, 1890, the House resumed consideration of *Smith* v. *Jackson*, and on February 3, Smith was seated by a vote of 166 yeas, 0 nays, and 162 not voting. Smith was immediately sworn into office.

With the seating of Smith, Speaker Reed apparently believed that he had the votes to definitely ensure adoption of new House rules. On February 6, 1890, the Rules Committee reported to the floor new House rules, the so-called Reed rules. Eight days later, by a vote of 161 to 144, with 23 Members not voting, the House adopted new rules which augmented the Speaker's authority and limited the minority party's power of obstruction. Among the changes were four key provisions.

First, the disappearing quorum was eliminated. House Rule 15 stated that nonvoting Members in the Hall of the House shall be counted by the Clerk for purposes of establishing a quorum. Second, Rule 16 declared: "No dilatory motions shall be entertained by the Speaker." No longer could lawmakers offer dilatory motions and have them accepted by the Chair. Now the Speaker had formal authority to rule them out of order. Third, Rule 23 established a quorum of 100 in the Committee of the Whole. Before, a quorum in the Committee was the same as that for the full House: half the membership plus one. Lawmakers frequently delayed action in the Committee of the Whole by making a point of order that a quorum was not present. Finally, Rule 22 authorized the Speaker to refer all bills and resolutions to the appropriate committee without debate or authorization from the House.

Defeated on the floor, the Democrats turned to the Supreme Court to negate the Speaker's quorum ruling. On April 30, 1890, they contended that a quorum was not present when the House voted to approve a bill relating to the importation of woolens. The bill was supported by a vote of 138 to 0, with 189 lawmakers not voting. In the case of *United States* v. *Ballin* (1892, 144 U.S. 1), the Court held that the House can decide for itself how best to ascertain the presence of a quorum. The advantages or disadvantages of such methods were not matters for judicial consideration.

Democrats recaptured control of the House in the 1890 and 1892 elections and their Speaker (Charles Crisp of Georgia) reverted to the practice of the silent quorum, refusing to count lawmakers in the Chamber who were present but who remained silent when their names were called for votes. Reed, now the minority leader, made such strategic use of the disappearing quorum to foil Democratic plans that in 1894 the Democratically controlled Chamber reinstated the rule counting for quorum purposes Members present in the Chamber but who did not vote.

[21] Representative Thomas B. Reed, remarks in the House, *Congressional Record*, vol. 61, Jan. 29, 1890, p. 948.

[22] Ibid., p. 949.

Reed returned as Speaker of the 54th (1895–1897) and 55th (1897–1899) Congresses; however, in 1899 he resigned from the House to protest what he characterized as President William McKinley's imperialist policies in the Philippines and Hawaii.

SPEAKER CANNON AND THE 1910 REVOLT

Joseph Cannon was first elected to the House in 1872 and served for nearly 50 years—suffering two electoral defeats in 1890 and 1912—before retiring in 1923. A popular Republican called "Uncle Joe" by friends and foes alike, Cannon unsuccessfully challenged Reed for Speaker in the GOP Caucus of 1888, but his lengthy experience, party loyalty, and parliamentary skills prompted Reed to appoint him chair of the Appropriations Committee as well as to the Rules Committee. Elevated to the speakership on November 9, 1903, Cannon served in that capacity until March 3, 1911. As Speaker, Cannon was the inheritor and beneficiary of Reed's procedural changes.

Cannon did not have the intellectual or oratorical abilities of Reed, but, like the hedgehog, Cannon knew one great thing: within the formal structure of House procedure, the Reed rules now provided the opportunity for a Speaker to dominate life in the House; not just legislative policymaking on the floor, but the committee system, administrative functions, the granting of favors large and small. When Cannon became Speaker in 1903, he seized this opportunity and dominated the House. His speakership has been described as a case of "excessive leadership." [23]

Briefly enumerated, Cannon's exercise of power included the following: he assigned Members to committees; appointed and removed committee chairmen; regulated the flow of bills to the floor as chairman of the Rules Committee; referred measures to committee; and controlled floor debate. Taken individually, Cannon's powers were little different from those of his immediate predecessors, but taken together and exercised to their limits, they bordered on the dictatorial.

A GOP lawmaker said of his recognition power, for example, that it made a Member "a mendicant at the feet of the Speaker begging for the right to be heard." [24] Claiming the Rules Committee was simply a pawn of the Speaker's, Representative David De Armond (D–MO), suggested that Cannon "personally, officially, and directly . . . make his own report of his own action and submit to [a] vote of the House the question of making his action the action of the House." [25] In making committee assignments, Cannon was not reluctant to ignore seniority. In 1905 he appointed as chair of the Appropriations Committee a Member who had never before served on the panel. On another occasion, he denied the request of GOP Representative George W. Norris of Nebraska, who as a progressive leader opposed Cannon's heavy-handed parliamentary rule, to be named to a delegation to attend the funeral of a Member who had been a personal friend of Norris'.

Frustration and anger with Cannon's autocratic ways began to soar inside and outside the House during his final years as Speaker. No Speaker, said a lawmaker, is "entitled to be the political and legislative dictator of this House in whole or in part." [26] Other factors aroused opposition to Cannon's leadership. His economic and social views were seen as reactionary by many. His relationship with President Theodore Roosevelt was often strained because of policy differences. As Cannon admitted, the two "more often disagreed" than agreed over legislation.[27] As one insurgent Republican—John Nelson of Wisconsin—said to his House colleagues, "Mr. Chairman, I wish to say to my Republican fellow Members who believe in the Roosevelt policies, let us look at the rules of the House. President Roosevelt has been trying to cultivate oranges for many years in the frigid climate of the Rules Committee, but what has he gotten but the proverbial lemons." [28]

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[23] Charles O. Jones, "Joseph G. Cannon and Howard W. Smith: An Essay on the Limits of Leadership in the House of Representatives," *Journal of Politics*, vol. 30, Aug. 1968, p. 619.

[24] Representative William P. Hepburn, remarks in the House, *Congressional Record*, vol. 63, Feb. 18, 1909, p. 2653.

[25] Representative David De Armond, remarks in the House, *Congressional Record*, vol. 63, March 1, 1909, p. 3569.

[26] Representative Everis A. Hayes, remarks in the House, *Congressional Record*, vol. 65, March 19, 1910, p. 3434.

[27] Busbey, *Uncle Joe Cannon*, p. 217.

[28] Representative John Nelson, remarks in the House, *Congressional Record*, vol. 62, Feb. 5, 1908, p. 1652.

Dissatisfaction with Cannon's leadership eventually triggered one of the most noteworthy events in the history of the House: the revolt of 1910.

THE 1910 REVOLT.—The story of the 1910 revolt has been told many times.[29] Suffice it to say that the rebellion by insurgent Republicans and minority Democrats began more than a year before Cannon was stripped of important procedural powers. Recognizing that he needed to defuse the mounting discontent, Speaker Cannon in 1909 backed several procedural changes. He agreed to a new unanimous consent calendar, which allowed lawmakers 2 days during a month to call up minor bills without first receiving prior approval of the Speaker. A Calendar Wednesday rule was adopted, which could only be set aside by a two-thirds vote, that provided 1 day each week for standing committees to call up reported bills, bypassing the Cannon-run Rules Committee. The Speaker, too, agreed to a rules change granting opponents of a bill an opportunity to amend a measure just prior to final passage by offering a motion to recommit—or send the bill back to the committee that had reported it to the floor. (Previously, the Speaker recognized whomever he wanted to offer this motion.) Further, the Rules Committee was prohibited from reporting a rule that denied opponents the chance to offer a motion to recommit.[30]

These rules changes did little to halt insurgent and public attacks on the Speaker. Several national magazines ran "articles in regular installments that not only detailed the Speaker's wrongdoings but also praised the insurgents."[31] Eventually, opponents of Cannon successfully marshaled their forces—employing a procedural resolution offered by Representative Norris—to weaken the power of the Speaker. The insurgent forces removed the Speaker from the Rules Committee and stripped him of the right to appoint lawmakers to that panel. On March 19, 1910, the House agreed to the Norris resolution, which provided that "there shall be a Committee on Rules, elected by the House, consisting of 10 Members, 6 of whom shall be Members of the majority party and 4 of whom shall be Members of the minority party. The Speaker shall not be a member of the committee and the committee shall elect its own chairman from its own members."[32] Nearly 3 months later, on June 17, 1910, the House further weakened the power of the Speaker by adopting a discharge calendar. This new rule established a procedure to discharge (or extract) bills from committee, providing them with an opportunity to be voted on by the House.

With "Cannonism" an issue in the November 1910 elections, Democrats recaptured control of the 62d Congress (1911–1913). On April 5, 1911, they adopted a new rule which removed from the Speaker his authority to appoint Members to the standing committees. This authority was formally assigned to the House. In reality, each party nominated its partisans to the standing committees through its Committee on Committees, which was followed by pro forma House approval of these decisions.

Cannon's ability to act as an autocratic Speaker was due in part to Reed's skillful remodeling of the rules to remove procedural obstacles to lawmaking erected by the minority party. Cannon's contribution was his forceful use of the rules to discipline not just minority party members, but members of his own party as well. The Speaker's heavy-handedness was also attributable to those Republicans who opposed Cannon but feared—and so remained silent—that his downfall could produce a Democratic Speaker who would use the rules no differently. Various factors, as noted earlier, have been suggested to explain Cannon's fall from power: he exercised procedural power so autocratically that it provoked the rebellion against his leadership; he ignored for too long the rising tide of progressivism, a GOP-led re-

[29] See, for example, Jones, "Joseph G. Cannon and Howard W. Smith: An Essay on the Limits of Leadership in the House of Representatives," pp. 617–646. Also, Kenneth Hechler, *Insurgency; Personalities and Politics of the Taft Era* (New York: Russell and Russell, 1964), pp. 27–82; Chang-Wei Chiu, *The Speaker of the House of Representatives Since 1896* (New York: Columbia University Press, 1928); and Paul DeWitt Hasbrouck, *Party Government in the House of Representatives* (New York: MacMillan Co., 1927), pp. 1–13.

[30] Donald R. Wolfensberger, "The Motion to Recommit in the House: The Creation, Evisceration, and Restoration of a Minority Right." A paper prepared for presentation at a conference on the History of Congress, University of California, San Diego, December 5–6, 2003. Mr. Wolfensberger is director of The Congress Project, Woodrow Wilson International Center for Scholars, Washington, DC.

[31] Rager, "Uncle Joe Cannon: Brakeman of the House," in Davidson, Hammond, and Smock, *Masters of the House*, p. 77.

[32] H. Res. 502, 61st Cong., 2d sess., *Congressional Record*, vol. 65, March 19, 1910, p. 3429.

form movement, preferring instead to adhere to the status quo of Republican regularity; and he was a 19th century man arriving at a position of national political power in a 20th century moment—a modern moment—of rapid social, economic, and political change for which he was unprepared.

THE RISE OF COMMITTEE GOVERNMENT

Whatever combination of forces led to the 1910 revolt, its aftermath for the institution was dramatic. If the House of Speaker Cannon was "partisan, hierarchical, majoritarian and largely populated by members serving less than three terms," it gradually became "less partisan, more egalitarian, and populated by careerists." [33]

The 1910 revolt produced a major shift in the internal distribution of power in the House. Committees and their leaders came to dominate policymaking for the next 60 years.[34] Various reasons account for this development, such as the rise of congressional careerism and the institutionalization of the seniority system.[35]

Seniority—longevity of continuous service on a committee—became not just an established method for naming committee chairs, but an ingrained, inviolate organizational norm for both parties. As a result, committee chairmen owed little or nothing to party leaders, much less Presidents. This automatic selection process produced experienced, independent chairs, but it also made them resistant to party control. Many lawmakers chafed under a system that concentrated authority in so few hands. Members objected, too, that the seniority system promoted lawmakers from "safe" one-party areas—especially conservative southern Democrats and midwestern Republicans—who could ignore party policies or national sentiments.

Committee government was characterized by bargaining and negotiating between party and committee leaders. Speakers had to persuade committee chairs to support priority legislation. "A man's got to lead by persuasion and the best reason," declared Speaker Rayburn, "that's the only way he can lead people." [36] For example, by the early thirties, and continuing for virtually all of Rayburn's service as Speaker, the Rules Committee was dominated by a conservative coalition of southern Democrats and Republicans. Thus, much of Speaker Rayburn's time was spent persuading and bargaining with Rules members to report legislation favored by various Presidents and many legislators.

The late sixties and seventies saw a rapid influx of new lawmakers, many from the cities and suburbs, who opposed the conservative status quo. Allying themselves with more senior Representatives, especially Democrats (recall that Democrats controlled the House continuously for 40 years from 1955 to 1995), they pushed through changes that diffused power and shattered seniority as an absolute criterion for naming committee chairs. A resurgent Democratic Caucus initiated many of the procedural changes that transformed the distribution of internal power. Some of the changes were enacted into law (the Legislative Reorganization Act of 1970, for example); some made rules of the Democratic Caucus—the "subcommittee bill of rights" is an example which required, among other procedural changes, that committee chairs refer legislation to the appropriate subcommittee within 2 weeks after initial introduction.

Among the important consequences of these various enactments were: the spread of policymaking influence to the subcommittees and among junior lawmakers; the enhancement of Congress' role in determining Federal budget priorities through a new congressional budget process; the infusion of flexibility and accountability into the previously rigid seniority system; the tightening of the Speaker's control over the

[33] David Brady, "After the Big Bang House Battles Focused on Committee Issues," *Public Affairs Report*, University of California, Berkeley, March 1991, p. 8.

[34] There was a brief interlude of governance by "King Caucus." When the Democrats took control following the one-man rule of Cannon, they employed their caucus, for example, to debate and mark up legislation prior to its introduction in the Chamber and to bind, by a two-thirds vote of the caucus, all Democrats to support the party's position on the floor. However, enthusiasm for governing this way faded, and Democrats gradually made less use of King Caucus; it did not survive the return to power of the Republicans following the November 1918 elections. See Wilder H. Haines, "The Congressional Caucus of Today," *American Political Science Review,* vol. 9, Nov. 1915, p. 699.

[35] Nelson W. Polsby, et al., "The Growth of the Seniority System in the U.S. House of Representatives," *American Political Science Review*, vol. 63, Sept. 1969, pp. 790–791.

[36] "What Influences Congress: An Interview with Sam Rayburn, Speaker of the House of Representatives." *U.S. News and World Report*, vol. 26, Oct. 13, 1950, p. 30.

Rules Committee (he was granted the authority to select its chair and the other majority members of the panel); and greater transparency of the House's deliberative processes heretofore closed to public observation, including gavel-to-gavel televised coverage of floor proceedings over C–SPAN {Cable Satellite Public Affairs Network}.

Institutionally, dual and contradictory changes were underway in the House during the seventies. Power was shifted from committee chairs downward to the subcommittee chairs (subcommittee government as it was called by some scholars), as well as upward to the centralized party leadership. House Democratic reformers wanted to make the committee system more accountable to the Speaker and the Democratic Caucus as a whole. They brought about some centralization of authority—examples include removing the committee assignment process from the Democrats on the Ways and Means Committee and lodging it in the party Steering and Policy Committee and augmenting the party whip system—but in other ways the changes produced a highly decentralized and individualized institution that made it harder for party leaders to mobilize winning coalitions. Before, party leaders could often rely on a few powerful committee chairs or State delegation leaders to deliver blocs of votes; under subcommittee government, scores of entrepreneurial lawmakers had the capacity to forge coalitions that could pass, modify, or defeat legislation.

The decentralizing forces of the seventies gradually subsided and strong leadership began to reemerge in the eighties. "{T}he latent power of centralized party leadership was aroused by unanticipated changes in the political landscape and the policy agenda."[37] These changes included the election of Ronald Reagan as President in 1980 and 1984. Leading the House became more difficult with sharp differences erupting between the branches—and between the House and Senate, the latter in GOP hands from 1981 to 1987—over the role of the Federal Government and national policy priorities.

Challenged by President Reagan to limit the domestic role of government, cut taxes, and increase defense spending, Democratic Members recognized the importance of strengthening their party leaders both to overcome institutional fragmentation and to negotiate bicameral and interbranch differences with the White House and the GOP-controlled Senate. Rank-and-file Democrats looked to Speaker Thomas P. "Tip" O'Neill (D–MA), to develop and publicize party programs, and to negotiate equitable budget deals with the Reagan administration, sometimes in high-stakes budget summits. In response, O'Neill used leadership task forces to promote party priorities, created ad hoc panels to process major legislation, and innovated the use of special rules from the Rules Committee to advance the party's program.

As partisan disagreements became sharper, Republicans repeatedly made O'Neill a media target during congressional November elections. In turn, as the first Speaker to preside over a televised House, and as his party's highest elected official, O'Neill became a vocal critic of Reagan's domestic and foreign policies. As a result, the speakership itself was transformed during O'Neill's time. "Today, O'Neill is as much a celebrity and news source as he is an inside strategist."[38] In short, when O'Neill retired from the House at the end of 1986, the speakership was an office of high national visibility.

The speakership, too, had accumulated additional centralized authority for the management of the House's business. At the urging of the party rank-and-file, the Speaker-controlled Rules Committee began to issue more restrictive rules to protect Democrats from having to vote on electorally divisive, GOP-inspired "November" amendments. By at least the mideighties, "Democratic party leaders in the House became more active, more forceful in moving party legislation forward."[39]

In 1987, James C. Wright (D–TX), became Speaker. An aggressive leader, Wright took bold risks and exercised his leadership prerogatives in an assertive manner. For example, he prodded committee chairmen to move priority legislation, recommended policies (raising taxes to cut defi-

[37] Roger H. Davidson, *The Postreform Congress* (New York: St. Martin's Press, 1992), p. 114.

[38] Alan Ehrenhalt, "Speaker's Job Transformed Under O'Neill," *Congressional Quarterly Weekly Report*, vol. 43, June 22, 1985, p. 1247.

[39] Leroy N. Rieselbach, *Congressional Reform: The Changing Modern Congress* (Washington: CQ Press, 1994), p. 129.

cits, for example) over the opposition of the Reagan White House and many Democratic colleagues, and employed procedural tactics—limiting GOP amendment opportunities, for example—that made Republicans' minority status more painful and embittered their relations with Democratic leaders. "If Wright consolidates his power, he will be a very, very formidable man," said Representative Newt Gingrich (R–GA). "We have to take him on early to prevent that." [40]

Gingrich represented a new breed of Republican who entered the House starting with the election of 1978. They were unhappy with the institutional status quo and the cooperative relations their GOP leaders had established and maintained with Democrats. These Gingrich-led Republicans sought to portray the Democratic leadership as corrupt and to undermine public confidence in congressional operations. The strategic goal was to win Republican control of the House. Gingrich employed two long-term plans in his eventual rise to power. First, he urged all Republicans to work together to advance a unified conservative agenda and to use that agenda to nationalize House elections. Second, GOP Members would aggressively confront the Democratic leadership about what Republicans viewed as the unfairness of the legislative process and attempt to make the internal operations of the Chamber a public issue. For example, Gingrich and his Republican allies argued vociferously that special rules from the Rules Committee were skewed to bolster the majority party and that the Democratic leadership was stifling legitimate debate on national issues. Gingrich also employed ethics as a partisan weapon against Speaker Wright, which led to his departure from the House in June 1989. (Wright was charged with violating several House rules, such as accepting gifts from a close business associate.)

Wright was succeeded as Speaker by Majority Leader Thomas Foley (D–WA). Elected to the House in November 1964, Foley rose through the ranks to become Speaker during an era of sharp partisan animosity and political infighting. Republicans found Foley easier to work with than the more pugnacious Wright, but they also lamented his willingness to use procedural rules to frustrate GOP objectives. Significantly, public approval of Congress reached an all-time low of 17 percent as citizens learned in September 1991 about Members bouncing personal checks at a so-called House bank.[41] Voters also learned that some lawmakers had converted campaign and official office funds into cash for personal use. Speaker Foley worked to win back the public's trust by supporting such initiatives as more professional administrative management of the House and tighter restrictions on lobbyists. Democratic reform efforts proved to be insufficient. In November 1994, after a 30-year congressional career, Foley lost his bid to return to the House in that year's electoral earthquake. That election returned Republican majorities to both the House—for the first time since 1954—and the Senate.

THE RETURN OF THE STRONG SPEAKERSHIP

Newt Gingrich, who was his party's unanimous choice for Speaker, took the office to new heights of influence, initially challenging even the President as a force in national politics and policymaking. Three factors help to explain this development: recognition on the part of most Republicans that Gingrich was responsible for leading his party out of the electoral wilderness of the "permanent minority"; the broad commitment of GOP lawmakers to the Republican agenda; and the new majority's need to succeed at governance after 40 years in the minority. Not since the Cannon era had there been such vigorous party leadership in the House. Speaker Gingrich explained the need for greater central authority. The GOP must change, he said, "from a party focused on opposition to a majority party with a responsibility for governing. That requires greater assets in the leader's office." [42]

A key centralizing aspect of Gingrich's speakership was his influence over committees. Not only did Gingrich personally select certain Re-

[40] John Berry, *The Ambition and the Power: The Fall of Jim Wright* (New York: Viking, 1989), p. 6.

[41] C. Lawrence Evans and Walter J. Oleszek, *Congress Under Fire: Reform Politics and the Republican Majority* (Boston: Houghton Mifflin, Co., 1997), pp. 35–38.

[42] David Cloud, "Gingrich Clears the Path for Republican Advance," *Congressional Quarterly Weekly Report*, vol. 52, Nov. 19, 1994, p. 3319.

publicans to chair several standing committees, ignoring seniority in the process, he also required the GOP members of the Appropriations Committee to sign a written pledge that they would heed the Republican leadership's recommendations for spending reductions. Furthermore, he often bypassed committees entirely by establishing leadership task forces to process legislation, dictated orders to committee chairs, and used the Rules Committee to redraft committee-reported legislation. Party power during this period dominated committee power.

The centerpiece of Gingrich's early days as Speaker was a 10-point Republican Party program titled the "Contract with America," which the House acted upon within the promised first 100 days of the 104th Congress. The contract set the agenda for Congress and the Nation during this period. An important component of the contract was a wholesale reworking of the Rules of the House, the most significant since Speaker Reed. "The elections of November 8, 1994, transformed the politics of congressional structures and procedures," declaimed a congressional scholar.[43] With GOP cohesion and solidarity especially high, Speaker Gingrich consolidated and exercised power to transform House operations in significant ways.

Among the administrative, legislative, and procedural actions taken by Republicans during the 104th Congress were these: (1) passing the Congressional Accountability Act, which applied workplace safety and antidiscrimination laws to Congress; (2) hiring Price Waterhouse and Company, a nationally known accounting firm, to conduct an independent audit of House finances; (3) cutting House committee and subcommittee staffs by one-third; (4) imposing 6-year term limits on committee and subcommittee chairs; (5) banning proxy—or absentee—voting in committees; (6) permitting radio and television coverage of open committee sessions as a matter of right and not by authorization of the committee; (7) guaranteeing to the minority party the right to offer a motion to recommit with instructions; (8) restricting Members to two standing committee assignments and four subcommittee assignments; (9) requiring more systematic committee oversight plans; (10) prohibiting commemorative measures; (11) doing away with the joint referral of legislation—referring measures to two or more committees simultaneously—but authorizing the Speaker to designate a primary committee of jurisdiction upon the initial referral of a measure; (12) prescribing term limits—8 years of consecutive service—for the Speaker (abolished at the start of the 108th Congress); (13) eliminating three standing committees (District of Columbia, Post Office and Civil Service, and Merchant Marine and Fisheries) and consolidating their functions in other, sometimes renamed, standing committees; (14) transforming the Committee on House Administration into a leadership-appointed panel; and (15) reorganizing the administrative units of the House.

These and many other formal and informal Gingrich-led changes made the 104th House (1995–1997) considerably different from its immediate predecessor, modifying the legislative culture and context of the House. Civility between Democrats and Republicans eroded as both sides exploited procedural and political devices in efforts either to retain, or win back, majority control of the House. Some of the attempted reforms also proved hard to implement. The new majority promised a more open and fair amendment process compared to the restrictive amendment opportunities Republicans often experienced during Democratic control of the House. This goal, however, sometimes clashed with a fundamental objective of any majority party in the House: the need to enact priority legislation even if it means restricting lawmakers' amendment opportunities. Throughout the 104th Congress, Democrats and Republicans prepared "dueling statistics" on the number of open versus restrictive rules issued by the Rules Committee. Democratic frustration with GOP-reported rules that limit their amendment opportunities has escalated in subsequent years.[44]

In 1995, *Time* named Gingrich their "Man of the Year." (Ironically, the person to appear on the first issue of the magazine's cover was Joe

[43] Roger Davidson, "Congressional Committees in the New Reform Era," in James A. Thurber and Roger H. Davidson, eds., *Remaking Congress: Change and Stability in the 1990s* (Washington: Congressional Quarterly Inc., 1995), p. 41.

[44] Erin P. Billings, "Democrats Protest Closed Rules in the House," *Roll Call*, March 17, 2003, p. 16.

Cannon.) However, Speaker Gingrich soon encountered political and personal problems. In an unsuccessful confrontation with President Bill Clinton, the Gingrich-led Republicans were twice publicly blamed for shutting down parts of the government in late 1995 and early 1996 because of failure to enact appropriations bills in a timely manner. Rank-and-file Republicans became upset with the Speaker's impulsive leadership style. A small group of Republicans, with the encouragement of some in the leadership, planned in summer 1997 to depose Gingrich as Speaker, but the plot was uncovered and averted.[45] Nonetheless, the coup attempt exposed the deep frustration with the Speaker within GOP ranks. Gingrich, too, was reprimanded by the House for ethical misconduct and blamed for the loss of GOP House seats in the 1996 and 1998 elections. Weakened by these developments, Gingrich resigned from the House at the end of the 105th Congress.

CONCLUDING OBSERVATIONS

The historian David McCullough once wrote, "Congress . . . rolls on like a river . . . always there and always changing."[46] His observation fits the speakerships of Reed, Cannon and Gingrich. Although each served in different political, economic, and social circumstances—with a President of their own party or not, for example, Reed, Cannon and Gingrich centralized procedural control of the House in their hands to accomplish policy and political goals. Each was willing to hamstring the minority party and to challenge the White House. Whether the influence of these Speakers stems primarily from the context in which they served (the strength of partisan identification in the electorate, the autonomy of committees, the cohesiveness of the majority party, etc.) or their personal skills, abilities, and talents, there is little doubt that, at the apex of their power they shaped and reshaped the procedures, policies, and politics of the House.

The return of dictatorial Speakers on the order of Joe Cannon is unlikely in the contemporary era. The reasons seem mostly self-evident: greater transparency in almost all of Congress' activities; larger, more diverse, and more sophisticated media coverage of Congress; a congressional membership that is not only better educated but one that has thrived in an era where policy and political entrepreneurship is a norm and overly strict adherence to the directives of a single party leader an uncommon occurrence; and the expectations of attentive and well-educated constituents who want Members to participate in public debates and media events and to initiate policy proposals.

The speakership in its most recent incarnation draws its strength in part because of a procedural change adopted during the Gingrich speakership: the three-term limit on committee chairs. These committee leaders are unlikely to remain in their post long enough to accrue political influence sufficient to challenge the Speaker on a regular or sustained basis. Moreover, the decision to appoint a new committee chair is exercised by the Speaker-led Republican Steering Committee. Congressional history demonstrates, however, that centralized authority is not a permanent condition. Instead, the forces of centralization and decentralization are constantly in play, and they regularly adjust and reconfigure in response to new conditions and events.

Another large source of influence for today's Speaker is the heightened level of partisanship in the House. This situation often enables majority party leaders to demand, and often get, party loyalty on various votes. Broadly, the Speaker has the dual task of mobilizing majority support for party goals and, concurrently, formulating and publicizing issues that attract the support of partisans and swing voters nationally so his party retains majority control of the House.

The Reed, Cannon, and Gingrich speakerships highlight how each defined their role according to time, place, and circumstance. The office itself has changed shape time and again, and its ability to procedurally and politically control the business of the House has waxed and waned. The heightened partisanship in today's House means

[45] Jackie Koszczuk, "Party Stalwarts Will Determine Gingrich's Long-Term Survival," *Congressional Quarterly Weekly Report*, vol. 55, July 26, 1997, pp. 1751–1755.

[46] David McCullough, "Time and History on Capitol Hill," in Roger H. Davidson and Richard C. Sachs, eds., *Understanding Congress: Research Perspectives*, U.S. House of Representatives, 101st Cong., 2d sess., 1991, H. Doc. 101–241, p. 32.

that the Speaker often gets party loyalty on key votes. Probably the Speaker's most compelling argument to his partisans is that if they are to maintain majority control, they must stick together and do whatever it takes politically and procedurally to retain their status. Speakers may lose key votes on the floor, but it is seldom for lack of trying.

In its present configuration, the speakership is as significant an office as any time in the past, a product now of its occupant and lieutenants collectively and the conditions in which they operate. These circumstances today favor strong party leadership, but Speakers always operate under a range of constraints, such as the independence of lawmakers and size and unity (or fragmentation) of the majority party. At bottom, the Speaker's authority rests on the willingness of lawmakers to follow his lead. Without followership, Speakers can still be "the sport of political storms." [47]

[47] Herbert Bruce Fuller, *The Speakers of the House* (Boston: Little, Brown and Company, 1909), p. 292.

Chapter 3

The Speaker of the House and the Committee on Rules

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The rules ... are not for the purpose of protecting the rights of the minority, but to promote the orderly conduct of the business of the House.

Speaker Thomas B. Reed

{To provide the Speaker} absolute control of the House through its Committee on Rules is giving greater power to the Speaker of the House than any man in this free Republic ought to possess.

Representative Joseph W. Bailey

The Speaker of the House and the Committee on Rules have existed since the First Congress. In fact, the first select committee established in the House in 1789 was a Committee on Rules; the first rule it reported detailed the duties of the Speaker.

For the first 90 years of its existence, the Rules Committee was a temporary and relatively unimportant entity. From 1789 to 1880, however, both the link between the Speaker and the Rules Committee, and the power of each, would grow. This accumulation of influence was gradual, and was tied directly to the actions and aspirations of individual Speakers. In 1858 a sitting Speaker was named a member of the Select Rules Committee, and in 1880, the panel was made a permanent standing committee which the Speaker chaired.

Since 1880, the committee has been at various times an agent of the Speaker's power, an opponent and counterweight to it, a political traffic cop, a leadership gatekeeper, an unmovable parliamentary roadblock, an investigative and oversight body, and a secondary legislative filter. The Rules Committee has played an increasingly important role in the Congress. Through it, Speakers of the House have been able to largely control not only the flow, but the substance, of legislation from the standing committees to the House floor. The committee has become one of the most important ingredients in a Speaker's ability to govern.

As one scholar points out, "Sometimes a Speaker has dominated the {Rules} Committee from his position as its chairman; more often than not, he has exerted great influence over it through his impact on the selection of its members. More rarely, he has been confronted with an independent and sometimes rebellious committee." [1]

The power relationship between the Rules Committee and the Speaker has often been a synergistic one, each reinforcing the other. It is little

[1] U.S. House of Representatives, Committee on Rules, *A History of the Committee on Rules*, committee print, 97th Cong., 2d sess. (Washington: GPO, 1983), p. 6.

wonder, then, that the House Rules Committee is often called "the Speaker's committee."

THE ORIGIN OF THE RULES COMMITTEE

While today the Rules Committee is central to the power of the Speaker and the operations of the modern Congress, the origin of the committee is far more modest. In April 1789, when a quorum was finally achieved in the First Congress after weeks of waiting for Members to arrive from the 13 States, the first select committee established was a committee on rules. The 11-member panel, appointed by Speaker Frederick A.C. Muhlenberg of Pennsylvania and chaired by Representative Elias Boudinot of New Jersey, was directed to "prepare and report such standing rules and orders of proceedings as may be proper to be observed in this House."[2] When the select committee reported back to the House 5 days later, the first rule it recommended outlined the duties and powers of the Speaker of the House. This rules package was known as the "Boudinot rules," after the chair of the select committee.

At this time, and indeed, for the next 90 years, the Committee on Rules wielded scant influence over the substance of legislation or the order of procedural business in the House. During these early years, when the Congress was small, and conducted comparatively little legislative business, the Rules Committee was largely a housekeeping panel that met at the beginning of a session to craft a rules package or, more frequently, simply to readopt the Boudinot rules of the First Congress. In many early congressional sessions, the Rules Committee met once to accomplish this task, and not again; in other Congresses, the panel did not make a single report. One congressional scholar has pointed out, "the custom of re-adopting the Boudinot Rules ... left little {work} to a Committee on Rules."[3] In fact, in its early history, the select committee was so insignificant to the operations of the House that, during one 11-year period—from 1817 to 1828—Speakers of the House did not even bother to appoint Members to the committee.[4]

From 1841 to 1883, however, the Rules Committee began a gradual evolution that would transform it into one of the House's most powerful committees. As a result of this evolution, the Rules Committee would become so central to the power of the Speaker and the scheduling of the business of the House, that in spring 1910, almost 121 years to the day after the first Select Rules Committee was established, the House, in a rare instance of open revolution, would rise up in bipartisan revolt against the Speaker of the House and strip him of his seat on the Rules Committee, an entity which had become "the citadel of his power."[5]

This journey to the heights of power was a slow one, however, that evolved even as the young legislative body grew. In June 1841, the House gave the Rules Committee the power to report from time to time; prior to that, the panel had only been permitted to report at the beginning of a Congress on possible revisions to the rules. This change was made in the hope that the additional power granted the committee would allow it to undertake a comprehensive reform of the Chamber's rules, which had become a "hodgepodge" that "bordered on chaos."[6] The committee, however, was unable to make a comprehensive reform of House rules. Shortly thereafter, Speaker John White of Kentucky, conferred additional influence on the committee by ruling that the panel could "make reports in part at different times."[7]

In 1849, the House, frustrated with the continued confused state of the rules, briefly made Rules a standing committee with the hopes that doing so would enable it to comprehensively reform the Chamber's rules. After 4 years, however, the panel had still not been able to accomplish this task. Simply put, "what resulted was more of the same."[8]

In 1853, the House adopted a resolution making legislation reported from the Rules Committee privileged for consideration, mandating

[2] *Journal of the House of Representatives*, 1st Cong., 1st sess., April 2, 1789, p. 6.

[3] DeAlva Stanwood Alexander, *History and Procedure of the House of Representatives* (Boston: Houghton Mifflin, 1916), p. 182.

[4] James A. Robinson, *The House Rules Committee* (Indianapolis: Bobbs-Merrill, 1963), p. 59.

[5] Ibid., p. 57.

[6] *A History of the Committee on Rules*, pp. 44–45.

[7] Ibid., p. 44.

[8] Ibid., p. 45.

that reports from the panel be "acted upon by the House until disposed of, to the exclusion of all other business."[9] This additional grant of power failed to help the panel achieve comprehensive rules reform and, in 1857, the panel remained so unimportant that the House did not even create it until a full 6 months of the 35th Congress had elapsed.

In 1858, however, an important breakthrough occurred. The House established a select panel made up of the Speaker and four other Members to revise the rules and report back to the full House; this was the first time that a Speaker had served on one of the Chamber's legislative committees. Under the resolution, the Speaker named the four other members of the select committee. During floor debate, one Member offered an amendment to have the House, rather than the Speaker, appoint these members, but it was overwhelmingly defeated and the resolution establishing the select committee was adopted with almost no debate.[10] Although the action received little debate on the floor, it marked the first time the Speaker was in full command of the Rules Committee.

In the 36th Congress, the select committee reported back its suggested revisions of the rules, which were subsequently adopted by the House. Included in the report were provisions providing for a five-person Rules Committee appointed and chaired by the Speaker of the House.[11] The Speaker would remain a member of the House Rules Committee, serving as its chair, appointing its members (as well as the members of all House committees) and exercising its power and authority for the next three decades. Thus, after 1858, the powers of the committee and the authority of the Speaker became even more closely linked, "a circumstance which served both to enhance the role of the committee and to strengthen the influence of the Speaker."[12]

In 1880, the Rules Committee was made a permanent standing committee of the House and given legislative jurisdiction over "all proposed action touching the rules and joint rules." The House undertook this action in the course of another comprehensive overhaul of its rules, which reduced the number of standing rules from 166 to 44.[13]

The first chairman of the revamped committee, Speaker Samuel J. Randall (D–PA), used his authority on the Rules Committee to bolster the influence of his office, establishing that all future rules changes should be referred to the Rules Committee, and that its reports could be brought to the floor any time.[14]

The powers of the committee and the Speaker continued to grow when control of the Chamber shifted again in 1881. One of the first Members to recognize the full potential of the Rules Committee to manage legislative business was Representative Thomas Brackett Reed (R–ME), who was appointed to the Rules Committee in 1882.

In February 1883, in an important development that foreshadowed the role of the modern Rules Committee, the House upheld a Speaker's ruling that the committee could report a special order of business for a specific bill. The significance of this ruling was that it allowed the House to take up individual bills by a simple majority vote rather than being forced to rely on the cumbersome suspension of the rules procedure, which required a super majority vote of two-thirds, or by unanimous consent.[15]

This ruling was prompted by Representative Reed, who called up a resolution reported by the Rules Committee that sought to allow the House to suspend the rules by simple majority vote and request a conference with the Senate on tariff legislation. A point of order was made by Representative Joseph Blackburn (D–KY) against the resolution on the grounds that the Rules Committee did not have the authority to report such a resolution. In making his argument, Blackburn pointed out that the resolution was neither a House rule nor an amendment to House rules, and should thus be ruled out of order. Speaker J. Warren Keifer (R–OH) overruled the point of

[9] "The Rules Again," *Congressional Globe*, vol. 23, Dec. 5, 1853, p. 4.

[10] "Revision of the Rules," *Congressional Globe*, vol. 28, June 14, 1858, p. 3048.

[11] U.S. Library of Congress, Congressional Research Service, *A Short History of the Development of the Committee on Rules*, typed report by Walter Kravitz and Walter J. Oleszek, Jan. 30, 1978, p. 4.

[12] Ibid.

[13] George B. Galloway, *History of the United States House of Representatives*, 89th Cong., 1st sess., H. Doc. 250 (Washington: GPO, 1965), p. 47.

[14] Ibid., p. 47.

[15] Ibid., p. 48.

order on grounds that the resolution was "reported as a rule from the Committee on Rules." The Speaker explained that, just as the Rules Committee could report a rule to suspend or repeal any or every rule of the House, subject to approval by the House itself, it could also issue a rule that would "apply to a single great and important measure . . . pending before the Congress." [16]

While this was the first instance of the House adopting a "special rule" for the consideration of a specific bill, it did not at that time lead to a flood of special rules from the Speaker, or give an indication of the tremendously important procedural development it would later prove to be. "The method of adopting a special order from the Committee on Rules by a majority vote," one historian noted, "was not in favor for the following three Congresses. In 1887, it was regarded as a proceeding of 'doubtful validity' . . . it was not until . . . 1890 that this method . . . gained the favor of the House as an efficient means of bringing bills out of their regular order for . . . immediate consideration." [17]

By 1890, the function of providing special orders of business for the consideration of legislation became routine and was the sole prerogative of the Rules Committee and its chair, the Speaker. Speaker John G. Carlisle (D–KY), regularly issued special rules from the committee for individual bills, further cementing the practice. "Since that time," former House Parliamentarian Asher Hinds points out, the issuance of special rules "has been in favor as an efficient means of bringing up for consideration bills difficult to reach in the regular order and especially as a means for confining within specified limits the consideration of bills involving important policies for which the majority party in the House may be responsible." [18]

When Republicans retook control of the House in the 51st Congress, 1889–1891, Representative Reed was chosen Speaker. He immediately took advantage of his position as chairman of the Rules Committee to control legislative business on the floor through the use of special rules. More importantly, Speaker Reed used his power as Speaker and chairman of the Rules Committee in tandem to clear minority obstruction of floor business.

As presiding officer, Reed issued several landmark rulings that in effect, outlawed minority obstructive tactics, particularly the "disappearing quorum," a parliamentary innovation pioneered by John Quincy Adams during his 17 years as a Member of the House following his one term as President. By this tactic, minority Members, although physically present in the House Chamber, would refuse to vote, thus denying the body the quorum needed to do business. Speaker Reed ruled against these obstructions as presiding officer, and then, as chairman of the Rules Committee, codified his rulings into the standing rules of the House. These provisos, together with a comprehensive overhaul of the rules undertaken by Reed, came to be known as the "Reed rules," and serve as the basis for the power of the modern Speaker and the operations of the present-day House. Most notably, the Reed rules established a framework by which the Speaker, as leader of the majority party in the House, could move his legislative agenda forward.

Additional power accrued to the Speaker through the Rules Committee when, in 1891, the committee was given the authority to report at any time. Two years later it was also granted the right to sit during sessions of the House.[19]

Even when viewed through the prism of the House in later periods of centralized power, it is difficult to convey the absolute control exercised by the Speaker during this period.

So absolute was "Czar" Reed's control of the business of the House through the scheduling powers of the Rules Committee, that, when told of a particularly long debate that had consumed the time of the Senate, the Speaker was able to remark without humor or irony, "Thank God the House of Representatives is not a deliberative body." [20]

[16] House Committee on Rules, Official Web site, www.house.gov rules, accessed on Aug. 12, 2003.

[17] Chang-Wei Chiu, *The Speaker of the House of Representatives Since 1896* (New York: Columbia University Press, 1928), pp. 120–121.

[18] Asher C. Hinds, *Hinds' Precedents of the United States House of Representatives,* 5 vols. (Washington: GPO, 1907), vol. IV, § 3152.

[19] Ibid., § 4321.

[20] Asher C. Hinds, "The Speaker of the House of Representatives," *American Political Science Review*, vol. 3, May 1909, pp. 155–156.

THE REVOLT AGAINST SPEAKER CANNON

The power of the Speaker of the House, through and by the Rules Committee, continued to grow under Speaker Joseph G. "Uncle Joe" Cannon (R–IL), who served as the Chamber's presiding officer from 1903 to 1910. Speaker Cannon was a colorful figure, and a strong believer in party discipline. He did not hesitate to use his power in appointing committee members and even committee chairs, and in punishing those who did not obey his wishes.

In assessing the leadership of Speaker Cannon, one scholar has remarked, "Particularly significant was Speaker Cannon's power as chairman of the Committee on Rules. The Committee was small—never over five Republican Members prior to 1910. The three-to-two edge of the Republicans was potent, however, since the Speaker appointed the members carefully—insuring that they agreed with his views." [21]

Cannon was well prepared to use the committee as an instrument of power, having observed its use under Speaker Reed. Indeed, Cannon was no stranger to the use of raw political power. As chairman of the House Appropriations Committee in 1898, Cannon "wooshed through a then staggering $50 million appropriation to allow President William McKinley to fight the Spanish American War—without consulting or even informing his fellow committee members about it." [22]

Cannon continued that use of political power when he became Speaker and Rules chair. "Before March, 1910, the power of the Speaker was in part due to the increase in the power of the Committee on Rules," as one writer has observed, because the committee "had privileges which were not accorded by the House to any other committee. Through a special order, the Committee . . . regulated what should be considered, how long debate on a bill should last, when a vote should be taken, or whether a bill should be voted with or without amendment. It proposed amendments to legislative bills over which other committees had jurisdiction." [23]

Speaker Cannon used his power over the Rules Committee coupled with his power of recognition to manage the business of the House down to the smallest detail. Writing of Cannon's daily meetings with his Rules Committee lieutenants and rank and file Members seeking the Speaker's permission to consider their bills, one reporter related:

> If the Speaker decides in the applicant's favor, he takes a little pad and writes the Congressman's name and number of the bill on it. Later, when the House assembles and the Speaker calls it to order, he has this little pad in his hand or lying beside him on his desk. The various successful applicants arise and shout "Mr. Speaker!" while the unsuccessful ones sit glumly in their seats . . . The Speaker does not even look at the shouting applicants. He studies his pad and calls out, "The Gentleman from Ohio," or "The Gentleman from Illinois," until the entire list is exhausted. There is more finality in a Cannon "yes" or "no" than in that of any other man in America. [24]

Minority Leader (and later Speaker), Champ Clark, summed up Speaker Cannon's partisan use of the Rules Committee when he told his House colleagues in 1910, "I violate no secret when I tell you the committee is made up of three very distinguished Republicans and two ornamental Democrats." [25]

It is clear that, "the legislative agenda, the progress of bills, members' committee assignments, almost every function of the House, all . . . was under the control of the Speaker and the five-member House Rules Committee, which was made up of Cannon and four of his hand-picked colleagues." [26] So absolute was Speaker Cannon's rule, that one, perhaps apocryphal, story claimed that, "when a constituent asked one representative for a copy of the rules of the House toward the end of Cannon's Speakership, the member simply mailed the man a picture of the white-bearded Cannon." [27]

In 1909, the House, which had become increasingly frustrated with Speaker Cannon's iron grip over the legislative agenda, enacted a poten-

[21] Charles O. Jones, "Joseph G. Cannon and Howard W. Smith: An Essay on the Limits of Leadership in the House of Representatives," *The Journal of Politics*, vol. 30, Aug. 1968, pp. 617–646.

[22] Michael Kilian, "Tough Act to Follow," *Chicago Tribune*, Jan. 23, 1995, sec. 2, p. 1.

[23] Chiu, *The Speaker of the House of Representatives Since 1896*, pp. 124–125.

[24] "A Glimpse Into Speaker Cannon's Famous Red Room," *New York Times*, Dec. 13, 1908, p. SM8.

[25] Representative Champ Clark, remarks in the House, *Congressional Record*, vol. 45, March 17, 1910, p. 3294.

[26] Ibid., p. 1.

[27] Kilian, "Tough Act to Follow," sec. 2, p. 1.

tial restriction on his scheduling power through the Rules Committee when it adopted the "Calendar Wednesday" procedure. Under this procedure, each Wednesday was reserved exclusively for the various standing legislative committees to call up measures in their jurisdiction for floor consideration. This procedure could be used to bring to the floor measures for which the Rules Committee had granted no hearing or special rule. While the adoption of Calendar Wednesday was an attack on the power of the Speaker, in practice, Cannon was largely able to render it ineffective.

Noted parliamentary expert with the House, Asher C. Hinds, argued that far too much was made of the Speaker's power vis-a-vis the Rules Committee. He wrote in 1909, "The power of the Speaker, as it is related to the Committee on Rules, is much overestimated. When a committee has once reported a bill, that bill is in the hands of the House."[28] Hinds further argued that the Rules Committee did nothing in practice that was revolutionary or inappropriate, but only did what the party caucuses had routinely done in previous years. It is important to keep in mind, however, that while Hinds was intimately familiar with the operations of the Cannon House, he was also the clerk at the Speaker's table, so his viewpoint arguably cannot be considered entirely unbiased.

Speaker Cannon and his Republican majority had ample warning of the unrest brewing among the more progressive Members of both parties during the 60th and 61st Congresses. Some observers of Congress have alleged that this mounting frustration was attributable less to Cannon's absolute control of the House through the Rules Committee than the fact that he used that power to prevent the House from voting on progressive legislation which rank and file Members of Congress of both parties supported. "It was 'Uncle Joe' Cannon's economic and social philosophy," one scholar argues, "that first aroused [Republican insurgents] against his autocracy"[29] Whatever the genesis of the reform movement, Speaker Cannon was steadfastly unwilling to heed the growing chorus calling for reform. In characteristically blunt style, he said, "I am damned tired of listening to all this babble for reform. America is a hell of a success."[30]

Member frustration spilled onto the floor when, "Twelve insurgents refused to vote for Cannon for Speaker at the opening of the special session in 1909 called by President Taft to consider the tariff . . . [and] a combination of insurgents and Democrats defeated a motion to adopt the rules of the previous Congress. At that point Minority Leader Clark offered a resolution which would have increased the size of the Committee on Rules, removed the Speaker from the committee and taken from the Speaker his power of appointing all committees except Ways and Means."[31]

The Speaker was able to fend off this attack by agreeing to a compromise motion to establish a unanimous consent calendar, a motion of recommital for the minority party, and increases in the number of votes necessary to set aside the Calendar Wednesday procedure.

Speaker Cannon later meted out his revenge against the rebels. As one reporter noted days after the quashed revolt, "With few exceptions, members of the House who opposed the Speaker's candidacy or opposed the adoption of the . . . rules find themselves tonight with undesirable committee assignments or without the promotion long service on a particular committee entitled them to expect."[32]

While he was able to delay the inevitable, in the end, even Speaker Cannon's mastery of the Rules Committee could not prevent the full House from working its will. Frustration with "Cannonism" came to a final head on St. Patrick's Day, 1910, when a small band of progressive Republican Members, led by Representative George W. Norris (R–NE), joined with Democrats to again challenge the powers of the Speaker. Cannon had given opponents a parliamentary opening when he tried to shut down the use of the Calendar Wednesday procedure. In response, Norris rose and offered a resolution as a matter of constitutional privilege to change House rules

[28] Hinds, "The Speaker of the House of Representatives," p. 162.
[29] Robinson, *The House Rules Committee*, p. 61.
[30] Greg Pierce, "Joe Made Them Cry Uncle," *Washington Times*, May 7, 1986, p. 2D.
[31] Jones, "Joseph G. Cannon and Howard W. Smith," pp. 617–646.
[32] "Cannon Disciplines House Insurgents," *New York Times*, Aug. 6, 1909, p. 2.

by removing the Speaker as chair and member of the Rules Committee, and by expanding the panel's membership from 5 to 15, to be chosen by State delegations.

In later years, Representative Norris recalled of his reform resolution, "I had carried it for a long time, certain, that in the flush of its power, the Cannon machine would overreach itself. The paper upon which I had written my resolution had become so tattered it scarcely hung together."[33]

Supporters of the Speaker quickly raised a point of order against the Norris resolution, arguing that it did not carry the constitutional privilege its author claimed. Speaker Cannon allowed debate on the point of order to continue for 2 days, after which he sustained it. Cannon's decision that the Norris resolution was not in order was then appealed to the full House which overturned the Speaker's ruling by a vote of 182 to 162. The Norris resolution was then adopted, 191 to 156, after Representative Norris amended it to provide for a 10-member Rules Committee elected by the entire House. Cannon continued to serve as House Speaker, but without the unchecked power he had previously commanded.

DECENTRALIZATION OF THE SPEAKER'S POWER OVER RULES COMMITTEE

Although the overthrow of Speaker Cannon drastically reduced the power of the Speaker to singlehandedly manage the flow and content of legislative business, the Rules Committee's power remained largely intact. The post-Cannon period was a time of general decentralization of authority in the House of Representatives, and one where power resided in the caucus and the majority floor leader even more than in newly-elected Speaker Champ Clark (D–MO). When Democrats regained control of the House in 1911, they set up a system of governance largely through party apparatus, making extensive use of binding votes in caucus to compel Democratic Members to support the majority legislative agenda on the floor. This era of "King Caucus" meant that gone were the days when the Speaker was "considered . . . an officer second only in power and influence to the President of the United States himself, and so far as the enactment of legislation was concerned, to exercise powers superior to {the President}."[34]

It would be a mistake, however, to conclude that after 1910 the weakened Office of the Speaker did not continue to exert influence over the Rules Committee in the service of the majority party agenda, or to continue to accumulate power for the panel. The Speaker, in conjunction with the newly influential floor leader, Representative Oscar Underwood (D–AL), continued to use the power of the Rules Committee as one of his most powerful management tools. "Excepting only the caucus," the Rules Committee during Underwood's speakership became, "the most necessary and essential feature of the new floor leader system in the House."[35] Democratic leaders made certain that the Rules Committee continued to serve as an organ of the majority party by carefully stocking the committee with solid party loyalists.

Although the speakership was weakened during this period, Speakers continued to accrue power for the panel. In 1920, for example, Speaker Frederick H. Gillett of Massachusetts ruled that the committee might report a resolution providing for the consideration of a bill that had not yet been introduced.[36] The ruling was an important one that foreshadowed the modern Rules Committee's ability to manage not only the consideration, but the content, of legislative business in the House.

Speakers also continued to use their influence to prevent the Rules Committee from reporting rules for legislation they and the majority party opposed. In 1922, for example, the committee blocked a resolution demanding answers about the Department of Justice's handling of an investigation relating to war contract fraud[37] which the majority opposed.

[33] Jones, "Joseph G. Cannon and Howard W. Smith," pp. 617–646.

[34] Galloway, *History of the United States House of Representatives*, p. 122.

[35] James S. Fleming, "Oscar W. Underwood: The First Modern House Leader, 1911–1915," in Roger H. Davidson, Susan Webb Hammond, and Raymond W. Smock, eds., *Masters of the House: Congressional Leadership Over Two Decades* (Boulder, CO: Westview Press, 1998), p. 108.

[36] Clarence Cannon, *Cannon's Precedents of the House of Representatives*, 6 vols. (Washington: GPO, 1935–1941), vol. VIII, § 3388.

[37] "House Inquiry Plan is Again Blocked," *New York Times*, May 28, 1922, p. 2.

The power of the Speaker to control the legislative agenda was further increased in 1924, when the "pocket veto" power of the chairman of the Rules Committee was curbed by Speaker Gillett after the Rules Committee chairman had exercised his discretion to hold resolutions from floor consideration long after the Rules Committee had reported them.

In 1925, during the speakership of Nicholas T. Longworth (R–IL), one Member bemoaned this ability to obstruct legislation, stating that the Speaker and the members of the Rules Committee "were empowered by . . . House 'gag rules' to allow legislation to live or to make it die" while other Members looked on, ". . . as helpless as little children." The Member in question concluded that this was simply, "too damned much power." [38]

Soon after assuming the speakership, Longworth had moved to restore the Speaker's power over the Rules Committee. "To consolidate his control, Longworth had the Committee on Committees remove three {insurgent progressive} Members from the Rules Committee . . . and replace them with dependable party regulars." During Longworth's tenure, Rules Committee chair Bertrand Snell was a member of a group known as the "Big Four" which acted as Speaker Longworth's inner circle of advisors and the party's principal policy body.[39]

This trend toward restoring the Speaker's power over the committee continued under Speaker John Nance Garner (D–TX), who "functioned as a broker, a negotiator who put together coalitions and compromises by working with and through committee chairs," including the Rules Committee.[40]

In another important development, in 1933, Speaker Henry T. Rainey (D–IL) upheld the Rules Committee's right to report a resolution for consideration of a bill on which the House had refused to act under suspension of the rules. Speaker Rainey also shepherded through the Chamber an increase in the threshold needed to discharge legislation from committees—from 145 to 218—to stop legislation awarding veterans a cash bonus from being brought up in Congress.[41] This latter development further empowered the Rules Committee and the Speaker in relation to rank and file Members.

Still later in the Rainey speakership, a Member was named to the Rules Committee over the Speaker's objections. That Member was "Judge" Howard W. Smith of Fauquier County, VA, who would play a crucial role in the future of the relationship between the Speaker and the Rules Committee.

THE SPEAKER VS. THE COMMITTEE: THE EMERGENCE OF THE "CONSERVATIVE COALITION"

During the speakership of William B. Bankhead (D–AL), 1936–1940, the Rules Committee ceased to be an unquestioned agent and ally of majority party leadership, due to the advent of a "conservative coalition" of southern Democrats and Republicans on the panel. For the next three decades, Speakers would find the committee to be, at least on some issues, an independent and competing power base in need of cajoling and catering and, at worst, a legislative adversary.

The rise of the conservative rules coalition was a gradual one. The Rules Committee played an instrumental part in expediting much of President Franklin D. Roosevelt's New Deal legislation during his first "hundred days," and through his initial term in office, by reporting closed rules on major legislation forwarded by the President. As the economic emergency of the Depression receded, however, a backlash against Presidential policies that were viewed by southern Democrats as increasingly liberal and unwise, set in during the 74th Congress. This growing suspicion of New Deal policies coincided with, and was furthered by the election of Representative John J. O'Connor (D–NY), a New Deal critic, as chair of the committee.[42]

"By 1937, the House Democratic Leadership could no longer count on Rules Committee

[38] "Howard Charges Gag Rule in the House," *New York Times*, March 19, 1930, p. 19.

[39] Donald C. Bacon, "Nicholas Longworth: The Genial Czar," in *Masters of the House,* p. 134.

[40] Anthony Champagne, "John Nance Garner," in *Masters of the House,* p. 170.

[41] "Discharge Rule Approved," *New York Times*, April 19, 1933, p. 3.

[42] Galloway, *History of the United States House of Representatives*, p. 135.

Southern Democrats in granting of rules."[43] As a result, Speaker Bankhead was increasingly unable to promise prompt consideration of administration legislative priorities.

One visible split between the Speaker and the Rules Committee occurred during consideration of the President's wage and hour bill, a legislative proposal that would have set a national minimum wage, established standards for maximum hours of work, and implemented several child labor reforms. After the legislation was passed by the Senate in August 1937, it was subsequently reported from the House Labor Committee. That is where its progress abruptly stopped. "With the five southern Democrats and four Republicans on the Rules Committee opposed to it, no rule was granted and no hearing was even held on the Wage and Hour bill."[44] When a compromise wage and hour measure was also scotched by the Rules Committee, the House Democratic leadership had to resort to a discharge petition to bring the plan forward for consideration. In explaining the failure to grant a rule for wage and hour legislation, Rules Committee member Representative Edward E. Cox (D–GA) made an argument presaging the coming civil rights battles of the next two decades, stating, "This bill is an attempt to . . . destroy the reserved powers of the states over the local concerns,"[45]

The "gatekeeping committee" had shut the gate on the Speaker himself. "The 1937–1938 fight over the wage and hour legislation was extremely significant," one scholar has noted, "it not only highlighted and aggravated the split in the Democratic Party, but it meant that on some issues the [Rules Committee] was a bipartisan coalition," rather than an arm of the Speaker and the majority party.[46]

Other observers of Congress have argued that, far from being an example of a stubborn minority holding legislation hostage, the wage and hour fight was actually an instance of the Rules Committee fulfilling a legitimate role as a filter for legislation that was not ready for consideration by the entire Chamber. Following debate on the bill, the full House overwhelmingly voted to recommit the first wage and hour bill to committee. "To say that the Rules Committee was defying the majority will of the House in not granting a rule," one author has reasoned, "must be qualified in light of the difficulties in getting a majority in favor of the principle of the bill" in the House.[47]

Regardless of the interpretation of the significance of the battle, the wage and hour fight heralded the beginning of a three-decade fight between Democratic Speakers of the House, most notably Speaker Sam Rayburn (D–TX), and the committee on issues such as labor protections, civil rights, and social policy.

The advent of the conservative coalition did not mean that the Speaker lost all control of the Rules Committee. "It is important to note that on many issues, the Rules Committee continued to act on behalf of the majority party, albeit at times reluctantly."[48] The rise of the conservative bloc did, however, make the ability of the Speaker to schedule and manage legislative business on behalf of the majority significantly more difficult.

Deeply concerned by this "loss" of the Rules Committee to the conservative coalition, the Roosevelt administration actively campaigned for the defeat of three renegade Rules Committee Democrats in the 1938 elections—Representatives O'Connor, Smith of Virginia, and Cox of Georgia. "The chief desire of the [Roosevelt Administration] 'purge,'" a *New York Times* writer observed at the time, "is to eliminate the important Rules Committee members who have consistently opposed Administration measures. If these can be beaten . . . the group feels that the Administration will have unquestioned control of the direction of House affairs in the next session."[49] When the smoke cleared on the morning after the election, however, only Representative O'Connor was defeated, a development that, when coupled with the loss of several New Deal allies on the panel, left the "conservative bloc" on Rules unchanged.

[43] *A History of the Committee on Rules*, p. 138.
[44] Ibid., p. 138.
[45] "Rule Denied, 8 to 6," *New York Times*, April 30, 1938, p. 1.
[46] *A History of the Committee on Rules*, p. 139.
[47] Robinson, *The House Rules Committee*, p. 61.
[48] *A History of the Committee on Rules*, p. 139.
[49] Charles A. Michael, "New Deal 'Purge' Said to Seek Control of House Rules Group," *New York Times*, June 30, 1938, p. 1.

Even worse for the Speaker, the election returned fewer Democrats to the House as a whole, a development that sounded the death knell to the Speaker's ability to skirt the committee by using discharge petitions. Further complicating this strained relationship was the emboldened nature of the Rules Committee, which proceeded to hold public hearings on issues embarrassing to the Roosevelt administration, actively undermined the Speaker's use of the suspension procedure, negotiated concessions from committees on the content of bills, and granted rules for the consideration of legislation that favored conservative interests.

ENACTMENT OF THE 21-DAY RULE

After World War II, the Speaker worked to undermine the power of the Rules Committee's conservative coalition over the legislative agenda. On January 3, 1949, Speaker Sam Rayburn, who took office following the death of Speaker Bankhead, shepherded through the House the adoption of the so-called "21-day rule." "Under this rule, the chairman of a legislative committee which had favorably reported a bill could call it up for House consideration if the Rules Committee reported adversely on it or failed to give it a 'green light' to the House floor within 21 days." [50]

The Speaker, together with allies in the Truman administration, employed the procedure of binding Democrats through a vote of their party caucus to support the resolution that enacted the 21-day rule. Indeed, Speaker Rayburn expended considerable effort and personal prestige in pushing for the rule change, making a rare speech on the House floor urging Members' support. One scholar observed that Rayburn's remarks:

> were especially directed toward his southern colleagues, many of whom were voting against the 21-Day rule because they feared it would increase the chances for the passage of civil rights legislation, which they opposed. Rayburn contended that civil rights legislation was not the issue. 'The rules,' he said, 'of a legislative body should be such at all times as to allow the majority of a legislative body to work its will.' [51]

Rayburn's efforts were ultimately successful, and when the 21-day rule was initially passed, observers called it a major power surge for the Speaker and a defeat for the renegade Democrats on the Rules Committee. William S. White, of the *New York Times*, wrote after the vote:

> Mr. Rayburn, as he is well aware, has received a power and a responsibility not given in generations to a Speaker of the House. He will be in command. He will be responsible in almost the complete sense of that term, for what the House does, in so far as the Administration Democrats are not outweighed from time to time by the orthodox Republicans and whatever bloc of rebellious southern Democrats can be marshaled.[52]

For critics of the 21-day rule, White subsequently observed, "this meant ... a return to 'czarism,' for in cutting down the Rules Committee the Members ... had simply left it all up to one man's yea or nay rather than to twelve." [53]

During the 81st Congress, the 21-day rule was successful in helping Speaker Rayburn bring anti-poll tax legislation to the floor, as well as forcing a vote on controversial housing and minimum wage bills. The Rule was also instrumental in obtaining consideration of legislation establishing the National Science Foundation, as well as bills granting Alaska and Hawaii statehood. The rules helped the Speaker get around an obstructive Rules Committee. As one Member of Congress later noted, "Altogether, during the 81st Congress, eight measures were brought to the floor and passed by resort to the 21-Day rule, and its existence forced the Rules Committee to act in other cases." [54]

The 21-day rule was eventually repealed after a bitter political fight in 1951 between Speaker Rayburn and the conservative coalition of southern Democrats and Republicans. "As a result, the power of the Rules Committee to blockade bills" sought by the Speaker and the majority party was restored.[55] This turnaround was made possible largely by solid increases in Republican strength in the House following the 1950 elections, coupled with mounting concern by many southern

[50] Galloway, *History of the United States House of Representatives*, pp. 57–58.

[51] Robinson, *The House Rules Committee*, p. 67.

[52] William S. White, "House Gives Speaker Large Grant of Power," *New York Times*, Jan. 9, 1949, p. 1

[53] William S. White, "Sam Rayburn, the Untalkative Speaker," *New York Times*, Feb. 27, 1949, p. SM10.

[54] Representative Chet Holified, remarks in the House, *Congressional Record*, vol. 106, Sept. 1, 1960, p. 19393.

[55] Galloway, *History of the United States House of Representatives*, pp. 57–58.

Democrats about the possible use of the 21-day rule to force consideration of civil rights legislation.

From 1955 to 1960, the new chairman of the Rules Committee—"Judge" Howard W. Smith of Virginia—the same Member who had been placed on the committee over the objections of Speaker Rainey nearly three decades earlier, and who had been unsuccessfully targeted for electoral defeat in the FDR "purge,"—was the "acknowledged leader of the [conservative] coalition." [56] The coalition's ability to independently block legislation would continue largely unchallenged until 1961, when 79-year-old Speaker Sam Rayburn would mount an assault on the power of the Rules Committee in one of the final political battles of his four-decade career in the House.

SPEAKER RAYBURN AND THE PURGE OF THE RULES COMMITTEE

Toward the end of the fifties, Speaker Rayburn's continued frustration with the Rules Committee spilled over into public view. "Judge" Smith's ability to block legislation supported by the Speaker was legendary:

> Often, when he did not want to bring a bill out of his [Rules] committee, the Judge would leave town and go to his 70-acre farm in Fauquier County, Virginia, to avoid calling a meeting. Early in 1957, he resorted to this tactic to delay consideration of President Eisenhower's civil rights proposal, insisting that he had to return home to inspect a barn that had burned down. "I knew Howard Smith would do almost anything to block a civil rights bill," said Speaker Sam Rayburn upon hearing this excuse, "but I never knew he would resort to arson." [57]

Speaker Rayburn arguably did all that he could to avoid the head-on battle with the committee's conservative coalition that eventually erupted in 1961, preferring instead to negotiate and cajole Smith to forward his majority party agenda. In 1959, for example, when members of the liberal Democratic Study Group [DSG] demanded reform of the Rules Committee by enlarging its size to defeat the coalition of four Republicans and two southern Democrats that dominated the 12-person panel, Speaker Rayburn refused to back the plan, seeking instead to "assure the House liberals of steps under existing rules" that could be used to outmaneuver the obstructive committee, including, "the use of . . . seldom-invoked Calendar-Wednesday." [58] In response to Rayburn's rebuff, the liberal Members issued the following statement:

> We have received assurances from Speaker Rayburn that legislation which has been duly considered and reported by the legislative committees will be brought before the House for consideration within a reasonable period of time. Our confidence in the Speaker is great, and we believe he will support such procedural steps as may be necessary to obtain House consideration of reported bills.[59]

This "go along to get along" approach was in keeping with Speaker Rayburn's leadership style. "[Rayburn's] effectiveness has rarely if ever rested on the use of raw power, coercion or threats," one reporter wrote at the time. "Rather, it has stemmed from his great personal prestige, close friendships with other House Democrats in positions of power, and the esteem, and respect held for him by nearly all colleagues." [60]

As 1961 dawned, however, Rayburn's position on the Rules Committee gradually changed as "it became evident that enactment of President Kennedy's legislative program would hang upon overcoming the conservative coalition control of the Rules Committee." [61]

In many ways, the 1961 battle between the Rules Committee and the Speaker was the direct opposite of the 1910 overthrow of Speaker Cannon. In 1910, Members had risen up because a Speaker, who, through his tight control of the power of the Rules Committee, had prevented legislation he opposed from being considered by rank and file Members of the House. In 1961, however, it was the Rules Committee that was blocking consideration of legislation, thwarting the will of a powerful Speaker, the majority leadership, and an increasing number of rank and file Members who wished to act on the "progressive" bills supported by their constituents.

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[56] CRS, *A Short History of the Development of the Committee on Rules*, p. 11.

[57] Charles and Barbara Whalen, *The Longest Debate: A Legislative History of the 1964 Civil Rights Act* (New York: Mentor Press, 1985), p. 92.

[58] John D. Morris, "Rayburn Rebuffs Move By Liberals," *New York Times*, Jan. 3, 1959, p. 1.

[59] Galloway, *History of the United States House of Representatives*, p. 143.

[60] John D. Morris, "Stakes High in Rules Struggle for Rayburn, 79, and Smith, 77," *New York Times*, Jan. 30, 1961, p. 12.

[61] Galloway, *History of the United States House of Representatives*, p. 143.

An editorial cartoon by the satirist Herblock during this period summed up many liberal Members' feelings on the Rules Committee: it pictured a baseball player in catcher's face mask and pads standing in front of, rather than behind, home plate, catching a fastball pitch before the batter could have a chance to swing at it. The batter represented Members of Congress and the catcher wore a jersey labeled "Rules Committee."

"Speaker Rayburn kept his own counsel until the eve of the session," George B. Galloway has written, "when he came out on the side of the reformers with a plan to enlarge the membership of the Rules Committee from 12 to 15" members.[62] In doing so, the Speaker resisted—after initially embracing—the suggestion of members of the Democratic Study Group to balance the committee by purging it of one of its renegade southern Democrats, Representative William M. Colmer (D–MS). The Rayburn plan would instead increase the size of the committee by three, enlarging the number of Democratic Rules members from eight to ten, and Republicans from four to five, breaking the conservative coalition's traditional six-six deadlock on the panel.

In the weeks leading up to the opening of the 87th Congress, the Kennedy administration, lobbyists from labor unions and progressive groups, and the Speaker and his loyalists, including Rayburn's close ally on the committee (and later Rules Committee chair) Representative Richard Bolling (D–MO), lined up votes for the plan to enlarge Rules. The scramble for votes between the Rayburn camp and the allies of the conservative coalition was intense, for the vote was to be an extremely close one. One historian later illustrated this situation by relating the see-sawing battle waged by the Rayburn and Smith forces to secure the vote of one southern Member, Representative Frank W. Boykin (D–AL):

> Boykin was a friend of Rayburn and a conservative; he was pulled emotionally to vote both ways. He committed himself to Rayburn; then under pressure from Smith's camp, he changed his mind and committed himself to Smith. Rayburn's lieutenants applied new pressure to Boykin and again he switched. Smith's lieutenants fought back hard for Boykin's vote, and once more he switched. Again Rayburn's people won Boykin back, only to lose him again . . . At this point, Boykin had been on both sides three separate times . . . [but] the fight for Boykin's vote . . . illustrated the desperation of the struggle. It was so close that every single vote was of crucial importance.[63]

In seeking support for his plan, the Speaker utilized all of the powers of his office. Initially, Rayburn intended to employ caucus rules to bind Democrats to support for the enlargement plan, repeating the tactic he used successfully in his earlier campaign to enact the 21-day rule. Rayburn abandoned the strategy, however, after many southern Democrats bristled at the arm twisting and threatened to bolt.[64] Speaker Rayburn also reportedly utilized the Kennedy administration's control of local public works projects to help convince Members to vote with him. Secretary of the Interior Stewart Udall personally made a number of calls to Members during the days immediately preceding the vote to discuss "water projects of vital interest to members in many sections of the country, particularly in the West and South."[65]

The resolution to enlarge the panel was reported by the Rules Committee by a vote of six to two on January 14, 1961, after "Judge" Smith promised Rayburn he would do so. Smith and Representative William M. Colmer (D–MS) were the only Democrats to oppose the resolution; no Republicans attended the committee markup. Following a spirited debate on the resolution on January 31, 1961, which included a passionate floor speech from Speaker Rayburn, the House adopted the enlargement plan by a vote of 217 to 212.[66]

Speaker Rayburn's victory was a significant step in restoring control of the Rules Committee as an arm of the Speaker and his majority leadership. This win alone, however, did not defeat the conservative coalition. Just 2 years later, under House Speaker John W. McCormack (D–MA), majority party Members had to turn back a spirited attempt by the coalition and its allies to return the panel to its pre-1961 size of 12 members. Despite some slight improvement in the enlarged Rules Committee's record of cooperation with

[62] Ibid., p. 143.

[63] Neil MacNeil, *Forge of Democracy: The House of Representatives,* (New York: David McKay, Co., 1963), p. 432.

[64] John D. Morris, "Rayburn Shifts in Rules Battle," *New York Times*, Jan. 18, 1961, p. 17.

[65] John D. Morris, "Rayburn Rejects All Compromise on Rules Battle," *New York Times*, Jan. 29, 1961, p. 1.

[66] *Congressional Record*, vol. 107, Jan. 31, 1961, pp. 1589–1590.

the leadership, it continued to obstruct floor consideration of certain education, labor and civil rights bills for the duration of the Kennedy administration.

TRUCE: THE RETURN OF THE SPEAKER'S POWER

By the late sixties, the Speaker's relationship with the House Rules Committee had improved somewhat, as "Judge" Smith was defeated for reelection in 1966 and the committee chair was assumed by Representative William M. Colmer (D–MS). "Although of similar ideological bent to Smith, Colmer viewed the role of the {Rules} Committee in a different way, in part reflecting his own threatened ouster from the committee and the adoption of committee rules in 1967 permitting a committee majority to circumvent a recalcitrant chairman." [67]

Passage of the Legislative Reform Act of 1970 [68] coupled with numerous institutional reforms made in the House Democratic Caucus in the post-Watergate era, returned to the Speaker the authority to nominate majority members of the Rules Committee. These reforms made the Rules Committee a reliable arm of the House leadership for the first time since the 1910 revolt against Speaker Cannon, and gave the Speaker true de facto control of the panel.

The willingness to return considerable power to the Speaker was undertaken in response to a larger decentralization of the House that led many Members to turn to the Speaker to provide order in the coordination of business: to make a busy and complicated legislative body work. Rank and file Members were particularly willing to return power to the Speaker after observing periods during the tenures of Speaker McCormack and Speaker Carl Albert (D–OK) when there was "paralysis in moving Democratic legislation even though there were heavy Democratic majorities" in the body.[69]

"In the House, the decentralizing reforms of the 1960s and 1970s were," according to congressional scholar Roger Davidson, "paradoxically, accompanied with innovations that enlarged the power of the Speaker." [70] Davidson goes on to observe, "The fruits of these innovations were not immediately realized. Speaker John McCormack resisted most of the changes ... his successor, Carl Albert ... was a transitional figure who hesitated to use the tools granted to him by the rules changes." [71]

The main beneficiary of these grants of additional power was House Speaker Thomas P. O'Neill (D–MA), himself a longtime member of the House Rules Committee. O'Neill was given more control over the Rules Committee and the orchestration of the details of legislative business. As Speaker, O'Neill "used control on important issues to restrict the freedom of House Members in offering amendments—in making changes in important pieces of legislation that he wanted kept intact." [72]

Speaker O'Neill utilized the power of the Rules Committee not only as a tool of his majority power, but also as a buffer to Member demands, and as a hedge against minority party attacks. During the Carter administration, for example, O'Neill was often less concerned with losing votes on the House floor—an unlikely event given the large Democratic majority in the body—than with minority Members forcing Democrats "on the record" with politically difficult votes.

Speaker O'Neill responded to this challenge by increasingly using his control of the Rules Committee to manage floor votes during the eighties with "complex" and "restrictive" rules on major pieces of legislation that barred votes on minority amendments. Whereas restrictive rules constituted only 15 percent of all rules in the midseventies, by the end of the eighties they made up 55 percent, according to a Rules Committee minority staff study.[73]

An additional challenge emerged for the Speaker when Republicans and "Boll Weevil" Democrats formed a de facto majority coalition on some issues following the election of President Ronald Reagan in 1980. The shifting electoral

[67] U.S. House of Representatives, Committee on Rules, Official Web site, www.house.gov rules, accessed on Aug. 12, 2003.

[68] Public Law 91–510.

[69] Mary Russell, "Speaker Scooping Up Power in the House," *Washington Post*, Aug. 7, 1977, p. A1.

[70] Roger H. Davidson, "The New Centralization on Capitol Hill," *Review of Politics*, vol. 50, 1988, p. 357.

[71] Ibid.

[72] Russell, "Speaker Scooping Up Power in the House," p. A5.

[73] U.S. House of Representatives, Committee on Rules, Official Web site, www.house.gov rules, accessed on Aug. 12, 2003.

terrain meant that a Democratic Speaker, for the first time in many years, had to worry about losing important votes on the House floor. In response, Speaker O'Neill had the Rules Committee manage legislative business in increasingly creative ways, including the more frequent use of closed rules. An important innovation was the so-called "King of the Hill" rule, where the last measure voted upon in a series of alternatives would prevail, enabling Members to take "free" votes on controversial issues that provided political cover. The leadership would naturally place its preferred version last in the sequence.

These efforts met with mixed success. During this period, the Rules Committee "crafted rules to enhance the Speaker's power, although they have been only sporadically successful during the Reagan Presidency when conservative Democrats have bolted to the White House side." For example, the committee "fashioned an extraordinary rule allowing separate votes on seven different budget proposals, with successful amendments being applied to all seven. Eventually, all seven budgets were defeated on the floor." [74]

As if these challenges were not enough, changing demands on Members of Congress offered Speaker O'Neill still more challenges in the management of the Rules Committee. For example, in 1983, the Speaker reluctantly reduced the membership of the committee from 16 members to 13 members because he was "unable to persuade any senior Members to take vacant seats on Rules." [75] While Members recognized the continued power of the panel, the growing need for rank and file Members to generate media attention, raise campaign funds, and become legislative entrepreneurs had simply made the "inside baseball" Rules Committee "powerful but unfashionable." [76]

During this season of closed and structured rules, it is important to note that not all of the rules granted by the committee were exercises in partisanship; many structured rules were adopted by large bipartisan margins in the House. Increasingly, however, the minority party viewed the more frequent use of this type of resolution with concern and resentment.

"As the House became more politicized and polarized during the 1980s," a congressional scholar has written, "the Rules Committee played a critical role in assisting the Democratic Leadership in structuring House floor debates on bills to ensure greater efficiency and predictability in outcomes." Predictably, the more restrictive the amendment process became, the "more the Rules Committee was blamed by Republicans for violating the rights of minority party members to fully participate in the legislative process and represent their constituents." [77]

Speaker James C. Wright, Jr. of Texas further centralized and focused the use of the Speaker's Rules Committee power, continuing and building on this trend of issuing closed rules. In 1987, the *Washington Post* reported, "The Democrat's use of 'restrictive rules' which . . . limited debate and amendments on 43 percent of the bills sent to the floor," was "a continuation of a practice begun under O'Neill. During O'Neill's last two years as Speaker, the leadership obtained restrictive rules on 36 percent of the bills sent to the floor." [78]

Roger Davidson stressed at the time that Wright "exploited his extraordinary scheduling power . . . using [his] tight control over scheduling, including aggressive use of the Rules Committee to shape alternatives during floor deliberations." [79] While critics expressed concern about these tactics, supporters pointed to their success. "When he took office, Wright unveiled an ambitious list of legislative goals . . . Two years later, nearly all the bills had passed the House and many had been signed into law." [80]

By the end of the 103d Congress, during the speakership of Thomas S. Foley of Washington, the final tally of open versus restrictive rules revealed "the largest number of restrictive rules of any Congress (73), comprising the highest per-

[74] William Chapman, "Bolling, Near Retirement, Muses About a Battle That Never Was," *Washington Post*, Aug. 24, 1982, p. A7.

[75] Alan Ehrenhalt, "The Unfashionable House Rules Committee," *Congressional Quarterly Weekly Report*, Jan. 15, 1983, p. 151.

[76] Ibid.

[77] Donald R. Wolfensberger, "The House Rules Committee Under Republican Majorities: Continuity and Change," Paper prepared for delivery at the 34th Annual Meeting of the Northeastern Political Science Association, Oct. 25, 2002.

[78] Eric Pianin, "House GOP's Frustrations Intensify," *Washington Post*, Dec. 21, 1987, p. A1.

[79] Roger H. Davidson, "The New Centralization on Capitol Hill," p. 357.

[80] Ibid.

centage of total rules ever reported in a Congress (70 percent)."

RULE REFORM AND THE REPUBLICAN MAJORITY

At no period in the history of the House of Representatives has the Rules Committee been more central to the power of, and legislative agenda pursued by, a Speaker than in the days immediately following the change in control of the House to Republicans in 1994. "To best understand the extent of continuity and change on the Rules Committee under House Republicans," Roger Davidson emphasizes, "it is important to first understand how the Republican minority viewed the House under Democratic control and how it envisioned the institution should be run, both in terms of changes in the standing rules of the House and the way in which special rules were framed for considering legislation." [81]

In orchestrating the Republican Party's rise to power in the House, Speaker Newt Gingrich (R–GA) had long focused public attention on the behavior of the Democratic majority through the Rules Committee. "One of the central themes of the Conservative Opportunity Society (COS), which Gingrich and others formed in 1982," Donald R. Wolfensberger, chief of staff of the House Rules Committee during the 104th Congress, stresses, "was its portrayal of a corrupt House in which the majority's arrogance was regularly reflected in procedural abuses of deliberative process, not to mention of a beleaguered minority." [82]

Just as perceived abuses of power by the Rules Committee had angered rank and file Members and engendered calls for reform since the days of Speaker Reed, as Republicans pushed to become the majority party in the House, their public arguments about why they should be in power focused increasingly on the actions of the Rules Committee.

At a press conference in the months before the 1994 election, Representative Gingrich and members of the House Republican Conference began an effort that was intended to call public attention to what they claimed were abuses by the Rules Committee and the Democratic leadership of the regular democratic process. "Among the props was a poster used on the House floor of a gagged Statue of Liberty over a running scorecard of open versus restrictive rules (e.g., "Democracy-0; Tyranny-6)." [83]

Given this approach of centering their public appeal on reform of the institution itself, it is not surprising that many of the Republicans' legislative efforts once they assumed the majority in 1995 were centered around reforming the House through the use of the Rules Committee.

After his election as Speaker, Gingrich "instigated many . . . changes in House rules and practices, which all had the common theme of undermining the independent power of committees and their chairs and enhancing the power of the majority leadership." At Speaker Gingrich's behest, "Three full committees were eliminated, and 106 (12 percent) of the previous Congress's subcommittee slots were eliminated . . . Gingrich personally designed a new committee assignment system for the GOP in which the party leader was given a dominant formal role." [84]

As with Speaker Reed before him, Speaker Gingrich's reforms were largely accomplished through amendments to the standing rules of the House. Speaker Gingrich took an active hand in crafting the rules package adopted at the beginning of the 104th Congress. As one scholar has noted, this rules reform package was "considered under a special rule {Rules Committee chair Gerald B.H.} Solomon (R–NY) had devised on Gingrich's instructions" [85]

Like many powerful Speakers before him, Speaker Gingrich also proved willing to use his control of the Rules Committee for purposes other than the scheduling and shaping of legislative business, for example, to help enforce party discipline. In one instance in 1996, in a move reminiscent of actions taken by strong Speakers such as Cannon and Rayburn, Speaker Gingrich reportedly employed the power of the panel to

[81] Ibid., p. 358.

[82] Donald R. Wolfensberger, "The Institutional Legacy of Speaker Newt Gingrich: The Politics of House Reform and Realities of Governing," *Extensions, A Journal of the Carl Albert Congressional Research and Studies Center*, Fall 2000.

[83] Ibid.

[84] David W. Rohde, "The Gingrich Speakership in Context: Majority Leadership in the House in the Late Twentieth Century," *Extensions, A Journal of the Carl Albert Congressional Research and Studies Center,* Fall 2000.

[85] Ibid.

punish two Republican Members who had endorsed the primary challenger to a sitting GOP colleague. *Congressional Quarterly* reported that, as punishment for this action, Speaker Gingrich had "instructed [the House Rules Committee] to reject any floor amendment the two Members might seek to offer to legislation for the rest of the session." [86]

The Republican majority came to power promising open rules as the norm, but, as they had under previous Speakers of both parties, the demands of governing in a legislative body with narrow party ratios and a full agenda of business soon contributed to the issuance of fewer purely open rules on major pieces of legislation. Scholars argue that this lesson was learned relatively early after Republicans assumed the majority in 1995. As one observer recounted, "The first major Contract [with America] bill out of the box after opening day was the Unfunded Mandate Reform Act which the Rules Committee put on the floor under an open rule. Two weeks and dozens of amendments later the bill was finally completed and its manager, Government Reform and Oversight Chairman Bill Clinger (R–PA) . . . was totally exhausted and disillusioned with open rules. From that point on, the Rules Committee took a more cautious approach, reporting "modified open" rules on bills that set an overall time limit on the amendment process." [87]

As Representative David Dreier (R–CA) "learned quickly" after becoming Rules Committee chair in the 106th Congress, the responsibility of running the House of Representatives that a majority party holds sometimes requires some of the same procedures he had expressed concern about a decade ago. "I had not known what it took to govern," he acknowledged. Now, "our number one priority is to move our agenda . . . with one of the narrowest majorities in history." [88]

[86] Karen Foerstel, "Punished But Unrepentant," *Congressional Quarterly Weekly Report*, July 29, 1996.

[87] Rohde, "The Gingrich Speakership in Context: Majority Leadership in the House in the Late Twentieth Century."

[88] Jim VandeHei, "Using the Rules Committee to Block Democrats," *Washington Post*, June 16, 2003, p. A21.

CONCLUSION

From the 1st Congress to the 108th Congress, the Committee on Rules and the Speaker of the House have been linked. Under czars and caretakers, reformers and managers, the Rules Committee has played an integral role in the Speaker's ability to regulate the business of the House.

This link between the panel and the Speaker has been marked by ebbs and flows in the tides of power, including battles for independence, a reinforcing of mutual authority, and periods of close cooperation. Speakers have controlled the committee with an iron hand, been forced to cajole and negotiate with it, and been bent to its will. Through those ebbs and flows has been a constant search for balance, with some Members believing, as Speaker Reed did, that the rules exist "to promote the orderly conduct of the business of the House," and others charging that the rules give the Speaker "greater power" than any man ought to possess in relation to the full House. That struggle for balance and role continues today.

The Rules Committee has helped Speakers impose order on the chaos of a young and growing legislative body. It has helped them enshrine the status quo, and, at other times, been their primary vehicle for reform and institutional change. Speakers have used the committee to centralize their power, and the House has, in turn, positioned the panel as a competing base of authority to their presiding officer. The committee's power to write and rewrite the rules has enabled Speakers to manage the business of the House in times of razor-thin party margins, and increased partisanship, media scrutiny and electoral pressure.

While the days may have passed when an individual can dictate the actions of the House singlehandedly, the Rules Committee continues to be the most powerful arm of the Speaker and, in a large part, a centrally important governing entity of the House. In it, Congress has largely consolidated its constitutional power to decide the ground rules of its own proceedings. The panel enables the Speaker to direct the legislative business of the Chamber and press forward the agenda of the majority party. It imbues him with the power to reward and punish individual Members and can act as a shield from Member de-

mands. Most importantly, it serves as a forum in which the ever-changing and often competing interests of the House leadership, the legislative committees, and individual Members of Congress can be raised, negotiated, vetted and ultimately resolved.

If Congress in committee is Congress at work, as Woodrow Wilson famously observed, the Rules Committee is where that work is resolved and finalized. It is the last step in the House's legislative assembly line and the "engine room," where the procedural, political and policy mechanics that make the Chamber "work" are crafted by the Speaker and his majority party allies.

For all of these reasons, the panel remains, as much as ever, the "Speaker's committee." The history of the Rules Committee is, in essence, a history of the power of the Office of the Speaker and the evolution of the modern House of Representatives.

Chapter 4
The Speaker and the Senate

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In 1897, a Senator described a "very curious thing" to his colleagues in the Senate Chamber. It seems Speaker Thomas Brackett Reed (R–ME; 1889–1891; 1895–1899) had spent a great deal of time in the Senate side of the Capitol persuading (the Senator said "coercing") Senators into supporting the pending tariff measure. The Senator found it even more extraordinary that as he passed a room where Representatives and Senators were meeting to negotiate a compromise between the Chambers on the tariff bill, he saw "a powerful policeman standing guard at the door." When the Senator inquired as to why the guard was there, he was told "it was for the purposes of keeping the presiding officer of the House from invading the secrecy and the councils of the conference committee." [1]

The characteristically vigorous efforts of Speaker Reed in this instance may indeed have been, as the Senator claimed, "extraordinary and unusual." The need to coordinate with the Senate on legislation, however, is as established and necessary as the Office of the Speaker itself. According to the Constitution, each House of Congress must agree to a measure before it can be sent to the President. The two Chambers, however, often disagree over policy proposals, and the Constitution is silent as to how the House and Senate should reconcile differences in pending legislation.

In no small way, the responsibility of resolving differences and coordinating with "the other body" has fallen on the Speaker of the House. Disagreements between the Chambers on most major legislation are resolved by conference committees, ad hoc panels composed of legislators from each Chamber that meet to negotiate a compromise acceptable to both the House and Senate. The Speaker appoints the House conferees, or "managers," and at times his careful selection of individuals has influenced the final policy outcome. Further, a great deal of interchamber coordination takes place prior to, instead of, or after the formal creation of a conference committee. The Speaker works with Senate leaders in order to shepherd significant measures through the entire legislative process. In sum, the Speaker plays a major role in the two principal devices of legislative coordination: bicameral leadership cooperation and conference committees.

Both the relationship between the Speaker and Senate leaders and the role of the Speaker in the appointment of managers to conference have changed over time. Since the major reforms of the seventies, the Speaker has had greater discretion over who he appoints to conference. For most of congressional history, the Speaker selected a few senior members from the standing

[1] *Congressional Record*, 55th Cong., 1st sess., vol. 30, July 23, 1897, p. 2867.

committee with jurisdiction over the bill to negotiate with the Senate. Late 20th-century changes in practice, including multiple referral and the tremendous growth of conference committee delegations, have left the Speaker with more authority over conference committee composition. The modern Speaker chooses how many Representatives serve as conferees, as well as what committees the conferees come from and what matters they may consider in conference. In addition, the transformation of the Senate from a committee-centered, seniority-driven institution to a more open body with an equal distribution of power has transformed the role of the Speaker in inter-chamber negotiations. A close personal relationship with the Senate majority leader and important committee chairmen likely solves fewer legislative logjams than it did in the mid-20th century, and the press of business makes the threat of a filibuster more potent. Although conflict between the Chambers is an inherent part of the bicameral system, the Speaker today faces a particularly significant challenge in coordinating the passage of legislation with the Senate.

THE "OTHER BODY"

At the end of the 19th century, the procedures of the House and Senate began to move in divergent directions. The House, under the leadership of Speaker Reed, developed into a majoritarian body, able to act whenever most of the Members favored action. The Senate, meanwhile, continued to grant great parliamentary powers to individual Senators. The lack of Senate rules allowing a simple majority to end debate left Senate leaders dependent on unanimous consent agreements to set the schedule for considering and voting on measures (even after the enactment of a rule in 1917 allowing a super-majority to close debate). For over 100 years, the Speaker has been accustomed to setting the legislative agenda with the backing of the majority, but the Senate majority leader must always take into account the rights afforded to individual Senators under the rules and precedents.

Not surprisingly, because of the differences in the decisionmaking processes of the two Chambers, Speakers have long found working with the Senate to be challenging. In 1890, Speaker Reed grew exasperated with Senators, including those in his own party, who chose to deliberate and debate, rather than quickly pass, House bills on the tariff and election reform. He urged the Senate to change its rules, attempted to stir public sentiment against the Senate, and threatened to keep Congress in session until the Senate decided the fate of the bills. The Speaker's disapproval of the Senate could not expedite the process; as one Senator commented dryly to the press, "Unless Mr. Reed comes over here in person, and takes command, I do not see how we are to oblige him ... It would hardly be fair to him to ask him to run the Senate and the House at the same time." [2]

Over 100 years later, a public campaign by another powerful Speaker was no more successful in spurring Senate action. An electorate reportedly fed up with politics as usual in Washington, DC, gave Republicans control of the House and Senate in the 1994 elections. House Republicans, led by Newt Gingrich (R–GA; 1995–1999), had campaigned on a list of legislative proposals known as the Contract with America. As expected, while the House voted on every Contract proposal during the first 100 days of the 104th Congress (1995–1996), the Senate debated only some of the proposals in the same time period.[3] Despite his unquestionable skills in communicating with the public, the Speaker could not force the Senate to act. Threats or trades are unlikely to be effective when the Senate leader has few tools at his disposal to force action on legislation. Speaking at a joint press conference during the consideration of the contract, Senate Majority Leader Bob Dole (R–KS) illustrated the differences between the job of the Speaker and the job of the majority leader. After stating that the Senate would probably not be able to "keep up" with the speedy House in passing the contract items, Dole turned the podium over to Speaker Gingrich by joking that he needed to get back to the Senate floor for an upcoming vote "before anybody defects." [4]

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[2] "Speaker Reed Frowns," *New York Times*, Aug. 4, 1890, p. 1.

[3] Norman Ornstein and Amy L. Schenkenberg, "The 1995 Congress: The First Hundred Days and Beyond," *Political Science Quarterly,* vol. 110, no. 2, summer 1995, p. 194.

[4] Jake Thompson, "Dole Thrives, Despite Hype for Gingrich," *Kansas City Star,* Jan. 7, 1995, p. A1; Transcript, "News Conference with

LEADERSHIP COORDINATION

No Speaker can change the nature of the Senate, but many have succeeded in working with Senate leaders to ensure that the key pieces of their legislative agenda do not die in the other Chamber. To varying degrees since the 19th century, Speakers have met with Senate leaders to plan or discuss major policy proposals and strategy. Coordination between the Chamber leaders is largely ad hoc, depending partially on the personalities of the leaders as well as the preferences of the majority party in each Chamber.

At the very least, the leaders coordinate dates for adjournment, since the Constitution forbids either Chamber from adjourning for more than 3 days without the consent of the other (Article I, Section 5). They have also met regularly at various formal party or government events and served together on a myriad of commissions. The Speaker and the Senate majority leader have also long met jointly with the President, although the timing and agenda of these meetings are generally dictated by the President.[5]

The Speaker does not, however, just meet Senate leaders at formal events or at the White House. The Chamber leaders also meet to accomplish several legislative goals. Sometimes the leaders meet to discuss the measures they plan to bring to the floor in the coming weeks, but often, the leaders simply inform each other of their Chamber's actions, without attempting to coordinate or to even consult about their actions.[6] Such information can prove particularly useful at the end of a session when decisions about when, or whether, to consider a bill can determine its fate. Any bill that has not passed both Chambers in the same form at the end of a Congress dies. The frequency of bicameral leadership meetings and less formal contacts rises considerably at the end of a session.

At bicameral leadership meetings, the Speaker and his lieutenants might also discuss legislative strategy with Senate leaders. The leaders might agree, for example, that one Chamber should act before the other on a major piece of legislation. Passage of a bill by one Chamber might provide the momentum or public attention necessary to carry the bill through the other Chamber. Alternatively, the Speaker might urge the Senate to act first because he does not want to consume the precious time of the House to consider a measure that has little chance of passing the Senate. The Chamber leaders might agree to assign identical numbers (such as H.R. 1 and S. 1) to legislation to spotlight the issue as an agenda priority.

The frequency and nature of the coordination between the Speaker and Senate leaders apparently depends to some extent on the individuals holding the offices. The relationship between Speaker Sam Rayburn (D–TX; 1955–1961) and Senate Majority Leader Lyndon Johnson (D–TX) in the fifties is generally held up as the quintessential example of a close personal bond between Chamber leaders.[7] Rayburn had been a mentor to Johnson when he served in the House, and they capitalized on their well-established friendship to turn bills into law.

The press could not help but compare the relationship of Rayburn's successor, John McCormack (D–MA; 1962–1971) with Senate Majority Leader Mike Mansfield (D–MT). One reporter described the leaders' relations in 1962 as not yet approaching "in intimacy or effectiveness the alliance of Rayburn and Johnson."[8] After Richard M. Nixon succeeded Lyndon Johnson as President, another journalist reported that McCormack and Mansfield rarely coordinated with each other. At times they would disagree with each other publicly over policy issues or even about how to best process legislation through both Chambers. The Senate leader told reporters in 1969 there was "no need for more formal party

House Speaker Newt Gingrich, Senate Majority Leader Bob Dole, Republican National Committee Chairman Haley Barbour," *Federal News Service*, Jan. 6, 1995, available from LexisNexis (database online), accessed May 1, 2004.

[5] Steven S. Smith, "Forces of Change in Senate Party Leadership," in Lawrence C. Dodd and Bruce I. Oppenheimer, eds., *Congress Reconsidered,* 5th ed. (Washington: CQ Press, 1993), p. 277; Walter Kravitz, "Relations Between the Senate and the House of Representatives: The Party Leadership," in *Policymaking Role of Leadership in the Senate: A Compilation of Papers Prepared for the Commission on the Operation of the Senate* (Washington: GPO, 1976), p. 128.

[6] Barbara Sinclair, *Majority Leadership in the U.S. House* (Baltimore, MD: Johns Hopkins University Press, 1983), p. 113.

[7] Robert A. Caro, *Master of the Senate* (New York: Alfred A. Knopf, 2002); Ralph K. Huitt, "Democratic Party Leadership in the Senate," *American Political Science Review,* vol. 55, no. 2, June, 1961, p. 338.

[8] David S. Broder, "'The Other Body'—Not 'the Upper House,'" *New York Times*, May 20, 1962, p. SM23.

coordination between the House and Senate. Each should conduct its own business and consult when it has problems."[9]

The nature of bicameral leadership coordination has also varied with changes in party control of the Chambers and the White House. If the House and Senate are controlled by opposite parties, coordination can be even more challenging. A congressional scholar and former staff member in the House majority leader's office reported that monthly bicameral leadership meetings, infrequently productive under unified control, disappeared almost entirely during the divided control of the 97th Congress (1981–1982). The scholar quotes one participant of the bicameral leadership meetings as saying, "They do what they want to do and we do what we want to do and we try to agree on an adjournment date."[10] The sentiment was echoed by a long-time Senate staffer who claimed the Senate Republican Leader Howard Baker (R–TN) was in constant contact not with the Democratic Speaker but with the House minority leader. The Senate leader did not otherwise actively work with the House. "We did our own thing," the staffer said, "whatever it was."[11]

If the House is controlled by the party in opposition to the President, then the Speaker might seek to coordinate with the Senate in the hopes of building a strong response to the policy platforms of the Executive. For example, when the Democrats gained control of the House, but not the Senate, in the 72d Congress (1931–1933), they formed a joint policy committee. The committee was created to shape the party's legislative program and determine how much support to give to the program of the Republican President Hoover.[12] Speaker John Garner (D–TX; 1931–1933), according to one source, opposed the creation of the committee, but the party caucus voted for its formation.[13] Garner appointed the House membership of the committee, convened its meetings in his office, and together with Senate Minority Leader Joseph T. Robinson (D–AR) acted as its spokesman.

CHALLENGES OF LEADERSHIP COORDINATION IN THE POST-REFORM ERA

The significant challenges to bicameral leadership coordination have become even greater since the major institutional reforms of the mid-seventies. Political scientists generally describe the reform era of the 20th century as a shift from committee-dominated policymaking to a more participatory process involving junior Members and granting new powers to individual Members.[14] The institutional changes made by both Chambers in the seventies magnified the differences in House and Senate procedures.

While the weakening of committee chairs in the House was accompanied by a rise in the powers of the Speaker, no such centralization of power occurred in the Senate. In the last 30 years, the Speaker gained the power to refer bills to multiple committees and the Rules Committee became an arm of party leadership. Changes to the committee assignment process in the House also increased the power of the Speaker.[15] The Senate majority leader, in contrast, gained no such increased authority over agenda-setting or debate control. Committee autonomy declined in the Senate as well as the House, but influence in the Senate was transferred to individual Members not to party leaders.[16] "In the contemporary Congress," a legislative scholar noted in the late nineties, "the legislative process in the two chambers is more distinct in form and in results than ever before."[17] In short, rising individualism, especially when combined with the recent rise in partisanship, have made leading the

[9] Richard L. Lyons, "Democratic Leadership Gap Widens," *Washington Post*, May 21, 1969, p. A1.

[10] Barbara Sinclair, *Majority Leadership in the U.S. House*, p. 114.

[11] "William F. Hildenbrand, Secretary of the Senate, 1981–1985," (Washington: Senate Historical Office, Oral History Interviews), p. 326.

[12] Richard V. Oulahan, "Sense of Duty Prevails: Democrats Form Senate-House Board to Deal With Hoover Program," *New York Times*, Dec. 8, 1931, p. 1.

[13] W.H. Humbert, "The Democratic Joint Policy Committee," *American Political Science Review,* vol. 26, no. 3, June 1932, pp. 552–554.

[14] Roger H. Davidson, "The Emergence of the Postreform Congress," in Roger H. Davison, ed., *The Postreform Congress* (New York: St. Martin's Press, 1992); Steven S. Smith, *Call to Order: Floor Politics in the House and Senate* (Washington: Brookings Institution, 1989).

[15] Ronald M. Peters, Jr. "The Changing Speakership," Chap. 1, *infra*.

[16] Barbara Sinclair, *The Transformation of the U.S. Senate* (Baltimore, MD: Johns Hopkins University Press, 1989), p. 2; Christopher J. Deering and Steven S. Smith, *Committees in Congress,* 3d ed. (Washington: CQ Press, 1997), p. 183.

[17] Barbara Sinclair, "Party Leaders and the New Legislative Process," in Lawrence C. Dodd and Bruce I. Oppenheimer, eds., *Congress Reconsidered,* 6th ed. (Washington: CQ Press, 1997), p. 244.

Senate in the past 30 years extremely challenging.[18]

The Speaker and his lieutenants have attempted to meet the challenge of an often slow-moving, if not obstructionist, Senate. According to a long-time observer of Congress, formal contact between the Speaker and the Senate majority leader increased in the eighties.[19] Speaker James Wright (D–TX; 1987–1989) and Senate Majority Leader Robert Byrd (D–WV) reportedly took turns hosting bi-weekly breakfast meetings which later became weekly meetings. The staffs of the Speaker and the Senate majority leader also stay in constant contact. After his election as party leader, current Speaker Dennis Hastert (R–IL; 1999–) designated a staff member to serve as his Deputy Chief of Staff for Bicameral and Intergovernmental Affairs. In the current Congress, House and Senate leadership aides reportedly meet every Wednesday that Congress is in session.

The Speaker and other leaders in the post-reform House have become more involved in determining the substance of legislation.[20] The Speaker, for example, might strive to shape legislation so it passes by a wide enough margin to send a message to the Senate regarding its broad support. Special meetings with Senate leaders might be called to discuss specific pieces of legislation.

Furthermore, the Speaker and the Senate majority leader in recent Congresses have been more directly involved in conference committee negotiations. The two leaders may even meet prior to the appointment of a conference committee to reach an agreement about the legislative vehicle.[21] In the midseventies, it was reported that "as a rule" party leaders do not "inject themselves into conference negotiations unless asked to do so."[22] If this was a rule in an earlier era, it is followed less often today. Although usually not named as managers, leaders of both Chambers often meet with the committee members serving as conferees. The Speaker and other party leaders are more likely to become involved when conference negotiations are expected to be difficult, or when the talks break down. The Speaker can help in behind-the-scenes dealmaking because of his influence over other aspects of the legislative process that sometimes become key bargaining chips in difficult negotiations. If House and Senate conferees reach a stalemate, they may seek assistance from their leaders, in part because party leadership is often in a better position to judge what compromise the Chamber as a whole might accept. The Speaker might also be called upon to mediate policy disputes between Representatives and Senators of the same party.[23]

CONFERENCE COMMITTEES

Forging relationships with Senate leaders is only one avenue of bicameral coordination the Speaker pursues. After a major piece of legislation passes both Chambers, the House and Senate usually resolve their disagreements over the legislation in a conference committee. Traditionally, the Speaker never appoints himself to a conference committee, but this norm has not diminished his role in the crucial final negotiations on the major pieces of legislation in a Congress. In addition to his informal role in bicameral negotiations, the Speaker chooses the Members who will represent the position of the House in conference.

The selection of managers has clear implications on the content of a conference committee report and, in fact, on the success of a conference committee. Service on a conference committee carries with it the potential for enormous influence in the version of the legislation that will most likely become law. Conference committees report, at a time of their choosing, agreements that cannot be amended. Furthermore, despite

[18] Smith, "Forces of Change in Senate Party Leadership," *Congress Reconsidered,* 5th ed., p. 273.

[19] Barbara Sinclair, *Legislators, Leaders, and Lawmaking* (Baltimore, MD: Johns Hopkins University Press, 1995), p. 83.

[20] Sinclair, "Party Leaders and the New Legislative Process," *Congress Reconsidered,* 6th ed., p. 236.

[21] Emily Pierce, "What's Driving: This Week's Agenda," *Roll Call,* Sept. 2, 2003, available from LexisNexis (database online), accessed May 1, 2004.; Tim Curran, "Leaders Consider Election Reform Strategy," *Roll Call,* March 7, 1994, available from LexisNexis (database online), accessed May 1, 2004.

[22] Kravitz, "Relations Between the Senate and the House of Representatives: The Party Leadership," *Policymaking Role of Leadership in the Senate: A Compilation of Papers Prepared for the Commission on the Operation of the Senate*, p. 131.

[23] Emily Pierce, "Tax Conference Getting Parental Supervision," *Roll Call,* May 22, 2003, available from LexisNexis (database online), accessed May 1, 2004.

some restrictions placed on conference committee reports by Chamber rules and precedents, conference reports sometimes include provisions not previously considered by either Chamber. In other words, provisions of law are sometimes drafted within a conference committee.

The Speaker takes care in selecting Representatives to serve on conference because their policy positions and personalities can affect the outcome of the conference committee. Members who feel strongly that the House version is the best policy solution will likely be less willing to compromise with the Senate. Also, some Members are more skilled at the arts of negotiation than others. Most of the time, conferees come from the standing committees with jurisdiction over the bill, and sometimes past interactions between House and Senate members of committees can influence the bargaining sessions. Some Members have built up trust or reputations for fairness among them. The Speaker might take these factors into account when choosing conferees.

The Speaker has appointed House managers since the First Congress, although this authority was not specifically codified in House rules until 1890.[24] Even when the House stripped the Speaker of the power to appoint standing committees in 1911, it preserved the right of the Speaker to appoint conferees. Rulings in the early 20th century confirmed the authority of the Speaker to determine how many House conferees will be sent to negotiate with the Senate conferees. In 1913, a Representative made a motion to instruct the Speaker to appoint seven conferees. Another Member raised a point of order against the motion, arguing that it was entirely within the Speaker's discretion to determine the size of the conference delegation. Speaker James "Champ" Clark (D–MO; 1911–1919) agreed, sustaining the point of order and appointing three conferees.[25] The ruling was cemented in 1932 when Speaker John Garner (D–TX; 1931–1933), in response to a parliamentary inquiry, replied that "you can not direct the Speaker as to the number or the manner in which conferees shall be appointed."[26]

To be sure, the rules and precedents have long granted the Speaker wide authority in selecting members of conference committees. The discretion exercised by the Speaker in appointing managers to conference, however, has varied over time. Since the 1880s the Speaker has generally appointed members from the standing committee of jurisdiction.[27] Conferees, again by long-standing tradition, also represent the major partisan divisions of a Congress. The selection of conferees is sometimes described as a consultative process between the committee chair and ranking member, who then pass their recommendations on to the Speaker.[28] The Speaker need not simply follow the recommendations of the committee leaders, although he often does.

Until the second decade of the 20th century, the Speaker generally followed norms of conference appointment that seem to have limited his discretion in the selection of conferees. Nearly all House conference committee delegations were composed of three Representatives, usually the committee chair, the ranking member, and another majority party member of the committee of jurisdiction. Variation from the norm of appointing three senior members of the standing committee of jurisdiction was unusual, and in some cases controversial. Nevertheless, at times Speakers did appoint more than three conferees, or members who did not serve on the committee of jurisdiction, in order to create a delegation that could better represent the policy position of the House majority.

In 1900, for example, Speaker David Henderson (R–IA; 1899–1903) faced a situation where members from the committee of jurisdiction appeared to be poor representatives of the House position. The House had voted to instruct the conferees on the naval appropriation bill not to

[24] The 1890 rule was omitted in the following two Congresses, when party control of the House changed, and restored in 1895. Neither the adoption nor omission of the rule affected House practice (Asher Hinds, *Hinds Precedents of the House of Representatives,* vol. IV, § 4470 (Washington: GPO, 1907), pp. 896–897)

[25] *Congressional Record*, 63d Cong., 1st sess., vol. 56, Dec. 20, 1913, p. 1316. Cited in Clarence Cannon, *Cannon's Precedents of the House of Representatives,* vol. VIII, § 3221 (Washington: GPO, 1936), p. 716.

[26] *Congressional Record*, 72d Cong., 1st sess., vol. 75, June 24, 1932, p. 13879. Cited in Cannon, *Cannon's Precedents of the House of Representatives,* vol. VIII, § 3220, p. 716.

[27] Elizabeth Rybicki, "Resolving Bicameral Differences in Congress," Paper presented at the 2003 Annual Meeting of the American Political Science Association, p. 19.

[28] Lawrence D. Longley and Walter J. Oleszek, *Bicameral Politics: Conference Committees in Congress* (New Haven, CT: Yale University Press, 1989), pp. 178–181; *Resolving Legislative Differences in Congress: Conference Committees and Amendments Between the Houses,* by Stanley Bach, CRS Report 98–696.

include a specific provision in the conference report. The Speaker, following the norm, had appointed three members from the committee of jurisdiction to represent the House in conference. The conferees met with the Senate conferees, and then they presented to the House a report that included the language they had been instructed to omit. The House conferees claimed that the Senate conferees insisted on the provision. The House rejected the report and asked the Senate for a further conference. The Speaker, in what has been perceived as an instance of "discipline by the House of its conferees" appointed a new delegation to represent the House in these negotiations.[29] None of these members served on the committee of jurisdiction, and the Speaker's announcement of the new conferees led to "a buzz of surprised comment."[30] The new conferees, however, could no more convince the Senate to take the House position on the contested provision than the original conferees, and the House eventually yielded to the position of the Senate.

In another example, Speaker Joseph Cannon (R–IL; 1903–1911) discarded the generally well-followed appointment norms in the hopes of influencing the conference committee outcome on the 1909 tariff bill.[31] Cannon selected nine members from the committee of jurisdiction, but he did not follow the norm of appointing more senior members before junior members. Cannon explained that he selected conferees in order to assure that the House was well represented geographically; indeed, he chose three members from the East, three from the West, and three from the South. According to press reports at the time, however, these appointments also happened to tilt the conference committee in a particular policy direction. "The fact is not overlooked," the *Washington Post* reported, "that by this arrangement Speaker Cannon has been able to eliminate from consideration on the conference committee . . . the most aggressive and persistent fighter for the free-war-material policy."[32]

While Cannon's decision to appoint nine conferees to the 1909 Tariff Conference was met with some disapproval, critics noted that the appointment of more than three conferees, especially on major legislation, was not unprecedented. Indeed, starting in the 1880s the Speaker occasionally appointed larger conference delegations to consider the most important policy questions of the day. In 1883, Speaker J. Warren Kiefer (R–OH; 1881–1883) appointed five managers to a conference committee on a highly controversial tariff bill.[33] Speaker Reed appointed eight conferees to consider a tariff bill in 1897, and Speaker Cannon appointed five Representatives to consider a Philippine Islands measure in 1905.

Over the course of the 20th century, the Speaker began to appoint larger delegations to conference. By the thirties, the average size of a House delegation had risen to five members.[34] The Speaker continued to appoint just three Representatives to some conference committees, but generally the smaller delegations considered measures that were important to fewer Members. The average size of House delegations increased gradually throughout the forties and fifties (Figure 1). While most contained 5 or fewer members, the delegations on the major appropriation bills, for example, often consisted of 10 or more representatives.

Anecdotal evidence suggests that past Speakers have, at least on occasion, taken advantage of the discretion granted to them by House rules to appoint conference delegations to serve the policy or political goals of their party. Such qualitative accounts cannot answer the questions of how often and under what conditions the Speaker is likely to diverge from committee recommendations or appointment norms, and there is no attempt to answer those questions here.[35] Instead,

[29] Ada C. McCown, *The Congressional Conference Committee* (New York: AMS Press, Inc., 1967), p. 153.

[30] "Contest of the Two Houses," *New York Times*, June 7, 1900, p. 2.

[31] DeAlva Stanwood Alexander, *History and Procedure of the House of Representatives* (New York: Burt Franklin, 1916), p. 228.

[32] "Cannon Selects Nine," *Washington Post*, July 10, 1909, p. 4.

[33] *Congressional Record*, 47th Cong., 2d sess., vol. 14, Feb. 27, 1883, p. 3356.

[34] Cannon, *Cannon's Precedents of the House of Representatives*, vol. VIII, § 3221, p. 716.

[35] Political scientists have recently attempted to assess more precisely the influence of the Speaker in conference committee appointments in the modern era. See, for example, Jeff Lazarus and Nathan W. Monroe, "The Speaker's Discretion: Conference Committee Appointments from the 96th–104th Congress," Paper presented at the 2003 Annual Meeting of the Midwest Political Science Association; Jeff Lazarus and Nathan W. Monroe, "The Speaker's Discretion: Conference Committee Appointments from the 97th–106th Congress," Paper presented at the 2003 Annual Meeting of the American Political Science Association; Jamie L. Carson and Ryan J. Vander Wielen,

the discussion below simply aims to demonstrate that, in the last 30 years, institutional changes and new practices have increased the potential for the Speaker to exercise discretion in the selection of House managers.

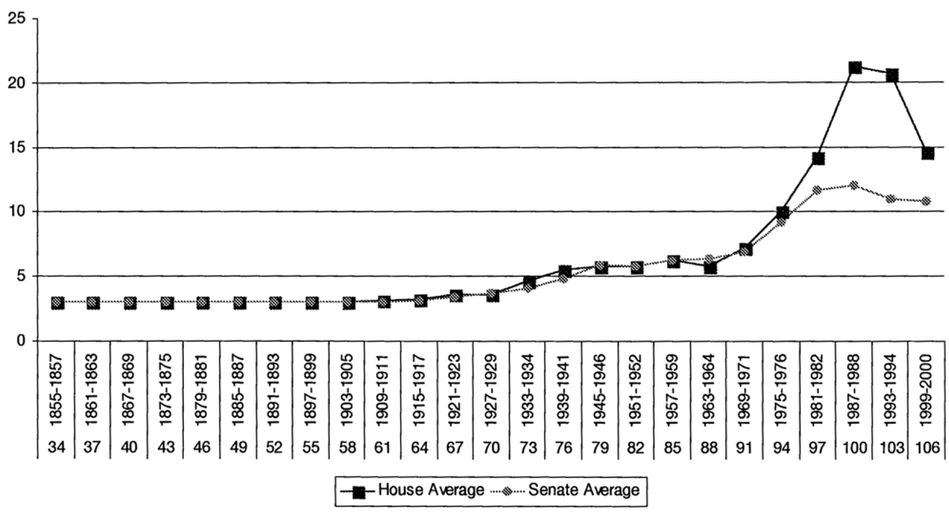

Figure 1.—Average Size of House and Senate Conference Delegations, Selected Congresses, 1855–2000.

INCREASED DISCRETION OF THE SPEAKER IN THE POST-REFORM ERA

The major committee reforms of the seventies weakened the norm of appointing senior committee members to conference committee, and, as a result, strengthened the Speaker's ability to shape conference committee membership. The House modified the standing rule granting the Speaker the authority to appoint conferees twice in that decade.[36] In 1975, the House amended the rule to direct the Speaker to appoint conferees who "generally supported the House position as determined by the Speaker."[37] In 1977, the rule was modified again, this time to direct the Speaker to appoint Representatives who were "the principal proponents of the major provisions of the bill or resolution."[38] The new language, according to Majority Leader James Wright (D–TX), would encourage the Speaker to "consider appointing sponsors of major successful amendments which have been adopted on the floor of the House."[39] In both instances, the aim of the reformers was to increase the influence of rank-and-file members in the crucial conference committee stage of the legislative process. The Speaker, as leader of the majority party, was expected to appoint members who represented the position of the House.

Neither of these rules changes had as significant an impact on the role of the Speaker in conferee appointment, however, as a 1975 rule granting the Speaker the authority to refer bills to more than one standing committee. Multiple referral transformed the composition of conference committees and increased the discretion of the

"Legislative Politics in a Bicameral System: Strategic Conferee Appointments in the U.S. Congress," Paper presented at the 2002 Annual Meeting of the Northeastern Political Science Association.

[36] See House Rule 1, clause 11 for the full guidelines the Speaker is expected to follow in the selection of conferees during the 108th Congress.

[37] *Congressional Record*, 93d Cong., 1st sess., vol. 119, Oct. 8, 1974, p. 34470.

[38] *Congressional Record*, 95th Cong., 1st sess., vol. 123, Jan. 4, 1977, p. 53.

[39] *Congressional Record*, 95th Cong., 1st sess., vol. 123, Jan. 4, 1977, p. 55.

Speaker in the selection of conferees.[40] When multiple committees consider a bill, the Speaker must decide how the various committees should be represented on the conference committee. Instead of taking the recommendations of a single chair, the Speaker may have to work with and coordinate among several committee chairs and their requests for representation on a conference committee. If disputes arise among committee chairs, they often call on party leadership to resolve the policy conflicts.

The new referral practices also make it more likely that the Speaker will limit the negotiating authority of a conferee. The Speaker has the ability to appoint what are sometimes called "limited purpose" conferees, or members appointed to consider only selected matters in disagreement with the Senate. If only a portion of a measure falls under the jurisdiction of a standing committee, for example, the Speaker may appoint conferees from that committee only for the purposes of considering those matters within their jurisdiction. Prior to the seventies, the Speaker rarely appointed limited purpose conferees, although he did so under certain circumstances. In 1950, for example, the general appropriation bills were combined into a single omnibus bill, and Speaker Rayburn appointed a unique set of managers (corresponding with the Appropriations subcommittees) to negotiate over each chapter of the omnibus bill.[41]

After the Speaker was given the authority to refer bills to more than one committee, he also began to appoint limited purpose conferees more often. From the 91st through the 94th Congress (1969–1976), the Speaker appointed limited purpose conferees on only three bills. In contrast, in the four Congresses (1977–1984) following the emergence of multiple referral, the Speaker set limited authority for conferees on 61 bills, or an average of 15 measures per Congress. At the start of the 102d Congress (1991–1992), Speaker Thomas Foley (D–WA; 1989–1995) announced that he intended to simplify the appointment of conferees,[42] but the appointment of complex conference delegations has continued to the present day. In the 107th Congress (2001–2002), the Speaker appointed limited purpose conferees on 10 out of the 37 measures the Chambers agreed to send to conference.

The option to appoint a conferee for a single purpose can be an important tool of the Speaker. It allows the Speaker to name Representatives with the most knowledge about portions of legislation as negotiators, without granting them influence over the entire compromise package. If a Member best represents the House or the party on only one element of the legislation, the Speaker can limit his or her involvement in conference negotiations to that element.

Since the reforms of the seventies, the norm of the small conference delegation has disappeared, giving the Speaker more flexibility to determine the size of the House delegation. In the last 30 years, the Speaker has appointed more Representatives to conference committees than he did in earlier eras (Figure 1). In the 94th Congress (1975–1976), for example, the average size of a House delegation was 10 Members, and 98 percent of all conference committees had delegations larger than 5 Members. The size of conference committees continued to rise throughout the eighties and nineties. To some extent, the average number of delegates is driven upward by a few mega-conferences each Congress. In the 100th Congress (1987–1988), for example, the Speaker appointed 155 delegates to the conference on the omnibus trade bill.[43] Yet even excluding the huge conferences, the average size of both House and Senate delegations grew in the second half of the 20th century.

While the historical evidence suggests that the Speaker has long taken advantage of the power to appoint conferees, since the seventies the Speaker has had a greater capacity to exercise discretion over the composition of the House delegation. The Speaker's ability to use conference assignments as a mechanism to influence conference outcomes was rather limited, both by the

[40] Garry Young and Joseph Cooper, "Multiple Referral and the Transformation of House Decision Making," *Congress Reconsidered,* 5th ed., p. 226; Walter J. Oleszek, "House-Senate Relations: A Perspective on Bicameralism," *The Postreform Congress*, p. 205.

[41] *Constitution, Jefferson's Manual, and Rules of the House of Representatives*, H. Doc. 107–284, 107th Cong., 2d sess. (Washington: GPO), p. 284; *Congressional Record*, 81st Cong., 2d sess., vol. 96, Aug. 7, 1950, pp. 11894–11895.

[42] *Congressional Record*, 102d Cong., 1st sess., vol. 137, Jan. 3, 1991, p. H31.

[43] Longley and Oleszek, *Bicameral Politics: Conference Committees in Congress*, p. 67.

size of the conference and the norm of appointing the two party leaders from the committee. In the modern Congress, the rules and practices leave the Speaker with more authority over conference composition. The most recent rules change in the 103d Congress (1993–1994) granted the Speaker the authority to add, or remove, conferees after the initial appointment.[44] Regardless of how often the Speaker actually exercises this power, the rules change could potentially increase his influence over conference committees. Conferees are aware that the Speaker can remove them from the committee or add enough other Members to the conference to ensure a majority will sign the conference report.

CONCLUSION

Over the past century, the Speaker has helped transform policy proposals into law by working informally with Senate leadership and by applying his formal conference appointment powers to further the goals of a majority of the House. The Speaker's role in bicameral coordination in the modern era is particularly challenging. The equal distribution of power in the Senate, one result of the seventies reforms, makes that body difficult to lead. The Speaker must coordinate not just with Senate party and committee leaders, but with other Senators, who, in the modern era, are more likely to be interested in a broad array of issues and are more likely to exercise their individual prerogatives afforded under the rules of the Senate.

The modern Speaker also has greater responsibilities in the appointment of House conferees. The advent of multiple referral and other rules changes have left the Speaker with the ability to determine not just who will serve as conferees, but how many will serve, what committees they will represent, and what portions of the legislation they will consider. The most recent rules change also allows the Speaker to add or remove conferees from the committee during the negotiations.

The changes in rules and practices that occurred three decades ago continue to shape the role of the Speaker in bicameral relations. It remains to be seen whether the duties of the Speaker in the two principal devices of bicameral coordination, leadership cooperation and conference committees, will continue to grow. It seems likely that the Speaker's role in bicameral relations will vary, as it has in the past, with changes in the membership and institutions of Congress.

[44] *Congressional Record*, 103d Cong., 1st sess., vol. 139, Jan. 5, 1993, p. 49.

Chapter 5
The Speaker and the Press

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Thirteen years after he last held the gavel as Speaker of the House of Representatives, Joseph "Uncle Joe" Cannon (R–MO) graced the cover of a new national magazine. It was March 3, 1923, and Cannon, who served as Speaker from 1903 until 1911, had just announced his retirement from the House. The editors of *Time* decided to write a tribute to Cannon and his turbulent times as leader and accompany it with a sketch of the former Speaker on their very first cover. The article on the inside of the magazine is hardly what modern readers would consider a cover story—just a few paragraphs on one page. The magazine wrote:

> Uncle Joe in those days was a Speaker of the House and supreme dictator of the Old Guard. Never did a man employ the office of the Speaker with less regard for its theoretical impartiality. To Uncle Joe, the Speakership was a gift from heaven, immaculately born into the Constitution by the will of the fathers for the divine purpose of perpetuating the dictatorship of the standpatters in the Republican party. And he followed the divine call with a resolute evangelism that was no mere voice crying in the wilderness, but a voice that forbade anybody else to cry out—out of turn.[1]

Seventy-two years later, a Speaker achieved another first with *Time*—Speaker Newt Gingrich (R–GA) was named its "Man of the Year" for 1995, the first House Speaker ever to be so honored.[2] These profiles of Cannon and Gingrich are part of a complex history of the relationship between the Speaker and the press corps.

Several elements appear to affect the kind of relationship a Speaker has with the press corps. Among these elements, raised as questions, are the following: Is the Speaker the opposition voice for the party that does not control the White House? Do the Speaker and his party (they have all been men) have a clearly defined and explained legislative agenda? What kind of personality does the Speaker bring to the job? Is he confrontational? Confident? Or more of a quiet, behind-the-scenes dealmaker?

Perhaps the most important element affecting the relationship between the Speaker and the press has been the changing nature of the press itself. There have been three major eras that help to understand the volatile interaction and interdependence between the Speaker and the press. The first was characterized by partisanship on the part of the press, the second was marked by Speakers who carefully cultivated relationships with a few congressional reporters, and the third was defined by the advent of television and electronic broadcasting. This chapter examines Speakers during each of the three periods, focusing on those who had well-documented relationships with the press.

[1] "Uncle Joe," *Time*, vol. 1, Mar. 3, 1923, p. 2.

[2] Nancy Gibbs and Karen Tumulty, "Master of the House," *Time*, vol. 146, Dec. 25, 1995, p. 54.

AN ERA OF PARTISANSHIP

In the earliest days of the House, reporters and the newspapers for which they wrote were explicitly partisan. Their goal was not merely to report the news, but to do so in a way that helped the political party with which they were affiliated. Many reporters found that their fortunes rose and fell with that of their party. So, for example, when the House convened for a lame duck session in November 1800 after the defeat of the Federalists:

> Samuel Smith of the *Intelligencer* and John Stewart of the *Federalist* were on hand to cover its debates, and the two reporters petitioned for a place on the House floor. Federalist Speaker Theodore Sedgwick cast a tie-breaking vote against them, on the grounds that their presence would destroy the dignity of the chamber and inconvenience its members. When the *Intelligencer* challenged the Speaker's ruling, Sedgwick ordered editor Smith banned from the House lobby and galleries. The election of Thomas Jefferson, together with new Republican majorities in Congress, vastly improved Samuel Smith's fortunes. The House welcomed him back, and in January 1802 voted forty-seven to twenty-eight to find room on the floor for the reporters.[3]

At first, the most important role played by reporters in the Capitol was that of recorders of debate, taking down for the record the debates of what went on in the House and the Senate. Those summaries were made available to newspapers outside Washington, which were free to use them or not. Eventually, newspapers began hiring "letter writing" correspondents, who would sit in the House and Senate galleries and compose commentaries on the actions of the two Chambers that would then be sent home to their local newspapers. By the Civil War, there was an identifiable press corps in Washington whose members focused most of their attention on Capitol Hill.[4]

Reporters not only shared the political ideology of some of the Members they covered, they also worked for Members during congressional recesses. Newspapers could not afford to pay reporters for a full year's work when Congress was in recess for a good portion of the time; so reporters turned to the people they covered to find additional work. Many were hired as clerks for committees or secretaries for Members themselves.[5]

This made for an interesting relationship between the Speaker and the press corps. During the winter of 1855–1856, for example, Horace Greeley, a powerful editor and reporter for the *New York Tribune*, became deeply involved in the hotly contested race for Speaker, even though he was not a Member of the House.[6] Greeley wanted to see Representative Nathaniel Banks (D–MA) elected because of Banks' antislavery policies. Greeley filed daily dispatches from the House as Members cast ballot after ballot trying to elect a Speaker, and he made it clear he favored Banks and worked on his behalf. "After the House cast its 118th unsuccessful ballot, Representative Albert Rust (D–AR) proposed that all leading contenders withdraw in favor of a compromise candidate." Greeley wrote a letter strongly opposing Rust's plan, and the day after the letter appeared in the *Tribune*, Rust encountered Greeley and severely beat him. Greeley, however, recovered sufficiently to write stories about Banks' election as Speaker on the 133d ballot.[7]

Reporters were so involved in the politics of Washington that many also decided to run for office themselves. The first journalist to become Speaker of the House was Schuyler Colfax, a Republican from Indiana, who served as Speaker from December 7, 1863 through March 1869.

> Schuyler Colfax's election as Speaker had brought special pleasure to the press ... Now one of their own—the proprietor and occasional letter writer to the *South Bend Register*—presided over the House of Representatives. ... To celebrate Colfax's election as Speaker, the Washington Press corps hosted a dinner in his honor, one of the first of what became a favored device for bringing together reporters and politicians in a social setting. "We journalists and men of the newspaper press do love you, and claim you as bone of our bone and flesh of our flesh," said toastmaster Sam Wilkeson. "Fill your glasses, all, in an invocation to the gods for long life, greater successes, and ever-increasing happiness to our editorial brother in the Speaker's Chair." ... Having sprung from the press, Speaker Colfax applied the lessons of his profession skillfully, making himself always available for interviews, planting stories, sending flattering notes to editors, suggesting editorials, and spreading patronage. He intended to parlay his popularity with the press into a national fol-

[3] Donald A. Ritchie, *Press Gallery: Congress and the Washington Correspondents* (Cambridge, MA: Harvard University Press, 1991), p. 12. Hereafter referred to as Ritchie, *Press Gallery*.

[4] Ibid., p. 3.

[5] Ibid., p. 4.

[6] Greeley had been elected as a Whig to the 30th Congress, from December 4, 1848 to March 3, 1849.

[7] Ritchie, *Press Gallery*, pp. 50–51.

lowing that would make him the first journalist in the White House." [8]

But the Speaker of this period who would transcend even Colfax's popularity with the press was James G. Blaine (R–ME). Blaine came to politics directly from journalism—he had been the part owner of the *Kennebec Journal,* and later accepted the editorship of the Portland, ME, *Advertiser*. Blaine was elected to Congress in 1862, and served as Speaker for three Congresses, from 1869 to 1875. He was a contender for the Republican Presidential nomination in both 1876 and 1880, and was the party's nominee in 1884.[9]

Blaine used his news experience to win over the Washington press corps. "Blaine courted correspondents for Republican and Democratic papers alike and learned how to give reporters what they wanted. Having begun as an editor and reporter, rather than as a lawyer, he employed his instinct for news and genius for self-advertisement to generate an immense and devoted national following." [10]

Blaine took care to cultivate personal relationships with reporters, calling them by their first names and seeking them out with news. He also came up with unique ways to get his point of view into the newspaper. "Blaine invented the Sunday news release, recognizing that anything distributed on that slow news day would get prominent display in the Monday papers. He experimented with the semipublic letter, intended more for the press than for its nominal recipient. He floated trial balloons to test public sentiment, and disavowed them if they burst." [11]

"No man in America better understood the ways and means of reaching the public ear through the newspaper press than Blaine," wrote correspondent David Barry. Blaine actively pursued reporters, regardless of their party, but "if a reporter wrote critically of Blaine he found himself cut off from this important source," Barry wrote. [12]

Blaine's intense attention to press relations served him well during the Credit Mobilier scandal. Lobbyists were accused of giving Members of Congress stock in Credit Mobilier, a Union Pacific Railroad subsidiary, at par value, i.e., less than half its market price, sometimes without making Members pay for the stock at all. Speaker Colfax was accused of participating in the stock dealings, and the scandal contributed to the demise of his career. Blaine, however, who also stood accused of obtaining stock at less than market value, decided to take on his accusers and managed to weather the storm.

Blaine's broker, James Mulligan, had kept letters from Blaine about the stock deals, which investigators wanted to make public. Blaine went to Mulligan's hotel room in Washington and took the letters. Then, from the floor of the House, Blaine read selected portions designed to clear himself of the charges. To the amazement of his opponents, he was successful, though it became clear later that he had edited the letters rather substantially in their reading to the House.[13]

The Credit Mobilier scandal left a lasting imprint on the relationship between the press and Congress, as noted by Henry Boyton, an influential reporter for the *Cincinnati Gazette* in post-Civil War Washington. Boyton wrote that the scandal marked a turning point in the relations between the press and the politicians they covered:

> The general relations of friendship between the two classes continued, however, without marked interruption to the days of the explosions over Credit Mobilier and kindred scandals. Up to that time Newspaper Row was daily and nightly visited by the ablest and most prominent men in public affairs. Vice presidents, the heads of departments, heads of bureaus, the presiding officers of the two houses of Congress, and the strongest and most noted men of the Senate and of the House in the grandest period of the Republic's life, were frequent and welcome visitors in the Washington offices of the leading journals of the land. Suddenly, with the Credit Mobilier outbreak, and others of its kind which followed it, these pleasant relations began to dissolve under the sharp and deserved criticism of the correspondents. To this situation succeeded long years of estrangement. Newspaper Row was gradually deserted by the class named.[14]

The press also became concerned about the many reporters who lobbied the government at the same time they were writing stories about Congress. In November 1877, Boyton and other

[8] Ibid., p. 67.

[9] *The National Cyclopedia of American Biography* (New York: James T. White and Company, 1891), vol. 1, pp. 137–139.

[10] Ritchie, *Press Gallery*, p. 131.

[11] Ibid., p. 138.

[12] Ibid., p. 137.

[13] Ibid., pp. 139–142.

[14] Henry V.N. Boyton, "The Press and Public Men," *Century*, vol. 42, Oct. 1891, p. 855.

leaders of the press met with House Speaker Samuel Randall (D–PA) to discuss press gallery accreditation. Over the next 2 years the journalists created a set of rules that defined who could be an accredited journalist, a plan that was adopted by a gathering of reporters in 1879. The House agreed to the plan later the same year, and the Senate followed suit in 1884. Under the plan, a group of five journalists, called the Standing Committee of Correspondents, would monitor the galleries and be responsible for ensuring that lobbyists did not use the facilities reserved for reporters.[15]

The press was also in a major transition at this time, from partisan newspapers that covered the Capitol with an ideological intent, to money-making businesses, where getting the news was what mattered. "From the 1860s to the 1920s, the newspaper served less and less well as a medium of traditional exuberant partisanship," wrote media scholar Michael McGerr. By the 1870s, an independent press, focused more on a "restrained and factual style" had emerged, a development aided by the creation and expansion of the Associated Press.[16]

These elements—the development of a less partisan press, the creation of a formalized structure for journalists within Congress and the distance between the press and politicians following the Credit Mobilier scandal—marked the beginning of a new period in the relationship between the Speaker and the press, a time when many reporters were viewed by Speakers with suspicion, but a few came to be regarded as trusted allies and friends.

"THE BOYS" OF THE PRESS

Speaker Joe Cannon, who was Speaker from 1903 to 1911, divided the press into two groups—those who regularly covered Capitol Hill and those who did not. For the former, Cannon had praise and even some affection—in 1908 he was an honorary pallbearer at the funeral of Crosby S. Noyes, editor in chief of the *Evening Star*, then the leading Washington daily, for example.[17] It was the other reporters, those who did not report out of Washington regularly, who earned Cannon's ire.

> I was always fond of the newspaper boys in Washington. Few of them ever betrayed my confidences, and they said many nice things about me. For the great part they were honorable men, animated by decent instincts. It was significant that during the "muckraking" campaign that flourished from about 1907 to 1911, few, if any of the regular newspaper men in Washington took part. Their work was to report facts, not to deal in slander and half-truths. The "muckrakers" were generally men unfamiliar with Washington, politics or men in political life. I attended Gridiron dinners regularly, for the Club was always kind enough to ask me to go.[18]

This distinction between the "regulars" and those who did not spend their time at the Capitol was adopted by many Speakers who followed Cannon, regardless of their political affiliation. To some extent, it has influenced how Speakers from Cannon on related to the press.

Cannon, known to friend and foe as "Uncle Joe," was a major national figure during his speakership, particularly in 1910 during the struggle with a group of insurgent House Republicans over the scope of his control. He became a favorite subject of editorial writers and cartoonists, who called him a "czar" or a "tyrant." The Speaker blamed the bad press, or the "muckraking" as he called it, on what he said was a cabal of newspaper reporters and editors who had wanted him to support changing the tariff on woodpulp and print paper.

According to Cannon, a newspaper editor by the name of Herman Ridder said he would help Cannon obtain the 1908 Republican Presidential nomination if Cannon would support the changes to the tariff. Cannon said later he had no idea if Ridder could have helped him win the Republican nomination, but he thought it was clear Ridder could hurt him for not going along. "[A]nyone who read the papers for the three years or so following 1907 must remember the success that he or someone else achieved in a campaign of vilification, virtual misrepresentation, and personal abuse of myself, along with

[15] Ritchie, *Press Gallery*, p. 109.

[16] Michael E. McGerr, *The Decline of Popular Politics: The American North, 1865–1928* (New York: Oxford University Press, 1986), p. 107; Michael Schudson, *Discovering the News: A Social History of American Newspapers* (New York: Basic Books, Inc., 1978), p. 4.

[17] "Mr. Noyes at Rest," *Washington Post*, Mar. 1, 1908, p. 1.

[18] Joseph G. Cannon, *The Memoir of Joseph Gurney "Uncle Joe" Cannon*, as transcribed by Helen Leseure Abdill (Danville, VA: Voorhees Printing Co., 1996), p. 132.

the responsible Republican leaders of the House." [19]

Whatever the reason, Cannon certainly saw his fair share of critical coverage by the national press, as documented by scholar Scott William Ranger.

> Extensive and sometimes biased press coverage of the rules controversy had alerted the public to the fact that Speaker Cannon might not be quite the benevolent character they had once believed him to be.
>
> *The Baltimore Sun* cited Cannon as being "the very embodiment of all the sinister interests and malign influences that have brooded over this land and exacted toil from every hearthstone." Both *Colliers* and *Success* magazines had been running articles in regular installments that not only detailed the Speaker's wrongdoings but also praised the insurgents. When a large segment of the public responded by turning against Cannon, some moderate Republicans realized that their own political futures would soon be in jeopardy if they continued to support him. The press, therefore, did the insurgents an absolutely invaluable service. The Speaker was angered by the press assault and the public response to it but refused to make changes in the way he ran the House.[20]

The *Washington Post*, in a profile of Cannon, began the story like this: "The central figure in every discussion of the American Congress today is the Speaker of the House of Representatives, Joseph Gurney Cannon. He is as much of a character in American politics as was the rugged Andrew Jackson, or the terrible John Randolph of Roanoke, or the imperious Roscoe Conkling." [21]

As Speaker, Cannon was in charge of the House press gallery, an organization of reporters established in 1890. The 1890 agreement between the House and the press corps established a permanent gallery on the third floor of the Capitol from which reporters could watch House floor action. In addition, the press gallery had office space for reporters to make and receive phone calls and write their reports.[22] Cannon delegated control of the gallery and the care of the press to his secretary, L. White Busbey, a former Washington correspondent for Chicago newspapers:

> The Speaker had charge of the press gallery, and I turned this over to Busbey, telling him that I would hold him fully responsible for keeping the boys happy, and that he was not to bring any disputes to me unless there was no escape . . . The newspaper boys always seemed to have a hankering for stories and Busbey relieved me of too much interruption by them. Busbey had a busy life, working to all hours.[23]

Speakers who followed Cannon, also appeared to enjoy the company of Capitol Hill reporters. Speaker Frederick H. Gillett, for example, joined a dozen members of the Senate press gallery and an equal number of Senators in a golf game in 1922.[24]

Speaker Nicholas Longworth (R–OH), Speaker from 1925 to 1931, played the inside game with reporters to great advantage. The charming husband of Alice Roosevelt was extremely popular with the press. He was able to move portions of President Coolidge's legislative program through the House in just 2 short months, for example, and won plaudits from the press for this achievement.[25]

Said another writer: ". . . an indisputable aura of glamor did hover around Nicholas Longworth. He was even profiled by a movie magazine, and though he was the only Speaker in history to whom the klieg lights were so attracted, there was no egoistic pretension about him." Further, "Another result of Longworth's characteristic detachment—or cynicism, some call it—was to endear him to newsmen who had been born knowing that life would go on no matter what the Congress decided. Many of them became enthusiastic fans of Longworth, and they tendered him the kind of praise few politicians have ever enjoyed." [26]

His method of dealing with the press was described in detail in an *Associated Press* article, written by Walter Chamblin, that was included in a biography of Longworth written by his sister. The story sets the scene in Longworth's pri-

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[19] Ibid., pp. 140–141.

[20] Scott William Rager, "Uncle Joe Cannon: the Brakeman of the House of Representatives, 1911–1915," in Roger H. Davidson, Susan Webb Hammond, and Raymond W. Smock, eds., *Masters of the House: Congressional Leadership Over Two Centuries* (Boulder, CO: Westview Press, 1998), p. 77.

[21] Frederick J. Haskin, "The American Congress: XX. Speaker Cannon's Career," *Washington Post*, Dec. 12, 1909, p. 7.

[22] This was the first press gallery, designed for the "print" press, or those who wrote for daily newspapers. Over time, both the House and Senate created additional, separate press galleries for the periodical press (such as weekly magazines) and for radio and television reporters.

[23] Cannon, *The Memoir of Joseph Gurney "Uncle Joe" Cannon,* pp. 119–120.

[24] Henry Litchfield West, "Scribes Easy for Senatorial Golfers," *Washington Post*, June 28, 1922, p. 10.

[25] Donald C. Bacon, "Nicholas Longworth: The Genial Czar," in *Masters of the House*, p. 135.

[26] Richard B. Cheney and Lynne V. Cheney, *Kings of the Hill: Power and Personality in the House of Representatives* (New York: Continuum, 1983) pp. 156, 158. Hereafter referred to as Cheney, *Kings of the Hill.*

vate office just off the floor of the Chamber after the House had adjourned for the day:

> It was in this retreat that the press learned to know and to love him. His door never was closed to a reporter and no matter how muddled the legislative situation might be, Nick ever was smiling and genial. Nothing pleased him more than for the correspondents to arrive with a batch of good stories. He would laugh heartily and then would tell one of his own. His supply seemingly was inexhaustible. It was in such a setting that Nick liked best to discuss affairs with the press. He never cared much for formal conferences, which are so popular with most officials in Washington, although at times a troop of correspondents would arrive from the Senate or downtown departments and insist on such an interview. He always complied, but seldom spoke as freely as he did at the informal gatherings. No matter how his social engagements might pile up, he always found time to attend any gathering of correspondents. He was invited to all ... Upon a few occasions when the correspondents felt that their prerogatives were being ignored, such as instances usually arising with some new Representative who arrived at the Capitol quite puffed up over the importance of his office, the Speaker each time personally took up the battle for the press. He believed the press of paramount importance in the functioning of the House.[27]

This easy, comfortable behind-the-scenes relationship with the press allowed Longworth to shape news coverage to his liking in many instances, persuading some reporters, for example, that the House was the predominant Chamber over the Senate during much of his speakership.[28]

Following Longworth's unexpected death, there followed three one-term Speakers. The first of those, John Nance Garner held views about the press similar to those of Longworth. "He granted few formal interviews to the press, although he admitted a small number of correspondents into his personal circle and sometimes used them for his political purposes. Reporters such as Cecil Dickson, Marquis James, and especially Bascom Timmons were as close to him as any politician." [29]

Garner, who was Speaker from December 1931 through March 1933, held a regular, daily briefing for the press when the House was in session, possibly the first Speaker to do so. This tradition, of meeting with the press before the start of the day's session to discuss the House's schedule, continued for more than 60 years until Speaker Newt Gingrich dropped it in 1995.[30]

A COMPLEX RELATIONSHIP

Speaker Sam Rayburn was known to dislike dealing with the press. The Texas Democrat "actively avoided much of the media, especially television. He refused to appear on the popular television talk show of the day, 'Meet the Press,' and routinely avoided most print and broadcast reporters as well ..." [31]

During at least some of the time he was Speaker, however, Rayburn rented a room in the house of C.P. Trusell, a congressional reporter for the *New York Times*. Rayburn and Trusell were good friends, such good friends that the reporter eventually asked the Speaker to move out. Trusell reportedly was having trouble keeping his information straight, separating what he knew from his own work and what he had learned about the goings on in the House from his friendship with Rayburn, information that could not be reported.[32]

Rayburn distinguished between "the press," a generic group he did not like, and certain congressional reporters, who he trusted and with whom he was friends. Two anecdotes illustrate how Rayburn saw this divide. One, recounted in a largely positive biography of the Speaker, shows him helping a reporter he knew. The other shows his disdain for television, a form of media with which he was uncomfortable.

In the first story, the teenage daughter of a reporter who had been at several of Rayburn's press conferences had died. Early the morning after her death, Rayburn went to the reporter's house to offer his condolences. The book continues:

> "I just came by to see what I could do to help," he {Rayburn} said. A bit flustered, the father replied, "I don't think there's anything you can do. We're making all the arrangements."

[27] Clara Longworth DeChambrun, *The Making of Nicholas Longworth: Annals of an American Family* (New York: Ray Long and Richard Smith, Inc., 1933), pp. 306–307.

[28] Cheney, *Kings of the Hill,* p. 158.

[29] Anthony Champagne, "John Nance Garner," in *Masters of the House*, p. 152.

[30] "Garner and Rainey Reply," *New York Times*, June 26, 1932, p. 21.; Howard Kurtz, "Gingrich Plans to End Daily News Briefings," *Washington Post*, May 3, 1995, p. A7.

[31] Elaine S. Povich, *Partners and Adversaries: The Contentious Connection Between Congress and the Media* (Arlington, VA: Freedom Forum, 1996), p. 13.

[32] Jim Cannon, "Congress and the media: the loss of trust," in *Partners and Adversaries,* pp. 68–69.

"Well, have you had your coffee this morning?" Mr. Sam asked.

"No, we haven't had time."

"Well," he replied promptly, "I can at least make the coffee this morning."

And while Mr. Sam was puttering about in the kitchen, the reporter said, "Mr. Speaker, I thought you were supposed to be having breakfast at the White House this morning."

"Well, I was, but I called the President and told him I had a friend who was in trouble, and I couldn't come." [33]

In the second tale, Rayburn explained to Lawrence Spivak, a well-known journalist, why he would not appear on the NBC program, "Meet the Press." "I never go on programs such as yours because some twenty or more years ago I did go on a panel program on the radio and all the folks on the panel got in such an argument that I had enough." The writer continues, "Never having had a very high opinion of publicity, he wasn't going to change his mind about it now. One of the greatest compliments he could pay a colleague was to say, 'He doesn't run around getting his name in the newspapers all the time.' " [34]

Rayburn was direct with the reporters he did decide to talk to. "He handled the press in the same straightforward way he had since they first started paying him attention. The reporters who came to his office got five minutes for their questions. His answers were short, to the point and off the record. 'You'll have to go somewhere else to get your quotes,' he told them." [35]

It was clear that Rayburn saw the value in letting certain, selected reporters into his confidence. They were invited to the ultimate insider's meetings, the sessions with the "Board of Education," as it was known, the late-night meetings and drinking sessions of some of the most powerful men in Washington, led by Rayburn in his Capitol hideaway. "In Rayburn's mind, these trusted reporters were different from the rest of the national press; they understood and appreciated the work of the House of Representatives. They also understood the importance of longstanding personal relationships as Rayburn did, and would not sacrifice those relationships for a single story. It was a true symbiotic relationship." [36]

Rayburn's contact with this group of media was not necessarily designed to reach out to the country, or to try and build any kind of grassroots coalitions. Rather, he used the reporters, many of whom worked for the country's top news organizations, to communicate with his fellow Members. "Speaker Rayburn perceived relationships with reporters as an advantage internally within the House rather than a conduit to a national constituency. He was far more concerned with what his colleagues read than with what the general public read." [37]

Rayburn also continued the daily press briefings begun under earlier Speakers. For 5 minutes before the start of the House he would meet with reporters. The questions and the tone of those briefings made it clear he was aiming the information at his fellow House Members primarily. "It was purely an insider's game. Questions focused on arcane procedure or mundane scheduling of business. . . . Observers not initiated to the process would have a difficult time understanding what was going on. House jargon and parliamentary shorthand punctuated answers." [38]

It was clear that the trust he gave to the reporters was repaid. In a lengthy profile of Rayburn for the *New York Times*, reporter William S. White tells the story of having been in the room when Rayburn was notified of the death of President Franklin D. Roosevelt, and he makes it clear that he would not divulge the specifics of what Rayburn said:

His heavy and very nearly immobile face was still in the shadows and the only movements upon it were the small and barely visible traces of the tears. He swept them away roughly. For a long time, no one said anything at all. Then Mr. Rayburn hunched his shoulders and, looking out unseeingly into the dusk, he spoke slowly in short, hard, phrases as though talking to himself. There, before friends, in words that are yet under the seal of that room (in which this correspondent was among those present), Mr. Rayburn took an oath for the future. Its substance was that Sam Rayburn—Southern Democrat and all—had followed Franklin Roosevelt

[33] C. Dwight Dorough, *Mr. Sam* (New York: Random House, 1962), p. 287.

[34] Cheney, *Kings of the Hill,* pp. 177–178.

[35] Ibid., p. 178.

[36] Joe S. Foote, "The Speaker and the Media," in Ronald M. Peters, ed., *The Speaker: Leadership in the U.S. House of Representatives* (Washington: Congressional Quarterly Inc., 1994), p. 137.

[37] Ibid., p. 138.

[38] Ibid.

in life, and that Sam Rayburn would follow Franklin Roosevelt in death.[39]

Rayburn's dislike of television extended into committee rooms. In 1952, Rayburn decided to ban radio and television broadcasts of House committee hearings, reasoning it was an extension of the ban on televising House action. In 1957, the chair of the House Committee on Un-American Activities, Francis E. Walter (D–PA), implicitly challenged the ban by holding a televised field hearing in San Francisco. He was admonished by Rayburn sufficiently so that no other chair challenged the camera ban.[40]

CHANGING ENVIRONMENT

While Rayburn was a master at using the press to play his inside game, the nature of the press and the relationship between the press and the politicians they covered began to change in such a way that Rayburn's successors, John McCormack (D–MA) and Carl Albert (D–OK), were not able to use the same relationship-based technique for their media plan.

The Vietnam war and Watergate influenced the way reporters viewed both their jobs and Members of Congress. The two events combined to change the relationship between the reporters and their subjects into a much more confrontational posture. Added to that, the growth of television and broadcast as the way Americans were getting their news left Speakers such as McCormack struggling to cope with new demands from rank-and-file Democrats to be more of a national figure and party spokesman. That meant more air time, making television and radio speeches—a role McCormack was uncomfortable trying to fill. "Both the presidency and the television networks grew in stature and visibility during the 1960s while Congress stood silently in the background." [41]

Elected to the speakership upon the death of Rayburn, McCormack served in the Office from 1962 until 1971. As early as 1967, however, there were rumblings among some House Democrats that Members wanted a more dynamic spokesman. "The question now being asked by his Democratic critics is whether Mr. McCormack, with his gaunt, pale visage and his tendency to talk in patriotic platitudes, has either the intellectual drive or the proper public image to serve as a spokesman for the Democratic party over the next two years," wrote John W. Finney for the *New York Times*. He quoted an anonymous young Democratic House Member as saying "The trouble with John McCormack is that he is completely out of touch with modern American politics." [42]

According to one study, McCormack was mentioned on the nightly news broadcasts of the three major networks 17 times in 1969. Five other Members of the House, including Minority Leader Gerald Ford were mentioned more frequently. In 1970, McCormack jumped to the front of the pack, being mentioned 46 times, but by 1971, he did not make the list of the top 15 House Members to be talked about on the evening news.[43] However, it was during McCormack's speakership that the House authorized its committees to make their own decisions about whether to allow broadcast coverage of their hearings or meetings, thus overturning the ban that Rayburn put in place in 1952.

Carl Albert, Speaker from 1971 until 1977, also found it difficult to adapt to the new, changing media environment. When he was elected majority leader under McCormack in 1962, he noted that he had done so with very little media coverage. "I never once got on television. The sum total of my national publicity was a {press} release when I got into the race and a {press} release when I got up to Washington saying I thought I had enough votes to win. I refused to go on television, although I was invited to go on most of the news and panel shows." [44] Albert continued his low-profile style throughout his time in the leadership. "As Majority Leader, Albert has attracted little national attention. He has made relatively few televised appearances and

[39] William S. White, "Sam Rayburn—The Untalkative Speaker," *New York Times*, Feb. 27, 1949, p. SM10.

[40] Foote, "The Speaker and the Media," in *The Speaker: Leadership in the U.S. House of Representatives*, p. 140.

[41] Ibid, p. 141.

[42] John W. Finney, "McCormack, 77, Faces Increasing But Disorganized Criticism," *New York Times*, Dec. 22, 1968, p. 32.

[43] Timothy E. Cook, *Making Laws and Making News: Media Strategies in the U.S. House of Representatives* (Washington: Brookings Institution, 1989), pp. 192–193.

[44] Robert L. Peabody, *Leadership in Congress: Stability, Succession and Change* (Boston: Little, Brown and Company, 1976), p. 77.

has introduced little legislation on his own," a feature story on Albert said.[45]

However, he did take some steps into the media age. Albert was the first Speaker to hire a press secretary. During Watergate, Albert took into account the massive needs of the press, going so far as to begin planning for possible broadcast of House impeachment proceedings against President Richard Nixon:

> While uneasy about the carnival atmosphere that was developing around the Judiciary Committee hearings, Speaker Albert tried hard to accommodate the television networks and the rest of the media. When the Judiciary Committee had completed its work, Speaker Albert authorized his staff to make plans for the televising of impeachment proceedings in the House. This was a key decision, because it represented a turnaround from Rayburn's strict ban on television in the House, which had been in effect since the day Albert came to Congress in 1947. Speaker Albert's willingness to open the House to television during this crucial moment in history paved the way for permanent access to the House five years later. [46]

A MEDIA CELEBRITY

Albert's successor, Thomas P. "Tip" O'Neill (D–MA) won rave reviews both inside and outside the House for his handling of the media. One reporter called him "the first media celebrity in the history of the Speakership." [47] Another attributed much of O'Neill's success to his management of the media:

> O'Neill has built his mystique through the press. Albert feared the press. O'Neill plays with it like a cat with a mouse. He has killed the tough, post-Watergate press with candor and charm. Ask O'Neill about an alleged gambling ring in a House office building and whether he has quashed a Justice Department investigation into it. O'Neill says no, he knew nothing about it. Then he regales the press with stories and mottos about gambling. He tells the story of going to the Pimlico racetrack as a young congressman and meeting J. Edgar Hoover there. Hoover offers him a lift. He accepts. When they get back to town, Hoover discovers he has taken the wrong car from the parking lot. There are no more questions about the gambling ring.[48]

O'Neill responded to the changing demands of the media by adopting new patterns:

> When I became majority leader in Washington, I was interviewed constantly. I was always happy to talk to the press, but I drew the line at the Sunday morning talk shows on television. After a full work week, consisting of long days and frequent late evenings, I insisted on keeping my weekends free for my family and friends. In 1977, when I became Speaker, I started meeting with TV reporters each morning when I arrived at work. Later in the morning, I would hold a news conference before the House opened. I always told the truth, and almost never answered with "no comment." Ninety-nine percent of the time, if you're straight with the press, they'll be straight with you.[49]

O'Neill realized, too, that he could use the daily Speaker's press conference to get the party's message out to the public, as well as fellow Members of Congress.[50]

Despite concerns from his fellow Members, O'Neill agreed to allow C–SPAN broadcasts of House floor action, beginning in 1979, a decision he would later say was one of the best he made as Speaker.[51]

As skillful as O'Neill was with the press, it was the 1980 election of Republican President Ronald Reagan and a Republican Senate that really thrust the Speaker on to the national stage. "In the aftermath of the Republican takeover of the Senate in the 1980 elections, the press anointed Speaker O'Neill—now clearly the highest-ranked Democrat in Washington—as chief Democratic spokesman and thus enhanced his media access," wrote one congressional scholar.[52]

Democrats took a page from Reagan's playbook to urge O'Neill to challenge Reagan's policies—frequently and publicly.

> In the early 1980s Ronald Reagan taught House Democrats a lesson about the uses of the media that altered their expectations of their own leaders. Reagan's media skills and the favorable political climate allowed him to dominate public debate and thereby dictate the policy agenda and propagate a highly negative image of the Democratic party. Unable as individuals to counter this threat to their policy and reelection goals, Democrats expected their leaders to take on the task, to participate effectively in national political discourse and thereby promote the membership's policy agenda and protect and enhance the party's image. Unlike rank-and-file

[45] "Carl Albert of Oklahoma: Next House Speaker," *Congressional Quarterly Weekly Report*, vol. 28, Dec. 25, 1970, p. 3074.

[46] Foote, "The Speaker and the Media," in *The Speaker: Leadership in the U.S. House of Representatives*, p. 144.

[47] Alan Ehrenhalt, "Media, Power Shifts Dominate O'Neill's House," *Congressional Quarterly Weekly Report*, vol. XXX, Sept. 13, 1986, p. 2131.

[48] Mary Russell, "Speaker Scooping Up Power in the House," *Washington Post*, Aug. 7, 1977, p. 1.

[49] Tip O'Neill with William Novak, *Man of the House: The Life and Political Memoirs of Speaker Tip O'Neill* (New York: Random House, 1987), p. 227

[50] Ibid., p. 285.

[51] Ibid, p. 288.

[52] Barbara Sinclair, "Tip O'Neill and Contemporary House Leadership," in *Masters of the House*, p. 309.

House members, the party leadership did have considerable access to the national media.[53]

It was a part of a growing realization that the climate of Congress itself had changed. No longer was it enough to make the case for legislation within the Capitol, the public needed to be involved as well. "A decade ago, nearly all influential House members would have said that legislative arguments are won on the floor, by the tireless personal cultivation of colleagues. Nowadays, many of them say that sort of work is only part of the story. Increasingly, they believe, floor fights are won by orchestrating a campaign aimed over the heads of the members, at the country at large. . . . 'Sometimes to pass a bill,' [House Majority Leader] Foley says, 'you have to change the attitude of the country.' " [54]

Speaker O'Neill used his Office as a "bully pulpit" to challenge the Reagan White House, particularly during his daily press briefings:

An O'Neill press conference these days is a media event, not only because dozens of print and broadcast reporters crowd his office to hear him, but because much of what he says is designed for their benefit. O'Neill often begins with a prepared statement challenging one or another aspect of Reagan administration policy, drafted for him by press secretary Christopher J. Matthews, a glib wordsmith and specialist in one-liners. Often, O'Neill's comments are repeated on the evening news that night; even more often they are printed in the *New York Times* or the *Washington Post* the next day.[55]

Republicans saw this as an opportunity to use O'Neill as a target for their anti-Democrat campaign—a strategy that did not succeed:

As part of their 1982 election campaign, Republicans tried to make the Speaker, a heavy, rumpled man with a cartoonist's dream of an old pol face, into a symbol of big, out-of-control government; generic ads with an O'Neill look-alike were run nationwide. As a result, O'Neill became much better known to the public at large than any Speaker before him. (Presumably much to the Republicans' surprise, by the mid-1980s O'Neill not only became a nationally known figure but a highly popular one.) [56]

At the end of his speakership, Tip O'Neill was a nationally known figure. "Sam Rayburn could have walked down the streets of Spokane, Wash., without anybody noticing him," Majority Whip Thomas S. Foley of Washington [said in 1986], "Tip O'Neill couldn't do that. And it's very unlikely that any future Speaker will be anonymous to the country." [57]

O'Neill remained a popular public figure after leaving office in 1986. "That Speaker O'Neill's autobiography was a best seller and that he received contracts for a variety of high profile commercial endorsements after leaving office showed just how high a Speaker's visibility could climb in the television age," wrote one scholar.[58]

DEMOCRATS AFTER O'NEILL

Speaker Jim Wright (D–TX) continued in the steps of his predecessor, reaching out to the press and maintaining high visibility as an outspoken opponent of many Reagan administration policies, particularly those in Central America. His relationship with the media had peaks and valleys and some of his encounters with the press became verbal battles. "Speaker Wright courted the media aggressively and was more available for television appearances than any of his predecessors. . . . Yet, he also had a more contentious relationship with journalists than previous Speakers, once calling them 'enemies of government.' " [59]

Wright and the Democratic leadership of the House decided to use the daily press conference even more than O'Neill had to push their priorities. The leadership would meet prior to the press conference and create a message for the day. "Upon completion of the press conference, the other party leaders would remain to talk to reporters in an effort to reinforce Wright's points. Wright also extended contacts to broadcast reporters immediately following the daily print meeting." [60]

When Wright resigned as Speaker in May 1989, his successor, Thomas S. Foley, had a much warmer relationship with the press. Foley cultivated reporters by, among other things, having regular early morning breakfasts with the Cap-

[53] Ibid, p. 290.

[54] Ibid.

[55] Ehrenhalt, "Media, Power Shifts Dominate O'Neill's House," p. 2131.

[56] Sinclair, "Tip O'Neill and Contemporary House Leadership," in *Masters of the House*, p. 309.

[57] Ehrenhalt, "Media, Power Shifts Dominate O'Neill's House," p. 2131.

[58] Foote, "The Speaker and the Media," in *The Speaker: Leadership in the U.S. House of Representatives*, p. 150.

[59] Ibid, p. 151.

[60] Douglas B. Harris, "The Rise of the Public Speakership," *Political Science Quarterly*, vol. 113, Summer 1998, pp. 201–202.

itol's bureau chiefs and major newspaper columnists.[61] He also decided to release an unedited transcript of the daily press conferences, which made it easier for reporters to check their quotes and for those reporters who had missed the session to know what had happened. Foley's relationship with the press is evidenced by the following anecdote:

> Symbolic of Foley's relationship with the congressional press was the press conference day when members of the press presented him with a T-shirt that many of them had shown up wearing. A cartoon from the *Baltimore Sun* portrayed the Speaker as a bonneted and exasperated nanny surrounded by a pack of childlike adults dressed in knickers and in the middle of a food fight. The text quoted Foley from his June 10, 1993 press conference when he was asked whether there was a lack of leadership being marshaled on behalf of the president's agenda. Foley's response: *Everybody is exercising sufficient leadership. It is the followership we are having trouble with.*[62]

Foley recognized the limits of what he could do in his daily meeting with the press. "While the traditional daily Speaker's press conference served to influence the perceptions of opinion leaders in Congress and the congressional media, it proved to be a very limited vehicle for reaching the American people," he wrote in his book.[63]

Foley wrote that he wondered if he should have opened up the daily briefings, known to reporters as pad and pen briefings, to broadcast media. "If I had it to do over again, I would have experimented occasionally with radio and television coverage. The electronic media were represented at the press conferences, but without tape recorders or cameras. It was, perhaps, an anachronism for a Speaker to be carrying on his principal communication with the press through the print media at the same time that the entire House proceedings were being carried live on cable television's C–SPAN."[64] Foley acknowledged that the audience he wanted to reach required a broader outlet:

> When you went on a television program you were trying to reach the public, the press beyond the program itself, and your own congressional colleagues. It depends on the issue, but part of the way you influence your colleagues is by having some impact on public opinion and creating a mood or attitude toward legislation, or explaining what might otherwise be difficult for the public to understand. You don't do that all alone, but it's part of the task of being Speaker to try to explain the Congress to justify what might be unpopular legislation, to defend the institution during periods when it comes under fire or attack. I think members appreciate that.[65]

A TELEVISION-AGE SPEAKER

No other Speaker to date has had the media exposure of Newt Gingrich (R–GA), nor experienced the highs and lows of such coverage in such a short period of time (he was Speaker from 1995 to 1999). In part, Gingrich's appeal to the media was based on his long-standing reliance on reporters to convey his message to the public. Elected to the House at the same time that cameras for C–SPAN began covering House floor action, Gingrich became well known to C–SPAN watchers for delivering impassioned 1-hour speeches after the daily business of the House sessions was completed. It was C–SPAN that elevated his national visibility, especially after one contentious episode.

As one reporter noted, Gingrich spoke daily to:

> {A} sea of empty seats and a nationwide C–SPAN audience largely unaware that the chamber was deserted. This practice so nettled Speaker Thomas P. "Tip" O'Neill of Massachusetts that he ordered the camera operators to pull back and expose the charade. The fracas that followed led O'Neill to lose his temper and speak of Gingrich's behavior as "the lowest thing I've ever seen." O'Neill's remark had to be stricken from the record as an offense to House rules, the first time since 1797 a Speaker had been rebuked for language.[66]

In brief, Gingrich's use of the media likely contributed to his "climb up the leadership ladder," and eventual election as Speaker.[67]

Gingrich became Speaker when media coverage of Congress was increasing both in kind and in frequency, from the number of print media outlets to Internet publications to radio talk shows. As Gingrich stated: "But by January of 1995, when the new Contract with America class was being sworn in, the amount of congressional media coverage had expanded immensely.

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[61] Jeffrey R. Biggs and Thomas S. Foley, *Honor in the House* (Pullman, WA: Washington State University Press, 1999), p. 114.

[62] Biggs, *Honor in the House*, p. 131, italics in original.

[63] Quoted in Ibid., p. 180.

[64] Ibid., pp. 180–181.

[65] Ibid., p. 128.

[66] Ronald D. Elving, "CQ Roundtable: The Media Whirlwind of Speaker Gingrich," *CQ Weekly*, vol. 51, Dec. 9, 1995, p. 3774. Online version.

[67] Sinclair, "Tip O'Neill and Contemporary House Leadership," in *Masters of the House*, p. 315.

In addition to C–SPAN, there was now CNN, a twenty-four-hours a day news channel, a daily *Congressional Quarterly* bulletin, and two 'local' newspapers, *Roll Call* and *The Hill*. In short, we now had a giant screen and loudspeaker to catch all our missteps and misstatements." [68]

As Speaker, Gingrich decided to permit television and radio coverage of his daily press briefings. Gingrich explains the decision like this:

> Because we had been so successful at getting our message out before the election, my press secretary Tony Blankley and I still hoped that we might still get at least part of the press on our side. So we decided to hold daily televised press briefings. The daily press briefing was an institution that Democratic Speakers had used for years, but their briefings had been restricted to reporters without cameras. We on the other hand had decided to show how bold and up-to-the-minute media-wise we were. . . . CNN indicated how important it considered these briefings by carrying them live. That alone should have been the tip-off to us that we were playing with fire. But we plunged on. It will thus surprise no one to learn that our press briefings turned out to be an ongoing headache. They got to be little more than a game of "pin the tail on the Speaker." [69]

A congressional reporter who covered Gingrich on a daily basis explained the significance of allowing media coverage of the Speaker's briefings.

> In the pre-camera era, speakers comfortably gave one-word answers and reporters barked out short, cryptic questions. In the camera era, answers go on for pages and the questions are elaborate, even pretentious. . . . In the pre-camera era, the reporters who gathered around the speaker's desk in his private office were mostly anonymous worker-bees. In the camera era, network White House correspondents swallow their pride and settle their expensive suits into one of the coveted eight seats at Gingrich's table . . . . In the pre-camera era, reporters could run through a dozen or so questions. Jokes were welcome. Humor is a rarity in the camera era—after all, editors have television sets, too. . . . With a regular crowd of about 30 newspaper and magazine reporters and TV producers, Gingrich starts the 20-minute briefing with an opening monologue.[70]

After a particularly intense exchange between Gingrich and a reporter for Pacifica Radio, the Speaker decided to pull the plug on the daily press briefings. They had lasted just a few months of 1995. "Tony Blankley, a spokesman for Gingrich, said May 2, that the decision was due to 'excessively flamboyant questions' from reporters. The staff was also concerned that as they made the Speaker available to meet the daily and varying demands of reporters, Gingrich was in the limelight far too often. In all, Gingrich had 30 briefings between Jan. 4 and March 29 before stopping the sessions." [71] During the remainder of his speakership, Gingrich met irregularly with reporters. His successor, J. Dennis Hastert (R–IL) conducts infrequent "pad and pen" briefings with journalists.

The media were also at the heart of what Gingrich called the "single most avoidable mistake I made during my first three years as Speaker." He calls it the saga of Air Force One.[72]

Israeli Prime Minister Rabin had been assassinated in November 1995. President Bill Clinton flew to Israel for the funeral and asked several Members to join him on Air Force One, including Speaker Gingrich and Senate Majority Leader Bob Dole (R–KS). At the time, President Clinton and congressional Republicans were having trouble agreeing on how to address the budget for that year, problems that eventually led several Federal agencies to close down later that year because they had not received an appropriation. The Republicans had hoped that on the plane ride back from Rabin's funeral they might have an opportunity to sit down and discuss the budget situation with the President. But Gingrich and Dole were seated at the back of the plane, and they did not have the opportunity to speak with Clinton about this. In addition, Gingrich and Dole were asked to deplane from the rear, again nowhere near Clinton.

Several days later, Gingrich went to a morning breakfast to talk with reporters. There, he says he told reporters that the plane incident showed how hard it was to do business with the Clinton administration.

> "If he is genuinely interested in reaching an agreement with us," I said, "why didn't he discuss one with us when we were only a few feet away on an airplane?" Then, I continued, digging my grave a little deeper, "if he wanted to indicate his seriousness about working with us, why did he leave the plane by himself and make us go out the back way?" I said it was both selfish and self-destructive for the President to hog the media by walking down those steps from the plane alone instead of showing a little bipartisanship precisely when he claimed he wanted to reach an agreement with us . . . By

[68] Gingrich, *Lessons Learned the Hard Way: A Personal Report*, p. 5.
[69] Ibid., pp. 36–37.
[70] Jeanne Cummings, "When Gingrich Holds Court, Washington Listens," *Austin American-Statesman*, Apr. 2, 1995, p. J1.
[71] Donna Cassata, "Gingrich to End News Briefings," *CQ Weekly*, vol. 51, May 6, 1995, p. 1224. Online version.
[72] Gingrich, *Lessons Learned the Hard Way: A Personal Report*, p. 42.

now my press secretary Tony Blankley was positively white with horror . . . The story exploded almost immediately. Of all the papers, and there were quite a few who put the story on the front page, the worst was the *New York Daily News*, which ran a banner headline on page one that read simply, "Crybaby." [73]

Blankley characterized the next few days after the story broke as the "single worst press moment" of Gingrich's career. It "all but destroyed his speakership," he said.[74] The loss of GOP House seats in November 1996 and particularly in 1998 also contributed to the end of Gingrich's career in the House.

CONCLUSION

The relationship between the Speaker and the press, in sum, depends to a great extent on the individual style of the leader, the context of the times (whether he is the opposition party leader, for example) and the constantly changing media technology. It is unclear, for example, whether Speaker Longworth would be as successful with the press now, in the days of instant Internet news and live television coverage, as he was when personal relationships were the key to getting his message out.

The individual style of the current Speaker, J. Dennis Hastert (R–IL), appears to be headed down a different path from his predecessor Gingrich. While Speaker Hastert does not show the blanket antipathy toward television that Sam Rayburn did, neither does he invite the limelight.

[73] Ibid., pp. 44–45.

[74] Tony Blankley, *Washington Times* editorial page editor, telephone conversation with author, Aug. 20, 2003.

Chapter 6
The Speaker and the President: Conflict and Cooperation

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> It is all very well for the President of the United States to suggest to Congress a forward-looking legislative program. That is one of the duties of the President. It is a horse of another color to get such a program accepted by even the President's own party in either House or Senate ... To accomplish this result it was necessary for the President and the Speaker to work in close harmony.[1]
>
> Joseph G. Cannon, Speaker of the House, 1903–1911

Under the Constitution, Congress and the executive branch are coequal. While the Constitution does not specify the relationship between the Speaker of the House and the President of the United States, it has been the practice in the past century that the Speaker regularly interacts with the President on a variety of legislative and political matters. In modern practice, political realities dictate that the Speaker and President regularly work together as policymaking partners. In that reality lies the potential for both tension and controversy. As political scientist Harold Laski wrote, "the President is at no point the master of the legislature. He can indicate a path of action to Congress. He can argue, bully, persuade, cajole; but he is always outside Congress, and subject to a will he cannot dominate."[2] On the congressional side, the constitutionally grounded position of equality is exemplified by Speaker Sam Rayburn. In an ABC news interview near the end of his life, Speaker Rayburn asserted the constitutional position between Speaker and President in the five decades he served in the House. Angered at a reporter's suggestion of subservience to the President, Rayburn replied, "I never served *under* any President. I served *with* eight."[3]

Much has been written about the Presidents who have served during the past century, but observers note that comparatively little has been written about the Speakers. Twenty years ago, then-Speaker Thomas P. O'Neill suggested that "there is a great deal more we need to know about the history of the office and the lives of the men who have been Speaker."[4] Observers

[1] Joseph Gurney Cannon, *The Memoirs of Joseph Gurney "Uncle Joe" Cannon*, transcribed by Helen Leseure Abdill (Danville, IL: Vermilion County Museum Society, 1996), p. 128.

[2] Harold J. Laski, *The American Presidency, An Interpretation* (Westport, CT: Greenwood Press, 1940), p. 13.

[3] Paul F. Boller, *Congressional Anecdotes* (New York: Oxford University Press, 1991), p. 227, italics in original. See also Joseph Martin, *My Fifty Years in Politics* (New York: McGraw-Hill, 1960), p. 180 and Neil MacNeil, *Forge of Democracy: The House of Representatives* (New York: David McKay, Co., 1961), p. 67.

[4] Thomas P. O'Neill, Foreword in Donald R. Kennon, *The Speakers of the U.S. House of Representatives: A Bibliography, 1789–1984* (Baltimore, MD: Johns Hopkins University Press, 1986), p. xxiii.

note that an area of inquiry that is poorly understood is how the Speaker and the President interact as leaders of their respective branches. In the past century, 17 men have served as Speaker of the House of Representatives,[5] while 18 others have been President of the United States.[6] As national political leaders, the Speaker and President undertake a number of similar public functions. Each leader is in the public eye through speeches, appearances on radio and television, press conferences, and the print media. The President and the Speaker each publicize the achievements of their branches. They also assist their party members seeking election and reelection. When the majority party in the House is not the same as that of the President, the Speaker may act as a spokesman for the loyal opposition. Acts of Congress become law only when signed by the Speaker, presiding officer of the Senate, and the President. By statute, the Speaker is second in line, behind the Vice President, to succeed to the Presidency.[7]

While the activities of these two leaders may often be similar, relations between the Speaker and the President are complex and influenced by a number of factors. Their relationships are influenced by the Constitution, policy necessities, perceived prerogatives of the executive and legislative branches, world events, domestic politics, and their personalities and governing styles. At different times, these factors have the potential to create divergent personal, political, and institutional consequences. Understandably, the relationship between the two officials has been marked by periods of both conflict and cooperation. On occasion, the relationship between the Speaker and the President attracts widespread public notice due to an isolated incident that comes to the attention of the public. In spring 1991, for example, President George H.W. Bush came to the Capitol to deliver an address to a joint session of Congress regarding the role of the U.S. military in operations leading to the liberation of Kuwait. Departing from the typical protocol of these occasions, Speaker Thomas Foley said:

> Mr. President, it is customary in joint sessions for the Chair to present the President to the Members of Congress directly and without further comment. But I wish to depart from tradition tonight and express to you, on behalf of the Congress and the country, and, through you, to the members of our Armed Forces our warmest congratulations on the brilliant victory of the Desert Storm Operation.[8]

Although Speakers may support Presidential actions, there also have been important instances of institutional, political, and even personal conflict between the two leaders over the past century. Seemingly isolated or trivial events may upset the relationship between the Speaker and the President in a much greater fashion than the incident appeared to warrant at the time. Noteworthy among such incidents are the following:

- In fall 1995, Speaker Newt Gingrich and other Members of Congress were reportedly angry with President Bill Clinton over his treatment of congressional leaders during a diplomatic trip. Gingrich and Clinton had traveled together on Air Force One with a delegation of current and former U.S. officials to attend the funeral of Israeli Prime Minister Yitzhak Rabin, who had been assassinated. Before the trip, congressional leaders were negotiating with Presi-

[5] Those who have served in the past 100 years as Speaker of the House, and their years of service as Speaker, are: Joseph G. Cannon, 1903–1911; James B. "Champ" Clark, 1911–1919; Frederick H. Gillett, 1919–1925; Nicholas Longworth, 1925–1931; John Nance Garner, 1931–1933; Henry T. Rainey, 1933–1934; Joseph W. Byrns, 1935–1936; William B. Bankhead, 1936–1940; Sam Rayburn, 1940–1947, 1949–1953, and 1955–1961; Joseph W. Martin, Jr., 1947–1949, and 1953–1955; John W. McCormack, 1962–1970; Carl Albert, 1971–1977; Thomas P. O'Neill, Jr., 1977–1987; James C. Wright, Jr., 1987–1989; Thomas S. Foley, 1989–1995; Newt Gingrich, 1995–1999; and J. Dennis Hastert, 1999– .

[6] Those who have served in the past 100 years as President of the United States, and their years in office, are Theodore Roosevelt, 1901–1909; William Howard Taft, 1909–1913; Woodrow Wilson, 1913–1921; Warren G. Harding, 1921–1923; Calvin Coolidge, 1923–1929; Herbert C. Hoover, 1929–1933; Franklin D. Roosevelt, 1933–1945; Harry S Truman, 1945–1953; Dwight D. Eisenhower, 1953–1961; John F. Kennedy, 1961–1963; Lyndon B. Johnson, 1963–1969; Richard M. Nixon, 1969–1974; Gerald R. Ford, 1974–1977; Jimmy Carter, 1977–1981; Ronald W. Reagan, 1981–1989; George H.W. Bush, 1989–1993; William J. Clinton, 1993–2001; and George W. Bush, 2001– .

[7] The Presidential Succession Act of 1947 (61 Stat. 380) provides that if "there is neither a President nor Vice President to discharge the powers and duties of the office of the President, then the Speaker of the House of Representatives shall, upon his resignation as Speaker and as Representative in Congress, act as President." To succeed to the Presidency, a Speaker would also need to qualify under the terms of Article II, Section 5 of the Constitution, which requires that the President be a "natural-born citizen," at least 35 years of age, and a resident within the United States for 14 years. No Speaker has succeeded to the Presidency under these conditions. The 1947 law superseded the Succession Act of 1886 (24 Stat. 1), which placed in the line of Presidential succession after the Vice President the Cabinet officers in the chronological order in which their departments were created.

[8] Speaker Thomas Foley, "Joint Session of the House and Senate Held Pursuant to the Provisions of House Concurrent Resolution 83 to Hear an Address by the President of the United States," remarks in the House, *Congressional Record*, vol. 137, Mar. 6, 1991, p. 5140.

dent Clinton to set spending levels for the Federal Government, but the leaders held no talks regarding the budget during the flights between Washington, DC, and Tel Aviv. On arrival in Israel, the President exited Air Force One through the main door. The Speaker was reportedly angered that he and other officials, including Senate Majority Leader Robert Dole, and former Presidents George H.W. Bush and Jimmy Carter, were asked to disembark through the plane's rear door.[9]

• The evening before President Jimmy Carter's inauguration in 1977, a gala was held at the John F. Kennedy Center for the Performing Arts. Speaker O'Neill and his wife were to be seated with the President-elect and Mrs. Carter. Speaker O'Neill requested an additional dozen tickets for friends and members of his family, and White House staff reportedly assured him that his guests would be seated near the stage in an area reserved for Members of Congress. In his autobiography, Speaker O'Neill described searching the audience for his relatives and friends. After the program, he was reunited with them and told that their seats were in the last row of the second balcony. On Inauguration Day, Speaker O'Neill, concerned about the tone the incident set between Congress and the White House, reportedly telephoned a senior Carter adviser to relate his displeasure. In a short time, the new President's adviser appeared in the Speaker's office to apologize in person and assure the Speaker that the seating arrangements were the result of a mistake. In his autobiography, Speaker O'Neill indicated that he had doubts about the sincerity of the apology, saying that as far as he could see, the aide appeared to regard "a House Speaker as something you bought on sale at Radio Shack. I could see that this was just the beginning of my problems with these guys."[10]

• During President Theodore Roosevelt's administration, dinners were held to honor the Cabinet, diplomatic corps and members of the Supreme Court. An invitation to these affairs was routinely extended to Speaker Joseph Cannon, who usually declined, often at the last minute, because he objected to seating arrangements that did not recognize his position in government. For the 1905 Supreme Court dinner, Cannon reportedly learned he was to be seated below the Associate Justices of the Supreme Court at the banquet table. On the basis of his position as Speaker, Cannon thought it more appropriate to be seated next in line to the Chief Justice of the United Sates and the Vice President, with the Associate Justices, who were among the honored guests, seated after him. In a letter to President Roosevelt, Speaker Cannon reportedly wrote that "even if 'a wooden Indian' were Speaker of the House, he would deserve that courtesy." Shortly thereafter, President Roosevelt instituted a dinner to honor the Speaker, and to invite no one in government who might be seated more prominently than the guest of honor.[11]

Despite periodic conflicts between the two leaders, the Speaker and President must work together if policy proposals are to be enacted into law. As Speaker Joseph Cannon stated, "a President without both houses of Congress back of him doesn't amount to much more than a cat without claws . . ."[12] To better understand the relationship between a Speaker and President, this chapter describes how two Speakers, Joseph Gurney Cannon, and Sam Rayburn, and two Presidents, Theodore Roosevelt and Franklin

[9] John E. Yang and Eric Pianin, "Interim Measures Advance in House; Spending, Debt Bills Include Provisions Strongly Opposed by Clinton," *Washington Post*, Nov. 8, 1995, p. A4; Todd S. Purdue, "November 5–11: on Air Force One, Cabin Fever," *New York Times*, Nov. 12, 1995, p. 4; and Newt Gingrich, *Lessons Learned the Hard Way: A Personal Report* (New York: Harper Collins, 1998), pp. 42–46.

[10] Tip O'Neill with William Novak, *Man of the House: The Life and Political Memoirs of Speaker Tip O'Neill* (New York: Random House, 1987), pp. 310–311. See also John Aloysius Farrell, *Tip O'Neill and the Democratic Century* (New York: Little, Brown, 2001), pp. 450–453.

[11] See William Rea Gwinn, *Uncle Joe Cannon, Archfoe of the Insurgency: A History of the Rise and Fall of Cannonism* (New York: Bookman Associates, 1957), pp. 79–80; and Irwin Hood Hoover, *Forty-Two Years at the White House* (Boston: Houghton Mifflin, 1934), pp. 2992–2993. In his memoirs, Speaker Cannon remembered a Presidential dinner given to honor the diplomatic corps. Due to a scheduling conflict, the Speaker asked the President's leave not to attend. Alluding to the importance placed on such matters by other Members of the House, and precedent established by Speaker Thomas Reed, who reportedly would not attend functions when other government officials might outrank him, Cannon suggested that he and Roosevelt discuss the matter and seek the assistance of the State Department's protocol experts. The outcome of these discussions was the Speaker's dinner. See Joseph Gurney Cannon, *The Memoirs*, pp. 123–124. While the dinners for the Speaker continued after Roosevelt left office, their efficacy was somewhat diminished. President William Howard Taft continued the tradition of honoring the Speaker with an annual dinner, and was accused of associating himself too closely with what some observers thought was Cannon's autocratic style of overseeing the House.

[12] "Wise Sayings that Made Joe Cannon the Sage of His Party," *Chicago Tribune*, Nov. 13, 1926, p. 4.

Delano Roosevelt, interacted on the national stage. The two pairs of leaders were chosen for pragmatic and practical purposes. The election of Representative Cannon as Speaker marked the high point of the autocratic speakership. Representative Rayburn's career in Congress spanned 48 years, and the administrations of 8 Presidents, with Rayburn serving as Speaker during periods in which the House and speakership were vastly changed from Cannon's time.

A review of the Speaker-President relationship during two contrasting periods underscores the importance of political context, leadership, and working relationships between leaders in shaping policy outcomes. The first examines how President Theodore Roosevelt had to deal with Speaker Cannon's "command and control" leadership of the House. As Speaker, Cannon dominated the Chamber and all its committees. He often worked to block Roosevelt's initiatives, which contributed to the revolt against him by progressive Republicans and minority Democrats. By comparison, Speaker Rayburn led a committee-centered institution where southern committee chairs exercised large sway over the fate of Presidential proposals. Rayburn employed a pragmatic leadership style of bargaining, employing political and personal cajolery to win legislative victories for President Franklin Roosevelt.

CONFLICT BETWEEN LEADERS: JOSEPH CANNON AND THEODORE ROOSEVELT

By fall 1902, several weeks before the adjournment of the 57th Congress (1901–1903), members of President Theodore Roosevelt's administration concluded that Representative Joseph Gurney Cannon of Illinois, then-chairman of the Committee on Appropriations, would be elected Speaker at the commencement of the 58th Congress (1903–1905). The two men knew each other from the periods when Roosevelt served at various times as Civil Service Commissioner, Assistant Secretary of the Navy, and Vice President of the United States under William McKinley. During Roosevelt's time with the Civil Service Commission, for example, the agency had its budget cut by the House Committee on Appropriations.[13] For his part, Cannon said that his impressions of Roosevelt from these earlier contacts were not positive.[14] This unfavorable opinion appears to have grown out of the two leaders' divergent governing and political philosophies.

Roosevelt believed that the government should be the great arbiter of the conflicting economic forces in the Nation, especially between capital and labor, guaranteeing justice to each and dispensing favors to none. By contrast, Speaker Cannon's world view was developed by his early experiences as a self-made man, who had started adult life as a store clerk. Cannon described how his life's experience had impressed him "with the value of conservatism, and warned me against advocating 'change for change's sake.' The span of 30 years in Congress, before I became Speaker, had borne in upon me the dangers that lay in catch phrases, and popular slogans, and the difficulty of transforming reforming ideals into legislation that could be got through the Congress of the United States in recognizable form, and that would work after it became law."[15]

In spite of such widely divergent views, it is noteworthy that both leaders made a generally successful effort to work together. With Cannon's ascendance to the Speaker's chair all but assured, members of Roosevelt's Cabinet conveyed congratulations to the incoming Speaker. Included in the congratulations were assurances that the President and his Cabinet understood that, regarding Roosevelt's policies, "nothing could be done unless there was a 'very general consent in Congress.'"[16] President Roosevelt personally took steps to cultivate an improved relationship with Cannon. In August 1903, Roosevelt met with several Senate leaders in his summer home in Oyster Bay, NY, to discuss proposed currency and financial legislation.[17] When the meetings were finished, the President wrote to Cannon to assure him that no financial plan

[13] Scott William Rager, *The Fall of the House of Cannon: Uncle Joe and His Enemies, 1903–1910* (Ph.D. diss., University of Illinois at Urbana-Champaign, 1991), pp. 34–49.

[14] Cannon, *The Memoirs*, p. 127.

[15] Ibid., p. 128.

[16] Gwinn, *Uncle Joe Cannon*, p. 74.

[17] The legislative proposal considered at the Oyster Bay meeting was the Aldrich bill, after Senator Nelson Wilmarth Aldrich of Rhode Island. The proposal would have authorized the use of customs receipts and nongovernmental securities as the basis for the issuance of currency.

would be proposed without first taking into account the views of the House. After summarizing his discussions with the Senators, the President asked Cannon, "Now what are your views on the subject? We are all decided that of course we would not make up our minds in any way until we found out what your judgement was." [18] Cannon reportedly responded that, with a Presidential election to be held in 1904, he saw little benefit from considering financial legislation.

In November 1903, a month before the legislature was scheduled to convene, President Roosevelt called the 58th Congress into special session to consider Cuban reciprocity, but not financial issues.[19] With the speakership vacant, however, House rules dictated that the first order of business was the election of Joseph Cannon as the new Speaker. On assuming the post, Cannon and Roosevelt worked to build an effective working relationship. Throughout their time as leaders, Roosevelt and Cannon met regularly to discuss measures that Congress was to consider. President Roosevelt wrote informally to the Speaker regarding matters before the House. The material in these missives could be used by the Speaker as he saw fit to persuade other Members regarding the President's positions.[20] In his autobiography, Speaker Cannon noted that, during the time he was Speaker and Roosevelt was the President, "Mr Roosevelt and I were on terms of full and free consultation. I went often to the White House in the evening, and the President came to my house at times to talk things over. When we differed, in principle or method, we were frank about it, and threshed the problem out to the end." [21]

For Roosevelt, Cannon was the spokesman for a majority of the House and a sounding board for the activist President. Roosevelt reportedly conferred with the Speaker regarding all of his serious legislative initiatives before making them public. Other notes reassured the Speaker that the President would work with him despite publication in newspapers of claims to the contrary. In one note to Cannon, who had returned to his Illinois district between sessions, Roosevelt implored the Speaker to visit the White House on his return to Washington, and dismissed press speculation regarding differences between the two:

> Stop in here as soon as you can. I care very little for what the newspapers get in the way of passing sensationalism; but I do not want the people of the country to get the idea that there will be any split or clash between you and me . . .[22]

While Roosevelt and Cannon were mostly able to look past public speculation regarding their political relationship and work together, the Speaker took care that the President was not given free rein by the House. Cannon recognized that when a forceful, activist chief executive was in office, the legislature could sometimes be led by the executive. The Speaker's position was that while executive leadership was likely, the House must not be driven by a President, and that "Roosevelt was apt to try to drive" it.[23] Consequently Cannon's task was to move the President's programs forward in a House where some members had deep reservations regarding the President's progressive inclinations. Personally, Speaker Cannon, too, viewed certain Roosevelt policies with dismay. Their disagreements, Cannon suggested, occurred because "Roosevelt had the ambition to do things; I had the more confined outlook of the legislator who had to consider ways of meeting expenditures of the new departures and expansions in government." [24]

A discussion regarding the President's 1905 annual message to Congress illustrates the different outlooks of the two leaders. In preparing the message, Roosevelt enquired of congressional leaders as to the possibility of revising the tariff. Based on those discussions, Roosevelt sent Cannon, who was at his home in Danville, IL, a draft of what he would say. The draft statement included a proposal that Congress create a minimum and maximum scale for setting tariffs that could be put into force at the discretion of the

[18] Gwinn, *Uncle Joe Cannon*, pp. 74–77.

[19] No legislation was passed during the special session, because the Senate was unable to reach agreement on its own measure, and did not adopt the version passed by the House.

[20] Under the rules of the House, formal written communications from the President of the United States to the Speaker of the House would be referred to the appropriate committee.

[21] Cannon, *The Memoirs*, p. 131.

[22] Letter from Theodore Roosevelt to Joseph Cannon, Jan. 13, 1905, in Elting E. Morison, ed., *The Letters of Theodore Roosevelt*, 8 vols. (Cambridge, MA: Harvard University Press, 1951), vol. 4, p. 1101.

[23] Cannon, *The Memoirs*, p. 129.

[24] L. White Busbey, *Uncle Joe Cannon: The Story of a Pioneer American*, (New York: Henry Holt and Company, 1927, republished 1970), pp. 217–218.

Executive. Cannon viewed this proposal as a power grab by the White House. On returning to Washington, Cannon and Roosevelt discussed the matter further. In the course of these discussions, which Cannon described as "very frank," the Speaker suggested that tariff legislation not be concluded during the lame duck session of the 58th Congress.[25] When the President's message arrived on Capitol Hill, it included legislative proposals to expand the authority of the Interstate Commerce Commission to fix railroad rates, a number of measures related to the District of Columbia, the creation of a forest service in the Department of Agriculture, and several other proposals. There was no mention of tariff revision.[26] Tariff policies, would, however, remain an issue between the two leaders throughout Roosevelt's tenure as President.

The collaboration between the Speaker and the President produced success for the President's legislative program, "... modified in practical ways by individuals and committees of the House and Senate ..." [27] During the 58th and 59th Congresses (1903–1907), Congress enacted changes to the railroad rates, the creation of the Bureau of Corporations in the newly established Department of Commerce and Labor, meat inspection laws, and other measures. The success of Roosevelt's legislative program was strongly determined by his ongoing consultation and cordial relations with Speaker Cannon.

Of course, some difficulties did develop during this period, due to political differences between the two men. The establishment of a forest service within the Department of Agriculture and the creation of national forests in the southern Appalachians and the White Mountains of New Hampshire were initiatives that caused personal tension between a conservationist President and a Speaker who, while Appropriations Committee chairman, would consider "not one cent for scenery." [28] Personal and institutional tensions between the leaders and branches were also exacerbated during frequent considerations of tariff policy throughout Roosevelt's time as President.

On balance, the working relation between the two leaders appears productive. The wear and tear of conflict and compromise, however, may have contributed to a serious rift between the two men regarding the Secret Service. By statute, the agency's role was to detect the counterfeiting of currency. Since the assassination of President William McKinley in 1901, the Secret Service had also unofficially assumed responsibility for Presidential protection. For several years the agency had exceeded its statutory mandate by spending some of its appropriation, which was intended to fund anticounterfeiting laws, on Presidential security and investigations.

In 1908, the House Committee on Appropriations amended the Sundry Civil Appropriation bill to institute restrictions on employment in the Secret Service as a way to curb its activities. The measure was subsequently passed by both Chambers and signed into law by Roosevelt. Later that year, the chief of the Secret Service requested that all limitations on the $125,000 appropriation provided to the agency be lifted to allow him and the Secretary of the Treasury to allocate funds as they saw fit. The House Committee on Appropriations declined to remove the limitation.[29]

President Roosevelt's response to the committee's action was to appeal directly to Speaker Cannon. In another personal message arguing that the provisions regarding the employment of Secret Service agents would "work very great damage to the government in its endeavor to prevent and punish crime," [30] Roosevelt suggested that only criminals need fear the proposed changes. Before Speaker Cannon could solicit the thoughts of House Members, or respond to Roosevelt's personal message, the President's annual message arrived on Capitol Hill. In a departure from previous practice, Speaker Cannon reported that he had neither been consulted, nor seen a draft of the document before the message was officially presented. Cannon described himself "as much surprised as any one when it was found that this Message contained an assault upon Con-

[25] Ibid., pp. 207–209; and Gwinn, *Uncle Joe Cannon*, pp. 91–92.

[26] See Theodore Roosevelt, "Fourth Annual Message to the Senate and House of Representatives," Dec. 6, 1904, in James D. Richardson, comp., *A Compilation of the Messages and Papers of the Presidents*, 20 vols. (New York: Bureau of National Literature, 1897–1911), vol. XIV, pp. 6894–6930.

[27] Cannon, *The Memoirs*, p. 130.

[28] Gifford Pinchot, *Breaking New Ground* (New York: Harcourt Brace, 1947), pp. 203–212, 242–243; quote found on p. 243.

[29] Rager, *The Fall of the House of Cannon*, pp. 47–48.

[30] Busbey, *Uncle Joe Cannon*, p. 231.

gress, and especially upon the House of Representatives," due to the limitations on the activities of the Secret Service.[31]

The President's message included a passage referring to the issue of the limitations imposed on the Secret Service. Regarding that matter, Roosevelt wrote, in part:

> Last year an amendment was incorporated in the measure providing for the Secret Service, which provided that there be no detail from the Secret Service and no transfer therefrom. It is not too much to say that this amendment has been of benefit only, and could be of benefit only, to the criminal classes ... The chief argument in favor of the provision was that the Congressmen did not themselves wish to be investigated by Secret Service men. Very little of such investigation has been done in the past; but it is true that the work of the Secret Service agents was partially responsible for the indictment and conviction of a Senator and Congressman for land frauds in Oregon. I do not believe that it is in the public interest to protect criminally [sic] in any branch of the public service, and exactly as we have again and again during the past seven years prosecuted and convicted such criminals who were in the executive branch of the Government, so in my belief we should be given ample means to prosecute them if found in the legislative branch. But if this is not considered desirable a special exception could be made in the law prohibiting the use of the Secret Service force in investigating Members of the Congress.[32]

The House responded to this message with what Speaker Cannon described as indignation. On December 9, 1908, Representative James Breck Perkins, a friend of Roosevelt's and fellow Republican from New York, introduced H. Res. 451 (60th Congress) to authorize the Speaker to appoint a special committee to consider what action the Chamber should take in response to Roosevelt's message. In introducing the measure, Representative Perkins said "to the Congress is granted great power. And upon it are imposed great responsibilities. We can not neglect our duties nor shirk our responsibilities. The dignity of that body ... should be properly maintained. The statements made by the President of the United States can not be lightly disregarded ..."[33]

Cannon supported the special committee to appease House Members who wished to immediately introduce a measure to censure the President. After a week of deliberation, the committee, on December 17, was prepared to report a measure to the House when it convened at noon. As Speaker Cannon was about to assume the chair and call the House to order, he received word from the President that he was to come to the White House for a consultation with the President. Upon being told that the Speaker was in the hall of the House, the President reportedly directed that the message be delivered to the Speaker personally, and that the consultation be held before the House considered the report of the special committee. Speaker Cannon indicated that:

> ... when the Secretary to the Speaker brought the message to the Chair, Mr. Perkins was on his feet demanding recognition to present his report ... I held the gavel in the air for a moment as my secretary delivered the President's telephone message, which was probably the only one of its kind ever sent by the President to the Speaker of the House. I was indignant, but the business in hand saved me from making any comment. I simply brought down the gavel and recognized Mr. Perkins. Then I told my secretary to telephone the President's secretary just what had occurred and to say that the Speaker would be pleased to call upon the President as soon as the report of the committee was disposed of.[34]

The special committee unanimously reported a resolution that the President be requested to provide any evidence upon which he based his claims, including: (1) that Members of Congress did not wish to be investigated by the Secret Service; (2) any evidence connecting any Member of the current Congress to criminal activity; and (3) whether the President had referred any Member to the courts for trial or reported any illicit behavior by Members to the House of Representatives.[35]

The resolution was adopted by the House on December 17, 1908, and forwarded to the President. On January 4, 1909, the President responded with a special message, the contents of which Cannon described as "more offensive than the one to which the House had taken exception."[36] Roosevelt's message included references to a newspaper article written by a reporter who was currently serving as Speaker Cannon's per-

[31] Ibid., pp. 231–232.

[32] Theodore Roosevelt, "Eighth Annual Message to the Senate and House of Representatives," Dec. 8, 1908, in *Messages and Papers of the Presidents*, vol. XVI, pp. 7198–7240; quote found on pp. 7225–7226.

[33] Representative James Breck Perkins, "Question of Privilege," remarks in the House, *Congressional Record*, vol. 43, Dec. 11, 1908, p. 140.

[34] Busbey, *Uncle Joe Cannon*, pp. 235–236.

[35] Representative James Breck Perkins, "The Secret Service—President's Annual Message," remarks in the House, *Congressional Record*, vol. 43, Dec. 17, 1908, p. 373.

[36] Busbey, *Uncle Joe Cannon*, p. 239.

sonal secretary. Again, the reaction of the House was to interpret the President's response as an attack on a coequal branch of government. In addition, some Members considered the inclusion of work done by the Speaker's secretary before he was employed by the government as a veiled broadside at the Speaker himself. In due course, the newspaper article was referred to the special committee established to respond to the first report. After three days of deliberation, the committee reported back, recommending that the House table the message from the President. After extensive debate, the House voted 212 to 36 to accept the committee's tabling proposal, and the President's message received no further consideration by the House.[37]

Tabling an item in the House constitutes the immediate, final, and adverse disposition of a matter under consideration. At the time of the controversy between Roosevelt and the House, messages from the President and other executive branch communications were usually received by the House, and referred to the appropriate committee for consideration. As these communications were suggestive, and did not compel Congress to take specific action, the committee referral signified the effective end of congressional consideration. When the House went to the effort of introducing, debating, and voting on a motion to table the President's message, it signaled its symbolic refusal to accept the message. This was and is a rare occurrence. Before Roosevelt's Secret Service controversy, the House had not taken steps to refuse a Presidential message since the administration of President Andrew Jackson, more than 70 years earlier. A few weeks later, Roosevelt's term ended. Cannon continued as Speaker in the 61st Congress, and proceeded to forge a relationship with the new President, William Howard Taft.

COOPERATION BETWEEN LEADERS: SAM RAYBURN AND FRANKLIN D. ROOSEVELT

When Representative Sam Rayburn of Texas was elected Speaker on September 16, 1940, following the death of Speaker William B. Bankhead, Franklin Delano Roosevelt [FDR] was completing his second term as President. Like Theodore Roosevelt and Joseph Cannon, Rayburn and FDR had previous interactions, although Rayburn had come to view FDR more positively than Cannon saw Theodore Roosevelt. During FDR's first term, Rayburn had been chairman of the Committee on Interstate and Foreign Commerce. Many of FDR's New Deal proposals were referred to the Rayburn-led panel, including measures which became the Securities Act of 1933; Home Owners Loan Act; Banking Act of 1933; National Industrial Recovery Act; Emergency Railroad Transportation Act of 1933; Securities Exchange Act of 1934; and Communications Act of 1934.[38] Further, Rayburn, who was majority leader during the 75th and 76th Congresses (1937–1940), regularly served as Speaker pro tempore because of Bankhead's ill health, and worked with FDR on a number of legislative issues, including the President's unsuccessful effort to change the number of justices on the Supreme Court.

Despite general political agreement between the President and congressional leaders during FDR's terms, Rayburn and Speaker Bankhead were often unaware of the President's intentions regarding policy and legislative proposals. Legislative initiatives, such as FDR's proposals to enlarge the Supreme Court, and the contents of the President's 1937 annual message to Congress, were unknown to the House leaders until they were delivered to the Chamber.[39] Often, Speaker Bankhead would be embarrassed when he made a statement to the media, only to find that the President had already issued a message contradicting the Speaker. In one instance when this occurred, Rayburn told Jimmy Roosevelt, the President's son and liaison to Congress, to "tell your father if I'm ever Speaker this kind of thing won't happen to me more than once."[40] Rayburn reportedly believed that FDR would have more success with his legislative initiatives if commu-

[37] "Annual Message of the President—Secret Service," *Congressional Record*, vol. 43, Jan. 8, 1909, pp. 645–684. See also Rager, "The Fall of the House of Cannon," pp. 47–49.

[38] Booth Mooney, *Roosevelt and Rayburn: A Political Partnership* (Philadelphia: J.B. Lippincott, 1971), pp. 45–53.

[39] "Basic Law Change Gains in Congress," *New York Times*, Jan. 8, 1937, p. 1. For a discussion of Speaker Bankhead's interactions with FDR, see William J. Heacock, "William B. Bankhead and the New Deal," *Journal of Southern History*, vol. 21, Aug. 1956, pp. 354–358.

[40] Alfred Steinberg, *Sam Rayburn: A Biography* (New York: Hawthorn Books, 1975), p. 140.

nications were better between the White House and Capitol Hill. To address this problem, Rayburn set out to establish regular meetings between FDR and congressional leaders. He told Tommy Corcoran, a lobbyist with access to the White House that:

> the President ought to be having a meeting every week with his House and Senate Leaders so we could tell him what we're planning, and he could tell us his plans. It could eliminate a lot of confusion. See what you could do—but don't you dare let him know I suggested it 'cause he thinks he "borned" every idea that ever was.[41]

At a subsequent White House meeting, FDR informed Rayburn that he had been thinking that "maybe it would be a good idea if I had a meeting with Bill . . ." (Speaker Bankhead), Rayburn, Vice President John Nance Garner,[42] and Senator Alben Barkley of Kentucky, who was majority leader of the Senate. Roosevelt proposed that the leaders could meet about once a week to discuss and coordinate planning. Rayburn replied that the suggestion was one of the smartest ideas that he had ever heard.[43]

By the time Rayburn became Speaker, he and FDR had worked out their communications issues and were beginning to turn to legislative and policy matters. With war raging in Europe and Japan engaging in aggression in Asia, both leaders recognized that defense and preparedness issues would consume much of their time in the coming months. Rayburn believed strongly that the American system of government was best served by a strong, independent legislature. While the new Speaker liked and admired FDR, he was determined not to yield to the executive branch any constitutional prerogatives granted to the Congress.[44] At the same time, Rayburn understood that, in times of national jeopardy, the country needed to be led by the President. "When the nation is in danger," Rayburn believed, "you have to follow your leader. The man in the White House is the only leader this nation has . . . Although we may disagree with him, we must follow our president in times of peril . . ." [45]

Global events soon gave Rayburn the opportunity to act on his beliefs. On January 6, 1941, Speaker Rayburn's 59th birthday, President Roosevelt addressed a joint session of Congress to deliver his Annual Message to the Congress. Around the world, the forces of Germany, Italy, and Japan had engaged in invasions and other aggression. In Europe, France had fallen in 1940, and as Roosevelt stood before Congress, the United Kingdom was enduring regular attacks by the Nazi air force. In the course of the speech, FDR warned of the possibility that the United States could find itself involved in the conflict.[46] The President specifically requested authority from Congress to produce munitions and other war supplies that could be provided to countries that were at war with Germany, Italy and Japan, and whose defense was considered vital to the defense of the United States. This aid was to be directed primarily to the United Kingdom, but other countries would also be eligible for assistance. As these countries were unlikely to be able to pay for these materials, FDR also proposed funding their acquisition of ships, planes, tanks, and guns, through a program that would become popularly known as Lend-Lease.[47]

On January 10, 1941, the President sent to Congress the first of several measures designed to move the Nation forward in war preparation. At Rayburn's behest, Representative John McCormack of Massachusetts, who served as majority leader,[48] introduced the lend-lease measure, which was deliberately assigned the number H.R. 1776. The measure provided the President with the authority to transfer title to, exchange, lease, lend, or otherwise dispose of any defense article to any government whose defense the President deemed vital to the defense of the United States. The proposal called for $7 billion to fund the provision of war materials to nations that could not afford to pay. Under the proposal, the President would be the sole authority to de-

[41] D.B. Hardeman and Donald C. Bacon, *Rayburn: A Biography* (Austin, TX: Texas Monthly Press, 1987), p. 227.

[42] John Nance Garner of Texas, had been Speaker of the House in the 72d Congress (1931–1933).

[43] Hardeman and Bacon, *Rayburn*, p. 227.

[44] Ibid., p. 245.

[45] Ibid., p. 101.

[46] Franklin D. Roosevelt, "The Annual Message to the Congress, Jan. 6, 1941," in Samuel I. Rosenman, comp., *The Public Papers and Addresses of Franklin D. Roosevelt*, 13 vols. (New York: Macmillan Company, 1938–1950), vol. 3, pp. 663–678.

[47] Steinberg, *Sam Rayburn*, pp. 166–167.

[48] McCormack later served as Speaker during the 87th through 91st Congresses (1961–1970).

cide which countries would receive military assistance.

Opponents of lend-lease expressed concern that the measure, if passed, would invest too much power in the President. These concerns focused on what appeared to some to be a Presidential request for a "blank check" which could be used with little congressional oversight. Others saw the measure as an outright abandonment by Congress of its power to declare war, allowing it to be transferred to the President so he could draw the United States into the global conflict.[49] For his part, Speaker Rayburn publicly supported granting the President wide latitude in carrying out the lend-lease program. "If we are to aid the democracies," Rayburn said, "Congress must enact a law giving the power to somebody to administer the law. There could be no one man in this country as well qualified to administer it as the President." Rayburn also discussed the possible consequence of failing to provide the President with the proposed authority, saying "either we give the President the flexible powers necessary to help Britain, or by our inaction, we strengthen Hitler's power to conquer Britain and attack us." [50]

Privately, however, Rayburn communicated to the President the concerns of Members, and informed the President that the bill was dead without changes. At FDR's urging, Rayburn led efforts in the House to craft a compromise that addressed the concerns of the House. Working with the President, Representative Sol Bloom, chairman of the Committee on Foreign Affairs, and other committee members, Rayburn was able to negotiate amendments that preserved the basic outline of FDR's proposal while addressing the concerns that the measure would represent too large a grant of power to the executive. These included a prohibition on American shipping convoys transporting war materials, a requirement that the President report three times a month to Congress regarding the program's progress, and a 2-year limit on the program. In addition, the $7 billion the President requested would have to go through scrutiny of the regular appropriations process.

[49] Mooney, *Roosevelt and Rayburn*, pp. 159–162.

[50] Hardeman and Bacon, *Rayburn*, pp. 257–258.

On the floor, where debate began February 3, Speaker Rayburn, Majority Leader McCormack, and Chairman Bloom managed the progress of the lend-lease measure through 5 days of debate. Several Members who were opposed to the proposal offered amendments designed to scuttle the legislation. Many of these were declared nongermane by the chair. The House rejected 19 amendments before passing H.R. 1776 by a vote of 260 to 165.[51] One month later, the Senate passed lend-lease with minor amendments. Rayburn convened the House soon thereafter, and, with little debate, the Chamber accepted the changes. An hour after the House gave final approval, the measure was signed into law by President Roosevelt.[52]

Throughout 1941, Congress worked with the President to develop the Nation's capacity to defend itself and its allies. In one significant action, Congress approved an administration-backed measure to reauthorize the draft, and extend the time of enlistment for draftee soldiers under the Selective Service Act from 1 year to 30 months. Rayburn was opposed to the extension when it was first proposed. After meeting with the President, Secretary of War Henry L. Stimson, and Army Chief of Staff General George C. Marshall, the Speaker reluctantly conceded the necessity of the extension, and agreed to advance the measure in the House. The Speaker faced a House that was very reluctant to extend the mandatory period of military enlistment. In addition to the efforts of the whip organization run by Representative Pat Boland, Rayburn personally approached several Members for their support, telling them to "do this for me. I won't forget it." [53] One Member reportedly said that the Speaker was quite successful at the effort: "Mr. Sam is terribly convincing . . . There he stands his left hand on your right shoulder, holding your coat button, looking at you out of honest eyes that reflect the sincerest emotion." Rayburn's effort proved indispensable as the House ultimately ap-

[51] Transcripts of the consideration of H.R. 1776 in the House can be found in the *Congressional Record*, vol. 87, Feb. 3–7, 1941, pp. 484–519, 522–568, 573–678, 710–749, and 753–815.

[52] 55 Stat. 31.

[53] Alvin M. Josephy, *On the Hill: A History of the American Congress* (New York: Simon and Schuster, 1979), p. 334.

proved the draft extension by 1 vote, 203 to 202.[54]

As 1941, and the 1st session of the 77th Congress drew to a close, Rayburn and FDR collaborated once again on a national defense measure. For several months, German submarines and surface ships had been attacking American merchant ships. The Roosevelt administration wanted to repeal sections of the Neutrality Resolution, passed by the 74th Congress in 1935,[55] to permit the arming of American merchant ships, and to authorize those ships to enter combat zones and the ports of belligerent nations. In response, the House passed a bill that authorized the arming of merchant ships, but did not permit their entry into belligerent ports. In the Senate, amendments were added that allowed the President to send the ships to any port in the world. The Senate-passed version of the bill also authorized the President to order merchant ships to defend themselves against attack. The Senate version was returned to the House for review.

Following a day of debate on the Senate amendments, Rayburn's vote count showed that the merchant ships bill would be defeated. Rayburn and Majority Leader McCormack met with FDR to work out a strategy to win House acceptance of the Senate amendments. The three leaders agreed that the Speaker would provide a written letter summarizing the concerns of House Members, and that the President would provide a written reply.

When the House resumed the debate on the Senate amendments. Rayburn monitored the debate throughout the day. With 11 minutes of debate on the Senate amendments remaining, Rayburn descended from the chair to speak from the well of the House regarding his views and the position of President Roosevelt:

> A great deal has been said about the position of the President. Does the President want these amendments? Does he advocate them? ... Last evening late the gentleman from Massachusetts[56] and I addressed the following letter to the President of the United States:
>
> A number of Members have asked us what effect the failure on the part of the House to take favorable action on the Senate amendments would have on our position in foreign countries, and especially in Germany. Some of these Members have stated that they hoped you would make a direct expression on this matter.[57]

Rayburn then read to the House the letter from FDR that he and Majority Leader McCormack had worked out with the President the previous evening. The President's letter said in part:

> I had no thought of expressing to the House my views to the effect, in foreign countries, and especially in Germany, of favorable or unfavorable action on the Senate amendments.
>
> But in view of your letter, I am replying as simply and clearly as I know how ...
>
> ... In regard to the repeal of sections 2 and 3 of the Neutrality Act, I need only call your attention to three elements. The first concerns the continued sinking of American-flag ships in many parts of the ocean. The second relates to great operational advantages in making continuous voyages to any belligerent port in any part of the world; thus, in all probability increasing the total percentage of goods—foodstuffs and munitions—actually delivered to those nations fighting Hitlerism. The third is the decision by the Congress and the Executive that this Nation, for its own present and future defense, must strengthen the supply line to all of those who are keeping Hitlerism far from the Americas.
>
> With all of this in mind, the world is obviously watching the course of this legislation.
>
> In the British Empire, in China, and in Russia—all of whom are fighting a defensive war against invasion—the effect of the failure of the Congress to repeal sections 2 and 3 of the Neutrality Act would definitely be discouraging. I am confident that it would not destroy their defense or morale, though it would weaken their position from the point of view of food and munitions.
>
> Failure to repeal these sections would, of course, cause rejoicing in the Axis nations. Failure would bolster aggressive steps and intentions in Germany, and in the other well-known aggressor nations under the leadership of Hitler.
>
> Our own position in the struggle against aggression would definitely be weakened, not only in Europe and in Asia, but also among our sister republics in the Americas. Foreign nations, friends and enemies, would misinterpret our own mind and purpose ...[58]

Reading the President's letter consumed approximately 10 minutes. In the remaining moments of debate, Rayburn endorsed the President's approach, and added his own thoughts, saying:

> In the moment, let me say this: Let us not cast a vote today that will mean rejoicing in Germany, or Italy, or Japan. Let me say that with all my heart, this moment, that the failure to enact these amendments will have repercussions too frightful to contemplate, and might break up the most serious conferences that have ever been held at this moment be-

[54] Steinberg, *Sam Rayburn*, p. 170.

[55] 50 Stat. 1081.

[56] Majority Leader McCormack.

[57] Representative Sam Rayburn, "Amending the Neutrality Act," remarks in the House, *Congressional Record*, vol. 87, Nov. 13, 1941, pp. 8890–8891.

[58] Ibid., pp. 8890–8891.

tween the representatives of Japan and the representatives of the United States of America. Let us show the world by our vote, at least a majority vote, where we stand. Let me appeal to you, whether you love one man or hate another, to stand up today for civilization as it is typified in the United States of America.[59]

As time for debate expired, the roll call began. In the end, the House accepted the Senate amendments by a vote of 212 to 194.

On December 7, 1941, Japan attacked the United States forces in Pearl Harbor, HI. Soon after the attack, Speaker Rayburn returned to Washington from a personal trip to Richmond, VA, and received a message that the President wanted to meet congressional leaders that evening. At the conclusion of the meeting, Rayburn was asked by a reporter if Congress would support a war declaration. Rayburn replied, "I think that is one thing on which there would be unity."[60] The next day, the President addressed a joint session of Congress to request a declaration of war against Japan. Following the joint session, each Chamber convened and passed a joint resolution declaring a state of war between the United States and Japan. The President signed the measure into law that afternoon.

In his first full year as Speaker of the House, Sam Rayburn worked closely with President Franklin Roosevelt to roll back a neutral, isolationist policy, prepare the Nation for war, and assist nations already fighting the Axis. When the United States entered the conflict, the Speaker and the President successfully urged the Nation to produce the materials essential to combat the enemy, maintain morale on the home front, and bring "the war to its earliest possible conclusion."[61] The first few months after the United States joined the conflict were marked by extensive gains for the Axis powers. In the Pacific theater, Japanese forces captured Guam, Wake Island, parts of the Aleutian Islands and the Philippines. In the Atlantic, the naval forces of Germany, which declared war on the United States 4 days after the Pearl Harbor attack, launched effective submarine attacks on American merchant ships. Roosevelt's 1942 Annual Message to the Congress formed the basis of the American response. In the address, the President called for increased production of airplanes, tanks, and merchant shipping.[62] When the goals of Roosevelt's program were questioned in the media and by the public, Speaker Rayburn embarked on a series of speaking engagements around the country to defend the proposed goals.[63]

In the House, Rayburn guided numerous measures to passage that strengthened the American war effort. Measures passed included changes in tax law that allowed war industries to write off capital expenditures at an accelerated rate; the establishment and funding of several new executive branch agencies that controlled the distribution of raw materials, civilian goods production and rationing, prices, war propaganda, and economic warfare overseas; amendment of military draft laws to conscript 18-year-old men; and bills that prevented labor actions in war industries. Less publicly, Rayburn, Majority Leader McCormack, and Minority Leader Joseph Martin of Massachusetts were briefed by Secretary Stimson, General Marshall, and Dr. Vannevar Bush about a secret plan to construct an atomic bomb. Initial efforts to fund the program had come through illegal transfers of military appropriations. When the administration officials tried to tell the congressional leaders about the project, Rayburn cut them off, saying "I don't want to know . . . because if I don't know a secret I can't let it leak out." A few weeks later, Rayburn persuaded Representative Clarence Cannon, who was chairman of the Committee on Appropriations, to quietly insert an appropriation of $1.6 billion for the Manhattan Project.[64]

Summarizing congressional action and cooperation with the President in a speech in Texas in November 1942, Rayburn mentioned several other actions Congress had taken in support of the President's war program, saying:

. . . let no one tell you that the seventy-seventh Congress and the executive branch of the government have not worked together. The President asked for 185,000 airplanes. Congress provided the authority and the appropriation. He asked for

[59] Ibid.

[60] C.P. Russell, "Congress Decided," *New York Times*, Dec. 8, 1941, p. 1.

[61] Sam Rayburn interview with Walter C. Hornaday, Jan. 7, 1944, in H.G. Delaney and Edward Hake Phillips, eds., *Speak Mister Speaker* (Bonham, TX: Sam Rayburn Foundation, 1978), p. 104.

[62] Roosevelt, "The Annual Message to the Congress, Jan. 6, 1941," in *The Public Papers and Addresses of Franklin D. Roosevelt*, pp. 32–42.

[63] Steinberg, *Sam Rayburn*, pp. 210–211.

[64] Ibid., pp. 211–213; quote, p. 212. See also Mooney, *Roosevelt and Rayburn*, pp. 177–182.

billions to build war plants. He got them. He asked for amendments to the Neutrality Act for ... lend-lease shipments across the sea. He got them. He asked for authority to take over Axis ships. He got it. The executive recommended a wage and price bill and requested legislation by October 1. He got it on October 2 ... We have made every attempt to weld our peacetime government machinery into a compact fist of steel.[65]

While the war effort advanced, Rayburn's efforts appear to have come at a political price. Despite broad public support for the war, some of the new policies adopted by Congress, such as the extension of the Selective Service Act, and rationing measures, were not popular. Some have argued that this public displeasure led to a loss of more than 50 Democratic seats in the House in the 1942 elections. This left the Chamber with 222 Democrats and 209 Republicans, at the beginning of the 78th Congress in 1943.[66] During the first few weeks of the new session, several administration-backed measures were defeated by the House, despite Rayburn's efforts. Over the course of the session, a sense of national purpose appears to have overcome partisan and factional preferences in the House, and the President's proposals received more favorable consideration. Beyond the Chamber, Rayburn continued to tour the country as a spokesman and partner of the President. The Speaker began to carry out symbolic duties as well, including dedicating hospitals, war production facilities, and receiving honorary degrees.[67] Despite the occasional, temporary setbacks in Congress, FDR held Rayburn in high esteem. On the occasion of Rayburn's second anniversary as Speaker, Roosevelt acknowledged the milestone in a letter to Rayburn that said "the speakership has assumed a special importance because of the gravity of issues with which you have continually had to deal ... the country has need of you." [68]

Rayburn and Roosevelt would continue to work together on war measures and other issues until Roosevelt died in 1945. On the afternoon of April 12, 1945, Speaker Rayburn adjourned the House at 5 o'clock and was in his private Capitol office known as the "Board of Education," where he often met with Members to discuss matters before the House. On this day, Vice President Harry S Truman was due at the close of the day's Senate session. Before the Vice President arrived, Rayburn received a call from the White House; Truman was to call as soon as he arrived. When Truman reached the Speaker's office, he called the White House and was told to come to the executive mansion. After he left, a special radio bulletin informed Rayburn and the Nation that President Roosevelt had died at Warm Springs, GA, earlier that afternoon. Later that evening, Speaker Rayburn went to the White House to see Truman take the oath of office as President.

The only Member of Congress to hold the speakership in four different decades, Rayburn served with, not under, Presidents Franklin D. Roosevelt, Harry S Truman, Dwight D. Eisenhower, and John F. Kennedy. Some time after World War II ended, Rayburn reflected on his collaboration with Roosevelt:

I would go to the White House with the other congressional leaders, and we would talk things out frankly and openly. Sometimes we agreed, and sometimes we disagreed, but in the end we would find more points of agreement than disagreement. And we would get things done. We *had* to get things done.[69]

CONCLUSION: TOWARD A MORE COMPLETE UNDERSTANDING OF LEADERS

Although his focus was World War II and Franklin Roosevelt, Rayburn's observation suggests a starting point for efforts to understand the nature of the relationship between the Speaker and the President over the last century. The cases of Theodore Roosevelt and Joe Cannon, and Franklin Roosevelt and Sam Rayburn, strongly suggest that in war, peace, periods of prosperity, or periods of national emergency, things still need to get done, and that the Speaker and President are integral actors in achieving those ends. The institutional environment established by separation of powers brings together two leaders who have different, and sometimes contentious,

[65] Sam Rayburn speech to the Texas Forum of the Air, Nov. 1, 1942, in Delaney and Phillips, eds., *Speak Mister Speaker*, p. 93.

[66] House membership and party division is based on results reported by the Clerk of the House, based on immediate results of elections held in November 1942. Four vacancies were reported. U.S. Congress, Joint Committee on Printing, *2003–2004 Official Congressional Directory, 108th Congress*, 108th Cong., 1st sess., S. Pub. 108–18 (Washington, GPO, 2003), p. 547.

[67] C. Dwight Dorough, *Mr. Sam* (New York: Random House, 1962), pp. 348–357.

[68] Franklin Delano Roosevelt letter to Sam Rayburn, Sept. 16, 1942, in Delaney and Phillips, eds., *Speak Mister Speaker*, p. 91.

[69] Mooney, *Roosevelt and Rayburn*, p. 164, italics in original.

governing responsibilities. To some extent, the relationship between the two sets of leaders bridged that gulf and facilitated legislative activity. In both cases, Cannon and Rayburn served as an intermediary between the House and the President, who is always on the outside of the Legislature. Each Speaker reflected the mood and will of the House, and provided advice to the Presidents on the basis of those observations. When both Presidents followed the advice, whether Cannon's suggestion to avoid the tariff issue in 1907, or Rayburn's suggestion to revise a lend-lease program that was sure to be defeated without changes in 1941, both Presidents enjoyed the benefits of reduced conflict and the advancement of their legislative programs. When the two Chief Executives ignored advice, or failed to seek consultation with the Speakers, as with Theodore Roosevelt's contretemps over the Secret Service, or the setbacks FDR's New Deal programs suffered as a result of his failed court reorganization, each suffered political damage.

Both cases strongly suggest that to govern, Speakers and Presidents must surmount the challenges of divergent constitutional responsibilities, political contexts, and personal chemistry. Without recourse to similar studies of the relationship between other Speakers and Presidents over the last century, however, it is unclear whether these findings are generally applicable to the other 15 Speakers and 16 Presidents that have served during this time. The volatility of political contexts and interpersonal relationships shown in the Cannon and Rayburn eras, as well as Speaker O'Neill's observation that there is much still to be learned about the Office and men who have been Speaker, strongly suggests that further inquiry into the relationship between other Speakers and Presidents would make a valuable contribution to understanding American Government.

Chapter 7

Speakers, Presidents, and National Emergencies

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At various times in American history, emergencies have arisen—posing, in varying degrees of severity, the loss of life, property, or public order—and threatened the well-being of the Nation. The Constitution created a government of limited powers, and emergency powers, as such, failed to attract much attention during the Philadelphia Convention of 1787 which created the charter for the new government. It may be argued, however, that the granting of emergency powers to Congress is implicit in its Article I, section 8 authority to "provide for the common Defence and general Welfare"; the commerce clause; its war, Armed Forces, and militia powers; and the "necessary and proper" clause empowering it to make such laws as are required to fulfill the executions of "the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof." The President was authorized to call special sessions of Congress, perhaps doing so in order that arrangements for responding to an emergency might be legislated for executive implementation.

A national emergency may be said to be gravely threatening to the country, and recognizable in its most extreme form as auguring the demise of the nation. The more extreme the threat, likely more widespread will be the consensus that a national emergency exists. At times, however, the term has been artfully used as political rhetoric to rally public support, or employed nebulously. According to a dictionary definition, an emergency is "an unforeseen combination of circumstances or the resulting state that calls for immediate action."[1] In the midst of the Great Depression, a 1934 majority opinion of the Supreme Court characterized an emergency in terms of urgency and relative infrequency of occurrence, as well as equivalence to a public calamity resulting from fire, flood, or like disaster not reasonably subject to anticipation.[2] Constitutional law scholar Edward S. Corwin once explained emergency conditions as being those "which have not attained enough of stability or recurrency to admit of their being dealt with according to rule."[3] During Senate committee hearings on national emergency powers in 1973, a political scientist described an emergency, saying: "It denotes the existence of conditions of varying nature, intensity and duration, which are perceived

[1] Henry Bosley Woolf, ed., *Webster's New Collegiate Dictionary* (Springfield, MA: G&C Merriam, 1974), p. 372.

[2] *Home Building and Loan Association* v. *Blaisdell*, 290 U.S. 398, 440 (1934).

[3] Edward S. Corwin, *The President: Office and Powers, 1787–1957*, 4th rev. ed. (New York: New York University Press, 1957), p. 3.

to threaten life or well-being beyond tolerable limits."[4] The term, he explained, "connotes the existence of conditions suddenly intensifying the degree of existing danger to life or well-being beyond that which is accepted as normal."[5]

In responding to an emergency situation, Presidents have exercised such powers as were available by explicit grant or interpretive implication—so-called implied powers—or otherwise acted of necessity, trusting to a subsequent acceptance of their actions by Congress, the courts, and the citizenry. They have, as well, sought statutory bestowal of new powers. In such circumstances, the Speakers of the House of Representatives have played varied roles. Presidents also have occasionally taken an emergency action which they assumed to be constitutionally permissible. Thus, in the American governmental experience, the exercise of emergency powers has been somewhat dependent upon the Chief Executive's view of the office. The authority of a President in this regard, however, is not determined by the incumbent alone. Other institutions and their leaders, such as the Speaker of the House, may have a tempering effect on, or constitute either an obstacle to, or a sustainer of, the President's actions in response to an emergency.

In the account that follows, four of the most challenging national emergencies in the American governmental experience—the Civil War, World War I, the Great Depression, and World War II—are reviewed with a view to the role of the Speaker during these crises. That role has been a varied one due to several factors, not the least of which are personality, political partisanship, ideology, institutional stature, and statesmanship.

THE CIVIL WAR

For several decades after the inauguration of the Federal Government under the Constitution, controversy and conflict over slavery had steadily grown in the Nation until it erupted in regional rebellion and insurrection in late 1860. News of the election of President Abraham Lincoln, who was known to be hostile to slavery, prompted a public convention in South Carolina. Convening a few days before Christmas, the assembled voted unanimously to dissolve the union between South Carolina and the other States. During the next 2 months, seven States of the Lower South followed South Carolina in secession. Simultaneously, State troops began seizing Federal arsenals and forts located within the secessionist territory. In his fourth and final annual message to Congress on December 3, 1860, President James Buchanan conceded that, due to the resignation of Federal judicial officials throughout South Carolina, "the whole machinery of the Federal Government necessary for the distribution of remedial justice among the people has been demolished." He contended, however, that "the Executive has no authority to decide what shall be the relations between the Federal Government and South Carolina." Any attempt in this regard, he felt, would "be a naked act of usurpation." Consequently, Buchanan indicated that it was his "duty to submit to Congress the whole question in all its bearings," observing that "the emergency may soon arise when you may be called upon to decide the momentous question whether you possess the power by force of arms to compel a State to remain in the Union." Having "arrived at the conclusion that no such power has been delegated to Congress or to any other department of the Federal Government," he proposed that Congress should call a constitutional convention, or ask the States to call one, for purposes of adopting a constitutional amendment recognizing the right of property in slaves in the States where slavery existed or might thereafter occur.[6]

By the time of Lincoln's inauguration (March 4, 1861), the Confederate provisional government had been established (February 4); Jefferson Davis had been elected (February 9) and installed as the President of the Confederacy (February 18); an army had been assembled by the secessionist States; Federal troops, who had been withdrawn to Fort Sumter in Charleston Harbor, were becoming desperate for relief and resupply; and the 36th Congress had adjourned (March 3). A divid-

[4] U.S. Senate, Special Committee on the Termination of the National Emergency, *National Emergency*, hearing, 93d Cong., 1st sess., Apr. 11, 1973 (Washington: GPO, 1973), p. 277.

[5] Ibid., p. 279.

[6] James D. Richardson, ed., *A Compilation of the Messages and Papers of the Presidents*, vol. 7 (New York: Bureau of National Literature, 1897), pp. 3165–3167.

ing nation was poised to witness "the high-water mark of the exercise of executive power in the United States." Indeed, in retrospect, it has been observed: "No one can ever know just what Lincoln conceived to be limits of his powers." [7]

A month after his inauguration, the new President notified South Carolina authorities that an expedition was en route solely to provision the Fort Sumter troops. The receipt of this message prompted a demand that the garrison's commander immediately surrender. The commander demurred, and, on April 12, the fort and its inhabitants, over the next 34 hours, were subjected to continuous, intense fire from shore batteries until they finally surrendered. The attack galvanized the North for a defense of the Union. Lincoln, however, did not immediately call Congress into special session. Instead, for reasons not altogether clear, he not only delayed convening Congress, but also, with broad support in the North, engaged in a series of actions which intruded upon the constitutional authority of the legislature. These included ordering 75,000 of "the militia of the several States of the Union" into Federal service "to cause the laws to be duly executed," and calling Congress into special session on July 4 "to consider and determine, such measures, as, in their wisdom, the public safety, and interest may seem to demand;" blockading the ports of the secessionist States; adding 19 vessels to the Navy "for purposes of public defense;" extending the initial blockade to the ports of Virginia and North Carolina; and enlarging the Armed Forces with 22,714 men for the regular Army, 18,000 personnel for the Navy, and 42,032 volunteers for 3-year terms of service.[8]

In his July 4 special session message to Congress, Lincoln indicated that his actions expanding the Armed Forces, "whether strictly legal or not, were ventured upon under what appeared to be a popular and a public necessity, trusting then, as now, that Congress would readily ratify them. It is believed," he continued, "that nothing has been done beyond the constitutional competency of Congress." [9] Indeed, in an act of August 6, 1861, Lincoln's "acts, proclamations, and orders" concerning the Army, Navy, militia, and volunteers from the States were "approved and in all respects legalized and made valid, to the same intent and with the same effect as if they had been issued and done under the previous express authority and direction of the Congress." [10] During the next 4 years of civil war, Congress would continue to be largely supportive of Lincoln's prosecution of the insurrection.

THE HOUSE ENVIRONMENT.—The 37th Congress, which Lincoln convened in July, initially met for about a month. Members returned in December for a second session, which consumed about 200 days of the next year, and a third session, beginning in December 1862 and ending in early March 1863. The President had party majorities in both Chambers: about two-thirds of the Senate was Republican and the House counted 106 Republicans, 42 Democrats, and 28 Unionists. The 1862 elections shifted the House balance to 102 Republicans and 75 Democrats. Despite the numerical dominance of the Republicans, however, "no one individual or faction was able to establish firm control of the congressional agendas during the Civil War." [11]

Investigation and oversight activities by congressional committees increased during the Civil War, "when 15 of 35 select committees were primarily concerned with wrongdoing or improper performance of duties," and similar probes were being conducted by at least six standing committees. The war affected these inquiries because it added urgency to proper administrative performance and prompted enlarged Federal expenditures. There were, as well, committee examinations of matters more closely connected with the war.[12]

Perhaps the best known of the wartime oversight panels was the Joint Committee on the Conduct of the War. While some of its tactics—secret testimony, leaks to the press, disallowance of an opportunity to confront or cross examine accusers—and its bias against West Point officers remain unacceptable, its probes of the Fort Pillow massacre, in which Union black troops were

[7] Wilfred E. Binkley, *President and Congress* (New York: Alfred A. Knopf, 1947), p. 126.

[8] Richardson, *A Compilation of the Messages and Papers of the Presidents*, vol. 7, pp. 3214–3217.

[9] Ibid., p. 3225.

[10] 12 Stat. 326.

[11] Allan G. Bogue, *The Congressman's Civil War* (Cambridge, UK: Cambridge University Press, 1989), p. xviii.

[12] Ibid., pp. 60–88.

murdered and not allowed to surrender, and the poor condition of Union soldiers returned from Confederate prisons "were among its more positive achievements." Indeed, "a number of its investigations exposed corruption, financial mismanagement, and crimes against humanity," with the result that the panel "deserves praise not only for exposing these abuses but also for using such disclosures to invigorate northern public opinion and bolster the resolve to continue the war. Had the committee's work always been modeled on these investigations," it has been rightly concluded, "there would be little debate about its positive, albeit minor, contribution to the Union war effort." [13]

By one estimate, the "most influential member of the House of Representatives during this period was Thaddeus Stevens of Pennsylvania," whose "influence over the House exceeded that of its speakers." [14] An attorney and former member of the Pennsylvania legislature, he had initially been elected to the House of Representatives as a Whig in 1848. He was subsequently elected to the House as a Republican in 1858, and soon became the leader of the radicals who strongly opposed slavery. He chaired the Ways and Means Committee during the 37th and 38th Congresses, and died in office in the summer of 1868.

SPEAKER GALUSHA A. GROW.—Born and reared in Pennsylvania, Grow had been a practicing attorney before he was first elected to the House of Representatives as a Democrat in 1850. He was returned to the 33d and 34th Congresses as a Democrat, but slavery and related issues prompted him to change party affiliation and he was elected to the 35th, 36th, and 37th Congresses as a Republican. A redrawn district contributed to his electoral defeat in 1862, and he would not return to the House until 1883 when he was elected to fill a seat left vacant by the death of the incumbent. Grow's oratorical and leadership qualities contributed to his initially being nominated by former Speaker Nathaniel Banks for the speakership in 1857. Although Grow had the support of nearly all Republicans, he lost to Democrat James L. Orr of South Carolina.[15] He was nominated again for the speakership in 1860, but the more moderate William Pennington of New Jersey was the choice.[16] A long-time champion of the Homestead Act, Grow was among the leaders who, having brought the legislation to final passage, saw their efforts defeated by President Buchanan's veto. The bill enacted by the 37th Congress, however, was successfully carried into law in May 1862, a few months before Grow would be defeated for reelection.[17]

With the convening of the 37th Congress, Grow had the support of Thaddeus Stevens, who nominated him for the speakership. Less radical contenders were Schuyler Colfax of Indiana and Frank Blair of Missouri. The situation was urgent, and "the Republicans had agreed not to tolerate any protracted conflict over the speakership." On the first ballot, Grow had 71 votes, 9 short of victory. "Blair, in second place with forty, withdrew and urged his supporters to switch their votes; twenty-eight did," and "Grow won with ninety-nine votes." [18]

Stevens was instrumental in Grow's capture of the speakership. The two men had become acquainted some time ago in their native Pennsylvania. They had come to hold similarly strong views opposing slavery and supporting the preservation of the Union, and both were resistant to the efforts of Simon Cameron and Andrew Curtin to control the State Republican Party. Stevens had nominated Grow for the speakership in 1860, and Grow had recommended Stevens to President-elect Lincoln for a Cabinet position.[19]

"When it came time to make committee assignments, Grow did what was expected of him—he appointed radicals and friends." He also annoyed some Cabinet secretaries for not consulting with them on appointments that affected their departments.[20]

[13] Bruce Tap, *Over Lincoln's Shoulder: The Committee on the Conduct of the War* (Lawrence, KS: University Press of Kansas, 1998), pp. 253, 255.

[14] Ronald M. Peters, Jr., *The American Speakership: The Office in Historical Perspective* (Baltimore, MD: The Johns Hopkins University Press, 1990), p. 54; cf. Hubert Bruce Fuller, *The Speakers of the House* (Boston: Little, Brown, 1909), pp. 152–157.

[15] Robert D. Illisevich, *Galusha A. Grow: The People's Candidate* (Pittsburgh: University of Pittsburgh Press, 1988), p. 156.

[16] Ibid., pp. 182–183.

[17] Ibid., pp. 173–191, 196–197; 12 Stat. 392.

[18] Ibid., pp. 202–203.

[19] Ibid., pp. 194–195.

[20] Ibid., p. 203.

Described as "firm, calm, and precise in construing the rules" of the House, Grow deferred to Stevens in the party caucus and "Stevens was the domineering personality on the floor," but he would occasionally challenge his friend regarding procedure.[21]

One good example occurred on July 18, 1861, when Henry May of Maryland asked for the floor to defend himself against charges that he had had "criminal intercourse" with the rebels in Richmond. John Hutchins of Ohio objected to the way in which May attacked the military authorities in Baltimore. Stevens said May was out of order, but Grow ruled that May was entitled to the floor. Stevens put his protest into the form of a motion, which the chair refused to entertain. When Stevens appealed the decision, Grow insisted he had no control over the train of remarks May might pursue and, therefore, could not rule him out of order. The chair was overruled, but May was permitted to continue.[22]

Perhaps surprising to some, Grow, the radical, got along "admirably" with the President, and reportedly "believed Lincoln to be almost infallible, a leader who never rubbed Congress the wrong way and who handled men masterfully." [23] Grow, Stevens, and a caucus of a dozen other radicals, accepted Lincoln's moderate approach to emancipation, supporting the President's proposal for Federal assistance to any State that adopted a plan of gradual emancipation, as well as legislation for immediate emancipation in the District of Columbia.[24]

It was Grow's fortune to be Speaker during one of the nation's critical moments. The Thirty-seventh Congress faced an awesome task. It had to raise, organize, and equip military forces, and to find the means to support them and the government as well. Yet its performance record was impressive. Before it adjourned in early August, the special session had passed more than sixty bills, and productivity was to continue into the second and third sessions. Fortunately, the Republicans enjoyed a comfortable majority and were able when necessary to ride roughshod over the Democratic opposition. A call for the question often ended the Democrat's efforts at prolonged debate.[25]

SPEAKER SCHUYLER COLFAX.—Grow's electoral defeat in 1862 assured that the 38th Congress would have a new Speaker of the House.[26] The choice was Schuyler Colfax of Indiana, a newspaperman who had unsuccessfully sought election to the 32d Congress as a Whig. Two years later, running as a Republican, he was sent to the House and remained there for the next 5 Congresses (1855–1864). He and Grow "became friends and close allies in their struggle for a free Kansas and a homestead bill." [27] However, his relationship with Stevens, according to one assessment, was somewhat different than that of his predecessor.

Colfax possessed neither will nor mind of his own. Thaddeus Stevens furnished him with these mental attributes. The fact that Stevens permitted him to remain as speaker for six years furnishes the best index of his character. He was the alter ego.[28]

By contrast, an 1868 campaign pamphlet by an anonymous author offered the following description of Colfax's speakership.

Every session of Congress has been marked by great bitterness of feeling, and yet so just has been his ruling, so courteous and kind his manner to foes as well as friends, that he has been popular with both parties. Probably not one man in a thousand could have passed through the trying scenes which he has, with the same equanimity and approbation of both friends and foes.[29]

Indeed, Colfax was well regarded as a presiding officer, and his party, still under the iron rule of Stevens in the caucus, enjoyed dominant majorities during his tenure as Speaker.[30] As a Representative, however, he appears to have left no individual mark upon the statute books. Moreover, "Colfax's influence on the development or passage of specific legislation is unclear." [31] In a biography published shortly after the former Speaker's death, Ovando J. Hollister summed up his late brother-in-law's role in the House.

The two successive re-elections of Speaker Colfax attest the great satisfaction he gave in this high office. These were as eventful times as ever chanced in the annals of men, and the actors played their part in a manly way, worthy of their place in the line of generations that has won from the oppressor, maintained, and transmitted liberty. Neither before nor since have there been greater Houses than those which called

[21] Ibid., pp. 204–205.
[22] Ibid., p. 205.
[23] Ibid.
[24] Ibid., p. 207.
[25] Ibid., p. 204.
[26] Concerning Colfax's preparations and support in this regard, see Willard H. Smith, *Schuyler Colfax: The Changing Fortunes of a Political Idol* (Indianapolis: Indiana Historical Bureau, 1952), pp. 182–184, 196.
[27] Illisevich, *Galusha A. Grow: The People's Candidate*, p. 112.
[28] Fuller, *The Speakers of the House*, p. 158; cf. Smith, *Schuyler Colfax*, pp. 189–190.
[29] Anonymous, *The Life and Times of Hon. Schuyler Colfax, Speaker of the United States House of Representatives and Republican Candidates for the Vice-Presidency* (New York: E.B. Treat, 1868), p. 12; the author is identified on the title page as "a distinguished historian."
[30] Bogue, *The Congressman's Civil War*, p. 116.
[31] Ibid., p. 118.

Schuyler Colfax to be their presiding officer; at no time in our history were the people and their Congresses in closer sympathy, and this was due in part to the Speaker's faculty of wise and successful political management.[32]

That political management included consultations with Cabinet members concerning their preferences for Representatives assigned to the House committees with which they had to deal. It also involved scheming and connivance that, according to an entry in the diary of Secretary of the Navy Gideon Wells, resulted in Lincoln considering him to be "a little intriguer,—plausible, aspiring beyond his capacity, and not trustworthy." The diary of John Hay, Lincoln's secretary, reflected similar White House doubts about Colfax.[33] Lincoln had preferred others for the speakership, but when it fell to Colfax, the President met with him, only to receive "what was not exactly a pledge of support but a promise of neutrality in the upcoming fights in Congress between Radicals and Conservatives."[34] It was, seemingly, less than he had enjoyed with Grow.

WORLD WAR I

When war swept over Europe during the latter months of 1914, the United States, in terms of emergency conditions confronting the Nation, was unaffected by the conflict. Initially pursuing a policy of neutrality, President Woodrow Wilson, in September 1915, reluctantly agreed to allow American bankers to make general loans to the belligerent nations. These loans, foreign bond purchases, and foreign trade tended to favor Great Britain and France. Earlier, in February 1915, Germany had proclaimed the waters around the British Isles a war zone which neutral ships might enter at their own risk. In May, the British transatlantic steamer *Lusitania* was sunk by a German submarine with the loss of 1,198 lives, including 128 Americans. Disclosures of German espionage and sabotage in the United States later in the year, unrestricted submarine warfare by Germany as of February 1917, and March revelations of German intrigue to form an alliance with Mexico contributed to the President calling a special session of Congress on April 2, when he asked for a declaration of war, which was given final approval 4 days later.[35]

As Wilson led the Nation into war, the "preponderance of his crisis authority," it has been noted, "was delegated to him by statutes of Congress." Indeed, "Wilson chose to demand express legislative authority for almost every unusual step he felt impelled to take." By comparison, the source of Lincoln's power "was the Constitution, and he operated in spite of Congress," while the "basis of Wilson's power was a group of statutes, and he cooperated with Congress.[36]

The President also exercised certain discretion over and above that provided by statute. For example, he armed American merchantmen in February 1917; created a propaganda and censorship entity in April 1917—the Committee on Public Information—which had no statutory authority for its limitations on the First Amendment; and he created various emergency agencies under the broad authority of the Council of National Defense, which had been statutorily mandated in 1916.[37]

"Among the important statutory delegations to the President," it has been recounted, "were acts empowering him to take over and operate the railroads and water systems, to regulate and commandeer all ship-building facilities in the United States, to regulate and prohibit exports" and "to raise an army by conscription." Others authorized him "to allocate priorities in transportation, to regulate the conduct of resident enemy aliens, to take over and operate the telegraph and telephone systems, to redistribute functions among the executive agencies of the federal government, to control the foreign language press,

[32] O.J. Hollister, *Life of Schuyler Colfax* (New York: Funk and Wagnalls, 1886), p. 216.

[33] Bogue, *The Congressman's Civil War*, pp. 116–117; another historian has written that the exact relationship between Colfax and Lincoln "is difficult to ascertain," but expressed doubt that it was "the intimate relationship" portrayed by Hollister; see Smith, *Schuyler Colfax*, pp. 168–169.

[34] David Herbert Donald, *Lincoln* (New York: Simon and Schuster, 1995), p. 469.

[35] 40 Stat. 1.

[36] Clinton Rossiter, *Constitutional Dictatorship: Crisis Government in the Modern Democracies* (Princeton, NJ: Princeton University Press, 1948), p. 242.

[37] Concerning the Committee on Public Information, see Stephen L. Vaughn, *Holding Fast the Inner Lines: Democracy, Nationalism, and the Committee on Public Information* (Chapel Hill, NC: University of North Carolina Press, 1980); concerning the Council of National Defense, its mandate may be found at 39 Stat. 649–650 and its operations are discussed in Grosvenor B. Clarkson, *Industrial America in the World War: The Strategy Behind the Line 1917–1918* (Boston: Houghton Mifflin, 1923); see also, generally, William Franklin Willoughby, *Government Organization in War Time and After* (New York: D. Appleton, 1919).

and to censor all communications to and from foreign countries."[38]

In November 1918, Republican majorities were elected to both Houses of Congress, and an armistice was signed in Europe, bringing a cessation of warfare. As peace negotiations, with Wilson participating, began in Paris in mid-January, many temporary wartime authorities began to expire; most of the remaining war statutes and agencies were terminated by an act of March 3, 1921.[39]

THE HOUSE ENVIRONMENT.—The Presidential contest of 1912 had resulted in the election of Woodrow Wilson, the first Democrat to occupy the White House since 1897. His party held a substantial margin of seats (291 to 127) in the House at the start of his administration, which quickly dwindled during the next two Congresses and disappeared in 1918; an initial seven-seat margin in the Senate grew slightly during the next two Congresses before the opposition gained a two-seat majority in 1918.

The 63d Congress convened about a month after Wilson's March 4, 1913, inauguration. On April 8, a day after their assembly, the two Houses in joint session were personally addressed by Wilson—"the first President to do so since Jefferson stopped the practice in 1801. He wanted the members of Congress to see that he was a real person," one commentator has observed, "and a partner in their work, he told them, not 'a mere department of the Government hailing Congress from some isolated island of jealous power'."[40] It was the beginning of a new relationship between the first and second branches.

During the new President's first years in office, relations between the White House and Congress underwent a drastic change. [Theodore] Roosevelt had fought Congress and had often gone over its head to the people to get it to act, but he was never able to establish the primacy of his office over the conservative leadership in the legislature. [William Howard] Taft had shied away from even contesting for dominance. But it was now a different Congress. . . . [Wilson's] Democratic majorities were well organized and led by, and to a large extent composed of, men who shared the chief executive's goals, were as eager as he to compile a record of party achievement, and were willing to follow or cooperate with him. It was a situation made to order for a man of Wilson's commitment and temperament. . . . Believing strongly in party government and in his responsibility to be the nation's political head, Wilson gave forceful leadership to his party in Congress from his first day in office, telling it what he wanted it to do, introducing and sponsoring legislation, working closely with the Democratic leaders, committee heads, and individual members to achieve his programs, and in the process strengthening and broadening the powers and prestige of the presidency.[41]

The outbreak of war in Europe in August 1914 found the President and Congress initially in agreement on a policy of strict neutrality. German submarine warfare soon created a division of opinion between the neutralists and peace forces, on the one hand, and those demanding the defense of American's rights on the high seas, on the other. This division led to conflicts in 1915 and 1916 between the White House and congressional Democrats. In the first instance, Wilson's refusal to issue a warning to Americans against traveling on armed merchantmen not only prompted protests from Democrats in both houses, but also resolutions mandating such a warning and an entree for congressional formulation of foreign policy. Vigorous efforts by the President, key Republicans in Congress, and the press, got the resolutions tabled. The second controversy arose over Presidentially proposed military preparedness legislation, which included a new national volunteer "Continental Army" program. The measure was held captive in committee by a peace bloc led by the House Majority Leader, Claude Kitchen. Wilson had to compromise: the resulting legislation provided for an immediate expansion of the regular Army, enlargement of the National Guard, and integration of the Guard into Army organization and command.[42]

Although Wilson emphasized a neutrality theme in his 1916 campaign for reelection, he was almost defeated, edging by his opponent with a plurality of 23 electoral votes, and saw his party strength in the House reduced to a majority of only a few seats. At the end of January 1917, Germany stunned Wilson with the announcement that it was resuming unrestricted submarine warfare. Shortly thereafter, an American ship was torpedoed and sunk without warning, prompting the President to break diplomatic relations with

[38] Rossiter, *Constitutional Dictatorship*, p. 243.

[39] 41 Stat. 1359.

[40] Alvin M. Josephy, Jr., *On the Hill: A History of the American Congress* (New York: Simon and Schuster, 1979), p. 293.

[41] Ibid.

[42] Ibid., pp. 297–298.

Germany. Near the end of February, Wilson asked Congress for authority to arm merchant ships and to use other "instrumentalities or methods" to protect American shipping. The House, on March 1, overwhelmingly gave approval to the first part of the President's request; adamant noninterventionists in the Senate launched a filibuster against the authorization. Subsequently, Wilson went ahead with the ship armament on his own authority and called for a special session of Congress on April 16, then changed the convening to April 2. That evening he asked the 65th Congress for a declaration of war against Germany. This was accomplished 4 days later.[43]

There followed the passage of a stream of war legislation, beginning with the appropriations of $4 billion for the army and navy and authorization for a Liberty Loan of bonds to be sold to the public (four Liberty Loan drives during the war and a Victory Loan in 1919 raised a total of $20.5 billion). A Selective Service Bill providing for universal conscription caused bitter controversy in the House, where Speaker [Champ] Clark left his chair to oppose the measure. Its constitutionality—sending drafted men outside the United States—seemed open to question, but it was enacted on May 18, 1917.[44]

The stream of war legislation continued, including "several acts, urged by the administration and supported by the fervent patriotism and anti-German feeling of a great majority of the American people and their representatives in Congress, [which] broke sharply with the relatively benign atmosphere of political tolerance and freedom of dissent of the progressive period. Paralleling . . . emergency controls on business, they seriously abridged civil liberties and traditional American rights."[45] Meanwhile, in Europe, the arrival of American troops was decisive in stemming German offensives and launching fierce counterdrives that moved Allied forces toward the German border.

As the conflict in Europe neared an end, Wilson's uncompromising determination to handle foreign affairs himself and impose on the world his idealistic vision of an enduring peace headed him on a collision course with the Senate. On January 8, 1918, he delivered a stirring address to the Sixty-fifth Congress, boldly outlining fourteen points as a basis for a moral peace. Among them were proposals for open diplomacy, freedom of the seas, the reduction of armaments, and "a general association of nations." Liberals in America and the Allied countries supported the Fourteen Points with enthusiasm, but many of the Republicans and militants in Congress were cynical, fearing that Wilson would not be stern enough with Germany and showing signs of resentment at his aggrandizement of the role of sole arbiter of post-war settlements.[46]

The conflict continued and became more acute, with many Republicans separating from Wilson and demanding that he call for Germany's unconditional surrender. Wilson responded, in part, by appealing to the voting public to give him stronger party control of each House in the November 5, 1918, congressional elections. Republicans viewed the President's tactic as an attack on their patriotism and a violation of the wartime truce on politics. When the returns came in, "the Republicans won the House by fifty seats and the Senate by two seats, [and] Wilson not only lost his hold over Congress and his goal of a strong national unity behind him, but because of his ill-advised appeal seemed even to have suffered a repudiation of his peace policies on the eve of the war's end."[47] That end came on November 11 with a general armistice in Europe. Wilson's efforts to negotiate a peace ultimately came to an end in fall 1919 when the Senate, divided into three irreconcilable camps, failed to approve any form of the Versailles Treaty.[48] During a campaign to rally public support for the treaty, Wilson collapsed in Pueblo, CO, on September 25, and, after having returned to Washington, suffered a debilitating stroke on October 2. The declaration of war against Germany (and Austria-Hungary) was subsequently terminated by joint resolution on July 2, 1921.[49]

SPEAKER CHAMP CLARK.—When President Wilson addressed a joint session of the 63d Congress on April 8, 1913, James Beauchamp "Champ" Clark of Missouri was beginning his second speakership. A State legislator, he had been unsuccessful in his bid for the Democratic nomination for a House seat in 1890. Two years later, he won his party's nomination and was elected as a Representative, but lost the reelection contest to a Republican in 1894. Regaining

[43] Ibid., pp. 299–301.
[44] Ibid., p. 301.
[45] Ibid., p. 302.
[46] Ibid., p. 303.
[47] Ibid., pp. 303–304.
[48] The controversy actually continued into the early months of 1920, but without any resolve of the impasse realized earlier.
[49] 42 Stat. 105.

his House seat in 1896, he served continuously thereafter until 1920. In the House, he was a floor leader (1907–1911) before being elected to the speakership in April 1911. During the 60th Congress, he had led the Democrats who joined a group of Republican insurgents in a revolt against the dictatorial Speaker Joseph G. Cannon and his power over the Committee on Rules. While the House had voted in 1910 to remove the Speaker from serving on the committee, public dissatisfaction with the Republican majority in that Chamber resulted in a Democratic landslide in the elections of that year and the basis for Clark subsequently becoming Speaker.

As a consequence of his distaste for Cannon's dictatorial ways, Clark changed the Speaker's role in House affairs, leaving the business of floor scheduling and party caucus management to the floor leader, Oscar Underwood of Alabama. Under this arrangement, the floor leader and caucus guided the party program. Clark, as Speaker, was an impartial presiding officer of the House, but he could, and often did, temporarily step down from his position to participate actively in legislative debate.[50] As a result of his role in the overthrow of Cannon and his frequent discussion of legislative issues, Clark became the leading Democratic candidate for the Presidency in 1912. At the party nominating convention, Clark ran ahead of both William Jennings Bryan, his political adversary, and Woodrow Wilson, but was ultimately defeated when Bryan threw his support to Wilson.

During Clark's speakership, the Democrats exercised party governance through a binding caucus, with Underwood using individual pieces of legislation for such approval.[51]

The caucus rules established a simple majority as a quorum for business, with two-thirds of those members present and voting required to approve a motion to bind. It was not always necessary for the leadership to control two-thirds of the rank and file, but rather some lesser number, ranging down to two-thirds of a quorum. Of 291 Democratic members of the Sixty-third Congress, for example, the number required to bind might have been as few as ninety-eight.[52]

The Speaker could speak in the caucus or offer a motion to bind it, but he could not control it. Similarly, he could influence the members of the Committee on Rules regarding the floor agenda and debate, but he could not control them. As a consequence, compared with the Democratic floor leader and committee chairmen, it is understandable that the Speaker might not have been viewed as the best agent for realizing the President's legislative agenda. By one estimate, the "operation of the caucus system used by the Democrats attained its maximum effectiveness during Wilson's first administration, especially during the Sixty-third Congress while Underwood served as majority leader." Why? "Progressivism had its moment in the sun, and the Democrats were able to govern the nation just so long as the policy consensus kept the party united behind the administration's program."[53] War in Europe militated against that consensus, as did Underwood's departure for the Senate in 1915, resulting in the succession of Claude Kitchen of North Carolina as floor leader.

Basic differences in political philosophy between Wilson and Kitchen led to a clash of political wills, and they did not work as closely together as had Wilson and Underwood. Because of this, Wilson began using congressman John Nance Garner of Texas as his intermediary to the House. The Democrats had suffered heavy losses in the election of 1914, bringing their congressional majority down from 290 seats to 231. With the growing involvement of the United States in European affairs, Americans became increasingly concerned about the possibility of engagement in a general European war. Running on the theme that he had "kept us out of war," Wilson was reelected in 1916, but the party retained control of the House of Representatives by the narrowest of margins, electing an identical 215 members to the Republicans, and relying on the support of five independent members to retain organizational control. Wilson did not keep America out of the war, and during his second administration he won congressional support for his war program only at the cost of bitter divisions within the party, which proved fatal in the 1918 congressional elections, when the Republicans swept the Congress.[54]

Clark admired Kitchen, calling him "one of the most brilliant debaters this generation has known—fluent, intelligent, witty, sarcastic, affable, courageous, and at times eloquent."[55] He occasionally voted, as a matter of conscience, contrary to the position of the President. Joining Kitchen, Clark opposed the administration's

[50] Peters, *The American Speakership*, pp. 92–94.
[51] Ibid., p. 93.
[52] Ibid., p. 94.
[53] Ibid., p. 97.
[54] Ibid., pp. 97–98.
[55] Champ Clark, *My Quarter Century of American Politics*, vol. 2 (New York: Harper and Brothers, 1920), p. 339.

highly controversial military conscription plan, and denounced the proposal on the House floor in April 1917.[56] He also proved to be a valuable ally of the White House, however, such as when he frustrated efforts in September 1917 to establish a powerful joint congressional committee to oversee the conduct of the American war effort, and privately assured Wilson that he would render any service to defeat legislation creating, separate from the traditional Cabinet, a war cabinet or council, composed of three distinguished citizens, "with almost unlimited jurisdiction over plans and policies, to insure the most vigorous prosecution of the war." [57] When the President lent support in July 1918 to a local effort to deny Representative George Huddleston of Alabama the Democratic nomination for reelection to the House, Clark and Kitchen provided their colleague with letters praising his patriotic service in Congress. Their intervention was denounced locally as the interference of a pair of "super pacifists," but Huddleston captured the nomination and was returned to the House.[58] In the closing pages of his autobiography, Clark characterized Wilson as "a great President," but, perhaps best explained his own role when refuting a newspaper allegation that he had campaigned for Wilson in 1912 in the hope of obtaining a Cabinet position. "The man who wrote that," counseled Clark, "did not have sense enough to know that the Speakership of the House of Representatives is a much bigger place than is any Cabinet position, and he was not well enough acquainted with me to know that I would not accept all ten Cabinet portfolios rolled into one, for I would not be a clerk for any man." [59]

THE GREAT DEPRESSION

In his final State of the Union Message of December 4, 1928, President Calvin Coolidge advised the legislators that no previous Congress "has met a more pleasing prospect than that which appears at the present time," and concluded that the "country can regard the present with satisfaction and anticipate the future with optimism." [60] One year later, the dreamworld envisioned by Coolidge vanished and was replaced by a nightmare. On October 24, 1929, an overspeculated stock market suddenly experienced a deluge of selling, which sent prices plummeting. Panic ensued. In the howling melee of the stock exchange, brokers fought to sell before it was too late. Rapidly, it became too late.

Economic crisis was not new to America. The country had experienced financial setbacks of nationwide proportion in 1857, 1875, and 1893. History, however, was an enemy in the devising of strategy to deal with the depression of 1929. The periods of economic difficulty of the past were but a tumble when compared with the plunge of the Great Depression. This was the first problem experienced by those attempting to rectify the plight of the country: they did not recognize the ramifications of the situation or the extent of damage done and continuing to be done. Perhaps, too, the administrative machinery was not available or sufficiently developed to halt the downward economic spiral. It may have been that the President's philosophy of government was inadequate for meeting the exigency. In the face of all efforts to halt its progress, the cancer of economic disaster continued to devastate American society mercilessly.

The depression demoralized the Nation: it destroyed individual dignity and self-respect, shattered family structure, and begged actions which civilized society had almost forgotten. In brief, it created a most desperate situation, ripe for exploitation by zealots, fanatics, or demagogs. It also created an emergency which, unlike exigencies of the past, dealt a kind of violence to the public that neither Armed Forces nor military weaponry could repel. It was a new type of crisis leading to a broad extension of executive power.

In 1932, a malcontent and despairing electorate voted against President Herbert C. Hoover, Coolidge's successor. Although a dedicated public servant of demonstrated ability, he was replaced with Franklin D. Roosevelt, who came to the Presidency from the governorship of New York,

[56] Seward W. Livermore, *Politics Is Adjourned: Woodrow Wilson and the War Congress, 1916–1918* (Seattle, WA: University of Washington Press, 1966), p. 17.

[57] Ibid., pp. 57, 89.

[58] Ibid., pp. 163–164.

[59] Clark, *My Quarter Century of American Politics*, vol. 2, pp. 442–443.

[60] Fred L. Israel, ed., *The State of the Union Messages of the Presidents, 1790–1966*, vol. 3 (New York: Chelsea House-Robert Hector, 1966), p. 2727.

and had previously served as Assistant Secretary of the Navy during the Wilson administration. In his inaugural address, the new President was eloquent, telling the American people "that the only thing we have to fear is fear itself—nameless, unreasoning, unjustified terror which paralyzes needed efforts to convert retreat into advance." More important, on the exertion of leadership during crisis, he expressed hope that the normal balance of executive and legislative authority would prove to be adequate "to meet the unprecedented tasks before us," but acknowledged that "temporary departure from that normal balance" might be necessary. "I am prepared under my constitutional duty to recommend the measures that a stricken Nation in the midst of a stricken world may require," he said, but, in the event Congress did not cooperate "and in the event that the national emergency is still critical, I shall not evade the clear course of duty that will then confront me"—using "broad Executive power to wage a war against the emergency, as great as the power that would be given to me if we were in fact invaded by a foreign foe."[61]

THE HOUSE ENVIRONMENT.—The day after his inauguration, Roosevelt called for a special session of Congress. When the proclamation for the gathering was issued, no purpose for the March 9 assembly was indicated. Nonetheless, the President's party enjoyed overwhelming majorities in the House (310 to 117) and Senate (60 to 35). Roosevelt had arrived in Washington with drafts of two proclamations, one calling for the special session of Congress and the other declaring a so-called "bank holiday," which would temporarily close the Nation's banks and restrict the export of gold by invoking provisions of the Trading With the Enemy Act.[62] The bank holiday proclamation was issued on March 6. Between the evening of the inauguration and the opening of Congress, Roosevelt's lieutenants, aided by Hoover's Secretary of the Treasury, Ogden Mills, drafted an emergency banking bill. When Congress convened, the House had no copies of the measure and had to rely upon the Speaker reading from a draft text. After 38 minutes of debate, the House passed the bill. That evening, the Senate followed suit. The President then issued a second proclamation, pursuant to the new banking law, continuing the bank holiday and the terms and provisions of the March 6 proclamation.[63]

Thereafter ensued the famous "hundred days" when the 73d Congress enacted a series of 15 major relief and recovery laws, many of which provided specific emergency powers to the President or broad general authority to address the crisis gripping the Nation. The Emergency Banking Relief Act, for example, authorized the President to declare a condition of national emergency and, "under such rules and regulations as he may prescribe," regulate banking and related financial matters affecting the economy. This statute also continued the Chief Executive's authority to suspend the operations of member banks of the Federal Reserve System.[64] Under the authority of the Civilian Conservation Corps Reforestation Relief Act, the President was granted broad power "to provide for employing citizens of the United States who are unemployed, in the construction, maintenance, and carrying on of works of a public nature in connection with the forestation of lands belonging to the United States or to the several States." Authority also was granted to house, care for, and compensate such individuals as might be recruited to carry out programs established pursuant to the act.[65] After declaring the existence of a national emergency with regard to unemployment and the disorganization of industry, the National Industrial Recovery Act authorized the President to establish an industrial code system and a public works program to facilitate the restoration of prosperity. The President could establish administrative agencies to carry out the provisions of the act, and might delegate the functions and powers vested in him by the statute to those entities.[66] Additional recovery programs would be given approval by the 74th Congress.

[61] Samuel I. Rosenman, ed., *The Public Papers and Addresses of Franklin D. Roosevelt, Vol. 2: The Year of Crisis, 1933* (New York: Random House, 1938), pp. 11, 15.

[62] Arthur M. Schlesinger, Jr., *The Coming of the New Deal* (Boston: Houghton Mifflin, 1959), p. 4.

[63] 48 Stat. 1; Rosenman, ed., *The Public Papers and Addresses of Franklin D. Roosevelt, Vol. 2: The Year of Crisis, 1933*, pp. 24–26, 48.

[64] 48 Stat. 1.

[65] 48 Stat. 22.

[66] 48 Stat. 195.

These federal programs served widespread, enduring, and organized interests in American society. The political coalition to which they gave rise lent definition to American political life, and the consequences were felt in the Congress. The tendency towards stability was already present, especially within the Democratic party, and the seniority system had entrenched the power of southern Democrats. The newcomers who came to town in 1933 and 1935 did not upset it; instead, those who stayed on enlisted themselves in its long apprenticeship. By cooperating with those at the top of the power structure, those at the bottom served their own interests and those of their constituents. This was a game ideally suited to the character and temperament of the Democratic party, a party marked by diversity and devoted to logrolling. From the Roosevelt administration, to the oligopoly on Capitol Hill, through the growing bureaucracy, to the congressional constituencies, everyone found something to gain.[67]

Indeed, "Roosevelt was careful to defer to the Democratic barons in the Congress on the control of federal spending," and harmony prevailed because Federal largesse was particularly sought by the southern States where the Great Depression had hit the hardest.[68] "Conservative southern opposition to Roosevelt remained quiescent," it has been observed, "until the court-packing episode of 1937, which triggered the development of the conservative coalition in the Congress. Roosevelt's decision to purge the Congress of southern Democrats who had opposed his reelection in 1936 sealed many southerners in opposition to him." [69]

Apart from Congress, New Deal efforts at combating the Depression, in the estimate of one analyst, also resulted in a transformation of the Presidency as well as inter-branch relations.

Since FDR, the public's expectations of the presidency have been different than they were before. The public expects leadership from the president, and it is the president who sets the basic elements of the national political agenda. But if the president can and must set the major items on the agenda, he cannot enact them by himself. Instead, he must seek to persuade the Congress to follow his leadership. This led to a strengthening of the link between the president and the speakership. On occasion speakers had been supporters of presidents, but there existed no norm that demanded it prior to the New Deal. Since the New Deal, speakers, especially Democratic speakers, have viewed it as their obligation to support presidents of their own party. Thus, the New Deal had the ironic effect of solidifying congressional power in the committee system, which the speaker could influence but not control, and of imposing on the speaker the duty of supporting a president of his own party. From 1932 forward, speakers would be caught in a crossfire between the congressional power structure and their obligation to the White House.[70]

SPEAKER HENRY T. RAINEY.—Formerly a practicing attorney and county master in chancery in Illinois, Henry T. Rainey was first elected to the House of Representatives as a Democrat in 1902. He served in the 58th Congress and the 8 succeeding Congresses (1903–1921). Unsuccessful in his 1920 campaign, he was returned 2 years later to the 68th Congress and served in the next five Congresses (1923–1934) until his death in office. When the Democrats, after 12 years, were returned to majority status in the House in 1931, "power in the party was centered in the Texas delegation" with John Nance Garner, "a leading force in the party since the Wilson administration," elected Speaker.[71] That year, "the southern Democrats controlled twenty-seven of forty-seven chairmanships" of the House committees.[72] Emerging as the new floor leader for the Democrats was Rainey, renowned for his "progressive political independence," according to his biographer, but a man who had gained the support of his more conservative colleagues through his reelection successes and efforts on behalf of farmers and agricultural relief.[73] However, in his new position, Rainey "was never able to win acceptance within the establishment" of House southern Democrats "and his relationship with Speaker Garner was strained." [74]

Ironically, "Garner's leadership of the Democratic party in the House brought to him great public visibility," as well as "ample political assets to enable him to contend for the presidency in 1932." [75] Supported by the newspapers of William Randolph Hearst, Garner won the California primary election and entered the Democratic National Convention with the solid support of the delegations from that State and Texas.

[67] Peters, *The American Speakership*, pp. 106–107.

[68] Ibid., p. 107.

[69] Ibid., p. 108; in February 1937, President Roosevelt sent Congress a draft bill to change the composition of the Federal judiciary, and, in particular, to allow him to expand the membership of the Supreme Court, which had recently struck down New Deal recovery legislation; the following year, he made appeals to party faithful for the defeat of some southern Democrats seeking reelection to Congress.

[70] Ibid., pp. 108–109.

[71] Ibid., p. 110.

[72] Ibid., p. 109.

[73] Robert A. Waller, *Rainey of Illinois: A Political Biography, 1903–1934* (Urbana, IL: University of Illinois Press, 1977), p. 159; see also Ibid., pp. 138–158.

[74] Peters, *The American Speakership*, p. 114.

[75] Ibid., p. 113.

With the convention deadlocked after three ballots, Garner threw his support to Roosevelt to be the party's Presidential candidate and was rewarded with the Vice Presidential position on the ticket. When the Democrats won the Presidential contest, the speakership for the 73d Congress became open.

Rainey had been elected his party's floor leader in 1931 "with a coalition of southern and northern support," but "he remained very much an outrider in a leadership structure that was dominated by the southern oligarchy."[76] Several factors contributed to his election to succeed Garner as Speaker. In addition to Rainey, four southerners and a New York City Representative emerged as contenders for the speakership, with the result that "the party suffered a complete geographic split, with candidates from each of its major regions."[77] Within the institution of the House, Rainey was the second-longest-serving Member, and had earned the respect of many of his Democratic colleagues as their floor leader and as one in that role who "was not disloyal to Garner." Moreover, "Rainey's election was ensured by the election of 129 new Democrats; of these, ninety-five were from the North, twelve from border states, and seventeen from the South," with Illinois, his home State, electing the most new Democratic Members—11 in total.[78]

These new members were politically tied to President Roosevelt's commitment to political action. Rainey had for several years advocated a diffusion of the power structure in the House through the creation of a party steering and policy committee similar to that employed by the Republicans. In 1933 he made this proposal a key element in his campaign platform for the speakership. The concept of a party steering committee had been strongly opposed by Garner, who favored the management of the House by the speaker and the committee chairmen. But the idea was very attractive to new members, who could have no hope of influence under the leadership of the old guard. . . . Rainey became the first speaker since Champ Clark to come to the office committed to reform, and like Clark he was committed to decentralizing reforms.[79]

However, after becoming Speaker, Rainey eventually made only slight changes in the committee system. "Among forty-five standing committee chairmen of the House," by one estimate, "there were no uncompensated violations of seniority."[80] He would, nonetheless, carefully manage the House committee system in other ways, while attempting to pursue his reform proposals and lend support to the new President's efforts at achieving economic recovery.

Speaker Rainey's commitment to diffuse power in the House ran head-on into the presidency of Franklin Roosevelt and his first hundred days. However much the speaker and his supporters might have wanted collegial decision making, the country demanded immediate action that could only come about by firm control of the House. Rainey did appoint a steering and policy committee for the Democrats, and created a variety of special committees designed to involve members in the canvassing of opinion. But the real business of the House was being done at the other end of Pennsylvania Avenue, and Speaker Rainey's job was primarily to see to it that the president's program was expedited. In order to accomplish this, the speaker held up the appointment of most committees during the special session called by Roosevelt to deal with the crisis. He appointed a special committee to deal with the Economy Act, a budget-cutting measure that gave broad power to the president to cut federal expenditures, and he used the Rules Committee to bring the New Deal legislation to the House under special orders that severely limited the capacity of the membership to amend the bills as reported by committees.[81]

As Speaker, Rainey, according to his biographer, "was in an ideal position to serve as middleman between executive wishes and legislative fulfillment."[82] Prior to the convening of the 73d Congress, Rainey, in a January 1933 meeting with Roosevelt, had proposed a program to balance the budget and warned that increasing taxes "would be inviting revolution." It was, by one estimate, "an instance in which a congressional leader had prepared a complete fiscal program for

[76] Ibid., p. 114.

[77] Ibid., p. 115.

[78] Ibid., pp. 114–115.

[79] Ibid., p. 115; Rainey's biographer notes that when he announced his intention to seek the speakership, "Rainey indicated that he expected considerable support from the newly elected Democrats in the lower House," and identified other factors lending support to his bid for the speakership, such as being "a rallying point for all northern Democrats who were tired of seeing most of the party plums go to the South," having a "rural and small town background [which] would help balance a party which drew heavily from the urban areas and the Solid South," having the precedent that "[f]our of the Democratic Speakers since the Forty-seventh Congress . . . elevated from the post of majority leader and a fifth from acting majority leader," and perhaps even the "striking personal appearance" of the candidate; see Waller, *Rainey of Illinois*, pp. 174–175.

[80] Peters, *The American Speakership*, p. 116.

[81] Ibid., p. 117.

[82] Waller, *Rainey of Illinois*, p. 181; this biographer also acknowledges that "the record upon which to construct the climax of Rainey's career is limited severely" because "Franklin Roosevelt did not preserve memoranda of his personal conferences and phone conversations" and "most of the key legislative transactions were handled in this fashion;" Ibid., p. 181.

the President-elect."[83] Subsequently, authority for the President to cut Federal expenditures to realize a balanced budget was included in legislation to maintain government credit.[84] However, it also enabled the President to reduce the pensions and allowances of war veterans. In the course of an unsuccessful attempt to bind the party on the measure in caucus, Rainey learned of an amendment backed by the veterans' lobby to prevent the President from completely discontinuing a pension or other allowance or reduce them by more than 25 percent. Given that "Democratic unity was shattered by the economy bill," the legislation was brought to the floor "under a rule providing a two-hour limit, no opportunity for amendments, and one motion to recommit by anyone opposing the proposition." To avoid the veterans' lobby amendment, arrangements were made for another Democrat, "an ardent veterans' supporter," to seek to be recognized in order to move to recommit the entire bill. Rainey, as prearranged, recognized this man and, as expected, his motion was defeated, but the terms of the rule had been satisfied on this point. When the Member with the veterans' lobby amendment protested, contending that he believed he had caucus agreement that he would have an opportunity to offer his amendment to the recommitted measure, "Rainey coldly replied that he had no knowledge of a binding agreement." Moreover, he voted with those approving the bill. Thus, "the Speaker used his right to recognize with decisive effect, and saved the administration from an embarrassing defeat during its first few days in office."[85]

On another occasion, "Rainey used his influence as Speaker to block legislation that was not a part of the President's urgent program." As the Senate began considering an industrial recovery bill limiting labor to a 5-day week and 6-hour day, "Rainey predicted that if it should pass the Senate, it would be sidetracked in the House temporarily to clear the way for more urgent bills." When a companion bill to the Senate legislation was reported in the House, "Rainey was not inclined to give the matter preferential treatment on the House floor, and supported the administration in its demand for considerable revision." During the delay, the White House developed its own measure—to be known as the National Industrial Recovery Act—embracing the reduced labor hours objectives of the competing House and Senate 30-hour week bills.[86]

> Once the new measure was ready, Rainey announced that both the thirty-hour week bills had been put on ice. Several House committees wanted jurisdiction over the new bill. The Speaker assigned it to the Ways and Means Committee, although it was not directly a revenue measure. Rainey used his discretionary power in assigning bills to committee to foster the Roosevelt program. By the close of the session, the bill for industrial self-government was ready for the President's signature. The thirty-hour measures were left in limbo.[87]

Not every piece of Presidential legislation offered to achieve economic recovery, however, required the Speaker's attention. For example, to enact Roosevelt's "federal emergency relief, supervision of stock market operations, relief of small home owners, and railroad reorganization and relief" proposals, "Rainey's services as master parliamentarian were not needed." Nonetheless, the Chief Executive was appreciative of the assistance he provided.

> Rainey had identified himself fully with the President's program. While the Speaker is not called upon to vote during roll calls, the Illinoisan established a record by being enscribed as supporting New Deal measures on twenty-three separate occasions during the hundred days. At the close of the session, Roosevelt made a point of thanking the legislators through Rainey for their cooperation and teamwork in meeting the nation's problems.[88]

When the House convened in January 1934 to begin the 2d session of the 73d Congress, Rainey predicted "a short, harmonious and constructive session." The approaching fall elections, however, provided House Members a clear and understandable reason to assert themselves to gain visibility and an individual record that would justify being returned to office. This situation, together with the "presidential decision to outline needed legislation in his annual message and let Congress iron out the details proved a detriment to a short and harmonious session, but it was nonetheless a productive term."[89]

[83] Ibid., p. 182.
[84] 48 Stat. 8.
[85] Waller, *Rainey of Illinois*, pp. 182–183.
[86] Ibid., pp. 183–184.
[87] Ibid., p. 184.
[88] Ibid., p. 185.
[89] Ibid., p. 187.

As the session got underway, Rainey soon engendered Presidential displeasure on three issues. The first involved a bill providing special consideration for silver in financial transactions. In March, Rainey publicly praised the recently reported measure, and said it would likely pass the House and not incur White House objection. In fact, both the President and Secretary of the Treasury Henry Morgenthau were, by one estimate, "horrified at this bill's implications." Rainey subsequently got into a heated public dispute with Morgenthau over silver policy, moved the controversial silver bill, and was surprised by its approval by the House, which necessitated White House efforts to strike a compromise on the legislation in the Senate. More tension between the Speaker and the President ensued, but Roosevelt ultimately obtained sufficient compromise on the disputed legislation in the Senate that a veto was avoided. "The silver inflation debate was the only major occasion on which the Speaker differed markedly with the President," but it was the first of three controversies that left Roosevelt with less than full confidence in Rainey.[90]

The second controversy involved legislation—the Patman bonus bill—authorizing an immediate payment to World War I veterans based upon their service certificates. During the latter half of February, supporters of the bonus bill obtained the requisite number of signatures on a discharge petition to force the measure out of committee. At that time, the President warned the House, through Rainey, that it was not the appropriate time to approve such legislation. Both Rainey and Roosevelt were unwilling to expend the $2.4 billion authorized by the bill. When some question arose as to whether or not the President would allow the proposal to become law without his signature, Rainey wrote for clarification and received what became a highly public and unequivocal response from Roosevelt saying he would veto the legislation. The House, nonetheless, elected to follow an independent course and, in early March, voted by a 3 to 1 margin to approve the discharge petition. Thereafter, the House approved the bonus bill on a 295 to 125 vote, but when it arrived in the Senate, it was reported adversely and died without a floor vote. Nonetheless, "Rainey had been unsuccessful in getting the House to follow the President's guiding hand."[91]

The third controversy arose with the Independent Offices Appropriations bill and adherence to the President's economy program. In early January, "Rainey had pledged that the House would keep 'absolutely' within the budget recommendation limits submitted by the President," which was done when the Independent Offices measure was considered, but "only by an adroit series of parliamentary moves." As passed by the House, the bill was "perfectly acceptable to the President." Senate leaders were unsuccessful in their efforts to defeat amendments providing for the restoration of government employee pay cuts. When the legislation came back to the House, Rainey did not follow custom and send it to a conference committee, but took the somewhat unusual step of referring it back to the committee of origin, presumably to be crafted into a version acceptable to both the Senate and the President. The Appropriations Committee, however, declined to redraft the Senate version, and Democratic leaders failed in two caucuses to bind their House Members to ignore the Senate amendments to the legislation. When the Rules Committee reported a special rule on the measure that would have sent it to a conference committee without instructions from the House, the rule was overwhelmingly defeated. The bill was then open to amendment from the House floor, and among those successfully added was the full restoration of veterans' benefits reduced by the Economy Act of 1933. Ultimately, House amendments added $228 million to the President's original recommendations, which both Houses accepted. The President, however, did not, and he vetoed the bill. Rainey confidently predicted the veto would be sustained, but he completely misjudged the situation. The House voted 310 to 72 to override, with no fewer than 209 Democrats bolting.[92]

In the aftermath of this tumult—"Rainey helped to lead one revolt and was unsuccessful in halting the two others"—speculation and

[90] Ibid., pp. 189–191.

[91] Ibid., pp. 191–192.

[92] Ibid., pp. 192–194.

rumor soon arose that the President was sufficiently displeased with his party's House leaders that he would welcome a change. Emerging from a White House meeting in April, Rainey volunteered that the President "wanted me to stay where I am" as Speaker of the House.[93] After the 2d session of the 73d Congress ended in mid-June, Rainey embarked upon an extensive speaking tour as an ambassador for the New Deal. On August 10, due to fatigue and a slight cold, he elected to be admitted to a hospital in St. Louis for a few days' rest. Speaker Rainey died unexpectedly on August 19, 1934, 1 day short of his 74th birthday.[94]

SPEAKER JOSEPH W. BYRNS.—An attorney and former member of the Tennessee legislature, Joe Byrns was elected to the House in 1908 as a Democrat and served in the 61st and 13 succeeding Congresses. During the 72d Congress, he chaired the Appropriations Committee. He was among those who sought the speakership for the 73d Congress, and was made floor leader by the coalition that elected Rainey as Speaker. Although he was part of the House leadership that had displeased the President in 1934, his party colleagues in the House had high regard for him, not only as their floor leader, but also as the chairman of their Congressional Campaign Committee. "With his help," it has been observed, "the Democrats had actually increased their representation in the House in the off-year election of 1934," with the result that many in his party who had been returned to their seats or were newcomers "felt themselves indebted to him."[95] Many newspapers expected Byrns to be the next Speaker after Rainey's death. He had a few competitors for the position, the strongest of whom might have been Sam Rayburn of Texas, but he subsequently withdrew for several reasons, not the least of which was his State's control of several committee chairmanships and the Vice Presidency. Ultimately, the same coalition of northeastern, border, and midwestern Democrats who had installed Rainey as Speaker elected Byrns, with southern supporters, to that position.[96]

While some of the President's "brains trust" advisers urged him to announce his support for Rayburn, whom they favored as Speaker, Roosevelt remained discreetly silent about the contest. By one estimate, "Byrns was probably not his preference, but he may have thought that Byrns would win."[97] Nonetheless, "among all the candidates for the speakership, the only one who had stood with FDR in opposition to the {veterans} bonus in the previous session had been Byrns."[98] Moreover, "Byrns was known for party loyalty, for always being a regular party supporter. While he had served as majority leader," it has been observed, "his strong and continuing support of New Deal legislation, even those measures which he philosophically opposed, illustrated his party loyalty."[99] In a radio address given shortly after the convening of the 74th Congress, Speaker Byrns indicated that it was "not the function of Congress to initiate executive policies." That was the President's responsibility, and Congress "is and should be proud to accept his leadership," he said. Of the issues he foresaw ahead, he hoped a noninflationary way could be found to pay the veterans' bonus.[100]

Byrns soon brought the bonus question before the House, the legislative solution being to provide the necessary $2 billion by printing more money—a clearly inflationary course of action. He was among the 90 Members who voted against the legislation. In the aftermath of Senate approval of the bill, the President personally delivered his veto message to a joint session of the two Houses of Congress when, at the conclusion of his remarks, he handed the rejected legislation to Byrns. Immediately thereafter, the House voted overwhelmingly to override the veto, "but Byrns was one of the 98 in opposition." The next day, the Senate vote for an override was insufficient, but Speaker Byrns' loyalty to the President was, by then, on the record.[101]

Byrns next became involved in negotiating a massive emergency relief appropriations bill. Many House Members wanted to specify the

[93] Ibid., p. 197.
[94] Ibid., pp. 202–203.
[95] Peters, *The American Speakership*, p. 119.
[96] Ann B. Irish, *A Political Biography: Joseph W. Byrns of Tennessee* (Knoxville, TN: University of Tennessee Press, 2001), pp. 190–199.
[97] Ibid., p. 193.
[98] Ibid., p. 196.
[99] Ibid., p. 202.
[100] Ibid., pp. 216–217.
[101] Ibid., pp. 220–221.

kinds of jobs that would be created by the legislation, thereby limiting the discretionary authority of Secretary of the Interior Harold Ickes, whom they felt was unresponsive to congressional concerns. In a meeting on this matter, Roosevelt, Byrns, and Appropriations Committee Chairman James Buchanan reached a compromise: the funds would be appropriated without directions to the President regarding their expenditure, but the President would allocate the money himself rather than designating Ickes to perform this task. Byrns obtained caucus agreement to the compromise and the bill received overwhelming party support, with only 10 Democrats voting against it in the House. "Byrns had held his party in line; here was an example of his ability to forge consensus among the very different kinds of Democrats in the House." He and Vice President Garner subsequently intervened with the conference committee on the legislation to obtain a version acceptable to the President.[102]

Next came the Social Security Program. Byrns exerted his influence early, referring the legislation to the Ways and Means Committee, whose members he perceived were more favorable to the proposal than the skeptical members of the Labor Committee. When there was hesitation to report the bill, Byrns convinced committee members "that if they wanted to kill the measure, it should be defeated on the floor during public debate, not in a secret committee session." On the matter of a rule for bringing the legislation to the floor, "Byrns insisted the debate be as open as possible so that members would feel trusted, not coerced." He "based his desire for an open debate on the social security bill on assurance from Pat Boland's whip organization that the bill would pass." Indications were that an alternative plan to the President's proposal did not have much support. Such proved to be the case; Byrns' strategy succeeded.[103]

The House had to consider a number of additional important bills, and in expediting (or blocking) them, the speaker was influential mostly in little-noticed ways. These included persuading committees to finish their consideration so that bills could come to the floor, helping convince the Rules Committee to schedule bills for floor debate, and urging efficient floor consideration.[104]

The President's gratification with Byrns became apparent in early May 1935 when "Roosevelt lightheartedly scolded Senate leaders, suggesting they could learn from Speaker Byrns's methods and adopt legislation more expeditiously."[105] When illness prevented William Bankhead from carrying out his duties as Democratic floor leader, Byrns sometimes functioned as Speaker and majority leader, "and won compliments for his dual leadership role during Bankhead's absence."[106]

When the sometimes fractious House came to the close of the 1st session of the 74th Congress in late August, it was clearly evident that "Byrns had helped the administration achieve its goals," the last 3 months being so productive that many termed them the "second hundred days."[107]

Returning from travel in Asia late in the year, Byrns foresaw "nothing on the horizon that should cause any controversies" in the next session, but quickly added that "one never knows what is going to happen in the legislative halls at Washington." The unforeseen did burst on the scene a few days after the new session got underway: the Supreme Court invalidated the Agricultural Adjustment Act, with the result that the Nation was left with no farm program. Byrns arranged for efficient House consideration and passage of a constitutionally acceptable replacement program.[108]

More predictable was the early reappearance of veterans' bonus legislation. The track record on this issue was familiar by now, and support for such legislation was strengthened by a modest upturn in the economy and a looming national election. Byrns thought the passage of such a bill was inevitable. The White House may have concurred, but when the measure was sent to the President, he perfunctorily vetoed it, only to have his rejection overridden by both houses.[109]

Due, in part, to Bankhead's return to perform his floor leader duties, "Byrns was not nearly as prominent in the 1936 session as he had been a year earlier," and "because the long 1935 session had been so productive, the 1936 session saw less

[102] Ibid., pp. 221–222.
[103] Ibid., pp. 223–224.
[104] Ibid., p. 224.
[105] Ibid., p. 226.
[106] Ibid., p. 227.
[107] Ibid., p. 232.
[108] Ibid., pp. 241–242.
[109] Ibid., pp. 242–243.

controversy and less necessity for a speaker to use his position publicly to achieve a result." As it happened, "Byrns had no chance to compile his own summary of this session's accomplishments," it has been observed, "but he must have felt satisfaction as he saw the Seventy-fourth Congress meeting the goals he had suggested at the outset of his speakership." [110] Approximately 2 weeks prior to the end of the Congress, Speaker Byrns died suddenly on June 4, 1936.

SPEAKER WILLIAM B. BANKHEAD.—Advised by the House Parliamentarian of the need for a new Speaker in order that the business of the 74th Congress could be concluded, House leaders turned to Will Bankhead.[111] An attorney, State legislator, and city attorney of Huntsville, Bankhead was first elected to the House of Representatives from Alabama in 1915, serving in the 65th and 11 succeeding Congresses. His father had been a Member of the House and the Senate, and during his own service in the House, his brother was a Senator. Unsuccessful in his bid to become House majority leader in 1932, he became the acting chairman and then chairman of the Rules Committee during the 74th Congress. Two years later, his election as majority leader was secured. In his later congressional career, Bankhead was beset by health problems. He suffered major heart attacks in 1932 and 1935, and "labored with a weak heart during the remainder of his life." [112] As a consequence, Bankhead formed a close working relationship with his deputy, Majority Leader Sam Rayburn. "Working in close cooperation with the administration, Sam Rayburn," according to one assessment, "provided the strength that Bankhead lacked." [113]

At the time of the death of Speaker Byrns in June 1936, the "Depression continued, but people had confidence that their federal government was working to end their distress." [114] For many, the sense of desperation within the country had subsided and the relief legislation Congress was being asked to enact by the Roosevelt administration was of a smaller quantity and somewhat less urgent character than the New Deal proposals of 1933–1934. Indeed, the exclusively domestic focus of the first Roosevelt administration was supplemented with growing defense and foreign policy considerations during the second term. It was in this changing policy environment that Bankhead played his leadership role.

> Bankhead's party loyalty was beyond question; the high regard in which he was held by minority leaders Bertrand H. Snell and Joseph W. Martin, Jr. and others is a testimony to his fairness as a presiding officer. His congressional colleagues remember him as the only Speaker who could get order in the House merely by standing up. Gavel rapping was seldom necessary. He followed House precedent and seldom made a formal speech. When he did leave the chair to speak in behalf of a particular bill, he was listened to with much more than usual interest.[115]

Bankhead's efforts (and those of Rayburn) to assist the White House with securing the passage of legislation addressing the emergency conditions of the Great Depression were complicated, and sometimes hampered, by other legislative issues and the President's demands regarding them. For example, "the congressional leaders were not consulted and knew nothing of the President's explosive judiciary reorganization plan until they were called to the White House a few hours before it was made public." [116] Subsequently, among the more "serious consequences" of this legislation was "the split it produced in the Democratic ranks" with the result that "congressional leaders encountered unexpected opposition to less controversial administration measures." [117] The President's executive reorganization legislation, which was proposed shortly after his judiciary reorganization plan was unveiled, was affected, the bill being perceived "as giving the President dictatorial power." The executive reorganization legislation "continued to be a headache for Bankhead and other party leaders until a greatly watered-down version was passed in 1939." [118]

Other fractious issues militating against Bankhead's efforts to gain support for the President's relief proposals included the Ludlow reso-

[110] Ibid., p. 249.
[111] Ibid., p. 252.
[112] Peters, *The American Speakership*, p. 120.
[113] Ibid.
[114] Irish, *A Political Biography*, p. 249.
[115] Walter J. Heacock, "William B. Bankhead and the New Deal," *Journal of Southern History*, vol. 21, August 1955, p. 354.
[116] Ibid., p. 355; see also Kenneth S. Davis, *FDR: Into the Storm, 1937–1940: A History* (New York: Random House, 1993), pp. 84–87.
[117] Heacock, "William B. Bankhead and the New Deal," p. 356.
[118] Ibid.; see, generally, Richard Polenberg, *Reorganizing Roosevelt's Government: The Controversy Over Executive Reorganization, 1936–1939* (Cambridge, MA: Harvard University Press, 1966).

lution, which proposed to amend the Constitution to require a national referendum to validate any congressional declaration of war and neutrality legislation.[119] "The year 1938," by one estimate, "saw the culmination of domestic reforms and the shifting of attention to international affairs."[120] Bankhead served Roosevelt as a legislative leader through the President's second term. He was not the only such leader consulted by the President. "Roosevelt, preferring to deal with Congress in his own way, frequently chose to consult directly with chairmen whose committees held the fate of his program," and, it was said, by engaging in such consultations, "FDR embarrassed Bankhead to demonstrate his own dominance over Congress."[121] Although Bankhead was not among those "urging the President to seek re-election, he announced his full support of the Roosevelt program and his readiness to support the President should he decide to seek another term."[122] At the July 1940 Democratic National Convention in Chicago, he stood as a candidate to be Roosevelt's Vice Presidential running mate, but was not successful. Nonetheless, he subsequently called upon all Democrats to support the party ticket. Following his own advice, Speaker Bankhead, about to launch the Democratic campaign in Maryland with a speech in Baltimore, collapsed suddenly in his hotel room and died a few days later on September 15, 1940.

WORLD WAR II

At the time of Speaker Bankhead's death, nations of Europe had been at war for 12 months, and Japan's aggression in China had been underway for an even longer period of time. The formal entry of the United States into World War II occurred on December 8, 1941, with a declaration of war against Japan in response to the attack on Pearl Harbor in the Hawaiian Islands and other U.S. possessions that had occurred the previous day.[123] Three days later, on December 11, war was declared against Germany and Italy.[124] As a result of the 1940 elections, President Roosevelt had been returned to office for an unprecedented third term.

During Roosevelt's first and second Presidential terms (1933–1940), as totalitarian regimes began threatening the peace of Europe and Asia, Congress adopted a series of Neutrality Acts restricting arms shipments and travel by American citizens on the vessels of belligerent nations.[125] Two months after war commenced in Europe in September 1939, Congress, at the President's request, modified the neutrality law by repealing the arms embargo and authorizing "cash and carry" exports of arms and munitions to belligerent powers.[126] Some advanced weapons—aircraft carriers and long-range bombers—were procured for "defensive" purposes. More bold during the period of professed neutrality was the President's unilateral transfer of 50 retired American destroyers to Great Britain in exchange for American defense bases in British territories located in the Caribbean. The President also negotiated a series of defense agreements whereby American troops were either stationed on foreign territory or were utilized to replace the troops of nations at war in nonbelligerent tasks so that these countries might commit their own military personnel to combat. Such was the case with Canada when, in August 1940, it was announced that the U.S. Navy, in effect, would police the Canadian and American coasts, providing mutual defense to both borders. Canadian seamen would, of course, be released to aid the British Navy. In April 1941, American military and naval personnel, with the agreement of Denmark, were located in Greenland. In November, the Netherlands concurred with the introduction of American troops into Dutch Guiana.

With the declarations of war and the impending international crisis, Roosevelt, by one estimate, became "a President who went beyond Wilson and even Lincoln in the bold and successful exertion of his constitutional and statutory powers." Congress "gave the President all the power he needed to wage a victorious total war, but stubbornly refused to be shunted to the back

[119] Davis, *FDR: Into the Storm, 1937–1940*, pp. 189–190, 392–394, 399–415, 449–458.

[120] Heacock, "William B. Bankhead and the New Deal," p. 357.

[121] D.B. Hardeman and Donald C. Bacon, *Rayburn: A Biography* (Lanham, MD: Madison Books, 1987), p. 245.

[122] Heacock, "William B. Bankhead and the New Deal," p. 358.

[123] 55 Stat. 795.

[124] 55 Stat. 796, 797.

[125] 49 Stat. 1081, 1152; 50 Stat. 121.

[126] 54 Stat. 4.

of the stage by the leading man." The Supreme Court "gave judicial sanction to whatever powers and actions the President and Congress found necessary to the prosecution of the war, and then post bellum had a lot of strong but unavailing things to say about the limits of the Constitution-at-War." [127]

THE HOUSE ENVIRONMENT.—The 1940 elections gave the Democrats large majorities in the House (268 to 162) and Senate (66 to 28). As a result of the 1942 elections, these margins narrowed in the House (218 to 208), although less so in the Senate (58 to 37). The 1944 elections strengthened the Democratic majority in the House (242 to 190), but resulted in only a slight change in the Senate (56 to 38).

Once war came, Congress quickly adjusted itself to the conditions of war, and it was by no means the anachronism that many—including some of its own members—predicted it would be. Issues were raised which needed to be resolved politically, and, as before the war, the President and the government agencies continued to ask Congress for funds and for authority. The President was given great powers, but he was not a dictator, and Congress did not become a rubber stamp in delegating power. The relationship with the President and the numerous war agencies raised many problems, for though it was agreed that the prosecution of the war came within the province of the President, Congress did not wish to delegate all authority over domestic issues to the expanding bureaucracy. A wartime President was expected to have more power, to be able to act without certain congressional restraints, but once this major premise was granted, the allowable sphere of congressional action had still to be determined.[128]

In the House, Speaker Bankhead and Majority Leader Rayburn had encountered determined opposition to administration legislation from southern Democrats in 1938, but, "when administration foreign policy was involved, the South was inclined to be cooperative." [129] Such cooperation generally became more widespread as war erupted in Europe late the following year, and culminated in the declarations of war in December 1941. When the 1942 elections reduced the Democratic majority in the House, "sniping at the administration increased" during the 78th Congress.[130] The wartime bureaucracy was a primary object of attack and derision.

In the growing tensions and frustrations of the war economy, citizens registered complaints of every kind to their Congressmen—against administrative ineptitudes, against highhanded bureaucrats, controls, and rationing, against the forty-hour week and strikes, and against real or assumed injustices to relatives in the armed forces. Many members of both houses were quick to champion such causes, waging something of a guerrilla war in the two chambers and through the newspapers and radio against war agencies and their administrators. Much of the drumfire was of more than momentary significance, for it reflected a growing offensive to try to dismantle Roosevelt's prewar domestic reforms and halt any moves that tended to impose new social ideas.[131]

It also contributed to a phenomenon, described below, which often produced consternation and discomfort for both the administration and the principal congressional leaders of the President's political party.

The proliferation of investigation committees was one of the singular characteristics of the war Congress. The emphasis on investigation, on the control of policy after the passage of an Act, was a spontaneous congressional reaction, as it were, to the increasing number of activities with which the administrative branch was concerned. At the beginning of the war, the major investigation committees were the Truman Committee (Senate Special Committee Investigating the National Defense Program), which was interested in questions relating to production; the Tolan Committee (House Committee on Inter-state Migration), which broadened its activities from migratory labor to include also general problems relating to the organization of production; the Murray and Patman Committees (Senate and House Committees on Small Business); the Maloney Committee (Senate Special Committee to Investigate Gasoline and Fuel-Oil Shortages); and the House and Senate Committees on Military Affairs and on Naval Affairs. There was considerable overlapping of committee interests inasmuch as jurisdictions were not precisely determined. Some dozen different committees were concerned with such controversial subjects as rubber production; manpower policy was considered by the Labor Committee as well as by the Military Affairs, Appropriations, Judiciary, and Agricultural Committees, and by the Truman and Tolan Committees.[132]

Generally, the congressional situation did not improve as the prospects for victory in Europe

[127] Rossiter, *Constitutional Dictatorship*, p. 265; for a catalog of emergency powers granted to the President during the period of the war, see U.S. Library of Congress, Legislative Reference Service, *Acts of Congress Applicable in Time of Emergency*, Public Affairs Bulletin 35 (Washington: Legislative Reference Service, 1945).

[128] Roland Young, *Congressional Politics in the Second World War* (New York: Columbia University Press, 1956), pp. 4–5.

[129] Heacock, "William B. Bankhead and the New Deal," p. 357.

[130] Josephy, *On the Hill*, p. 336.

[131] Ibid.

[132] Young, *Congressional Politics in the Second World War*, p. 19; concerning the Truman committee, see Donald H. Riddle, *The Truman Committee: A Study in Congressional Responsibility* (New Brunswick, NJ: Rutgers University Press, 1964); Harry A. Toulmin, Jr., *Diary of Democracy: The Senate War Investigating Committee* (New York: Richard R. Smith, 1947); Theodore Wilson, "The Truman Committee, 1941," in Arthur M. Schlesinger, Jr., and Roger Bruns, eds., *Congress Investigates: A Documented History, 1792–1974*, vol. 4 (New York: Chelsea House, 1975), pp. 3115–3136.

and the Pacific steadily became stronger during 1943 and 1944 and Roosevelt's return to the White House for a fourth Presidential term grew more likely. By one estimate, the "1944 session of Congress, attuned to the presidential election of that year, was more partisan and quarrelsome than the one of the year before."[133] In the subsequent playout of history, Roosevelt retained the Presidency and his party increased its majority hold on the House, but his tenure in office ended suddenly on April 12, 1945, with his death in Warm Springs, GA. Shortly thereafter, on May 8, came the Allies' victory in Europe, followed by victory over Japan on August 15.

SPEAKER SAM RAYBURN.—First elected to the speakership on September 16, 1940, to succeed the fallen Will Bankhead, Samuel T. Rayburn remained in this position throughout the years of World War II, and subsequently became the longest serving Speaker—over 17 years—in American history. A Texas attorney and State legislator, he was first elected to the House in 1912 as a Democrat, serving in the 63d and the 24 succeeding Congresses. Rayburn became the chairman of the Interstate and Foreign Commerce Committee during the 72d Congress and remained in that leadership position for the next two Congresses. In this capacity, he had endeared himself to the Roosevelt administration by assisting with the passage of some of the most controversial New Deal legislation.[134] Moreover, within a few years after entering the House, Rayburn became a protege of the influential John Nance Garner, who became an intermediary to the House for President Wilson, Speaker of the House (1931–1932), and Vice President (1933–1941).[135] His close ties to Roosevelt and Garner, as well as his being a member of the powerful Texas congressional delegation, militated against his initial attempts to gain a top House leadership position in 1934.[136] "Speaker Byrns's death in 1936 opened the door for Rayburn," it has been said, "and Speaker Bankhead's death four years later closed it behind him."[137] Moreover, his long experience in the House would serve him well. Indeed, according to one considered view, "Sam Rayburn entered upon the duties of Speaker of the House with better training for the speakership than any of the forty-two men who had preceded him."[138]

The House environment initially encountered by Speaker Rayburn in 1941 was familiar from his recent majority leader experience. "The Democratic majority was substantial, but it included a number of members who were prepared to oppose the administration on almost any given issue," according to one assessment.[139] Moreover, there were dangerous cross currents at work.

> The delicate situation was made more so by the necessity of winning congressional acceptance of a shift in the official government posture toward the war in Europe. The President, while pushing for a strong defense program, had sedulously endeavored to turn popular thinking away from the possibility that the nation might become involved in armed combat.[140]

The President quickly tested Rayburn's skills as a legislative manager working on his behalf. In early January, administration draftsmen began developing a bill authorizing the President to have the Armed Forces place orders for such defense articles as they required, as well as for such additional quantities of such materials as the United States might lend or lease to other nations. Great Britain, which had just repelled savage and sustained German air attacks, would be the immediate beneficiary. Rayburn contributed to perfecting the final version of the lend-lease legislation, which was introduced by Majority Leader John McCormack as H.R. 1776, "A Bill to Further Promote the Defense of the United States."[141]

> The bill defined defense articles so broadly as to make nearly anything a defense article if the President said so. It authorized the Chief Executive to order any government official to have manufactured in arsenals, shipyards, factories or to procure in any way any defense article for the use of any country the President named—"notwithstanding the provisions of other laws." The President also could order any defense article to be sold, exchanged, transferred, leased, lent, or tested, inspected, proved, repaired, outfitted or reconditioned, for the use of any party he might name—again without regard to other laws. The bill provided that defense infor-

[133] Josephy, *On the Hill*, p. 338.
[134] Peters, *The American Speakership*, p. 123.
[135] Ibid., p. 120.
[136] Ibid., pp. 118–119.
[137] Ibid., p. 121.
[138] Booth Mooney, *Roosevelt and Rayburn: A Political Partnership* (Philadelphia: J.B. Lippincott Company, 1971), p. 147.
[139] Ibid., p. 155.
[140] Ibid.
[141] See, generally, Warren F. Kimball, *The Most Unsordid Act: Lend-Lease, 1939–1941* (Baltimore, MD: Johns Hopkins Press, 1969).

mation might be communicated to any government the President named and that any defense article could be released for export to any country he named. And it authorized the President to issue such orders as he considered necessary to carry out any part of the act.[142]

Rayburn began gathering votes in support of the legislation. He could count on the southern Democrats, who were "almost unanimously interventionist while the Republicans were hopelessly split." After canvassing other colleagues, he perfected four specific modifications, to be approved in committee, which would garner additional votes for the measure on the floor. "Rayburn thought it might also be well, as an insurance measure, to do some trading with representatives from farm states by providing that cash payments would be made for food and other raw materials provided under terms of the bill." Finally, "during the two days of debate Rayburn successfully stifled efforts by isolationist members to amend it into innocuousness." The House adopted the legislation in early February by a margin of almost 100 votes.[143] It was subsequently signed into law on March 11, 1941.[144]

An even more daunting task, however, soon fell to Rayburn. The military conscription law enacted in September 1940, providing that Army draftees would be in uniform for only 1 year of training, would expire unless it was statutorily extended before the end of August. In continuing the draft law, Roosevelt wanted to extend tours of service to 18 months. Opposition to extending the law was widespread and highly emotional. Initially, Rayburn personally appealed to many of his colleagues, being "no less convinced than Roosevelt that an extension of the draft was imperative for national security."[145] Up to the moment the final vote began, the outcome was uncertain. The clerk completed the first call of names and then started the second required call to obtain the votes of those who had not initially answered. The result was a tie, which meant defeat for the draft extension bill, but many Members were coming to the well of the House to be recognized to change their votes. When this process reached a point where the vote was 203 to 202 in favor of the legislation, Rayburn announced the final vote and declared the bill had passed. Protests broke out. The Speaker recognized a Member opposed to the bill, who asked for a recapitulation of the vote, a purely mechanical examination of the vote to determine that each Member had been correctly recorded. When this was completed, Rayburn declared there was no correction in the vote, "the vote stands, and without objection a motion to reconsider is laid on the table." The tabling of the motion to reconsider meant that no reconsideration could occur without unanimous consent. The draft extension bill had been saved in the House by a single vote and the adroit action of the Speaker.[146]

In the closing weeks of 1941, Rayburn was instrumental in obtaining passage of amendments to the Neutrality Acts which would allow armed American merchant ships to enter combat zones or the ports of belligerent nations. He gained some votes by persuading the President to send him a letter making a personal appeal for the amendments. This he read on the floor to the Members, but, to garner a sufficient number of votes for the amendments, he also agreed to allow an antistrike bill, which he had blocked because he considered it unfair, to come to the floor. "If Rayburn deserved credit for winning repeal of the neutrality restrictions," it was observed, "he also shared blame for allowing a harsh antistrike measure to pass the House a few days later."[147] The political climate, necessitating such tradeoffs, would shift significantly shortly thereafter with the attack on Pearl Harbor and the entry of the United States into World War II.

United, at least, in their desire to win the war, Democrats and Republicans temporarily put aside their differences to give Franklin Roosevelt the basic laws he needed to strengthen the war effort. Victories came deceptively easy for the House leadership as Congress handed the President vast wartime powers, appropriated staggering sums for the military, found new revenue to finance the war by adding some 25 million Americans to the tax rolls, and expanded the draft to include 18-year-olds. "No administration in time of war ever had greater cooperation than we have given the present administration," said House Republican Leader Joe Martin.[148]

[142] Mooney, *Roosevelt and Rayburn*, p. 159.
[143] Ibid., pp. 160–162.
[144] 55 Stat. 31.
[145] Mooney, *Roosevelt and Rayburn*, pp. 164–165.
[146] Alfred Steinberg, *Sam Rayburn: A Biography* (New York: Hawthorn Books, 1975), pp. 171–172.
[147] Hardeman and Bacon, *Rayburn*, p. 272.
[148] Ibid., p. 279.

This last action—extending the draft to 18-year-olds—was costly for Democrats in the House and Rayburn could see the result when he convened the 1943 session: 50 Members from his party in the previous Congress were gone, and his margin over the minority was 11 votes. The precariousness of the situation soon became apparent when a large number of southern Democrats failed to appear on the House floor to cast their votes for an initial group of administration bills, causing them to be defeated. Rayburn, however, declined to punish the absentees.[149] Nonetheless, his efforts on behalf of the administration during the year brought him public praise from both the President and the First Lady.[150] There was even a fleeting possibility that Rayburn might become Roosevelt's Vice Presidential running mate on the 1944 ticket.[151] Rayburn was reelected to the House where he once again was installed as Speaker and the Democrats again held a 50 vote margin.

> Renewed optimism gripped Washington as 1945 began. It promised to be an eventful year. The Democrats firmly controlled Congress. Political appointees could see four more years of job security ahead. In Europe, the allies were drawing a tight ring around Hitler's Germany; in the Pacific, U.S. Marines were advancing rapidly toward a final showdown with Japan. The war would be over in a year, according to most predictions.[152]

Indeed, it was an eventful year: the Presidency of Franklin D. Roosevelt came to an end with his death, and the end of World War II came with the dawning of the Atomic Age. The career of Sam Rayburn as Speaker of the House, however, continued for many years after the conclusion of the national emergencies which had first tested his leadership.

[149] Steinberg, *Sam Rayburn*, p. 213.
[150] Ibid., p. 215.
[151] Ibid., pp. 215–220, 222; Hardeman and Bacon, *Rayburn*, pp. 291–297.
[152] Hardeman and Bacon, *Rayburn*, p. 301.

Chapter 8

The Changing Speakership

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The speakership is a unique office due to its dual institutional and partisan functions. On the one hand, the Speaker of the House is its constitutionally designated presiding officer. As such, the Speaker has an obligation to preserve the prerogatives and respect the integrity of the House as a whole and of all of its Members without regard to party affiliation. The Speaker's main parliamentary obligation is to enable the House to perform its legislative functions. To the office is entrusted the responsibility to facilitate the legislative process so that the Congress can perform its constitutional role. On the other hand, the Speaker is the leader of the majority party and is responsible for offering political and policy direction, attending to the electoral needs of Members of his own party, and enabling his party to gain or retain a legislative majority so that it can press its policies into public law.

In the 30 years since the reform movement of the early seventies, the speakership has undergone substantial change. The evolving character of the office has demonstrated two tendencies: a shift in emphasis from the parliamentary role of presiding officer to the political role of party leader, and a shift in attention from legislation to events external to the legislative process. This change can be easily illustrated by contrasting the way that Speaker Carl Albert (D–OK, Speaker from 1971 to 1977) and current Speaker Dennis Hastert (R–IL) allocated their time. Albert presided over the reform movement. A protege of Speaker Sam Rayburn (D–TX), Albert bridged the transition from the pre-reform to the post-reform eras. He straddled the transition from the old order to the new, but his orientation toward the speakership was distinctly traditional. Albert was well known for a punctilious attendance on his duties as presiding officer, recognizing Members to speak, ruling on points of order, and so forth.[1] He was often to be found in the chair, and felt that it was the best place to be if one wanted to feel the pulse of the institution, as Members knew where to find him and would frequently come to visit with him. When not presiding, Albert was typically to be found in his office, arriving at 7 each morning and usually not leaving the building until the early evening. His attendance at political functions was intermittent, and participation in fundraising events was rare. Albert did initiate some changes consistent with the new order. He proposed a legislative agenda, was the first to use an ad hoc committee to process legislation, the first to utilize a party task force to define a party position, and the first to hire a full-time press secretary. Nonetheless,

[1] The Speaker does not preside over the Committee of the Whole House, where most amendments to legislation are considered. He does preside over the House itself on final consideration of legislation, unless he chooses to name a Speaker pro tempore. Speaker Albert usually did not name a Speaker pro tempore unless he was unable to preside for some reason. Speaker Hastert routinely appoints Speakers pro tempore.

Albert recognized his obligation to fulfill the Speaker's parliamentary role. This was clearly illustrated in his approach to the impeachment proceedings for President Nixon and the handling of Vice President Agnew's resignation, during which Albert was insistent that no partisan advantage be taken.

Speaker Hastert's schedule is fuller and his days perhaps even longer than Albert's, but his time is spent differently. He is rarely in the chair. Instead, his time is spent in an endless series of meetings with members of the extended leadership group, members from various committees working on pending legislation, various factional organizations within the Republican conference, staff meetings to develop legislative strategy, meetings to set strategies for upcoming campaigns and elections, and of course, the meetings, phone calls, receptions, and trips necessary to sustain the legislative party's fundraising base. Whereas Speaker Albert had his primary residence in Washington, DC, Speaker Hastert maintains his primary residency in his Illinois district, and spends many weekends at home there.[2] Speaker Albert rarely traveled to campaign or to solicit campaign funds; Speaker Hastert visits scores of legislative districts each year, and is his legislative party's primary fundraiser. When Hastert was elected Speaker it was anticipated that he would take a different approach to the office than had his predecessor, Newt Gingrich (R–GA). Gingrich had offered himself as a national leader of the Republican Party and wanted to use the speakership as a platform for his policy positions. He was also the field general of the Republican revolution, raising money and campaigning for Members. Hastert, in contrast, was to be a "man of the House," returning the House to "regular order," and respecting the prerogatives of the committees. When we consider how Hastert spends his time, however, it looks a lot more like Gingrich than like Albert. Hastert travels often, has raised more money than Gingrich did, and is deeply engaged in both legislative and political strategy.

How did the speakership evolve from Albert to Hastert, and what have been among the most important aspects of this transformation serving to define the speakership today? To address these questions, we first discuss the political context that defines the speakership today. Then, we consider the changing character of the Speaker's role within the legislative process, the "inside game." Third, we characterize the increasing external demands on the Speaker, the "outside game." Fourth, we assess the relationship between the Speaker's internal and external role in the context of what has been called the "permanent campaign." Fifth, we consider the Speaker's important relationship to the Presidency. We conclude by considering the effect on the speakership of political party and the personal characteristics of individual Speakers.

THE POLITICAL CONTEXT

In a stable, democratic regime the process of change often occurs so incrementally that we do not take note of the changes until they have already occurred. Occasionally, of course, there is a sharp break with the past. Such was the case when the reform movement fundamentally realigned the power structure in the House, empowering the Speaker and diminishing to a degree the power of the committees. But we can now see that the changing character of the speakership was not due to the changes wrought by the reform movement as much as it was to an underlying realignment in American politics. The reformers themselves did not foresee this. They were liberal Democrats who wanted to break the grip of the southern, conservative committee chairs of their own party; but they certainly had no notion of empowering Republicans.[3] They wanted to strengthen the speakership because this would serve their own policy goals; but they had no desire to create a "czar" for the House. The liberal Democrats believed that the majority of the American people supported their policy positions, and that a more open and accountable legislative body would embrace those policies; they did not anticipate that the more open and accountable process could be accessed by conservative Republicans whose aim

[2] Jonathan Franzen, "The Listener," *New Yorker*, Oct. 6, 2003, pp. 84–99.

[3] Burton D. Sheppard, *Rethinking Congressional Reform* (New York: Schenkman, 1985).

was to drive them from power. But this is in fact what happened.

The realignment in the American political system that brought about the transition from a Congress dominated by the Democrats to one that, albeit narrowly divided, is at present under Republican control, took a full generation to materialize. It began with the passage of the Civil Rights Act of 1964 which, as President Johnson well understood, opened the door to the South to the Republican Party. It was delayed for 20 years in part because the Watergate scandal enabled the Democrats to seize and subsequently to hold a substantial number of previously Republican districts in the elections of 1974 and 1976. It culminated in the election of Republican House and Senate majorities in the 1994 election. By the 2000 election, the American people appeared to be about evenly divided in their support of Democrats and Republican; but the constitutional structure gives more square miles to the GOP, with the Democrats piling up substantial majorities in congressional districts that are stacked on the two coasts and in the big cities of the Midwest. With population shifting to the South and Southwest, and with the conversion of the South from Democratic to Republican control, the political landscape has been radically transformed since the reform movement in the House of Representatives. One result has been the "homogenization" of the two parties.[4] Most Democrats and Republicans now hold safe seats. As the two parties have sorted out the districts, each party has become more ideologically homogenous. Democrats are more solidly liberal with a small and dwindling number of conservatives; Republicans are now more solidly conservative with a small and dwindling number of moderates. Thus, two evenly divided congressional parties face each other across a wider ideological chasm. There are two principal consequences of this: first, each party must place greater emphasis on elections in order to hold place; second, the majority party (presently the Republicans) must gather legislative majorities from within its own ranks since it can anticipate few, if any, crossover votes from the minority (now the Democrats).

The House of Representatives was a main battleground of this partisan realignment. Beginning with the election of 1978, a new generation of younger, more conservative, and more confrontational Republicans came to the House determined to bring to the House a Republican majority.[5] Their leader was Newt Gingrich. During the eighties, Gingrich and his allies in the "Conservative Opportunity Society" sought every opportunity to challenge the Democrats—their policies, their leaders, and their management of the House. The Republican's goal was to turn seats held by Democrats into seats held by Republicans. This Republican onslaught forced the Democrats to take defensive measures in both the legislative and electoral processes. Legislatively, the Democrats sought to use their majorities to control the House agenda in order to prevent the Republicans from forcing floor votes on politically inspired amendments. This greatly enhanced the role of the Speaker and the Rules Committee as agents of party governance. Electorally, the Democrats sought to strengthen their fundraising capacity, candidate recruitment, and electoral strategy. As their leader, Speakers O'Neill, Wright, and Foley became increasingly engaged in electoral activities. These activities were not confined to a campaign season, but instead extended through the calendar year with planning for the next election beginning as soon as the current election was over.

Since the Republican triumph in the 1994 elections, party control of the House of Representatives has been up for grabs. The Republican 26-seat majority was initially expanded by the recruitment of five party-switching Democrats, but then dwindled with the elections of 1996 and 1998 to establish the very narrow Republican House majority we observe today.[6] In the description of Michael Barone:

> The United States at the end of the 20th century was a nation divided down the middle. In 1996, Bill Clinton was re-elected with 49.2 percent of the vote. That same year, Republicans held the House, as their candidates led Democrats

[4] David W. Rhode, *Parties and Leaders in the Postreform House* (Chicago: University of Chicago Press, 1991).

[5] Dan Balz and Ronald Brownstein, *Storming the Gates* (Boston: Little Brown, 1996).

[6] At the outset of the 108th Congress there were 229 Republicans, 205 Democrats, and 1 Independent who organized with the Democrats.

by 48.9 percent to 48.5 percent. In 1998, Republicans again held onto the House, as their candidates led in the popular vote by 48.9 percent to 47.8 percent. On November, 7, 2000—although the final result was not known until 5 weeks later—George W. Bush won 47.9 percent of the vote, and Al Gore won 48.4 percent. The same day, House Republican candidates led Democrats by 49.2 percent to 47.9 percent.[7]

Congressional redistricting pursuant to the 2000 census has reinforced the current stalemate. The term limits movement reached its zenith in the late eighties and early nineties when it appeared that the only incumbent Members of the House likely to be defeated were under indictment or the shadow of scandal. In 1988, only six incumbents were defeated. The stability of incumbency provided little basis for anticipating the Republican victory in 1994. Rapid turnover marked the elections of 1990, 1992, 1994, and 1996. Not only were the two parties narrowly divided, but average seniority plummeted as long-serving Members retired or were defeated. Given the close competition for control of the House one might have expected that a pattern of regular turnover, incumbent vulnerability, and changes in partisan control might have emerged. Instead, the House has become as stable as it was before, even though it is more narrowly divided. In the 2000 redistricting, Republicans and Democrats worked at the state and national levels to create safe-seat districts for incumbents with the result that only a few dozen House seats are competitive in a typical election year. In the 2002 congressional elections, 96 percent of incumbents were reelected.[8]

Thus, the political context in which the speakership functions today is defined by a stable but narrow division between the majority Republicans and the minority Democrats. Should the Democrats succeed in electing a majority of Members in a future election, it seems very likely that their majority would be as narrow as that which the Republicans now enjoy. The result is that the two parties continuously contest power, policy, and politics. This has occasioned new roles for the Speaker both within the House and external to it.

THE INSIDE GAME

The reform movement offered new power and influence to the Speaker.[9] The most significant change under the rules of the House pertained to bill referral. The Speaker was empowered, in 1975, to offer multiple and sequential referral of bills to committees in order to facilitate consideration of legislation that cut across the jurisdictions of the standing committees. Committee chairs could no longer stand behind jurisdictional claims in order to delay legislation or dictate its terms. More important changes occurred within the rules of the Democratic Caucus. The Speaker was given real control over the Rules Committee, naming its chair and designating the majority members, making it for the first time since the revolt against Speaker Cannon in 1910 a reliable arm of the leadership. This meant that the Speaker would be able to control terms of floor consideration for bills and could keep legislation off of the floor entirely by denying a rule. The power of naming Democrats to committees was transferred from the Democratic Caucus of the Ways and Means Committee, which held this responsibility since the days of Champ Clark and Oscar Underwood, to the party's Steering and Policy Committee, several members of which were named by the Speaker. The Steering and Policy Committee also made nominations to the Democratic Caucus for committee chairs. Within the committees, a bidding process was established for selecting subcommittee chairs, further eroding the power of the committee chairs. These changes dramatically strengthened the power of the Speaker vis-a-vis that of the committees and their chairs, as the reformers intended.

These changes also placed demands upon the Speaker. No longer could a Speaker sit back and allow others to decide committee assignments, chair appointments, bill referrals, and the terms of floor consideration. Now the Speaker had to take a hand and take a stand. Sam Rayburn had been happy to avoid these choices because he

[7] Michael Barone, "The 49 Percent Nation," *National Journal*, June 8, 2001, pp. 1710–1716.

[8] The effect of redistricting is not only to secure safe seats for incumbents; it also has the effect of tying those incumbents to primary election voters who are typically more partisan than general election voters. This accentuates the partisanship in the House. Previously, safe-seat incumbents had *more* leeway to vote against the leadership; now they have less. For a recent discussion see Jeffrey Toobin, "The Great Election Grab," *New Yorker*, Dec. 8, 2003, pp. 63–80.

[9] Sheppard, *Rethinking Congressional Reform*. See also Ronald M. Peters, Jr., *The American Speakership*, 2d ed. (Baltimore, MD: Johns Hopkins, 1997), pp. 146–208.

knew that it would thrust him into the middle of conflicts between the southern conservative and northern liberal wings of his party. This is precisely what happened to Tip O'Neill, Jim Wright, and Tom Foley. The initial effect of the reforms occurred *within* the Democratic Caucus as the policies of the Carter administration divided the Democrats along ideological and regional lines.

Tip O'Neill's use of legislative task forces to forge floor majorities was a response to the more diffuse legislative environment but also to the underlying cleavages among Democrats. O'Neill found it necessary to draw upon the powers of the speakership to shape the context of legislation. The multiple referral of bills meant that compromise would have to be brokered across committee and subcommittee jurisdictions. The Speaker and his staff had to become involved early rather than late in the legislative process. The Speaker's control of the Rules Committee meant that he could shape the terms of floor consideration, including the determination of amendments to be made in order. Structuring floor consideration provided opportunities to negotiate compromise by enabling some amendments and not others. The use of task forces to press for passage of key bills or amendments provided a mechanism to push through the compromises that had been made. Thus, the Speaker's role in the legislative process became much more pervasive.

In addition to changes that empowered party leaders, there was also a countertendency during this period toward greater autonomy of individual Members. Tip O'Neill's most famous aphorism was that "all politics is local." Political science ratified this discovery when it found that if you wanted to understand the Congress you had to understand the relationship between Members and their districts.[10] In the seventies, a new breed of representatives was identified, comprised of Members who were found to be more autonomous and more entrepreneurial, the "new American politician."[11] The decentralization of power in the House reflected the aspirations of such Members. Members learned to work their districts by a range of techniques that included good old-fashioned constituency service, pork barreling, extensive use of the frank, regular trips to the district, occasional townhall meetings, and other novelties such as "representation vans," mobile offices that traveled the district.[12] These techniques were developed first by younger Democrats elected in the post-Watergate landslides, and they enabled the party to consolidate its control as many Democrats hung on to previously Republican districts. This was good news for Democratic Speakers. But other aspects of the new politics were not so good. Under the terms of the Campaign Finance Reform Act of 1974, Members could receive campaign contributions from individuals and newly defined "political action committees." This development enabled enterprising Democrats to establish independent and secure funding for their campaigns. The result was that Members became less and less dependent on the political parties and the party leadership. If all politics is local, then the tug of constituency would pull Democrats away from centralized party positions and make coalition-building more difficult. That was the challenge that Tip O'Neill faced.

The inside game is affected by outside forces. The political terrain fundamentally changed with the election of Ronald Reagan and a Republican Senate in 1980. During the Carter administration, the Speaker was asked to play offense, building majority support for Democratic bills. Now, O'Neill was on the defensive. The House of Representatives was the last bastion of the Democrats facing the Reagan onslaught. Faced with the real possibility of losing the House, Speaker O'Neill sought means of building greater discipline within the Democratic Caucus. Whereas during the Carter administration O'Neill had occasionally let the chips fall where they may, he could not take that risk when faced with Republican proposals. The Republicans were to hold the Presidency for 12 years. For 6 of those years, the House of Representatives was the only branch of the government controlled by

[10] Richard Fenno, *Home Style* (Boston: Little Brown, 1978); David R. Mayhew, *Congress: The Electoral Connection* (New Haven, CT: Yale University Press, 1974).

[11] Burdette Loomis, *The New American Politician* (New York: Basic Books, 1988).

[12] Fenno, *Home Style*.

the Democrats. Reaganism would be stopped there or not at all.

The implication for the Speaker's management of the House was twofold: on the one hand, control of the House agenda was now critically important; on the other hand, the balance of power now lay with the southern Democrats who had organized into the "Conservative Democratic Forum." O'Neill had to reach out to these conservatives while still maintaining the support of liberals in opposition to the Reagan proposals. During the first year of the Reagan administration Tip O'Neill lost these battles as the southerners, shaky in their districts, jumped ship to support Reagan. Thereafter, O'Neill was more successful in holding the caucus together behind Democratic alternatives. He always lost some Democratic votes, but was able to hold a sufficient majority of the party on several key votes. Examples include 1981 votes on the Voting Rights Act Extension and on the Labor Health and Human Services Appropriation bill, and 1982 votes on emergency housing aid, Medicare funding, and an override of President Reagan's veto of a supplemental appropriations bill.

The techniques that he used were not by then new but were used to new effect. An example is the use of the Rules Committee to structure floor debate. During the Carter administration O'Neill was less concerned with losing votes than with politically inspired Republican amendments designed to force Democrats on the record on controversial issues. Now, he had to worry that Republicans might carry comprehensive substitute amendments or motions to recommit bills to committee with instructions, another method of substituting Democratic bills with Republican bills. Thus, in the early eighties the House Rules Committee, led by Congressman Richard Bolling (D–MO) introduced the use of "King of the Hill" rules by which the House would consider a series of comprehensive budget proposals, including bills offered by liberal Democrats, by conservative Democrats, by the Congressional Black Caucus, and by the Republicans, along with the bill proposed by the House Budget Committee on behalf of the leadership. The last bill to pass was to be adopted even if it had fewer votes than a previously considered proposal. Naturally, the leadership bill was voted on last. This strategy aimed to give as many Democrats as possible a vote to take home and a vote that really counted, leaving the Republicans to cavil about the process.

Stringent control of process was the key device. The Democrats had increasing recourse to modified rules that limited the number and nature of amendments that could be offered. They sought to prevent Republicans from offering competitive proposals or amendments that were designed to force Democrats from conservative districts to cast hard votes. But their main goal was to develop legislative alternatives that could gather support across the party spectrum. This became more important after the 1986 elections returned the Democrats to power in the Senate. Now, the Democrats could force the action by passing party bills that Presidents Reagan and Bush would have to sign or veto. While Republican Senators could still mount filibusters, the Democrats had more leeway to craft bills that could command majorities in both houses of Congress. This created a need for even broader intra-party communications. The response of Speakers O'Neill and Wright was to preside over the development of an elaborate organizational system that included an expanded Steering and Policy Committee, an enlarged whip organization, more extensive use of task forces, and new efforts to utilize the Democratic Caucus as an avenue for policy development and intra-party dialog. These collaborative venues and mechanisms aimed to build consensus among Democrats in order to enact Democratic legislation.[13]

The culmination of these trends occurred in the 100th Congress under the leadership of Speaker Jim Wright.[14] This Congress was among the most productive in recent American history, and its agenda was set and driven by Speaker Wright and Senate Majority Leader George Mitchell (D–ME). In the House, Wright used all

[13] Peters, *The American Speakership*, pp. 209–286; Barbara Sinclair, *Majority Party Leadership in the U.S. House of Representatives* (Baltimore, MD: Johns Hopkins University Press, 1983); Barbara Sinclair, "Tip O'Neill and Contemporary House Leadership," in Roger H. Davidson, Susan Webb Hammond, and Raymond W. Smock, eds., *Masters of the House: Congressional Leadership Over Two Centuries* (Boulder, CO: Westview Press, 1998), pp. 289–318.

[14] John Barry, *The Ambition and the Power* (New York: Viking Press, 1989); Barbara Sinclair, "The Emergence of Strong Leadership in the U.S. House of Representatives," *Journal of Politics*, vol. 54, no. 3, Aug. 1993, pp. 657–683.

of the tools that had evolved under Speaker O'Neill, but did so with more determination and insistence. Wright set the policy agenda, gave direction to committees, set deadlines for committee consideration of bills, and used the tools of floor control to ramrod bills to passage. Using this legislative juggernaut (and the fact that the Democrats were in some cases spreading benefits to Republican districts), the Democrats pushed to enactment a number of bills with bipartisan support. Many House Republicans chafed under the Democratic thumb, equally resentful at the Democrats and at President Bush for his unwillingness to stand up for conservative principles. Bush signed an extension of the Civil Rights Act as well as major environmental bills that included provisions that many Republicans opposed. Many perceived his worst offense was reneging on his pledge against new taxes as part of the budget negotiations of 1990. House Republicans initially balked, thus repudiating their own President.

A key moment for Speaker Wright occurred in October 1987 when the House was considering the budget for the fiscal year already underway. The stock market had plunged and there was an atmosphere of panic on Wall Street if not in Washington. Wright felt that it was imperative that Congress act to adopt a budget. However, when the Speaker lost the vote on the "rule" from the Rules Committee making the deficit reduction bill in order for consideration, he employed a rare tactic that would permit another "rule" to be taken up on the same day without having to obtain the required two-thirds vote. (The rule book of the House requires "rules" to lay over one day before they can be considered on the floor unless that requirement is waived by a two-thirds vote of the House.) Wright took the extraordinary step of declaring the current legislative day adjourned, and declaring a new legislative day in session. He then called for a new vote on the second rule, which was adopted by the House. When, again, the Democrats were one vote short, Wright held the vote open until a vote was changed. When the voting board showed a majority for the Democrats, Wright declared the vote over.

This episode played into the image of Wright as a heavy-handed politician that many Republicans were trying to convey to the public with their relentless assault on his ethics. And no doubt Wright's actions were extraordinary and unusual. But this episode offers only a dramatic example of an underlying tendency toward the use of procedural control that had evolved since the reform movement and certainly throughout the eighties. Wright used his formal powers to control legislative procedure and used his influence to pressure Members to support the party position. Wright's specific actions were sometimes controversial, but the principle underlying them was not: the Speaker was responsible for the party's agenda.

With Wright's resignation in 1989, Tom Foley (D–WA) became Speaker. Foley was well suited to the challenges facing him in two respects. First, he was a seasoned product of the new leadership, richly experienced in the techniques of intra-party coalition building that had evolved under O'Neill and Wright. Second, he took very seriously his obligation, as Speaker, to restore a sense of comity across party lines. Wright's resignation, however, only served to whet Gingrich's appetite, and the Republican attacks on the Democrats' administration of the House continued. Internally, the Republicans challenged Democratic management of the House bank, restaurant, and post office. Externally, they called for term limits. Foley sought to defend the House against these institutional attacks, arguing that the vast majority of Members were serious, competent, and ethical. Foley also opposed term limits on constitutional grounds.

The Democrats might have survived the 1994 elections were it not for key strategic decisions made early in the Clinton administration. Congressional reform had been an issue during the 1992 campaign, and new Democratic Members elected that year pressed the leadership to pursue an internal reform agenda. Speaker Foley and other party leaders looked back on the experience of the seventies and drew two lessons: reform is always divisive and the failure to govern is usually fatal. During the first half of the seventies the Democrats fought each other over reform issues. During the second half of the seventies, they fought with the Carter administration over policy issues such as health care cost control. The chosen path now was to put reform on the rear

burner in order to unite behind an economic program in support of the Clinton administration. This strategy led the Democrats to a major tax increase in 1993 that passed with no Republican votes, and led the Democrats away from any effort to address the internal reforms demanded by Republicans and the new Democrats.

This contributed to the election of a Republican majority in 1994 and a new Speaker in the 104th Congress, Newt Gingrich. It immediately became clear that the Republicans intended to manage the internal administrative and legislative affairs of the House very differently than had the Democrats. With respect to administration, Speaker Gingrich sought to professionalize and, where possible, privatize management. He took control of the Office of House Administrator, which had been created by the Democrats in the wake of the scandals at the House bank, restaurant, and post office. This led to a tussle with the House Administration Committee, the venue for Member control of administrative process. Gingrich initially won this battle and was able to implement a series of major administrative reforms, including the elimination of the Office of Doorkeeper and the professionalization of the Office of Sergeant at Arms. Eventually, Gingrich's hand-chosen administrator came under attack by the House Administration Committee, and was fired. The House Administration Committee reasserted its prerogatives.

With respect to legislation, Gingrich and his leadership circle were determined to make sure that, under Republican control, the committees would be subordinated to the party leadership. They placed a three-term limit on service as committee chair and a four-term limit on the speakership. Term limits greatly enhance the power of the Speaker relative to the committee chairs. Speaker Gingrich also assumed the power to appoint several committee chairs, abandoning seniority in some important instances, and approved some of their senior staff. Proxy voting in committees, which had been an important resource for Democratic chairs, was abolished. With the committee system firmly in control, he nonetheless proceeded to bypass the committees entirely in moving key elements of the Republican Contract with America. Ad hoc task forces were appointed to develop legislation. These task forces sometimes worked in cooperation with lobbyists. The Democrats, members of the committees but not of the task forces, were essentially cut out of the legislative process.

Gingrich's conception of the speakership was essentially parliamentary, although he conflated the role of Speaker and Prime Minister. Under the British Constitution, the Speaker of the House of Commons is thoroughly non-partisan. Those appointed Speaker remove themselves from partisan politics not just during their tenure in office, but permanently. They fulfill what we have here termed the "constitutional" function of presiding officer. Party leadership is left to the Prime Minister who, when supported by a majority of party members, is able to dominate the legislative process. The Prime Minister also serves as Chief Executive. In a parliamentary system, there is greater party discipline and bills are more likely to be passed along party lines. Gingrich, as Speaker, saw himself as the leader of the congressional party and as a national political leader for the Republicans. As discussed further below, he sought to stand toe-to-toe with the Presidency. With respect to internal House governance, he sought to gather the strings of power in his own hands. Surrounded by a rather narrow leadership circle (the Speaker's advisory group), he sought to dictate strategy and in some cases the terms of legislation. This is not to say that he was not consultative; the task forces, extensive communications operation, and extended leadership staff structure, along with the weekly meetings of the Republican conference, provided ample opportunity for Member input. But Gingrich did not want to be constrained by an autonomous committee structure.

The momentum generated by the 1994 election and the novelty of the Republican takeover of the House sustained this powerful leadership regime through the 104th Congress even as Gingrich came under attack by the Democrats for violations of House ethics rules. As Gingrich's position eroded, his various leadership mantras (listen, learn, help, lead) appeared less salient to the needs of Republican Members. Gingrich's leadership became increasingly problematical for many Republicans. The 73 new Republicans elected in 1994 were very conservative, and thought that the Speaker was too accommo-

dating. More senior Members thought that he was too overbearing. In July 1997 a coup attempt was aborted. The committee chairs became restive, insisting on their prerogatives. After the Republicans lost 8 seats in the 1998 election, 1 of them, Appropriations Committee Chair Robert Livingston (R–LA), announced his candidacy for Speaker. Gingrich withdrew from the contest and announced his planned resignation from the House. Then, in a surprising development, Livingston himself resigned. In a crisis, the Republicans turned to Chief Deputy Whip Dennis Hastert of Illinois as their new Speaker.

Hastert wanted to return the House to "regular order," by which he meant that the committees would resume their legislative functions. This led some to an impression that Hastert was more like Foley, if not Albert. Others suggested that Republican Whip Tom DeLay was the more influential member of the Republican leadership team. With DeLay's election as majority leader in the 108th Congress, he has been widely regarded as exercising more influence than previous majority leaders, possibly suggesting a relationship between Hastert and DeLay similar to that of Speaker Champ Clark and Majority Leader Oscar Underwood. This perception of DeLay's power often comes from the Democratic side of the aisle. It is important to focus on the role that Speaker Hastert actually plays. The speakership remains more powerful under him than it was under any of his Democratic predecessors. While Hastert is not in the dominating position that Gingrich, for a time, was, he is not vulnerable to the kind of internal dissension that eventually brought Gingrich down. He is very popular among Members. Hastert decided to make term limits for committee chairs stick and then, at the outset of the 108th Congress, his members voted to remove term limits on the speakership. It seems plain that the Republicans are satisfied with his leadership. A reasonable depiction of the Republican leadership under Hastert would characterize the Speaker and his subordinate leaders as playing different but complementary roles. As Speaker, Hastert is the glue that holds the Republicans together. He plays a listening, conciliating role similar to Democratic Speakers such as Tip O'Neill and Tom Foley. In the inside game, he is the dealmaker and the closer. Tom DeLay's role is rather different. As whip, he counted the votes and rallied the troops. As majority leader, he presses for policies supported by the conservative majority in the Republican conference.[15] These party leaders appear to be doing about what their job descriptions require.

Under Hastert's leadership, the Republicans have sought to develop legislation that almost all Republicans support, and then to ram that legislation through on the House floor. Initially, the Republicans sought to avoid using restrictive rules for floor consideration of bills, but they eventually faced the reality of their situation. With a narrow majority, party bills have to be protected on the floor against divisive amendments. The result is that Speaker Hastert has had strained relations with the Democratic leadership. Democratic Floor Leader Richard Gephardt did not get along with Speaker Gingrich and it was anticipated that his relationship with Speaker Hastert would be better. This anticipation ignored the underlying political reality. The Democrats want to win back the House and to do so they have to go on the offensive. This is a lesson they learned from Newt Gingrich. Speaker Hastert wants to protect his legislative majority and will use the powers of the speakership toward that end. This has contributed to a decline in comity in the House observable over the past two decades. It seems likely to endure so long as the House is relatively closely divided. The new Democratic floor leader, Nancy Pelosi (D–CA), is moved by the same imperatives as her predecessor. Perhaps the best that can be hoped for during this season of heavy political maneuvering is that Members and party leaders will find a way to depersonalize the fight and restore to the House its most important tradition, the respect that Members should have for each other as representatives of their constituents, the American people. That Speaker Hastert is personally well-liked by many Democrats is helpful.[16]

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[15] DeLay is also very active in promoting and enlarging the Republican majority through fundraising and redistricting efforts, important aspects of the outside game discussed below. See Richard E. Cohen, "The Evolution of Tom DeLay," *National Journal*, Nov. 15, 2003, pp. 3478–3486.

[16] Jonathan Franzen, "The Listener," *New Yorker*, Oct. 6, 2003, pp. 84–99.

The imperatives of the legislative process, however, make it difficult for the majority and minority parties to work together. Speaker Hastert has defined his institutional obligation to the minority by two criteria: the Speaker should rely on the nonpartisan recommendations of the House Parliamentarians in making rulings from the chair; and the minority party by rule is entitled to offer a motion to recommit with instructions. Beyond this, it is the Speaker's obligation to pass legislation.[17] When in passing the 2003 Medicare reform bill Hastert held the vote on final passage open for almost 3 hours (normally votes consume 15 minutes) in order to round up enough Republican votes to pass the bill, he was, in his words, "getting the job done." Democrats alleged abuse of power and fundamental unfairness. Speaker Hastert here faced a dilemma that defines the speakership today. Any modifications in the Medicare bill that might have attracted more Democratic votes would have cost more Republican votes, and any changes that might have attracted more Republican votes would have lost sufficient Democratic votes to defeat the bill. The choice was to pass the bill or not to pass the bill. Hastert defines his obligation as passing legislation. In this, his attitude is identical to that of his Republican and Democratic predecessors.[18]

THE OUTSIDE GAME

Even as House Speakers have come to play a much more central role in the legislative process, they have also become much more actively engaged in the electoral process. When Carl Albert was Speaker, the Democratic Congressional Campaign Committee held one major fundraising event each year. Political action committees did not exist.[19] While the Speaker and other party leaders would from time to time attend fundraisers on behalf of Members, these usually took the form of receptions held in Washington and raised relatively small amounts of money. Speakers had long gone on the campaign trail on behalf of Members. In the 19th century this was called "the canvas" and Speakers would go "canvassing" on behalf of Members in the 2 months immediately prior to the election. As Speaker, Albert campaigned in Member districts during the runup to the election, but the number of such appearances was limited.

Speaker O'Neill was more broadly engaged. He selected Tony Coehlo (D–CA) to head the Democratic Congressional Campaign Committee and brought that position into the inner leadership circle. Coehlo's charge was to dramatically enhance the congressional party's fundraising base by bringing in more contributions from corporate and special interest political action committees. O'Neill permitted Coehlo to schedule him for party fundraisers and, during the campaign season, for political appearances on behalf of Democratic candidates in competitive districts. Still, O'Neill's electoral activities were relatively modest in comparison to that of subsequent Speakers. In order to understand the dynamic, it is necessary to shift focus from O'Neill as Speaker to Jim Wright, his majority leader.

Tip O'Neill had become Speaker before the effects of the Campaign Finance Reform Act of 1974 were fully experienced. He never had a leadership PAC and he did not need one. Leadership PACs were developed by Members who aspired to become Speaker. Through them, the majority leader, party whip, or key committee chairs could build constituencies among Members by providing campaign contributions. While Tip O'Neill preoccupied himself with the legislative battles in Washington, Jim Wright was seeking to build support within the Democratic Caucus. He campaigned on behalf of hundreds of Democratic candidates during his 10 years as majority leader. His activities established a norm for subordinate party leaders that carried into the speakership itself. Fundraising became a year-round activity. Under Coehlo's influence, the party leadership took a more active hand in recruiting candidates. Wright was as, or more, active in this respect as was O'Neill. Wright knew that when O'Neill retired he might well face opposition in his bid to become Speaker by rivals such as John Dingell (D–MI) and Dan Rostenkowski (D–IL), two powerful committee chairmen. Press reports openly discussed the rivalry between these aspi-

[17] See Speaker Hastert's comments printed in this volume.

[18] When asked to define the job of Speaker, John W. McCormack (D–MA) said that it was the Speaker's job to marshal majorities to pass legislation on the House floor. Interview with author, July 1979.

[19] Robin Kolodny, *Pursuing Majorities* (Norman, OK: University of Oklahoma Press, 1998).

rants. Wright had won the majority leadership by a single vote in 1976, and he appears to have concluded that the best means of ensuring his election as Speaker was by holding more chits among Members. Thus, his fundraising and campaign activities served his own interest as well as that of the party.

Since the eighties it has become customary for party leaders to develop their own fundraising PACs alongside their fundraising efforts on behalf of the Congressional Campaign Committees and individual Members. These efforts create centrifugal force. Each aspirant to higher leadership position seeks to build a constituency of Members who will support a later candidacy. The results can be telling. When the Democrats first made the choice of their whip an elected position in organizing the 100th Congress in 1987, Congressman Coehlo was chosen due primarily to his fundraising activities. He had become an independent operator within the Democratic leadership group. After the Republican victory in the 1994 elections, Speaker Gingrich appeared to be in a position to dictate the terms of party organization. His preferred choice for GOP whip was a long-time ally, Congressman Robert Walker (R–PA). Walker was challenged by Congressman DeLay, and DeLay won a closely contested election. Among the main reasons for DeLay's election as whip was the investment he had made through his PAC in the campaigns of numerous Republican challengers. These new Members recognized an obligation and a relationship to DeLay.[20] As whip, DeLay was instrumental in supporting Dennis Hastert's election as Speaker. DeLay built an unprecedented power base that later led to his election as Republican floor leader.

By all accounts, however, it was Newt Gingrich who transformed expectations for party leaders, especially the Speaker, in party fundraising. The tale of Newt Gingrich's rise to the speakership has been well told.[21] In leading the Republicans to the promised land Gingrich recruited and trained candidates, articulated a GOP message, organized the party apparatus, and campaigned actively. He also raised money, and lots of it. When Tony Coehlo was raising money for the Democrats in the mideighties, total spending on House races came to around $204 million. When the Republicans took the House in 1994, the figure was $371 million. By 2000, it had risen to over $550 million.[22] Since 1994, the Speaker has been the most important fundraiser for the Republicans. Furthermore, the Republican leadership now expects committee chairs to contribute to the campaigns of Members and candidates in closely contested districts.[23] The Speaker, then, is soliciting even more money than he may raise directly. Gingrich had the reputation as fundraiser par excellence. But the Speaker's role as leading party fundraiser is endemic to the office and not a product of the person. Speaker Hastert was not generally known to be deeply involved in fundraising during his years as chief deputy whip; but as Speaker, he has raised more money than did Speaker Gingrich.

The Speaker's fundraising role has one very specific consequence: he is asked to travel a great deal. Over a 2-year election cycle, the Speaker will appear in most, if not all, Republican districts. Today, the Speaker's obligation to elect and maintain his party's majority makes it imperative that he travel to districts for fundraising events and that he campaign on behalf of candidates in closely contested districts. These obligations, of course, take him away from the Capitol on a regular basis. While a Speaker will always give precedence to critical legislative matters, he now may be less able to provide a full-time leadership presence on Capitol Hill. Speaker Gingrich had hoped to impose a system of delegated responsibility that would free him to be a national leader and issue articulator while often leaving legislative mechanics to subalterns. He was surprised in June 1997 when subordinate leaders included a politically inspired provision to prevent any future shutdown of the Federal

[20] DeLay claimed that 54 of 73 freshmen Republicans voted to make him whip. Hedrick Smith, *The Unelected: The Lobbies*, PBS Video, 1996.

[21] Balz and Brownstein, *Storming the Gates*; David Maraniss, *Tell Newt to Shut Up* (New York: Simon and Schuster, 1996).

[22] Campaign Finance Institute, Web site, http://www.cfinst.orgstudiesvitaltables3–8.htm.

[23] On the relationship between campaign fundraising and committee chair appointments, see Paul R. Brewer and Christopher J. Deering, "Interest Groups, Campaign Fundraising, and Committee Chair Selection: House Republicans Play Musical Chairs," in Paul S. Herrnson, Ronald G. Shaiko, and Clyde Wilcox, eds., *The Interest Group Connection: Electioneering, Lobbying, and Policymaking in Washington* (New York: Chatham House Publishers, 2004).

Government on an emergency flood relief bill that he supported.[24] The following month, a group of "renegade" Members supported by some members of the leadership group sought to oust him while he was out of town. It appears that Gingrich had allowed himself to become too removed from the sentiments of his Members including his most trusted allies. While Speaker Hastert also relies on the extended leadership group to facilitate the legislative process, he is consistently involved in negotiating intra-party agreements. He keeps his finger on the pulse of the House. Sam Rayburn used to say that if a Speaker could not feel the mood of the House he was lost. While Hastert seeks to foster his relationships with Members, he still finds it necessary to balance his internal and external role, a task made more difficult by electoral demands.

One aspect of the Speaker's external role is media relations.[25] As mentioned, Speaker Albert was the first Speaker to appoint a formal press secretary. He named a relatively junior member of the staff whose function was to respond to press inquiries. Speaker O'Neill elevated the prominence of the press secretary's role in proportion to his own rising public profile. O'Neill wanted a press secretary who would be in regular touch with key members of the press corps, a competent spinner who was adept in presenting the Democratic position and in articulating O'Neill's own perspective. He settled upon Chris Matthews, later of "Hardball" fame. Since then, all Speakers have had press secretaries who have served in this capacity. Within the extended leadership group, the focus was on projecting the party "message" in contrast to that of Republican administrations. Under O'Neill, message development was assigned to the leadership and staff of the Democratic Caucus, but all members of the extended leadership group participated in defining and projecting the party's themes. Under Speakers Wright and Foley, the message function was further elaborated and institutionalized. Each Speaker had a press secretary responsible for handling the media.

In this, as in other respects, the external function of the speakership took a quantum leap when the Republicans came to power.[26] Whereas the Democrats had delegated message development to a caucus working group and the Speaker's press secretary functioned primarily in support of his media relations, the Republicans sought to systematically integrate message development and media relations. The Speaker's press secretary led a staff with responsibility to coordinate message and media. Each Republican Member designated a communications director. The Republican conference, like the Democratic Caucus, was given the outreach function. It included the development of a sophisticated polling capacity, a state-of-the-art Web site, and an extensive talk radio initiative. Speaker Gingrich's press secretary, Tony Blankley, was a sophisticated Washington insider, well connected to the national press corps. Under his leadership, the Speaker's press relations reached its zenith and found its limits. For in spite of the greater degree of organization and more expansive efforts, the House Republicans continued to lose ground in the public relations battle with the Clinton administration. In part, this was simply due to unequal resources and organizational capability. Even though more robust than at any previous time, the House communications and media operation still paled in comparison to the scope and sophistication of the White House Communications Office. The former consisted of a press secretary with a small staff working in cooperation with over 220 Members who were all independent operators. The White House had an around-the-clock communications operation staffed in shifts that was prepared to offer a Presidential response on any issue within a half-hour. And too, in spite of Speaker Gingrich's high public visibility, it is the President who has the bully pulpit and not the Speaker.

The Republican effort under Speaker Gingrich might have been more productive had Speaker Gingrich better appreciated the risks inherent in

[24] *Congressional Quarterly Almanac, 1997*, vol. 53 (Washington: Congressional Quarterly, Inc., 1998), pp. 1–14—1–15.

[25] Douglas B. Harris, "The Rise of the Public Speakership," *Political Science Quarterly*, vol. 113, Summer 1998, pp. 193–211.

[26] Some observers stress the continuity between the Democratic and Republican Speakers of the post-reform era. See Barbara Sinclair, *Legislators, Leading, and Lawmaking* (Baltimore, MD: Johns Hopkins University Press, 1995); Sinclair, "Transformational Leader or Faithful Agent? Principal-Agent Theory and House Majority Party Leadership." *Legislative Studies Quarterly*, vol. XXIV, no. 3, Aug. 1999, pp. 421–449.

the high public profile that he sought. History demonstrates that Speakers often become famous at their own risk. In the late 19th century, Speakers such as James G. Blaine (R–ME) and Thomas Brackett Reed (R–ME) were dominating figures embroiled in regular controversy. Blaine came under an investigation for his financial dealings. Reed was not tainted by scandal but his assertion of the powers of the chair (and his acerbic wit) made him a ripe target for the Democrats. Uncle Joe Cannon, of course, represented the apotheosis of the partisan speakership at the turn of the century and became a campaign issue in the 1910 elections. From Cannon to O'Neill, no Speaker attained any great degree of public recognition, much less notoriety. It was said that Sam Rayburn could walk down most streets in Washington without being recognized. All of this changed when Tip O'Neill became the Nation's leading elected Democrat and therefore the primary opponent of President Ronald Reagan. O'Neill became a symbol of Democratic liberalism, an icon on the left, but viewed as a relic by the right. Republicans ran campaign advertisements against him in 1982 and baited him on the floor in 1985, but it was all to no avail. Speaker O'Neill's public approval ratings exceeded those of Ronald Reagan when he left office and he had succeeded in preserving the heart of the welfare state against the Reagan onslaught.

His Democratic successors had less luck. During the 100th Congress, Speaker Jim Wright drove the legislative process and moved to consolidate his power. Recognizing the threat, the Republicans, led by Newt Gingrich, charged Wright with violating House ethics rules. In June 1989 Wright resigned the speakership and his House seat rather than put the House through the agony of a floor vote on the ethics charges. His successor, Tom Foley, was not vulnerable to ethics complaints, but had opposed a term limits proposition in his home State of Washington. The Republicans accused Speaker Foley of opposing his own constituents and funneled money to his opponent in the 1994 elections. Foley lost his House seat and the Democrats lost their majority in the House and in the Senate.

Newt Gingrich certainly was aware that two consecutive Speakers had been dethroned; he, after all, had been part of those efforts. He made Wright's and Foley's leadership of the House campaign issues and painted the two Speakers as symbols of what was wrong with the House under Democratic control. He could not have been surprised, then, when the Democrats, led by Whip David Bonior (D–MI), chose to repay him in kind, lodging over 80 ethics charges against the Speaker. The ethics battle was fought out over the course of the 104th Congress, and culminated when Gingrich agreed to accept a censure and financial penalty for having provided false information to the Committee on Standards of Official Conduct [Ethics Committee]. The resolution of the ethics charges did not alleviate the pressure on the Speaker. President Clinton had won a square off with congressional Republicans over the government shutdowns of late 1995 and early 1996, and during his Presidential campaign he associated Gingrich and Republican Presidential candidate Robert Dole with putatively reactionary policies. Speaker Hastert has maintained a much lower profile than had Speaker Gingrich. He was largely unknown to the general public when he became Speaker and remains relatively unknown even now. Hastert's lower visibility represents a strategic choice. He has had ample opportunity to observe the fates of his three immediate predecessors, and has yet managed to lead his party to victory in both the 2000 and 2002 elections. Given the effects of redistricting, some believe the Republican majority may be secure for years to come. The Democrats will, of course, strive to win enough seats to dislodge the Republicans from power. But they are likely to make little progress by attacking Hastert. The Speaker is popular among those who know him, and little known otherwise. Amiability and a sense of personal decency will perhaps enable him to avoid becoming a symbol of the larger political conflict. Under Speaker Hastert, the communication operation has centered in the Republican conference and its extended staff. The Speaker's press secretary, John Feehery, functions more in the role of Chris Matthews, providing interface between the Speaker and the press corps. Since Hastert has deliberately chosen a more low profile role than had Gingrich (or, for that matter O'Neill), Feehery's role is to make sure that the press knows what

Hastert wants it to know about the Speaker's legislative and political activities. Since the election of George W. Bush, message coordination with the White House has become a key component of congressional Republican strategy. The goal has been to echo, and not drown, the Presidential message.

THE SPEAKER AND THE PRESIDENT

The relationship between the Speaker and the President has been historically significant. The U.S. Constitution refers to five officers of the Federal Government: the President, Vice President, Chief Justice of the Supreme Court, President of the Senate (a position filled by the Vice President), and the Speaker of the House of Representatives. By statute, the Speaker stands second in line to the Presidency, and Speaker Albert twice was first in line, a "heartbeat away" from the Oval Office. Sam Rayburn used to say that he had served under no President but had served with seven. Actually, Rayburn always demonstrated deference to the Presidents with whom he served. His ties to Roosevelt and Truman were particularly close, but Rayburn and Senate Majority Leader Lyndon Johnson (D–TX) chose to work cooperatively with President Eisenhower rather than to seek confrontation with him. In part, this reflected the fact that Rayburn and Johnson straddled the divide between southern conservative and northern liberal Democrats; but it also revealed Rayburn's sense of the constitutional obligation of the Speaker to make the government work. With the election of Richard Nixon, cooperation between House Speakers and Presidents of the opposite party ended, and relations between Speakers and Presidents of their own party has been sometimes strained.

Much of this is explained by the political context. When the Speaker and the President are of the same party, there will be an incentive to cooperate, amply demonstrated today by the relationship between Speaker Hastert and President Bush. Bush relies on the House Republican majority to set the table for dealings with the more recalcitrant Senate. But these relations can be strained nonetheless, as witness the experience of Tip O'Neill and Jimmy Carter. The Speaker at times has a greater incentive to protect his Members than to support the President, and if Presidential initiatives put Members at risk, the Speaker might oppose them. Otherwise, electoral catastrophe may ensue, as apparently happened when Speaker Foley placed support of the Clinton economic and health plans above the need to address political and institutional reform.

When the Speaker and the President are political opponents, then most incentives lead to conflict. The two leaders will differ philosophically, have different and opposing political constituencies and party interests, and clashing institutional obligations. The impeachment proceedings against Presidents Nixon and Clinton suggest the extremes to which this conflict may be carried, but these are simply the most obvious manifestations of the underlying tendency. Historically, only a few Speakers have actually sought to place themselves on a par with the Presidency. Henry Clay was a national leader during his entire career as House Speaker and Senator, and as Speaker did not take a back seat to Presidents Madison and Monroe. Uncle Joe Cannon was perfectly willing to oppose progressive legislation proposed by President Theodore Roosevelt, although the number of progressive laws enacted during Roosevelt's administration testifies that Cannon did not always obstruct. Most recently, Speaker Gingrich brought to office a very high expectation of the Speaker's role.[27] During the 104th Congress, he was characterized as the most important policymaker in the government. After Congress completed work on the elements of the Contract with America, (enacted in fewer than 100 days in symbolic emulation of the New Deal and Great Society), Gingrich went on national television to speak to the American people. At a meeting in New Hampshire he conducted a joint press conference with President Clinton and the two men shook hands over a pledge to press for lobby and campaign finance reform. Gingrich's aspirations came a cropper when the Republican Congress mishandled the budget negotiations with the White House.[28] Clinton proved

[27] Elizabeth Drew, *Showdown: The Struggle Between the Gingrich Congress and the Clinton White House* (New York: Simon and Schuster, 1996).

[28] In his remarks at the Congressional Research Service Carl Albert Center Conference on the Speakership, former White House Chief of Staff Leon Panetta offered the budget negotiations of 1995 and 1996

that the Presidency had a louder megaphone than the Speaker of the House. Public opinion sided with Clinton and Gingrich's approval ratings plummeted, never to recover. Clinton rebounded from the low point of the 1994 election to win easy reelection in 1996. He survived the Republican attempt to impeach him, and left office with high public approval ratings. This record suggests that Speakers need to be very careful when they take on Presidents. The Speaker can articulate issues and give a face to the loyal opposition; but the resources available to the speakership appear to be insufficient to win in a sustained battle with the White House.[29]

THE PERMANENT CAMPAIGN

The inside game and the outside game are related. Recently, political scientists have used the term "permanent campaign" to describe this now extended period of close division in the Congress and intense competition for control of the House and the Senate.[30] In understanding the evolving role of the speakership, it is important not only to understand the role that the Speaker plays in the campaign process (a "permanent" one to be sure), but, as or more important, how the pressure of electoral politics has reshaped the legislative environment and altered the Speaker's internal role. Previously, we described that role and stressed the greater involvement of the Speaker in the legislative process. The Speaker has become more systematically involved in all aspects of legislation at every lawmaking stage. In the context of the permanent campaign, however, we stress the strategic implications of the Speaker's role and how that has affected the House and the speakership.

The permanent campaign is fought over political terrain as narrowly divided as any in American history. This has evident effects on the Speaker's role. Sam Rayburn used to say that it was never good to have more than 269 Democrats in the House.[31] He felt that an extraordinary majority made it more difficult to pass bills because Members would feel more free to defect. Rayburn was certainly aware of the challenges posed by a very narrow majority as well, but the very narrowness of the majority may create an incentive for Members to support the leadership. Between 1931 and 1994, when the Democrats were in the majority for all but 4 years, their leaders often forged bipartisan coalitions, picking up some votes from moderate Republicans while tolerating defections from some conservative Democrats. With the House very narrowly divided, a small number of defectors can defeat a bill unless there are offsetting defections from the other side. The permanent campaign, however, offers an incentive for the minority to rally in opposition in order to create campaign issues. Furthermore, the homogenization of the parties has made it less likely that many Members of either party will have a natural inclination to vote with the other side. Since most Members are safe in their districts, many could, in principle, defect and survive. But the minority party leadership will go to extraordinary lengths to persuade Members to stand by the party position because it will enhance the prospect of winning control in the next election. That, at least, has been a discernible pattern for the Democrats since 1995.

The result is that the Republicans have had to build majorities from within their own ranks. To do so, they have had to utilize all the tools available to a majority. These include agenda control (deciding what bills will come to the floor), legislative control (determining what those bills will contain), procedural control (determining the timing and rules under which bills will be considered), and membership control (efforts to ensure that bills can pass with Repub-

as an example of mistaken political judgment by the House leadership. In response, Speaker Gingrich argued that by closing down parts of the government House Republicans had shown resolve that was reassuring to the financial markets. There is little doubt that public opinion favored the administration in this conflict. The remarks of Mr. Panetta and Mr. Gingrich appear in this volume. For an analysis similar to Mr. Panetta's, see Ronald M. Peters, Jr. and Craig A. Williams, "The Demise of Newt Gingrich as a Transformational Leader," *Organizational Dynamics*, vol. 30, no. 3, 2002, pp. 257–268.

[29] That Tip O'Neill was successful in fighting a rear-guard action against Reagan is a conspicuous exception to the generalization that Speakers will usually lose battles with Presidents, and was certainly related to O'Neill's favorable public image. For a perspective on the relationship between Presidents and Speakers, see Jim Wright, *Balance of Power: Presidents and Congress from the Era of McCarthy to the Age of Gingrich* (Atlanta: Turner Publishing Company, 1996).

[30] Norman J. Ornstein and Thomas F. Mann, eds., *The Permanent Campaign and its Future* (Washington: American Enterprise Institute, 2000).

[31] I have this from Rayburn's long-time assistant, D.B. Hardeman. Of course, the Democrats already had all of the southern seats and so Members in excess of 269 would come from northern districts and increase liberal pressure on Rayburn.

lican votes alone). As this pattern suggests, the first and most important strategic decisions address the nature and substance of legislation. It appears that these decisions are now made in substantial part based on political calculation. When, for example, the Democrats pushed for enactment of a prescription drug bill or a patients' bill of rights, the Republicans found it in their interest to offer counterproposals. In doing so, they searched for bills around which their Members could cohere. When the Republican majority pushed tax cuts, the Democrats sought alternatives that their Members could support. In this connection, the narrow majority can be a blessing, since it offers its own incentive for Members to vote with the party. The quid pro quo is often this: the leadership structures legislation and the legislative process to give Members bills they can support; the Members vote for the leadership proposals provided that their political needs are somewhere addressed. This is an old formula. With a narrow majority, however, it can lead to poor legislation.[32]

And that is the real disadvantage of a government as narrowly divided as this one is. In a parliamentary regime, with an expectation of party discipline, the governing party can shape legislation according to its principles even with a narrow majority. In a presidential system marked by the separation of powers, the majority party must often place political consideration above policy substance. The results can be diluted policy, policy incrementalism, symbolic framing of issues, and in many cases a failure to act altogether. In addition, the permanent campaign has affected the legislative milieu. Public discourse has been coarsened. Ad hominem attacks undermine reasoned debate. Comity, that ancient norm, has eroded. Fixing these problems is not easy to do, because both congressional Republicans and congressional Democrats are so closely tied to their party's base voters and major interest-group supporters that neither can easily break free. Believing themselves to be in the right, most Members may not even contemplate the need. But it is an obligation of the Speaker to remind Members on both sides of the aisle to do their duty.[33]

PERSONALITY AND PARTY CULTURE

This analysis of the contemporary speakership has sought to be generic, addressing trends and forces affecting all modern Speakers and both political parties. We must recognize, however, the great impact that personality and party culture have in shaping individual speakerships. These effects may seem idiosyncratic and thus beyond the reach of theory; but any attempt to build theory must at least take them into account. They are easy to demonstrate.

Consider Democratic Speakers Carl Albert, Tip O'Neill, Jim Wright, and Tom Foley.[34] All of these Speakers presided over the reformed House, and there are many similarities in the way that they did it. All sought to build legislative coalitions, foster more open and participatory intra-party processes, establish better media relations, promote more effective control over the floor, set a policy agenda, and so forth. We observe a steady evolution from Albert to Foley in which various leadership techniques are initiated and perfected. Yet any attempt to evaluate the performance of these Speakers would lead directly to an assessment of their respective personal characteristics and political personas. Albert was a dedicated institutionalist who preferred a more private and lower profile role as Speaker. Some felt that he would have been better served by a more aggressive posture, but he did not think that is what a Speaker should do. It is far from clear that a more assertive Speaker would have presided as effectively over the tumult of legislative reform, Watergate impeachment, Vietnam,

[32] When the majority party has a substantial majority, it can pass legislation even when a number of party members defect due to district pressure. With a narrow majority the party leadership has to structure either the legislation, the legislative process, or both so as to bring aboard almost every member. It may, therefore, include provisions that it does not really want in the bill and thus legislation can become less coherent.

[33] It is difficult for a Speaker to establish comity when he actively campaigns against incumbent Members of the opposite party. Democratic Speakers from Rayburn to Foley were very reluctant to do so, and in fact almost never did. This was due in part to the fact that they usually enjoyed safe margins in the House, and in part to the fact that the most vulnerable Republicans were precisely those who were most likely to vote with the Democrats on key votes. However, there was also a norm at play. The Speaker, as presiding officer, may choose not to campaign against a Member on whose motions he would have to rule. Republican Speakers Gingrich and Hastert both have campaigned against incumbent Democrats.

[34] In addition to their remarks published in this volume, these Speakers speak for themselves in Ronald M. Peters, Jr., ed., *The Speaker* (Washington: Congressional Quarterly Press, 1995).

and civil rights as Albert did. O'Neill took to the public aspects of the speakership like a duck to water. He reveled in the limelight, filled the camera, and made himself into a political icon. Yet although he appeared more forceful, he was rarely more assertive than Albert had been. He was a strong supporter of the committee system and defended several senior committee chairs who were deposed by the caucus. One of O'Neill's greatest talents lay in the appearance of power. He was the master of what Jimmy Breslin called "blue smoke and mirrors." [35]

Jim Wright enjoyed power and he wanted to drive the House toward his preferred policies. He rolled over Democratic committees, House Republicans and the Reagan White House in the 100th Congress, became involved on foreign policy matters respecting Nicaragua, and demonstrated the assertiveness that Tip O'Neill appeared to have but rarely used. Yet just for this reason, Wright made himself anathema to the Republicans, angered many Democrats, and caused some to regard him as a political liability. There is nothing in contemporary legislative theory that can explain Wright's assertiveness; it was simply the product of his character. Tom Foley proceeded differently, but not because the nature of the speakership required it of him. To be sure, Foley had been an operator in the Democratic regime for two decades, and had been a key negotiator for Speakers O'Neill and Wright. But when he became Speaker, this experience is not what defined his orientation toward the job. Foley had come to the House in 1964 and was the first Speaker never to have served with Sam Rayburn. But like Rayburn, he had a keen appreciation of the traditions and institutions of the House and he saw it as his role to defend them.

The contrast between Speakers Gingrich and Hastert is evident. Gingrich saw himself as a great party leader, a modern Disraeli. He had been a college professor, and he loved to profess his views. He loved conflict and controversy, and where he could not find these at hand he often created them. Hastert is a former high school teacher and wrestling coach. He is experienced and talented in working with people face to face. He had been an ideal chief deputy whip, and in that capacity had developed strong personal relationships with Members. He was often the one to work out the deal to win a wavering Member's vote. When Speaker Gingrich sought to impose what was in effect a new institutional order on the House he was acting consistently with his values, beliefs, and personal ambitions. When Speaker Hastert sought to return the House to regular order, he was doing likewise. These two Speakers, both Republican, were as different from each other as their Democratic predecessors had differed from each other, and the differences defined their speakerships as much as any underlying similarities deriving from the institutional context in which they served, certainly as any biographer or historian would write about it.

But the Democratic and Republican Speakers differed across party lines as well. Party culture is not easy to define.[36] Institutional culture generally refers to a persistent pattern of attitudes and relationships giving definition to organizational behavior. It is undeniably the case that Republican speakerships have demonstrated a centralizing tendency while Democratic speakerships have characteristically been more decentralized. Institutional and party effects are interrelated. Thus, during the late 19th century when parties were strong, both Democratic and Republican Speakers were more powerful than those who served during the mid-20th century when the committees were ascendent. Still, Republican Speakers of the partisan era, such as James G. Blaine, Thomas Brackett Reed, and Joe Cannon were more powerful than their Democratic counterparts, such as Samuel Randall (PA), John Carlisle (KY), and Charles Crisp (GA); and during the era of committee dominance Joe Martin was on occasion more assertive than Sam Rayburn. As we compare the Democrats under Albert, O'Neill, Wright and Foley, with the Republicans under Gingrich and Hastert, it is plain that the GOP leadership is usually more forceful than the Democratic leadership. While all aspects of the speakership that Gingrich first created have not been sustained by the Republicans, others have.

[35] Jimmy Breslin, *How the Good Guys Finally Won* (New York: Viking Press, 1975).

[36] Jo Freeman, "The Political Cultures of the Democratic and Republican Parties," *Political Science Quarterly*, vol. 101, no. 3, 1986, pp. 327–356.

The Republican Speakers do not simply behave like their Democratic predecessors.

CONCLUSION

Four forces shape the speakership today. The first is political context, now defined by the narrow division of power between the two major parties as sometimes affected by a division in partisan control of our nationally elective institutions. The second is institutional context: the post-reform House as substantially modified by the Republicans. The third is party culture, differentiating Democratic and Republican regimes. The fourth is the character and political persona of individual Speakers. We cannot now anticipate who might rise to the speakership in the future, or in what specific circumstances future Speakers will serve. The path to the speakership has usually been through the ranks of subordinate party leadership positions. The advantage of this farm system is that it brings to the speakership Members who are richly experienced in party leadership; its disadvantage can be that Speakers are so molded by their prior experience that they may find it hard to adapt to the changing circumstances in which they are called upon to lead.

We may ask how might the speakership evolve if Republicans maintain control in the near future? Most observers have by now concluded that Newt Gingrich's parliamentary model is ill-suited to the American constitutional regime. Under Speaker Hastert, the Republicans have developed a more nuanced party apparatus in which the Speaker plays the pivotal, if not always the most visible role. The party machinery usually runs smoothly in the hands of the floor leader, whip, and other members of the leadership team. In challenging circumstances, the leadership is usually able to carry its bills on the floor. The committees now perform their traditional functions, although they do not function as autonomously from the leadership as had been the case with the Democrats. Underlying the Republicans' cohesiveness is the basic homogeneity of the Republican conference. This arises from similar constituencies and shared ideology.[37] Their world view sometimes appears unleavened by conflicting voices from within their constituencies or from across the aisle. It is an essential principle of American democracy that representative institutions "refine and enlarge the public view by passing it through the medium of their chosen representatives," as Madison put it in *Federalist No. 10*. This cannot occur if only some views are brought into consideration.

And what if the Democrats resume control? On the one hand, the party has learned lessons from its sojourn in the wilderness. They have had time to contemplate the causes of their defeat in 1994, the challenges they have faced in trying to regain it, and the methods by which the Republicans have solidified their narrow majority. The Democrats have been far more cohesive in the minority than they ever were in the majority. A future Democratic majority might be narrow, and arguably would require the same approach to intra-party coalition building that the Republicans have taken. A strong party leadership would be required. On the other hand, Democrats are not as cohesive as Republicans, reflecting the more diverse nature of their constituencies. A sufficient number of seasoned Democrats remains to give rebirth to a more autonomous committee structure. Democrats remember that the committee system is a source of power and influence that served them well for 60 years in maintaining control of the House. It is a rare Democrat who will say that the party would retain term limits on committee chairs. Democrats might have more difficulty in maintaining cohesion than the Republicans have, and may be less willing to cede power to the central party leadership. That, at least, would be consistent with their historical practices and party culture.

Whichever party is in power, the key to a successful speakership can be read in the historical record. Speakers must find a way to balance their institutional and partisan responsibilities. To create this balance, it is important that they exercise sufficient power to command the attention and respect of Members. At the same time, they must be perceived to be fair. It has proven most useful for Speakers to buffer their partisan role. Histori-

[37] To be sure, there are fissures within the Republican conference arising from matters of policy, constituency, or even ideology. But these fissures, even though they may generate intense feelings, take place within a relatively narrow range compared to the historical diversity that has marked the Democratic Party.

cally, there are two models though which this can be achieved, one centered in the committees and one centered in the party leadership apparatus. During the era of committee dominance, the power of the Speaker was mediated by that of the committee chairs. During the past 30 years, the power of the Speaker has meshed with an elaborated party leadership structure. Speakers who have sought to dominate the committees and the party leadership structure have not fared well. Speakers who have given the committees and the leadership structure some lead have been better able to fulfill their dual roles.

The speakership will, in the years ahead, be more central to the House of Representatives than at any time since the turn of the 20th century. Speakers will be called upon to offer partisan leadership both within the Chamber and externally. They will broker deals, raise money, campaign for Members, define policy positions, and seek to enforce party discipline. And they must do this without losing sight of their constitutional role and responsibility. The speakership was created long ago in England, when the Commons selected one from among them to "speak for the Commons" in Parliament. The Speaker of the U.S. House of Representatives has the obligation to "speak for the House" as well. All of it.

Part III

Appendices

The offices of Speakers Hastert, Gingrich, Foley and Wright, submitted their personal biographies for publication in this document.

J. Dennis Hastert

Dennis Hastert rose to his position as Speaker of the House from the cornfields of Illinois. Born in Aurora, he grew up in Oswego and earned degrees from Wheaton College and Northern Illinois University. After 16 years of teaching and coaching at Yorkville High School, he served in the Illinois House of Representatives for 6 years before being elected to the U.S. House of Representatives in 1986. In 1999, Hastert's colleagues honored him by electing him Speaker of the House, the third highest elected official in the U.S. Government.

Speaker Hastert, who turned 62 on January 2, 2004, is now serving his third term as Speaker and his ninth term as the Republican Congressman for Illinois' 14th Congressional District. Hastert's home district comprises a suburban landscape of high tech firms, small and large industrial complexes and expansive farm land west of Chicago, which includes the boyhood home of President Ronald Reagan. The 14th Congressional District reelected Hastert in 2002 with 74 percent of the overall vote.

As Speaker, Hastert is responsible for the day-to-day functions of the U.S. House. When he succeeded Newt Gingrich on January 6, 1999, he broke with tradition by delivering his acceptance speech from the House floor and by allowing Minority Leader Dick Gephardt to briefly preside over the day's proceedings. These two actions served as fitting symbols for the content of the new Speaker's remarks, when he emphasized the need for both parties to come together in the House to get their work done:

> Solutions to problems cannot be found in a pool of bitterness. They can be found in an environment in which we trust one another's word; where we generate heat and passion, but where we recognize that each member is equally important to our overall mission of improving the life of the American people.

Hastert outlined a four-part commonsense agenda that day for the 106th Congress—lowering taxes, improving education, strengthening Social Security and Medicare, and bolstering national defense. Under his leadership, the 106th Congress balanced the budget for the fourth year in a row; paid down a historic amount of public debt ($625 billion); locked away 100 percent of Social Security and Medicare dollars to be spent solely on Social Security and Medicare—not other government programs; sent more education dollars and decisionmaking to local classrooms; stepped-up and enhanced medical research; and worked to revitalize low-income neighborhoods in urban and rural areas. The agenda proved to be such a success that in November 2000, the American voters elected another Republican majority to the House.

Throughout his legislative career, Speaker Hastert has drawn from his experience as a former wrestling coach by emphasizing teambuilding and setting clear-cut, achievable goals. The Speaker has since remained committed to the goals he laid out during his first term as Speaker and his accomplishments during the 107th Congress prove this.

The 107th Congress was successful in enacting landmark education reform, far-reaching election reform, and completing work on the most significant tax relief in a generation. Furthermore, in response to the tragic attacks that occurred on September 11, 2001, the Congress passed historic legislation by creating a Department of Homeland Security—the most significant restructuring of the Federal Government in the last 50 years. With this new department, and with the passage of anti-terrorism legislation designed to mitigate the threat of terrorist activities, the President has the tools he needs to help ensure that the safety

and security of our homeland will not be compromised again.

On January 7, 2003, Hastert rose again to the challenge of continuing his role as Speaker of the House. During his opening speech of the 108th Congress, he laid out a commonsense plan that would make this Nation a safer and more secure place for all Americans. He vowed to the men and women in our armed services that they would receive continued congressional support in their fight against terrorists and the terrorist states that harbor them. Hastert also promised to work with Members on both sides of the aisle to pass an economic growth package that would create jobs, grow our economy and ensure more financial security for Americans. Furthermore, Hastert emphasized his commitment in promoting more foreign trade, passing a prescription drug package to make drugs more affordable for our Nation's seniors, and furthermore improving America's schools so that all children have the opportunity to get a good education.

Prior to his election as Speaker in 1999, Hastert served as chief deputy majority whip, a leadership position he had held since the election of the 104th Congress in 1994. In that capacity, Hastert was responsible for advancing commonsense legislation to the House floor by working with Members, developing an achievable policy strategy, lining up support and counting Republican and Democrat votes to ensure passage. His reputation is one of reaching across the aisle to develop bipartisan legislation.

He also served as chairman of the House Government Reform and Oversight Subcommittee on National Security, International Affairs and Criminal Justice. Chairman Hastert had broad oversight for the Departments of State, Defense and Justice, as well as the Nation's war on drugs and the 2000 Census. As a member of the House Commerce Committee, Hastert had jurisdiction over energy policy, interstate and foreign commerce, broadcast and telecommunications policy, food, health and drug issues.

Additionally, Hastert has been the House Republican point person on health care reform. He has chaired the Speaker's Steering Committee on Health and the Resource Group on Health, and he helped author the health care reform bill, which was signed into law by President Clinton in 1996 to expand coverage to the uninsured. In the 105th Congress, Hastert again was tapped by the House leadership to chair the House Working Group on Health Care Quality, which ultimately authored the Patient Protection Act. That legislation, which passed the House on July 24, 1998, expanded Americans' choices and access to affordable, high-quality health care.

During his years in Congress, Hastert championed legislation to balance the Federal budget, cut taxes and government waste and clean up the environment. For instance, he led the nationwide fight with U.S. Senator John McCain (R–AZ) to repeal the unfair Social Security earnings limit that kept millions of senior citizens from working—a project finally accomplished during his speakership in the 106th Congress. He also has passed legislation to reduce big government regulations in areas such as trucking and telecommunications in order to increase competition and consumer choice. In addition, Hastert has fought to preserve safe groundwater standards by successfully working for the removal and proper disposal of 21 million cubic feet of low-level thorium waste in West Chicago, IL, and by blocking a proposed garbage dump that would threaten the Fox Valley's groundwater supply.

Congressman Hastert has continued to build on his record of accomplishment for all his constituents. During the most recent Congress, he successfully supported a full-funding agreement with the U.S. Department of Transportation that will expand Metra train service in the 14th District. He secured dozens of Federal grants for district communities and organizations that will assist with everything from bolstering police services to protecting district farmland. Hastert also successfully sponsored legislation in 2002 to designate the Ronald Reagan Boyhood Home in Dixon a National Historic Site. Signed by President George Bush on Reagan's 91st birthday, the legislation ensures that the property will be maintained as a living legacy to our 40th President.

Hastert enjoys strong editorial support from the newspapers in his district and has received the "Outstanding Legislator" award by numerous groups. He is particularly proud to have been named repeatedly a "Friend of Agriculture," "Guardian of Senior Rights," and to have won

in each of his years in Congress the "Golden Bulldog Award" for fighting against waste in government.

Prior to Congress, during the eighties, Hastert served three terms in the Illinois General Assembly, where he spearheaded legislation on child abuse prevention, property tax reform, educational excellence and economic development. While there, he also led an effort that resulted in the adoption of a new public utilities act, reforming the law to benefit Illinoisans.

Hastert spent the first 16 years of his career as a government and history teacher at Yorkville High School, and it also was there that he met his wife, Jean, a fellow teacher. In addition to teaching, he coached football and wrestling and led the Yorkville High School Foxes to victory at the 1976 Illinois State Wrestling Championship; later that year, he was named Illinois Coach of the Year. Hastert, a former high school and college wrestler himself, was inducted as an Outstanding American into the National Wrestling Hall of Fame in Stillwater, OK, in 2000. In 2001, the United States Olympic Committee named him honorary vice president of the American Olympic movement.

Born on January 2, 1942, Hastert is a 1964 graduate of Wheaton {IL} College where he earned a bachelor's degree in economics. He attended graduate school at Northern Illinois University in DeKalb, where he earned a master's degree in the philosophy of education in 1967. Hastert lives in Yorkville, IL, along the Fox River with his wife Jean. They have two grown sons, Ethan and Joshua. Whenever he can find free time, Hastert enjoys attending wrestling meets, going fishing, restoring vintage automobiles, and carving and painting duck decoys.

Newt Gingrich

Newt Gingrich is well-known as the architect of the Contract with America that led the Republican Party to victory in 1994 by capturing the majority in the U.S. House of Representatives for the first time in 40 years. After he was elected Speaker, he disrupted the status quo by moving power out of Washington and back to the American people. Under his leadership, Congress passed welfare reform, passed the first balanced budget in a generation, and restored funding to strengthen our defense and intelligence capabilities, in addition to passing the first tax cuts in 16 years.

But there is a lot more to Newt Gingrich than these remarkable achievements. As an author, Newt has published seven books including the bestsellers, *Gettysburg, Contract with America* and *To Renew America*. His most recent books are *Grant Comes East*, the second in a series of active history studies in the lessons of warfare based on a fictional account of the Civil War and *Saving Lives & Saving Money,* which demonstrates how to transform health and health care into a 21st century system.

In his post-Speaker role, Newt has become one of the most highly sought-after public speakers, accepting invitations to speak before some of the most prestigious organizations in the world. Because of his own unquenchable thirst for knowledge, Newt is able to share unique and unparalleled insights on a wide range of topics. His audiences find him to be not only an educational but also an inspirational speaker.

Widely recognized for his commitment to a better system of health for all Americans, his leadership helped save Medicare from bankruptcy, prompted FDA reform to help the seriously ill and initiated a new focus on research, prevention, and wellness. His contributions have been so great that the American Diabetes Association awarded him their highest non-medical award and the March of Dimes named him their 1995 Georgia Citizen of the Year. Today he serves as a board member of the Juvenile Diabetes Foundation.

In his book, *Saving Lives & Saving Money*, Newt describes his vision of a 21st century system of health and health care that is centered on the individual, prevention focused, knowledge intense, and innovation rich. Moreover, he makes the case for a market-mediated system that will improve choice and quality while driving down costs. To foster such a modern health system that provides better outcomes at lower cost, Newt launched the Center for Health Transformation (www.healthtransformation.net).

Recognized internationally as an expert on world history, military issues, and international affairs, Newt serves as a member of the Defense Policy Board. Newt is the longest-serving teacher of the joint war fighting course for major generals. He also teaches officers from all five services as a distinguished visiting scholar and professor at the National Defense University. Newt serves on the Terrorism Task Force for the Council on Foreign Relations. He is an editorial board member of the Johns Hopkins University journal, *Biosecurity and Bioterrorism*, and is an advisory board member of the Foundation for the Defense of Democracies.

In 1999, Gingrich was appointed to the United States Commission on National Security 21st Century, the Hart Rudman Commission, to examine our national security challenges as far out as 2025. The Commission's report is the most profound rethinking of defense strategy since 1947. The report concluded that the number one threat to the United States was the likelihood

over the next 25 years of a weapon of mass destruction—nuclear, chemical, and or biological—being used against one or more major cities unless our defense and intelligence structures underwent a massive transformation. That report was published 6 months before September 11.

Because of his work on the Commission, Newt Gingrich is credited with the idea contained in the report of a homeland security agency with a secretary to serve on the Cabinet level. President George W. Bush has since created the Department of Homeland Security.

Newt Gingrich is CEO of the Gingrich Group, a communications and consulting firm that specializes in transformational change, with offices in Atlanta and Washington, DC. He serves as a senior fellow at the American Enterprise Institute in Washington, DC; a distinguished visiting fellow at the Hoover Institution at Stanford University in Palo Alto, CA; the honorary chairman of the NanoBusiness Alliance; and as an advisory board member for the Museum of the Rockies. Newt is also a news and political analyst for the Fox News Channel.

Newt Gingrich is a leading advocate of increased Federal funding for basic science research. In 2001, he was the recipient of the Science Coalition's first Science Pioneer award, given to him for his outstanding contributions to educating the public about science and its benefits to society.

A strong advocate of volunteerism, Gingrich has long championed the positive impact every individual can have on society. He has raised millions of dollars for charity, donating both time and money to a wide array of causes, including Habitat for Humanity, United Cerebral Palsy, the American Cancer Society, and ZooAtlanta. A former environmental studies professor, he is widely recognized for his commitment to the environment and to the advancement of a new, commonsense environmentalism. In 1998, the Georgia Wildlife Federation named him Legislative Conservationist of the Year.

Newt was first elected to Congress in 1978 where he served the Sixth District of Georgia for 20 years. In 1995, he was elected Speaker of the U.S. House of Representatives where he served until 1999. The *Washington Times* has called him "the indispensable leader" and *Time* magazine, in naming him Man of the Year for 1995, said, "Leaders make things possible. Exceptional leaders make them inevitable. Newt Gingrich belongs in the category of the exceptional."

His experiences as the son of a career soldier convinced him at an early age to dedicate his life to his country and to the protection of freedom. Realizing the importance of understanding the past in order to protect the future, he immersed himself in the study of history, receiving his bachelor's degree from Emory University and master's and doctorate in modern European history from Tulane University. Before his election to Congress, he taught history and environmental studies at West Georgia College for 8 years.

He resides in Virginia with his wife, Callista. He has two daughters and two grandchildren.

Thomas S. Foley

Ambassador Thomas S. Foley advises clients on matters of legal and corporate strategy. He is currently the chairman of the Trilateral Commission.

In addition to being a partner at Akin Gump, Ambassador Foley is also a senior advisor at AG Global Solutions, a joint venture of Akin Gump and First International Resources, Inc., focusing on strategic communications and problem-solving for corporations and sovereign governments, particularly in complex cross-border matters.

Prior to rejoining the firm in 2001, Ambassador Foley served as the 25th U.S. Ambassador to Japan.

Before taking up his diplomatic post in November 1997, Ambassador Foley served as the 49th Speaker of the House of Representatives. He was elected to represent the State of Washington's Fifth Congressional District 15 times, serving his constituents for 30 years from January 1965 to December 1994.

Mr. Foley served as majority leader from 1987 until his election as Speaker on June 6, 1989. From 1981 to 1987 he served as majority whip, the number three position in the House leadership. He also was a chairman of both the House Democratic Caucus and the Democratic Study Group.

During his years in Congress, Mr. Foley was a member of the Committee on Interior and Insular Affairs. He served as chairman of the Committee on Agriculture and the Committee on Standards of Official Conduct.

As majority leader, Mr. Foley served on the Permanent Select Committee on Intelligence, the Committee on the Budget, the Select Committee to Investigate Covert Arms Transactions with Iran, and as chairman of the House Geneva Arms Talks Observer Team.

In 1995, following his career in Congress, Ambassador Foley joined Akin Gump as a partner.

Mr. Foley has served on a number of private and public boards of directors, including the Japan-America Society of Washington. He also served on the board of advisors for the Center for Strategic and International Studies and on the board of directors for the Center for National Policy. He was a member of the board of governors of the East-West Center and is currently a member of the Council on Foreign Relations. Before his appointment as Ambassador, he served as chairman of the President's Foreign Intelligence Advisory Board.

Mr. Foley is an honorary Knight Commander of the British Empire. He has been awarded the Cross of the Order of Merit of the Federal Republic of Germany and also is a member of the French Legion of Honor. In 1996 the Government of Japan conferred upon him the Grand Cordon of the Order of the Rising Sun, Paulowina Flowers, in recognition of his service to the U.S. House of Representatives and the important impact he had in facilitating harmonious U.S.-Japan relations and promoting understanding of Japan in the United States.

Mr. Foley is a native of Spokane, WA, and a graduate of the University of Washington and its School of Law. He is a member of the District of Columbia Bar.

Mr. Foley is married to the former Heather Strachan. They reside in Washington, DC, and Spokane, WA.

James C. Wright, Jr.

The insights gained by Speaker Jim Wright in his long and tumultuous career can shed light on many of the problems we face in the world today. A Member of Congress for 34 years, Mr. Wright served with eight American Presidents. He was chosen by his colleagues as Speaker of the U.S. House of Representatives, the highest honor Members can bestow upon one of their number. He has met and come to know many heads of state including Mikhail Gorbachev and several of the current leaders of Middle Eastern nations.

As majority leader, Mr. Wright helped President Carter achieve the historic peace agreement between Egypt and Israel. He was the principal advocate in Congress for an energy policy to reduce our Nation's dependence on Middle Eastern oil.

As House Speaker, Mr. Wright presided over the historic 100th Congress, considered the most productive in a generation. Under his leadership, Congress passed landmark legislation on such major issues as shelter for the homeless, catastrophic medical assistance for the elderly, safer highways and bridges, quality education, clean water and affordable housing. That 100th Congress fashioned the beginnings of an effective war on drugs and passed the first major trade bill in 50 years.

Jim Wright was born in Fort Worth, TX, a city he represented in Congress from 1955 through 1989. He completed public school in 10 years and was on his way to finishing college within 3 years when Pearl Harbor was attacked. Following enlistment in the Army Air Corps, Mr. Wright received his flyer's wings and a commission at 19. He flew combat missions in the South Pacific and was awarded the Distinguished Flying Cross and the Legion of Merit.

After the war, Mr. Wright was elected to the Texas Legislature at 23. At 26, he became the youngest mayor in Texas when voters chose him to head their city government in Weatherford, his boyhood home.

Elected to Congress at 31, he served 18 consecutive terms and authored major legislation in the fields of foreign affairs, economic development, water conservation, education, and energy. Mr. Wright received worldwide recognition for his efforts to bring peace to Central America.

Jim Wright served 10 years as majority leader before being sworn in as Speaker on January 6, 1987. He was reelected as Speaker in January 1989.

A prolific writer, he has authored numerous books: *You and Your Congressman, The Coming Water Famine, Of Swords and Plowshares, Reflections of a Public Man* and *Worth It All: My War for Peace*. He has also written articles for major magazines and newspapers. His most recent book, *Balance of Power: Congress and the Presidents from the Era of McCarthy to the Age of Gingrich*, was published in May 1996 by Turner Publishing.

Mr. Wright currently serves as senior political consultant to American Income Life Insurance Company. He writes a frequent newspaper column and occasionally appears on network television news programs. Speaker Wright has donated his papers and memorabilia to the Texas Christian University library in Fort Worth, TX. Archivists there are cataloging these pieces for reference and display. He is currently a distinguished lecturer at TCU where he teaches a course entitled, "Congress and the Presidents."

Thomas P. O'Neill, Jr.

For Thomas P. "Tip" O'Neill, Jr., becoming Speaker of the House in 1977 was the pinnacle of a lifetime of service in government and the Democratic Party. Born in a working class neighborhood in Cambridge, MA, in 1912, the son of a city councilman, he entered politics at 15, campaigning for fellow Irish Catholic Al Smith in the Presidential election of 1928. While still a senior at Boston College, O'Neill lost a bid for the Cambridge City Council.

Tip O'Neill learned two great lessons from his first campaign. One lesson was learned on the last day of the campaign from his high school elocution and drama teacher, a neighbor who lived across the street from his residence. On that day, Mrs. Elizabeth O'Brien approached the aspiring politician and said "Tom, I'm going to vote for you tomorrow even though you didn't ask me." O'Neill was puzzled as he had known Mrs. O'Brien for years and had done chores for her, cutting grass, raking leaves and shoveling snow. He told his neighbor that "I didn't think I had to ask for your vote." She replied, "Tom, let me tell you something: People like to be asked." The second bit of advice came a few days after the election from O'Neill's father, when he told Tip: "Let me tell you something that I learned years ago. All politics is local." During that first campaign, Tip took his neighborhood for granted and did not work hard enough in his "own backyard." O'Neill took these lessons to heart. He would not hold his career aspirations over the interests of his constituents. The advice paid off. Beginning in 1936, when he was elected to the State House of Representatives, Tip never lost another election and he never took any vote for granted. Not forgetting the advice of Mrs. O'Brien, on every election he would ask his wife Millie for her vote. She would typically reply, "Tom, I'll give you every consideration."

In 1937, O'Neill began his first year of public life as a Massachusetts State representative and was elected minority leader in 1947.

In 1948, U.S. Congressman John W. McCormack (Democratic Party whip and leader of the Massachusetts delegation) offered his support and encouraged O'Neill to campaign hard to make the Democratic Party the majority party in the Massachusetts House of Representatives for the first time in a century. Their effort paid off as they captured 38 out of 40 GOP districts targeted by the Democratic strategy. The Democrats now held a majority of the seats, and O'Neill became the speaker of the Massachusetts House of Representatives.

In 1952, by a 3,000-vote margin, O'Neill won the seat in Congress vacated by John F. Kennedy, who had been elected to the U.S. Senate.

In Washington, under the tutelage of John McCormack, O'Neill learned the system and rose steadily through the party ranks.

In 1955, he became a member of the House Rules Committee. In 1967 his principled opposition to the Vietnam war startled many in his working class district, as well as President Lyndon Johnson, but gained him support among younger House Democrats. In 1970, he was a cosponsor of a reform bill that ended the practice of unrecorded voting in the House. Congressmen would now be accountable to their constituents for their actions. In 1971 he was named majority whip, then elected majority leader in 1972, a position he used to lead the fight against President Richard Nixon during the Watergate scandal. In 1974, O'Neill played a key role in managing the Nixon impeachment proceedings.

In 1977, O'Neill became the Speaker of the House of Representatives and held the position until 1987. This was the longest continuous term of the speakership in the Nation's history. One of his most important actions was to open the House to live television coverage {C–SPAN} beginning in 1979. In the eighties, O'Neill spearheaded the Democrats' efforts to hold the excesses of the Reagan revolution in check and to prevent massive scalebacks of social programs for the Nation's aged and less advantaged citizens. The Speaker felt Reagan did not have a firm grasp on domestic affairs and once characterized the popular President as a "Herbert Hoover with a smile." For these efforts, O'Neill was vilified as a "tax and spend liberal" by the Republicans, the conservative press and even some of his own constituents. By November 1982, America was in the grips of the worst economic downturn since the Great Depression and Reagan's economic policies brought him the lowest approval rating of his Presidency. In leading the loyal opposition into Reagan's second term, O'Neill stayed true to the Democratic tradition he viewed almost as a religion (alongside his other faiths, Roman Catholicism and the Boston Red Sox). Also to the displeasure of the Reagan administration, O'Neill was horrified by the atrocities committed by Contra rebels in Nicaragua and sought to limit U.S. funding to these groups.

After 10 years as Speaker, O'Neill retired in 1987, dividing his time between an apartment in Washington and a house on Cape Cod. "He was the Congressman's Congressman," said longtime rival Senator Bob Dole when O'Neill died in 1994 at the age of 81. "He loved politics and government because he saw {they} could make a difference in people's lives," remembered President Bill Clinton, "and he loved people most of all."

List of Conference Participants

Jeff Biggs. Director, Congressional Fellowship Program, American Political Science Association. Former Press Secretary to Speaker Thomas S. Foley.

James C. Billington. Librarian of Congress.

David E. Bonior. Democratic Member of the House from Michigan (1977–2003).

Gary Copeland. Director, Carl Albert Congressional Studies and Research Center, University of Oklahoma.

Mickey Edwards. Republican Member of the House from Oklahoma (1977–1993).

John A. Farrell. Washington Bureau Chief, *Denver Post*.

Vic Fazio. Democratic Member of the House from California (1979–1999).

Thomas S. Foley. Speaker of the House of Representatives (1989–1995). Democratic Member of the House from Washington (1965–1995).

Bill Frenzel. Republican Member of the House from Minnesota (1971–1991).

Newt Gingrich. Speaker of the House of Representatives (1995–1999). Republican Member of the House from Georgia (1979–1999).

J. Dennis Hastert. Speaker of the House of Representatives (1999–). Republican Member of the House from Illinois (1987–).

Janet Hook. Chief Congressional Correspondent, *Los Angeles Times*.

Gary Hymel. Former administrative assistant to Majority Leader Hale Boggs and Speaker Thomas P. O'Neill, Jr.

Tom Loeffler. Republican Member of the House from Texas (1979–1987).

Robert H. Michel. Republican Leader of the House (1981–1994). Republican Member of the House from Illinois (1957–1995).

Daniel P. Mulhollan. Director, Congressional Research Service, Library of Congress.

Walter J. Oleszek. Senior Specialist, Congressional Research Service.

Leon E. Panetta. Democratic Member of the House from California (1977–1993). OMB Director (1993–1994). White House Chief of Staff to President William Clinton (1994–1997).

Robert V. Remini. Professor of History; Kluge Scholar, Library of Congress.

Dan Rostenkowski. Democratic Member of the House from Illinois (1959–1995).

Robert S. Walker. Republican Member of the House from Pennsylvania (1977–1997).

Donald Wolfensberger. Director, The Congress Project, Woodrow Wilson International Center for Scholars. Former staff director of the House Rules Committee (1995–1997).

James C. Wright, Jr. Speaker of the House of Representatives (1987–1989). Democratic Member of the House from Texas (1955–1989).

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