

# Center for American Progress



## **SPECIAL PRESENTATION**

### **“FORUM ON THE NEW OBEY AUTOBIOGRAPHY AND THE EVOLUTION OF THE AMERICAN CONGRESS”**

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MR. SCOTT LILLY: Good morning. Thank you for coming to CAP this morning. We are going to have another session on one of our favorite topics, which is the Congress and the health of the Congress. The founding fathers considered the Congress, and specifically the House of Representatives, the heart of our democracy. How effectively it functions has a great deal to do with how clearly the voice of the people is heard in our government, and the talent of those who serve determines how constructively that voice impacts our policies and our government.

The health of the House as an institution and quality of its members is therefore a matter of constant concern to anyone dedicated to the principles of democracy. One of the preeminent Congress-watchers of our time, the late Nelson Polsby, wrote in his last book on the institution *How Congress Evolves*, "Once upon a time, not so long ago it was fairly common for political observers in the United States to complain that the Congress never changes." In explaining why Congress suddenly began to change in the late 1960s, he quotes another preeminent Congress-watcher, a member of our panel, Norm Ornstein, who explained, the period 1967 to 1970 was one of maximum frustration, both substantive and procedural for the Democratic liberals. Much was tried and little was accomplished.

That is precisely the period that one particular liberal Democrat arrived in the institution, our guest this morning, David Obey. He has served in the House of Representatives since 1969 and has recently completed a book on his service in Congress during those years, *Raising Hell for Justice: The Washington Battles of a Heartland Progressive*. Another esteemed Congress-watcher has called the book a powerful and enlightening memoir by one of America's all time great legislators, one of a vanishing breed in Congress whose entire career in public life has been committed to both advancing a principled agenda and a working, constructive relationship with colleagues on both sides of the aisle. I think the book is also important because it provides us with a new perspective through which we can examine some of the things that have changed in this most important of human institutions.

Looking back to the 1960s, much of what has changed is good. During the period of the '60s, extraordinary power was concentrated in the hands of individuals whose political and moral compass was completely at variance with a large majority of the American people. The rigid seniority system that was in place allowed individuals such as Howard "Judge" Smith of Virginia and William Colmer of Mississippi to exercise extraordinary autocratic power on behalf of policies that were both regressive and racist.

That era is over. Obey was personally a key factor in efforts to overthrow the conservative coalition that allowed many of the Democratic Party's key chairmanships to fall into the hands of individuals who are out of sync with their party and the nation at large. But what does Tom Mann mean when he says that Obey is one of a vanishing breed? Obey provides a good deal of insight and color in describing his colleagues in the

early years of his service. Regarding Otto Passman, chair of the Foreign Operations Committee, Obey says, the name Passman had been synonymous with reaction and ignorance. His hearings were often monuments to irrationality. He would regularly denounce foreign aid from every legislative mountaintop within his reach, and then after he had done so, extract a price to allow its passage.

But Obey also describes many other colleagues, many less perfect, less than perfect, but a list of individuals whose legislative skills, knowledge of government and the political process seem in today's context extraordinary. People like Dick Bolling, Mo Udall, John Moss, Phil Burton, Jack Bingham, Jim O'Hara, Don Fraser, John Culver, Abner Mikva, these are Democrats that Obey worked with in his first years in the House and I think there is a similar list of extraordinarily capable Republicans that would be equally impressive.

But the questions that these names present is do we attract individuals of a similar quality to the Congress today, and once they are here do they have the mentoring and institutional support to develop into the kind of legislators who can ensure that Congress remains a coequal branch.

Of equal importance is the question of whether those who do possess such talent are given an opportunity within an institution to put that talent to work. There are other questions about the way in which Congress has changed. During the Gingrich and Hastert speakerships, power was greatly consolidated within the speakership. It's too early to judge the new Congress, but there are certainly some signs of how much it is changing from the leadership styles and practices of that characterized by the last six Congresses.

We have a distinguished panel. I'm not going to take time to go through their biographies. We've provided them to you and they're on our website, but I will say that Norm Ornstein has written extensively over the years on this topic, including his most recent effort, a book that he coauthored with Tom Mann, *The Broken Branch*. Richard Cohen is a coauthor of the *Almanac of American Politics* and has written a number of important books on the Congress, including *Rostenkowski: The Pursuit of Power and the End of the Old Politics*.

I'm going to ask Congressman Obey, Norm Ornstein, and Richard Cohen to speak in that order and then we'll have questions from the audience. Thank you.

REP. DAVID OBEY (D-WI): Well, thank you, Scott. In one sense, the Congress is very much in the same boat today as it was when I came in on April Fool's Day of 1969. I couldn't have been elected any other day. In '69, the Congress was trying to determine how it could take action to shut down the war in Vietnam. Today we are trying to determine how we can take action to shut down the war in Iraq, and we are just as frustrated today as we were over 30 years ago.

In one sense, the Congress itself is very different in considering that issue than it was 35 years ago because in those days – and as you know, the Congress operates largely

in what's called the committee as a whole as opposed to being in the full House, which means that you have reduced requirements for a quorum as you're doing business, et cetera. But one of the disadvantages we had in trying to shut down the war in Vietnam in those days is that there was no such thing as a roll call vote in the committee of the whole. You could not get votes during consideration of bills under the amendment process. The only time you could get a vote on an issue like that would be when the bill returned to the full House and you could then have a revote on any amendment that had passed in the committee of the whole. And so in those days, the supporters of the Vietnam War were able to use the rules of germaneness plus the hammer of the Rules Committee to prevent any amendment being offered that really reflected the intention of its sponsors.

So we had to fit our efforts into a very narrow language box. They could only be regarded as limitations on an appropriation bill. We could not have any policy twists at all with respect to the language in the amendment, which is one reason it took so long to get enough votes for the amendments, because most of the time, what you had to vote for – the only thing you were left with didn't make a hell of a lot of sense. In that sense, things are different today because it's significantly easier to get votes in the committee of the whole on all kinds of controversial issues.

But I'm going to talk primarily how the House has changed in terms of transparency. It is far more transparent today than it was when I came here, and I would submit that we're far more transparent than the other branches of government. If you're the Supreme Court, your deliberations are behind closed doors. Only the clerks know what's going on. If you are in the executive branch of government without leaks, persons on the outside don't know what the internal debates are because they don't keep a record and they don't have roll call votes in the White House. If you're in the House of Representatives, those who are opposed to your ideas, they're sitting six feet away across the aisle and you're performing in full view of television. That's very different than it was when I came. When I came in '69, there were no cameras, and so the debate was very different in nature in those days. The debate was largely focused on trying to persuade movable members in the House to vote one way or another. Today, remarks in debate are made primarily for the benefit of the outside audience watching on C-SPAN.

The committee markups – when I came here in '69, the committee markups were behind closed doors, and with respect to the Appropriations Committee many of the hearings themselves were behind closed doors. To show you the difference in attitude, when Sid Yates finally offered an amendment to the Appropriation Committee to make the public hearings open, I had not spoke in a full year since I'd joined the committee. I'd not said one word in full committee, and when I stood up to make my maiden speech in support of Sid Yates' amendment, before I could say a word, John Rooney – this crusty, old subcommittee chairman from New York – turned to me and said, "Sit down you smart ass young punk. What do you know?" That's the way junior members were dealt with by senior members in those days. I don't think you can imagine any chairman saying that today to junior members.

If you take a look at ethics, we have much more transparency today. When I came, there was no appreciable disclosure with respect to personal finances. The reforms that we adopted in my commission in the '70s changed that. We greatly expanded financial disclosure requirements. We also ended the practice of Congress giving speeches for pay through honoraria and we ended the practice of taking money from outside income sources such as law. We explicitly in the '70s banned any income from a law practice. One senior member came up to me when we proposed that and he said, "Obey, you don't understand the situation." He said, "It's not that my law practice takes any time from my job. It's just that as I rise in seniority, the lobbyists toss more business our way and I get a piece of the action." I said, "I know, I know." (Laughter.) He couldn't believe that that was not a drafting error. He didn't understand what were doing.

Another significant change which has had in my view a profoundly negative impact on substance is the Budget Act. Before 1973, the president sent down his budget, the Congress responded by making political judgments over the next eight months, and if at the end of the fiscal year they'd reached reasonably responsible decisions fiscally, they didn't take a heck of a lot of heat. If they had unreasonable choices, they took a lot of heat for fiscal irresponsibility. My great hero and mentor, Dick Bolling, was largely responsible for adopting the new process, which I think has had some positive aspects in terms of the tools it's given the Congress, but I think it's had some huge negative aspects, because what happens today is that virtually all questions of policy are squeezed out by the way the Budget Act works. We have to pass a resolution which spells out what our intentions are for the rest of the year and so the only thing that counts politically it seems is whether each side's budget resolution actually hits the financial target or the deficit target rather than whether it is an effective instrument for moving the country forward, and it is gamed unmercifully.

In 1981, for instance, when Jim Jones was chairman of the Budget Committee, he thought he had the votes – when the Congress left Washington that weekend, he thought he had the votes to beat Reagan on the budget resolution. When he returned the following week, he didn't. Why? Reagan hadn't changed his budget. David Stockman had simply done a new set of estimates based on different economic assumptions and that enabled Stockman to claim that he had a smaller deficit than Jones did and that was the only thing that mattered in consideration of the bill politically, and so by manipulating those numbers – and Stockman admitted later that it was all phony – they were able to defeat Jones' amendment. There are numerous other examples I could give of how that budget process is manipulated, but we can get into that in the question period.

The House is simultaneously more decentralized and more centralized than it was when I came here – decentralized because today members largely have the ability to select their own subcommittee assignments. That wasn't the case when I came here. In fact, in some committees there weren't even subcommittees. Wilbur Mills kept control of the Ways and Means Committee by simply not having subcommittees. He would appoint ad hoc task forces if he wanted to, but he kept all of the stuff in his own pocket. That was the source of his power, at least one of the sources, the other being the fact that he headed the Ways and Means Committee, which appointed people to their committees. That's not true today. Today, that process is largely guided by the House leadership.

And there are other major changes. The House has been hugely impacted by the changes in campaign finance and campaign finance has been hugely impacted by the way the House has changed. As Scott has mentioned, in the old days seniority was the absolute rule. You just didn't break the seniority line in terms of selecting committee chairmanships. That changed. We had four chairmen who were recommended for defeat after the Watergate class came in here, three of them were defeated. One, Wayne Hays, was not, which shows you how bad the judgment of the Democratic Caucus was because they didn't remove the one guy they should have removed first off. And I'm an example of the change because when I ran for committee chairman, I jumped four people on the seniority ladder, but today, if you take a look at what happens, in the old days, only the marginal members were on the money trail dialing for dollars, for campaign dollars. Your senior members had modest campaign efforts, the national campaign committees were marginally involved in races and they focused largely on marginal districts.

Today, because of the huge explosion in the amount of money in campaigns, the senior members are dialing for dollars trail as well because they're expected to help raise a lot of money to help marginal members. And so the fact that the Supreme Court has ruled the way it has, and the fact that congressional races have become nationalized and much more competitive means that everyone is on the money trail. That's the principal reason that I've introduced campaign finance legislation which would say that in general elections not one dime of private money could be used because I think it would take committee chairs and ranking members significantly off the money trail because individual members would not be allowed to contribute to other members. When I came here, the practice of one member contributing to another was frowned upon. It was looked at as being not quite kosher. Today, it's expected. That's a huge change in the way the Congress works and it has huge implications for substance as well.

There are a lot of other changes I'd like to get into, but I think I've hit my time, so let me stop at this point and we can talk about other changes. Just one other – outside conditions have changed as well. The party was used to be used as filters and as mediators for all kinds of interest groups. Today, with the rise of single interest groups, parties have a much greater difficulty mediating those differences. In that sense, it's very much like what has happened to journalism. In the old days, your mainstream journalists were also largely the gatekeepers in terms of information that got out to the general public, but today with the internet, with the bloggers, they no longer can screen the garbage from the quality stuff and so virtually everything is out there, and in that sense what has happened to mainstream journalism is similar in many respects to what's happened to the parties' ability to broker these differences between groups that are looked at as being part of their coalitions. Let me stop at that point and we'll get into more later.

MR. NORMAN ORNSTEIN: Thanks. It's a delight to be here. Let me start with a plug for the book. I read *Raising Hell for Justice* in its manuscript form. This is just a terrific book. The title is just right, if you know Dave Obey at all, both parts of it, but it is a marvelous evocation of his life in politics. And good as the parts in Washington are, the story of Dave growing up and especially his time in the Wisconsin state legislature is

just priceless. It taught me a lot, but it also made me wish I had spent some time in Madison. It was quite a place.

Let me also say we have – I see Bob Livingston is here and Tom Downey also. Those of us who are Congress-watchers have over the years just naturally gravitated to the legislators, the people who have, whatever their political view point, a natural affinity for the nature of the legislative process, who are there to do something good, who understand that oftentimes you're going to have to curb some of your natural instincts – and that may include some of your natural, personal instincts, as well as some of your political viewpoints – to try and build coalitions to make things happen.

I came to Washington at just about the same time as Dave Obey did. A group of smart ass young punks descended in Washington around 1969. For me it was the fall of 1969. So I've been here for 38 years and I've known him during that 38-year period, and I found a lot of people back then I could gravitate towards, including some who raised even more hell than Dave Obey. The first week I was here and I was 20 years old and very fresh-faced and standing in a room reception for a group of members of Congress known as "The Group," and just standing minding my own business and this huge man with a huge pot belly with a glass of vodka in his hand and a cigarette in his lips, dangling ashes came over to me. As the ashes fell on my shoes and the vodka spilled all over my shirt and he just began to poke his finger in my chest and yell at me, and I had no idea what I had done or what was going on. His name was Phil Burton, a larger than life figure in almost every respect and, of course, one of the great legislators of all time.

We always think that in our day things were better or things were different, but I really believe that in our day things were better and things were different, at least in the sense that there were a lot more people who came to Congress because they wanted to be legislators. Now there are a lot of people who come to Congress because it's a great step up the ladder of ambition, because it's a springboard to something else, because they can get fame or live nice lives or because they want to ride on an ideological crusade. We've always had significant numbers of people like that, but I think the locus has shifted.

Now, let me say, when I came here, just as Dave said, there were some parallels. We had a deeply divisive war emotionally driving the country apart, we had divided government with a Republican president and a Democratic Congress. The first week I was in town, I got inadvertently caught in the middle of a huge demonstration with tear gas everywhere. As I walked out the door of my newly rented place on Shirt Street near Dupont Circle with the roommate's dog and all of a sudden, a demonstration at the South Vietnamese embassy a few blocks up the street that had gone awry had large numbers of panic demonstrators followed by police in full riot gear surrounding us.

And that characterized the year, but there were a lot of differences. Among them, the deep divisions over the war were not along partisan lines. They were much more along seniority lines and ideological lines. Most of the senior Democrats, who tended to be Southerners, were strong supporters of the president and his war. Many junior Republicans, people like Mark Hatfield and Charlie Goodell were among the strongest

opponents of Vietnam joining with liberal Democrats – a very different kind of reality than we have seen now.

At the same time, we had enormous tension. I have a palpable memory of being on the Senate floor when George McGovern took his institution to task for its role in Vietnam, saying the walls of this chamber reek with blood, and there was a collective gasp in the chamber. People weren't supposed to use language like that. Just a short while later, Bob Dole, then a freshman senator auditioning in some ways for his next role as chairman of the Republican National Committee, took to the floor and just ripped the bark off McGovern in language that we weren't used to seeing, and I thought, it just can't get any nastier than this. Well, we yearn for days like that now. (Laughter.) And of course, the other reality is it wasn't long thereafter that I saw McGovern and Dole walking arm in arm in the Senate quarters because they developed a friendship forged into a life long friendship that persists to this day over their common interest in alleviating hunger in America and the world. Back then they were adversaries; today they'd be called enemies.

We've seen dramatic changes in partisanship. There was always partisanship. Dave Obey has always been a fierce partisan. Bob Livingston was a fierce partisan and is a fierce partisan, but partisanship, which is a healthy element of every democracy, has verged in recent years into a tribalism where you want to crush your enemy into the dust. We have seen a much sharper ideological polarization. That doesn't mean you can't make things happen, and to me the great tragedy of our time is that I see lots of people who might be a reasonable distance apart but where there is still a very substantial common ground across a range of issues and the great paradox of the Congress now is that on many committees, including on Dave's Appropriations Committee, you see still the ability of Democrats and Republicans to work together, and then when things get to the floor it descends into the abyss. That's precisely what happened with the Agricultural Appropriations Bill just before Congress ended that ended on an artificial, sour note of immense proportions that's carrying over now and will for months and provide even greater divisions.

And of course, the dramatic regional changes in the country, the South going from the solid Democratic base to what is not with the Republican base, the Northeast, stunningly only one Republican member of Congress from New England remaining, Chris Shays in the House after the 2006 elections, the transformation of the West Coast, all have contributed to that kind of polarization, and then the parity of the last dozen years or so, the fact that now every election, you can weave a reasonable scenario where the majority could shift hands, and of course, the consequences with that polarization are much, much sharper than they were.

When we got here in 1969, we were 15 years into the 40 consecutive years of Democratic majority in the House, and frankly, from 1958 on there wasn't an election until 1994 where there was any realistic chance going in that the majority would shift and it changes attitudes day to day. If you think that everything you do might shape the outcome of the election, it drives a wedge between the parties. It makes it much tougher to work across lines where you might give traction to the other side.

Now, add to those things, the rise of the permanent campaign and beyond the lobbyists I think one of the most significant developments that's added to the dysfunctionality of our political process – the dramatic increase in power and role on a daily basis of political consultants.

When I first got here, there really was a season of campaigning and a season of governing, and political consultants and pollsters worked in a campaign and then they went away. They did other things for a year and a half before they came back. Now it's a seamless web. They go right from the campaign either into the office or into a direct role lobbying, doing public relations for or raising money on a daily basis for everybody. They're in on all the leadership meetings and they're the first ones in the door and everything is driven by the sensibilities of political consultants, rather than by what used to drive it, which is people like Dave Obey saying, first, what's good for the country?

Indeed, I was struck by this when the Democrats were still in the majority going from time to time as I did to both parties' leadership retreats, and Dick Gephardt, the majority leader would hold retreats with a small number of members and I was the only outsider who wasn't a partisan, and the consultants would all be saying, you can't focus on these issues. They don't poll well. And the members were saying, but that's what's important, and that kind of tension now dominates the process in a way that makes it unhealthy.

In 38 years I have not seen a dysfunctionality like the one we have now, and it's at the worst possible time in my judgment, and what I'm afraid of is that we still get some people like Dave Obey who can make you proud to be veterans of Congress and partisans of Congress, but I fear that the dysfunctional atmosphere we have, which has not been helped in the last few years by the dynamics of a presidency that has really been more for dividing than uniting, are going to take those people who come to be good legislators and grind that out of them and turn them more into products of their times rather than those that are trying to change them by raising hell for justice.

MR. RICHARD COHEN: Good morning. I am the third member of this panel who arrived in Washington in 1969, so you really do have some grey beards here. I came to go to law school and worked in the Senate during those three years and then after graduating from law school joined *National Journal*. So I have dealt – enjoyed dealing with Mr. Obey during much of that time, with Dave Obey as he has evolved, and I actually wrote a piece for *Congress Daily* published by *National Journal* in July in which I wrote about the book and I said – I praised it. It's an extraordinary book. I highly recommend it to all of you, and as I was – beyond what I wrote in the relatively brief 800-word review, I have a couple of additional specific thoughts, observations just kind of thinking about the book in the last few days.

Let me just – at the risk of getting into some dull numbers, I think they illustrate the range of Dave Obey and the accomplishments. It's been an extraordinary career. For example – and Scott began the panel by saying when Dave arrived, he kind of bonded with some very active members, not only Phil Burton, who's been talked about already,

and Dick Bolling and Moe Udall and John Moss and Jim O'Hara and Don Fraser, and it occurred to me that these members all had one thing in common: they're white males. Well, that is not – I don't say that to reflect badly or adversely or even judgmentally on Dave Obey, but the reality is when he arrived here in 1969, that's all there were. There were by my count over the weekend in the House, among House Democrats there were five women. Now there are 50. There were then eight African-Americans. Now there are 40. There were three Hispanic members. Now there are 20. So when you add up those numbers and ruling out the duplicates of which there are quite a few, we've gone from a time then in 1969 in which there were 16 – one six – minority members, blacks, Latinos, women, that's roughly 7 percent of the House Democrats. I'm only talking about Democrats, so we've got from 7 percent to roughly 40 percent of the current House Democrats are blacks, Latinos, and women and/or woman.

That to me is a very significant change. Why – well, I think the facts speak for themselves, but then only just at least suggest that among the results which are – I think we can agree that they're positive, the House has become a more representative institution, it's more connected to the public, and that indeed, despite some sentiments which are not only valid to some extent, but I think they are kind of part of Washington life, the good old days had some positive aspects, but in some respects, they weren't better.

There were problems in the good old days, even in 1969. The House had – notwithstanding the members who we cited and who impressive members, there was a lot of dead weight in the House in 1969. It's been mentioned that I wrote a book about Dan Rostenkowski. Putting him aside, you look at the Chicago delegation in 1969 and it was pretty weak. There weren't a lot of members – legislators who you could count on to provide national leadership. They were there to protect Mayor Daley. The House in 1969 was a very cautious institution as has been alluded to, certainly on the war, even on oversight and the House in 1969 was in the grip of seniority, which Dave has already discussed.

And I take this one step further and throw a couple of more numbers at you that the Appropriations Committee is an important example of the problems that existed when Dave Obey arrived and the changes that have taken place since then. The committee – I'm going to have some more numbers here, some more data – the committee in 1969 had 30 Democrats. Thirteen of them were from the South, and that actually wasn't such a problem because roughly 40 percent of the House Democrats were from the South, so the committee was roughly in sync, but the bigger problem or challenge, if you will – some (wouldn't?) necessarily agree it was a problem – is that of the 13 subcommittee chairmen, eight of them were from the South and they included most of the (barons?). And Dave Obey and his allies clearly understood this problem. They spent much of the 1970s and beyond seeking to make changes so that a committee that in 1969 had one woman – Julia Butler Hansen of Washington – no blacks, no Latinos, now has – get my numbers here – I think 13 blacks, women and/or Latinos. There are still Southerners on the committee and there's even a free Southern subcommittee chairman, but it is a much more representative institution.

Mr. Obey took one of the comments I was going to make, it's one of the great lines in the book, but he didn't – I want to finish what he started. He talked – and this gets to the point of how the Appropriations Committee has changed. He gave you the comments from John Rooney when Dave had the temerity to get up and talk about a proposed rules change by Sid Yates and I won't repeat what Rooney said, but Obey just now did not repeat to you what he said, which comes from the book. (Laughter.) And I'll do that. I'll finish the thought. Surprised and angered by Rooney's words, I turned to him and said to him, "Kiss my fanny, you senile, old goat. What do you know?" (Laughter.) The committee let out a collective gasp. So that's just in the interest of full disclosure.

So change began and it was big change, and I think one part of change, which really I think was striking and again, I'm quoting from the book is how when Dave became chairman, he played on, he took advantage of, he worked with some of the agents of change, if I can put it in those terms. And this is from page 293 of the book when he's decided to challenge Neal Smith to be chairman of the Appropriations Committee after the death of or as Bill (unintelligible) was about to die. Just reading a couple of sentences: "The most intense encouragement for me to take on the fight came from several of the women on the committee, especially Rosa DeLauro of Connecticut and Nancy Pelosi of California, both of whom were energetic progressives with a solid modern grasp of national and congressional politics. I love them for their decency and their conviction." And then finally, within days they were joined by a third female appropriator, Nita Lowey from New York."

I think it not only reflects on Dave Obey, but it reflects – it's a positive change that these additional members happened to be a woman. We can also cite blacks and Latinos. I'm not trying to sugarcoat everything, just to be clear here, but the Congress has become a more representative institution. It's a positive thing that Rosa DeLauro and Nita Lowey chair subcommittees where they bring their experience in life and it goes without saying, the thing – it's a thing to have a woman who's speaker of the House and crack the marble ceiling.

I will just finish up by offering – I'll get away from the data, and Scott invited us to talk a little bit about the continuing problems or challenges, if you will, in Congress. As a reporter who spends more of my time – and my bosses want me to do that – trying to understand and write about the members and about the institutions, and I spend less time – it's really not my job to focus as much on whether these changes or realities are good or bad, so therefore in that context I'll give you few brief thoughts that I have and I can probably finish it up here – a few brief thoughts about the significance of David Obey and his career.

One, it's – I think start with it it's had a lengthy time span, but clearly there've been other members, not a lot, but some other members who served 38 and beyond, but what adds to that factor for Obey are several other points. One, the range of issues with which he has dealt, not only on the – well, certainly on the Appropriations Committee where he chaired the Foreign Operations Subcommittee and clearly, as he writes, in a very important time, but also he chaired the Joint Economic Committee. He was active,

he's been very active, played an instrumental role on ethics and on budget issues, more than not only most or all appropriators in that time, but than other members generally.

He's also been able to adapt to the times in a way that's unusual among members of Congress, and he's continued to challenge the institution. And finally, he's remained, in my view fresh. In doing something for 38 years, it can be difficult to kind of keep the mind active and not to get bogged down in the past. He's a guy – he's a member who is willing to adapt and to continue to tackle the big issues.

I don't want to go – I could say that Congress needs more Dave Obeyes and I will say that, but I don't mean in a partisan sense. I mean it in a sense that we still have – Norm alludes to some of this – that Congress has problems and even the current Congress in terms of the limits of the agenda, in terms of – regarding the deference the Congress continues to pay to the president, regardless of which party controls Congress and regardless of who the president is, and that Congress continues to be a place I believe where the whole is less than the sum of its parts. In all of this context, Dave Obey is a member who thinks big and we need more of that. I'll leave it at that.

MR. LILLY: Thank you. I think it's a terrific panel, but I'm going to use my moderator's prerogative to ask the first question and then we'll go to the audience. I'd like each of the panelists to comment on whether they think – and some of them have gotten into this already, but in a little more focused way – do they think that the kind of people who seek public office, and in particular the Congress, has changed over the last 40 years? And if so, in what way? And is that good or bad for our country and our form of government?

MR. ORNSTEIN: Well, I think the answer is yes, and Rich is absolutely right that we had a very substantial share of dead wood, as we always have had in Congress. You're never going to have 535 people who are all leaders and are the brightest and best among us.

The real issue in some respects is what drives the membership, what drives the leadership, what kind of qualities do you have in your leadership. And as I said in my comments, I think the motivations have changed very substantially. Part of that is the whole nature of recruitment to public office and public life. Part of it is the demands of campaigns. A lot of people who might have come to Congress in their early or mid-years, having built up distinguished records in law practice, community service, business or whatever, 20 or 25 or 30 years ago, now look at what it would take to go through a campaign, not just debasing yourself raising the money, but running the real risk of having the reputation that you built up in a community over all of this time just shredded before your very eyes and those of your family's and it gives pause. I think it just makes it harder to get a lot of good people.

Now, having said that, I have no doubt that if you looked at the average IQ of the member of Congress today and compared it to that of the average IQ of the member in 1969, it would be higher. I have no doubt that if we look at the amount of alcoholism or other personal failings, we have less today than we had back then. But the whole is less

than the sum of the parts, and back then I think it was a different dynamic because you had a solid core of people in both parties who understood that they were a part of a larger institution who were dedicated to making it a better country and who loved the give and take of politics.

And as a big a difference as anything else is you had a lot of people who came as politicians and were professional politicians. Dave Obey is a professional politician. That is a term of slander today and it is one of the great tragedies of our time that we don't realize that democracy and the best way you can have a legislative body function is if you have people who understand that it takes give and take, that it takes compromise that you've got to remember that people who are adversaries one day are going to be allies the next, and that there are some issues which you have to transcend a lot of these other petty elements, including partisanship, and that just doesn't occur as much anymore.

MR. COHEN: I'll give a slightly different take. I think that yes, there's been a change in the quality, in the nature, the backgrounds of members seeking public office. But when I look at Tom Downey, who's sitting in the front row, I think it's largely been – I'm less concerned about that change. I think it's been a positive change, and not only – when we look at the class of '74, there were a number of members who came here with Tom, such as Bob Edgar and Tim Wirth, who had no background in professional politics. I kind of think that was good. So, yes, in the class of '74 there were members who've also done very well since then like Chuck Schumer, like Henry Waxman who did come from political background, but I think – and even more recently, we see members coming to the House on a grassroots basis in the current – in the new Democratic class, so I'm less concerned frankly with the change, and I think changes actually have been to the good in many respects.

REP. OBEY: Let me give you one example of why I think things have really degenerated. When Bob Michel ran into political trouble after he was minority leader and it looked like he was going to lose, Tip O'Neill sent the word out that Michel was too good a man to lose and he tried to blunt some of the attacks that were being made on Bob Michel. Compare that to what happened in the Senate several years ago when Bill Frist went into Tom Daschle's district to campaign against him directly. You used to have a certain degree of personal cement that held the party leadership together, even while they disagreed on a lot of basics. That personal cement has largely eroded today.

Second, if you're going to recruit a candidate – I'm not involved in much of that, but I've been involved in some – the single biggest obstacle that I have had in convincing somebody to run for a congressional seat is the fact that their spouse wants no part of it because they think that the campaign process has become so personalized that they will drag in so many personal issues, drag in so many – the first thing that's done when someone announces isn't so much that they announce what they're going to do themselves. They develop an opposition research package against the person they're running against. So that's a change because of the nationalization of politics because of the consultants that have been talked about. And I think that after you've had 10 years of this, it's much easier to recruit someone who not only believes that his side is right, but

that it is righteous and that the other side not only is wrong, but they're evil. So I think you get – and frankly I think (that switched?).

When I came to Congress, I think most of the haters were in the Democratic Caucus. There were some people, maybe 25 percent of those who were against the war who were so strongly against the war that they hated John McCormick, they hated Lyndon Johnson, they hated Richard Nixon. They hated anybody in the political establishment who disagreed with them and even if you agreed with them on the war, if you differed with them in terms of tactics about how to end the war, you were still morally defective.

Today, I think that's largely transferred – not exclusively, but largely – to the Republican Caucus, and so when you get some of these very junior members who will on the floor say to John Boehner, well, with all due respect, we've heard what you say about this arrangement that we've got on time, but you're only the minority leader and we want to hear what's happened with the majority leader. There's an intense amount of disrespect even for their own party leadership and I think in that sense you have a different kind of person coming to this institution.

MR. LILLY: Okay. Questions from the audience. Right up front here.

Q: (Off mike) on topic A this week in Washington in Congress is the war in Iraq. A number of Democrats were elected on an anti-war platform. It's known that Democrats have not been able to end the war. What's the prognosis for the weeks and months ahead? What's likely to happen?

REP. OBEY: Well, I was asked by I think a reporter from the *Washington Post* what I felt was the number one misunderstanding that the American people had of the Congress, and I said I think the number one misunderstanding is that people think that Democrats have control of the Senate where we merely have responsibility for it. (Laughter.) And that's the problem, because we do not have the votes in the Senate to force any president to change his policy in a dramatic way in Iraq. I think that is largely because – not just due to the fact that we only have – well, Daschle only had 49 functioning votes for a while because Lieberman was not in support of what he was doing – yeah, Harry Reid I mean. Lieberman was not in support, and Johnson was on the sick list and we certainly didn't have the 60 votes required to shut down debate or the two-thirds necessary to override the veto.

But I think it's also exacerbated by the fact that you have a president who doesn't compromise on nothing. He is just viscerally disinclined to govern by uniting on any subject except perhaps education when it comes to No Child Left Behind. And so I think it means that the country is in for a very dispiriting time because you will see Democrats in both Houses and some Republicans trying to persuade the president that he needs to change course in a dramatic way, but we do not have the votes to force that change, so having votes serves only the function of trying to put additional pressure on those who might change their mind to hasten the day when they do.

MR. LILLY: Carl? And would you stand, please?

Q: Sure. Carl Leubsdorf for *The Dallas Morning News*. Let me switch to the congressman's specialty, appropriations, another area in which there's a lot of disagreement, to put it mildly, on the Hill. How do you see that playing out this year? And it looks – there's some signs the Senate Democrats want to package everything in one package and then tell the president to take it or leave it and the way he's behaving, he may tell you to leave it and is government going to be shut down in November or December?

REP. OBEY: Well, I would think that everyone on both sides of the aisle recognizes that the government cannot be allowed to shut down. I don't think it's that the Senate wants to put things together in a package. I think the problem is that the Senate does not have the capacity to shut down debate as long as you have a few willful members who insist on offering literally hundreds of amendments in order to slow down the process.

You have a filibuster-by-amendment process going on in the Senate. We had in the House as well, and so in contrast to last year where I worked overtime to help the then majority Republicans get time agreements on bills to move them through the House in a timely fashion, because even though I was opposed to some of those bills, I thought that the House had an institutional responsibility to make a decision one way or another, and that if we didn't like the outcome, we were always free to take it to the country. But it's a different mindset that Harry Reid faces, and so I don't think anyone knows how this is going to come out.

I would think that any – I mean, put in perspective: what we are trying to do is to change the president's domestic appropriations by less than 2 percent. Keep in mind, in 1980, domestic discretionary spending was not quite 6 percent of overall GDP. Today it's down to about less than 3 percent and the president's budget would take it down to about 2.3 percent by the year 2012. That's a huge reduction.

He is trying to cut – he wants us to cut vocational education by 50 percent. He wants us to cut NIH funding – the number of grants there. He wants us to cut local law enforcement aid. He wants us to cut mental health services. He wants us to cut rural health programs by 54 percent. He wants to cut the Clean Water Revolving Fund by 37 percent. And so we differ with him on those issues and we're simply trying to put 2 percent more money into those programs than he's asking for and he wants to make a federal case out of it apparently and he's talking about vetoing every bill.

We ought to be able to resolve these differences by sitting down. I'm a great believer that the parties first need to define their differences and then they need to try to resolve them. An awful lot of people in this town love to define, but they don't want the resolve, and to me that's the measure of adulthood. I'm going to be talking with the OMB director and I'm going to be exploring any way that we can to wind up with a compromise on these bills, which I might not like but which is preferable to having both parties holding their breath and turning blue.

MR. ORNSTEIN: I think you can express it as a 2-percent difference. I think it's even I think sharper than that. We're really talking about \$20 billion effectively out of a \$3 trillion budget. So imagine a family with a difference of \$20 out of \$3,000 bringing everything to a screeching, grinding halt. This is about symbolism; it's not about substance.

MR. COHEN: I'll make two very brief points at the risk of disagreeing with Dave and Norm a little bit. One, in terms of the Senate, the dysfunctionality, which absolutely does exist, at least when it comes to appropriations, it didn't start this year. The Senate under Republican control didn't pass appropriations bills, certainly last year and it's had problems in recent years. And I'll leave it to others to figure out why but I think it's a very serious problem and it's bipartisan in the Senate, not the House, in the Senate.

And the question that's starting to kind of – at the risk of really stirring the pot a little bit here, I wonder whether Democrats – notwithstanding Dave Obey and his efforts to talk to Jim Nussle, I wonder whether other Democrats in the Democratic Party as a whole may be getting themselves into a situation that faced Republicans 12 years ago that they didn't have 12 years ago – the majority party didn't have a post-veto strategy and we know the consequences. I'm not suggesting that there's going to be six-week government shutdown. I am raising the question of whether there is a post-veto strategy.

MR. ORNSTEIN: Just to respond to both of those points. There's no question that the problems in the Senate preceded this year, but there is one large and dramatic difference between this year and previous years. Tom Mann and Sarah Binder of Brookings and George Washington University and I held a briefing, sort of assessing the progress of the *Broken Branch* just a few days ago, and if you look at the numbers of cloture votes, the numbers of filibusters attempted, it's up just dramatically this year.

This is a very direct Republican strategy used more than we have ever seen before to take every routine measure and force it to a cloture vote or several cloture votes because the fact is on any bill you've got at least three opportunities to bring a threat of filibuster to bear and it takes an enormous amount of time even if you've got well over 60 votes to work your way through that. So what we're seeing is a massive amount of molasses put into the Senate process, keeping them from moving forward on everything.

Now, you can take it to another level with filibuster by amendment on appropriations, but it's making it extraordinarily difficult to move anything forward in the Senate, and we've had Trent Lott, basically, very open about saying, everybody tries obstruction. We just happen to be getting away with it this time, and a good part of the reason they're getting away with is journalists are not covering this at all.

MR. LILLY: Okay. Right here.

Q: Thank you. Peggy Orchowski. I'm with the Hispanic Outlook. I understand a big difference in the last 30 years is that congresspeople do not live in the district

anymore. It used to be that they moved, and so they had a chance to interact socially, their families did, they'd meet at the nursery, school, at a school event and get a chance to talk over a car maybe or a social even when the Georgetown Social Ladies had bipartisan social events. Now, everybody runs home partly to raise money and can be dangerous for the health. My congressman – I'm from Santa Barbara, California, and he died in the airport in this weekly rush back to Santa Barbara every single weekend, and now I wonder – and I think that was partly the reason for your three-day Congress because everyone was going home on those long weekends. So I'm wondering if there's going to be an effect now of the five-day work day that Pelosi instituted and what do you think that impact has been, and especially that's fascinating what you said about spouses not wanting their spouse to run.

REP. OBEY: Well, there has been a heavier workload this year. We have been in more days. We've had more four-day weeks, we've had more five-day weeks than we've had in the past, but that doesn't change the fact that most members these days do not bring their families out here when they're out here, and I think that produces a tremendous cost to the institution and to the country because it's a lot harder to kick the hell out of somebody on the House floor if you know you're going to see their wife and kids a few days later at some social event.

But there's also another reason. Newt, when he became speaker, preached the value, politically, of not coming here – not becoming tainted by the Washington scene. And thirdly, there is just a very practical problem: real estate prices have exploded in this area and that means that many a junior member when they come they are considering bringing their family out here and they take one look at the prices here and say, hey, I can't afford to have a home back here, or back home and home here, not with the prices out here, and so that discourages a lot of them. Those who are higher up the income scale aren't – before they come here aren't bothered by that, but the others most definitely are.

MR. LILLY: In the back.

Q: Hi. Jerry Hagstrom from *National Journal's Congress Daily*. Congressman Obey, I'm wondering if you would comment on how you think Speaker Pelosi is managing the House and whether you see a lot of influence from Phil Burton in the way that she manages things?

REP. OBEY: Well, I think there's a lot more influence from her mother than there is from Phil Burton. (Laughs.) And her father gets a lot of attention because of his political background, but her mother was just as much a participant and just as tough as Nancy is. I think Nancy is an incredible human being. She is the hardest working person by far I have ever seen. I thought that Dick Gephardt worked himself ragged in that job. Nancy has if anything gone even further. She pounds every day that she's here, one meeting after another, trying to pull things together, and she is also going around the country trying to sell the message.

And without Nancy, in my view, we would not be in the ball game. She has a terrific ability to pull people in and convince them of her sincerity and she also is not

afraid to let people know when she is displeased. She does not use the same heavy hand that you saw with Tom DeLay for instance, but she does, nonetheless, have a very effective way to communicate her displeasure when people disappoint her. And I think that she and Steny working together despite the fact that there's been some publicity about their being in opposite camps earlier in the year, I think that together they make a terrific team and that the caucus is well served by their being there.

MR. LILLY: Another question. George?

Q: George Gould (sp). I was wondering if the panel would comment on the dynamics of the new media, specifically the talk radio, the rather aggressive conversations on television, the blogs, the internet. How has that affected Congress? How has it affected the way Congress works and gets the job done?

MR. COHEN: If I could speak about – a little bit about my business, profession. It's clear – I agree with the points that have been – to some extent that have been made here that there is less substance to press coverage. There's less breadth to press coverage than there was 38 years ago when the three of us separately arrived. And the press, because of these changes, adds to the friction and politics.

Then the question becomes, well, okay, yes, we're a democracy and technology exists, and I don't think we want to tell the bloggers or the talk show hosts – left, right, center – that they can't do their thing. I think the Constitution permits them and life has changed. And I believe that, partly because I serve in the press gallery and we have applications from all sorts of people and we have rules that we apply for everyone. So we in the press have become a much more diverse institution, and I guess if there's one thing that I'd like to see happen and one aspect that's discouraging is that the so-called mainstream media, as we've been called, we're not doing our job as well. We need to – we in the mainstream media need to do a better job.

MR. LILLY: Can I interrupt just a second. When I asked Norm to be on this panel, he had another engagement and he agreed to move heaven and earth to be with us this morning on the condition that I let him go at 10:45, but I wanted to ask if he wanted to say anything in conclusion before he has to leave us.

MR. ORNSTEIN: Read this book. Buy this book first. Secondly, just one word in response to George as well. There isn't anything much we can do about it, but I think this is a huge problem. And it is a problem with the mainstream media, which after all, the economics have changed, and I think the coverage is generally simply more shallow. You can get depth in a way that none of us ever could before, but in general it's just shallow stuff. But more important than that is that talk radio, cable television are driven now by somebody at one end screaming at somebody at the other end and it's all "Crossfire," all the time, even if the show "Crossfire" has gone away. So all the incentives for members have changed and the dialogue has changed.

You can put a proposal out there that you hope will get dialogue, debate, some reasonable back and forth, and a good portion of that press will immediately identify it as

bogus or evil because it's coming from the evil people on the other side. It just makes it much harder to do what a legislature should do for a society, which is to bring up things that may be very uncomfortable for people or cause some problems in their own lives or some pain, but you got to make priority decisions and work it through so that people see the legitimacy of it, and it's added I think to the delegitimization of the results and also to the coarseness of the dialogue. Thanks.

MR. LILLY: Thank you.

(Applause.)

REP. OBEY: I want to make one other observation. I worry very much about what is happening with the mainstream press because of the economics of the situation. There's less and less resources being devoted to covering the Congress by mainstream press because they are being pressed economically themselves. And I think as a result what I notice, certainly with respect to my hometown papers, is that we get covered as politicians but not as legislators. If it's a political argument between me and somebody else, that will often get in the papers far more often than a story about the substantive differences between group A and group B. There are many fewer people covering for the main publications than you used to have and it's a function of economics.

The other thing – I want to go back to something someone asked me about Nancy Pelosi. I think that what needs to be understood about Nancy is that I think she is – and I said in my book that the two things that drive me are my comfort level with the La Follette progressive brand of politics that characterized my state for years, but also it's the social gospel that really is in my gut and I think it's in Nancy's, and I think when she pursues legislative responses to issues or to problems, she does not respond in a dogmatic way on these issues, but she does respond in a deeply – she responds with a sense of obligation to a certain modicum of justice. And I think that is what makes her so strong because when people deal with her, they see that she's not just a politician, but she's a politician with a solid set of convictions tempered by her graciousness in the way she deals with people.

MR. LILLY: One more question. Right here.

Q: Robert Baird, *New York Times*. I'd like to go back briefly to an earlier question and answer for Mr. Obey when you were asked before how the appropriations process might turn out, you said, I don't think anyone knows how this is going to come out. Could you – with just a few weeks remaining before the fiscal year begins, could you suggest a couple of options as to what's most likely?

REP. OBEY: I would rather not because after all this involves negotiations and I don't see any sense ahead of time in showing your hole card if the other fellow isn't going to show his. All I can say is that I think there are important differences that we have here, but they would be easily resolvable if we weren't in the middle of the Iraq war. I deeply believe that what is going on here is that the president is in so much trouble across the board and he's looking for some way to shore up his political base and

I think he is trying to reclaim the mantle of fiscal responsibility on the cheap by pretending that it's the \$20 billion in differences on domestic discretionary spending which is causing the deficit rather than the almost \$200 billion he's going to be asking for for the Iraq war and the over \$50 billion he insists that we provide for tax cuts for people who make over \$1 million a year.

So I think he's simply trying to shift attention to that, and so in that sense, it's a manufactured division, so I sense that the White House is looking for a fight and looking to create one even if they don't think that one exists, and that's what makes this different than most other times that we've been in this position.

MR. LILLY: Richard, you want to comment?

MR. COHEN: I'd just add to that. I think it's clear that this is not going to be resolved in the next few weeks before the end of the fiscal year. The Republicans have run the clock pretty effectively both in the House and now in the Senate, and so I think this is a confrontation that's going to go on through the fall and probably right up until Christmas. And I think there are lots of twists and turns that can take place. If you look at the \$20 billion that is at issue, and you look at the places where the Congress is spending more than the president, you find that the biggest single chunk of that is the \$4 billion for improving veterans' healthcare.

I've seen data that indicates that a significant majority of Republicans favor the position of the Congress on that one issue, and I think you have very large majorities on other areas of differences, such as \$2 billion for first responders and port security in the Department of Homeland Security or restoring the cuts that the president's proposed in cancer research and other biomedical diseases. And so I think as this goes forward and as the debate becomes more focused – it's not just a \$20 billion difference, but it's a difference in a huge number of services that affect the American people and mostly things that they care greatly about – that you could see a real transition in opinion and in the nature of politics in Washington between now and Christmas.

MR. LILLY: Just this lady right here.

Q: Thank you for this wonderful panel. My name is Richelle Friedman. I'm with the Coalition on Human Needs. A number of constitutional scholars are saying that it is imperative that Congress challenge the president with impeachment for his disregard of constitutional limits on the executive branch and violating individual constitutional rights because failure to do so will set a bad precedent and have long-term negative effects on our democracy. Do the panelists think Congress should impeach the president?

REP. OBEY: Well, let me simply say that do I think the president has engaged in actions which could reasonably be described as impeachable? Probably yes. Do I think that it would be productive or fertile or contribute to the end that we have to pursue that? The answer is no for one very simple reason. For those who say that we should consider impeachment, I would ask this question. We have been trying to convince a number of Republican senators to change their position and help us begin to wind down this war.

Which do you think is going to be more effective: if we argue with them on the basis of the merits in terms of what is or is not happening in Iraq, or if we say to Republicans, we think you ought to impeach George Bush and Dick Cheney so that Nancy Pelosi can run the government?

I don't think that you're going to find many people in the Republican Caucus who are going to be more persuaded by the latter argument than the former. And so it's a simple question of how you – what is the best use of your time, energy, and resources if you keep in mind the goals that you have in mind and what we're trying to do is we're trying to change policy, we're not trying to have a political coup.

MR. LILLY: I think we've run out of time here and I really appreciate so many people showing up. I think this is a topic that needs to be discussed more regularly. I think that there is a lot of consensus not only on the panel, but among a lot of people here about some very serious problems that we face in our democracy and we need to get good meaning people of both parties and of all persuasions together to try to reach critical mass on some of those changes.

So for that reason, I appreciate your showing up. I want to remind you that a complete video and transcript of this will be permanently archived on the Center for American Progress website so you can go back hopefully within a few days and take a look at any part that you want to examine again. And we do have books out in the lobby, and I think Mr. Obey will be available for a short while to sign any that you want to pick up. Thank you.

(Applause.)

(END)