

CONGRESSIONAL AFFAIRS

With Transparency Issue, House GOP Freshmen Are Carving Out a Niche

BY EDWARD EPSTEIN, CQ STAFF WRITER

House Republican freshmen, who have been all but absent from the Democratic majority's deliberations about major legislation, have still managed to find a signature issue they hope will resonate with Americans.

Along with several slightly less junior colleagues, they have introduced a handful of bills attacking what they say is a lack of transparency in Congress — especially compared with the state and local governments where many previously served.

And while they freely lambaste Speaker Nancy Pelosi, D-Calif., saying she has failed to live up to promises about increased openness, they are also critical of their own party for its conduct when it ran the House.

As an example, they cite the rushed consideration of the controversial Medicare prescription drug benefit (PL 108-173) in November 2003. Members barely had a day to review the measure, and GOP leaders held the roll call open for nearly three hours while rounding up the votes needed for passage.

"This is a bipartisan problem," said freshman Leonard Lance of New Jersey, who was state Senate minority leader before his election to the House in 2008. "And we want to solve it in a bipartisan way."

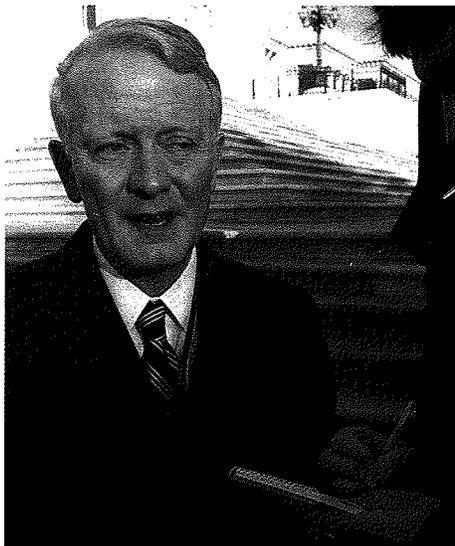
The newest lawmakers recently took the lead, calling an Oct. 27 news conference where more than a dozen of the 22 GOP freshmen gathered in support of the transparency proposals.

"What the freshmen Republicans here want is what the American people want, and that is more transparency and a more deliberate process," Mike Coffman of Colorado told reporters.

Their efforts have gotten the attention of party leaders. Minority Leader John A. Boehner of Ohio said that same day that if Republicans win back the majority — something that many would call a long shot — he would put in place the changes the freshmen support. "Let me make this commitment: These are rules we will live by if we get the majority," he said.

His promise and the freshmen's pressure signal that open government could become a Republican House campaign plank in the 2010 midterm elections.

For example, Republicans say, major legislation — most notably the \$787 bil-



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lion stimulus bill (PL 111-5) and the global warming bill (HR 2454) — was rushed to the floor this year before lawmakers had a chance to digest the measures.

GOP freshman Lynn Jenkins of Kansas has introduced a proposal (H Res 835) that would require all committees to post the text of bills and amendments online within 24 hours of markup. Dave Reichert, R-Wash., who is in his third term, has a proposal (H Res 874) that would require all committees to post members' votes within 48 hours of a markup.

Second-term Rep. Vern Buchanan, R-Fla., has offered a measure (H Res 847) that would require all House-Senate conference deliberations be held in public. And a plan (H Res 869) offered by Charlie Dent, R-Pa., a member in his third term, would require the Rules Committee to install cameras in its Capitol meeting room and make all its sessions available for viewing.

The most publicized of the transparency measures is a proposal (H Res 554) that would require that all bills be posted online for 72 hours before coming up for a floor vote — a step Pelosi followed after unveiling the House health care overhaul Oct. 29. Though it was introduced by Democrat Brian Baird of Washington, most of its 214 cosponsors are Republicans.

More legislation might be on the way. Lance said he has been troubled by the congressional habit of adding unrelated matters to must-pass bills — as the House

did recently when it added hate crimes legislation to the defense authorization bill (PL 111-84). He is starting to look at ways to correct the practice, which is barred in his home state of New Jersey.

Jenkins, a veteran of the Kansas legislature, said Congress has been a shock after the statutory openness of her state's government. "This is only my first year in Washington, but if this is business as usual, then it's time for business to change," she said at the news conference.

"I thought the process would be more deliberative," Lance said at the same event.

Most GOP freshmen come from states with tough open-meeting laws that require several days of public notification about legislation. Some localities make it nearly impossible for city council members to get together informally outside of public meetings to discuss city business.

The Democrats' Take

Democratic leaders counter that their Republican counterparts have been unwilling to work on major legislation. Instead, the minority has introduced "gotcha" amendments and pressed parliamentary procedures to derail legislation.

Pelosi has pushed through new ethics and lobbying rules and required that all House members' expense reports be available online, measures aimed at making Congress more transparent, Democrats say.

A nonpartisan group pushing for more openness in government says greater transparency is inevitable and has been happening without anyone really noticing.

John Wonderlich, policy director for the Sunlight Foundation, noted that many congressional committees stream hearings on the Internet, post witness testimony and post bill drafts for comment. And increasingly, some Congressional Research Service reports that formerly went only to members and their staff can now be found online if they are in the public domain.

"We have seen improvements. A lot of it is the expectation we have because of the Internet," Wonderlich said.

While some members are reluctant to cede their hold on information, he said, openness actually helps Congress. "These transparencies enable members and staff to do their jobs better," he said. ♦

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