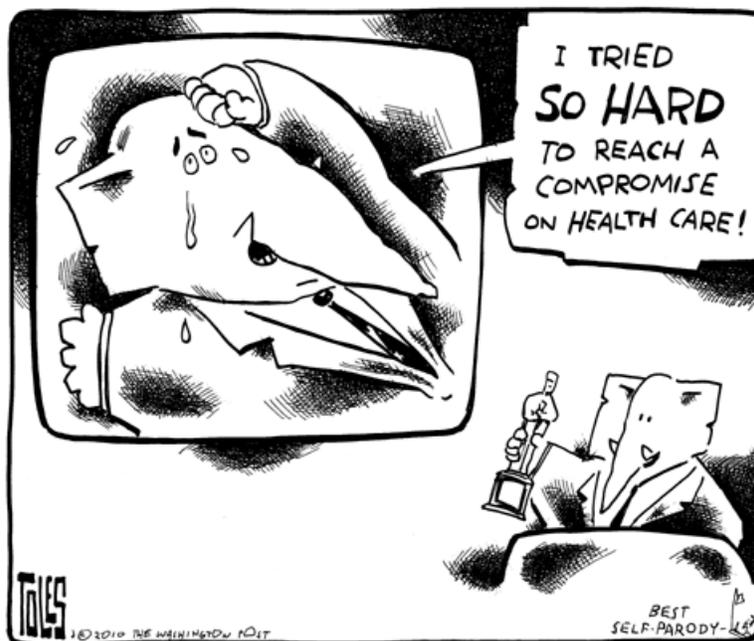


## HYPOCRISY: WATCH WHAT I SAY, NOT WHAT I DO

*“The rules of the House allow for this type of deeming provision.”*  
– Republican Whip Eric Cantor, ABC’s “Good Morning America,” 3/17/10



### **“Hypocrisy: A Parliamentary Procedure”**

As Republicans ramp up efforts to once again distract from the substance of health insurance reform, experts weigh in on the hypocritical nature of the GOP’s “outrage” over procedural tactics they repeatedly used:

“Any veteran observer of Congress is used to the rampant hypocrisy over the use of parliamentary procedures that shifts totally from one side to the other as a majority moves to minority status, and vice versa. But I can’t recall a level of feigned indignation nearly as great as what we are seeing now from congressional Republicans and their acolytes at the Wall Street Journal, and on blogs, talk radio, and cable news. It reached a ridiculous level of misinformation and disinformation over the use of reconciliation, and now threatens to top that level over the projected use of a self-executing rule by House Speaker Nancy Pelosi. In the last Congress that Republicans controlled, from 2005 to 2006, Rules Committee Chairman David Dreier used the self-executing rule more than 35 times, and was no stranger to the concept of ‘deem and pass.’ That strategy, then decried by the House Democrats who are now using it, and now being called unconstitutional by WSJ editorialists, was defended by House Republicans in court (and upheld). Dreier used it for a \$40 billion deficit reduction package so that his fellow GOPers could avoid an embarrassing vote on immigration. I don’t like self-executing rules by either party—I prefer the ‘regular order’—so I am not going to say this is a great idea by the Democrats. But even so—is there no shame anymore?” [Norman J. Ornstein, [3/16/10](#)]

“The speaker is considering the use of a self-executing rule to create for her Democratic members an opportunity to indicate that their support of the Senate-passed bill is coupled with the set of amendments to it that will be considered in a separate package under the reconciliation bill. Such a rule was used 36 times by the House Republican leadership in 2005-6 and 49 times by the Democratic leadership in 2007-8... It is a new twist (like the use of reconciliation to approve changes to the underlying bill negotiated by House and Senate leaders) to an old and perfectly legitimate parliamentary tool...” [Thomas E. Mann, Senior Fellow, Brookings Institution, [3/16/10](#)]

“Republicans who now complain about tactics have very little to stand on given this history... This is a legitimate mechanism and Democrats have the right to use it. They also have precedent, including what Republicans did when they were in power, on their side...” [Julian E. Zelizer, Professor of History and Public Affairs, Princeton University, [3/16/10](#)]

In 2006, the former Republican Rules Committee’s own staff director called-out Republicans’ record-breaking use of “self-executing rules”:

“When Republicans took power in 1995, they soon lost their aversion to self-executing rules and proceeded to set new records under Speaker Newt Gingrich (R-Ga.). There were 38 and 52 self-executing rules in the 104th and 105th Congresses (1995-1998), making up 25 percent and 35 percent of all rules, respectively. Under Speaker Dennis Hastert (R-Ill.) there were 40, 42 and 30 self-executing rules in the 106th, 107th and 108th Congresses (22 percent, 37 percent and 22 percent, respectively). Thus far in the 109th Congress, self-executing rules make up about 16 percent of all rules.” [Don Wolfensberger, former Republican staff director of the House Rules Committee, [6/19/06](#)]