

EXPERTS CALL OUT GOP ON HYPOCRISY, **GOP OWNS UP TO LEGITIMACY OF RULE**

Republicans Cry Crocodile Tears On Legislative Process to Distract From Unfair Insurance Process

With final passage of health insurance reform quickly approaching, Republicans are making another desperate attempt to distract from the substance of the health care debate. The GOP is hypocritically crying foul on a legislative process that they used more than 200 times under the last two Republican Speakers. Republicans clearly are trying to distract from the unfair insurance process that they support continuing:

- Process that allows insurance companies to cancel coverage when a person gets sick
- Process that allows insurance companies to filibuster consumers' claims to fair coverage
- Process that makes Americans fight for their health insurance even as they are fighting for their lives.

If Republicans are so sensitive to fair process, they should oppose those unfair insurance procedures and support passage of health insurance reform. And if they don't do that, then their record on using the same House rules to pass major legislation should be enough to end the legislative process debate.

Republicans Use Self-Executing Rules to Pass Major Legislation

When Republicans complain about process – whether on reconciliation or self-executing rules – they conveniently ignore their own record on using the same procedures to pass major legislation. In fact, according to [Don Wolfensberger](#), former staff director under a Republican House Rules Committee, Republicans have used self-executing rules hundreds of times in recent history:

- **104th & 105th Congresses:** Under Speaker Newt Gingrich (R-GA), Republicans used 90 self-executing rules.
- **106th, 107th & 108th Congresses:** Under Speaker Dennis Hastert (R-IL), Republicans used 112 self-executing rules.
- **109th Congress:** Under Speaker Hastert and Rules Committee Chairman David Dreier (R-CA), Republicans used self-executing rules more than 35 times. [Norm Ornstein, [3/16/10](#)]

Republicans, Experts Acknowledge Legitimacy of Rule

“[D]espite Republican claims that such parliamentary gymnastics as reconciliation and self-executing rules are somehow in violation of House rules or rare, neither is the case, says congressional scholar Thomas Mann of the Brookings Institution. ‘On the self-executing rule, Republicans in their last Congress that they controlled, the 109th, used it 36 times; the Democrats, in the next Congress they controlled, used it 49 times,’ Mann said. And in many cases, Mann says, they were on some pretty major bills. ‘The reauthorization of the Patriot Act, the Tax Relief Reconciliation Act, the Deficit Control Conference Report; all kinds of major measures have been approved through self-executing rules, which means the House votes indirectly rather than separately on these measures.’” [NPR, [3/17/10](#)]

“The ‘deeming’ procedure that the Democrats may use was in fact routinely used by House Republicans to conduct business when they were in the majority...” [Timothy Stoltzfus Jost, Law Professor at the Washington and Lee University, [3/16/10](#)]

“The rules of the House allow for this deeming provision. It's called a self-executing provision, which means that once the bill, the rule for the next bill passes, the Senate bill automatically is deemed as having passed.” – Republican Whip Eric Cantor, [3/17/10](#)