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Tough Times Return for Boehner

By Daniel Newhauser, CQ Staff

Speaker John A. Boehner stood at the edge of the House chamber last week, dismay painted across his face, watching a scene all too familiar to the embattled leader of the House Republican majority.

He was witnessing yet another defeat of a legislative priority, this one to renew agriculture and nutrition programs. Afterward, the speaker walked in silence to his ornate, second-floor office. He would issue no public statement on the vote for the rest of the day.

Once again, legislation he endorsed was derailed, and in large part because lawmakers in his own party voted it down. Sixty-two Republicans opposed the farm bill, many after supporting amendments that drained Democratic support that might have salvaged the measure. The latest setback came after Boehner, Majority Leader Eric Cantor of Virginia and Majority Whip Kevin McCarthy of California have worked this year to adjust their leadership style to bring their party's factions back into the fold.



FAMILIAR GROUND: A farm bill defeat has again put Boehner's leadership in question as he faces bigger battles over immigration and raising the debt ceiling. (TOM WILLIAMS/CQ ROLL CALL)

Certainly, the speaker's latest effort to pull his conference together is not going so well. It is a stark reminder that a Balkanized group of Republicans, unaligned behind a single cause and uncommitted to the kind of compromise needed to govern, continues to be a drag on his speakership.

The defeat of the farm bill prompted an inevitable round of finger-pointing and raised new questions about Boehner's grip on the gavel. Some even wonder why he wants to keep doing this.

More significantly, however, the defeat is sure to make it more difficult for Boehner to score major accomplishments. This includes overhauling immigration policy — a legislative priority for himself and his party — and finding a way to bend the curve on federal spending sufficiently to avoid a

showdown over raising the government's borrowing authority this fall.

"As one of my colleagues put it, Speaker Boehner is not running the Republican conference, he's running one step ahead of the mob," quipped California Democrat Adam B. Schiff in a television interview last Friday.

Boehner's Leadership

At a private fundraiser in New York City two weeks ago, Boehner contritely told his top confidants that he had erred in his management of the House Republican majority.

Boehner vowed to avoid any more one-on-one talks with President Barack Obama after last year's failed attempt to reach a grand bargain on federal spending and tax policy, and said he would resist leveraging the institutional powers of his office to push legislation through the House. Instead, he pledged to heed the desires of the rank and file and allow chairmen to draft and direct legislative policy.

"He said that he had made some mistakes back in the 112th Congress and that he had learned from those and made the decision to adjust," said Florida Republican Steve Southerland II, the sophomore class leadership representative who considered voting against Boehner for another term as speaker in January. "I think it's obvious that he has."

In effect, Boehner's leadership team ceded a certain amount of power and control over the legislative process in an effort to better manage the majority. Cantor has laid out a legislative schedule as far in advance as possible, and McCarthy has focused his listening sessions on the ruminations of committee chairmen. Still, Boehner's team has left the details of legislation to the chairmen and the policy experts in their conference.

"They made a decision that they're going to operate and they're going to get things done, but they are going to have to live within the boundaries of the members that they have," said former Ohio Rep. David L. Hobson, who is now a lobbyist. "It took them a little while to figure that out."

Some lawmakers contend the tactical moves by Boehner and his team have at least soothed some conservative angst within the majority. "There was a lot of combativeness in the last Congress because people didn't feel that they mattered; they perhaps didn't have an opportunity to be part of the collaborative process," Southerland said.

Boehner's supporters often say it is unwise to count the speaker out. He has shown resilience and has rebounded before, they say. After being forced to sideline a comprehensive House highway and mass transit bill in 2012, he eventually was able to get it into conference with the Senate and score a substantial vote in favor of a final compromise.

Earlier this year, Boehner pushed forward a domestic-violence bill, having had to rely primarily on Democratic votes to do so. "We tried everything we could to ... get the differences in our

conference resolved. And the fact is that we couldn't resolve our differences," Boehner said at the time.

But the 63-year-old's leadership style has led pundits, critics and political opponents to pronounce Boehner weak. House Minority Leader Nancy Pelosi of California said recently that if he were female, Boehner would be labeled the weakest speaker in history.

"She felt like she had to be in charge and ramrod everything every day. That's just not my style," Boehner said in an ABC News interview earlier this month. "I don't have to be in charge of everything that happens every day."

Allies say Boehner is a victim of circumstance, doing the best he can with the conference he has. His laissez-faire attitude to lawmaking, they say, reflects his long-stated desire to allow the House to work its will.

There may be little else he can do, as conservatives seek to further strengthen their hand by insisting that Boehner abide by the "Hastert rule" and enshrine it as an official House rule. The policy, set by former Speaker J. Dennis Hastert, an Illinois Republican, allows no major bill be brought to the House floor without a majority of Republicans in support of the measure.

Kansas Republican Tim Huelskamp, whom Boehner and his team removed from the Budget Committee late last year as punishment for his refusal to join leaders at pivotal moments, said Boehner exudes weakness when he brings bills to the floor without most Republicans behind them.

"He weakens himself within the conference," said Huelskamp, who considers being stripped of committee membership a badge of honor. "This is a majoritarian institution on this side. Republicans run the entire show if they want to, and every time he turns over power I think the speaker loses power."

Huelskamp's strategy gives more than Boehner's leadership team pause. "You can't obey the Hastert rule all the time," said former Rep. Robert S. Walker, the Pennsylvania Republican who was part of the House leadership when Republicans swept control of the House in 1994. "I know that's controversial within the conference, because there are a lot of conservatives who want to bring bills to the floor that have already been scrubbed and then want to let nothing happen on the floor that could change the bill," Walker said. "If it has come through committee and you have had a chance to work the will of the conservatives in committee, you ought to allow it to come to the floor."

Challenges to Come

With another battle on the horizon to raise the government's borrowing authority and an overhaul of immigration policy already coming out of the House Judiciary Committee, the latest pratfall raises questions about Boehner's ability to do either.

Republican leaders will continue the same process of engaging lawmakers when it comes to the debt limit. Boehner spokesman Michael Steel said that to avoid the danger of default, Republican leaders plan to vote on a proposal ahead of any deadline. "We've been working months in advance to find spending cuts and the reforms that will be necessary to increase the debt limit," he said.

On immigration, Boehner made a rare early show of support for the legislation, saying that doing so by the end of the year is the most important priority of his speakership. Already, conservatives are mobilizing against a broad approach and warn that if an immigration bill passes without a majority of Republicans, they may try to mount a revolt. Texas Republican Louie Gohmert said Boehner "still refuses to say he will not bring a conference report to the floor without a majority of Republican support." Huelskamp said if Boehner were to do that, "he'd undermine himself on other issues. I don't think he wants to lose control of the House in 2013 when he has maybe one year left as speaker."

But Oklahoma Republican Tom Cole said he and his colleagues "need to put some points on the board. ... If Boehner can pull off the big things in front of us, the farm bill, the debt ceiling deal, a path to tax reform, probably an immigration bill, or at least a product through the House where we can go to conference with the Senate, we could be looking back at this in December thinking, 'My gosh, what an extraordinary set of achievements.' So it's make or break time for us."

FOR FURTHER READING: *Farm bill*, p. 1098; *immigration*, p. 1096; *Boehner vs. the right flank*, *CQ Weekly*, p. 62; *seeking compromise with Democrats*, 2012 *CQ Weekly*, p. 2231; *Boehner tightens reins*, p. 1830.

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