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House brass adds to transit gridlock

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The House Transportation and Infrastructure Committee is often called the most bipartisan panel in Congress — an example of lawmakers putting aside petty differences for the good of the country. But does it even matter anymore?

House leaders have seized control of the committee's two biggest pieces of legislation — a major surface transportation bill and a Federal Aviation Administration measure that's more than four years late — leaving members less inspired to stand together.

Although a deal might be in sight, the FAA bill has been on hold for nearly a year as lieutenants to House Speaker John Boehner (R-Ohio) try to resolve a sticky labor issue that has seen Republican defections and Democratic charges of bad policy. Committee Chairman John Mica (R-Fla.) didn't criticize leaders for getting involved but said it has complicated the bill's passage.

"If [Senate Commerce Committee Chairman Jay Rockefeller (D-W.Va.)] and I could sit down and do it, we'd probably have it done in 30 minutes," Mica said of talks to resolve the issue. Instead, leaders took hold of the issue, and negotiations dragged on for nine months.

Boehner and company have also seized control of a multiyear highway and transit bill. All last year, Mica had set ambitious goals for when the committee would roll out and approve the legislation. But staff ran into a simple problem: money. Mica's bill would have cut highway programs by one-third at the same time states are cutting their budgets, but House leaders balked at such steep reductions at a time when job creation is a key issue and construction unemployment is high.

While those two bills are telling recent examples, over the past 15 years, House leaders have increasingly meddled in the committee's affairs, slowly turning the bottom-up legislative process into a top-down regime.

"I think now you're seeing more and more intervention of leadership into the internal affairs of committees, and that's really to the disadvantage to the greater good of the country," former Rep. Jim Oberstar (D-Minn.), who served as chairman of the committee, said in an interview. "In bits and pieces, step by step, bipartisanship began to dissolve. And that's unfortunate."

In past Congresses, "the committee chairman had more power," said Rep. Bill Shuster (R-Pa.), chairman of the Railroads, Pipelines and Hazardous Materials Subcommittee and son of former Rep. Bud Shuster (R-Pa.), who chaired the full committee from 1995 to 2001.

To be sure, Bud Shuster had things a bit easier: There was much more money to go around, and reluctant lawmakers could be talked into supporting a bill with several well-placed earmarks. But even lots of cash wasn't enough to keep leaders out of the committee's affairs.

As chairman in 1998, Shuster and ranking member Oberstar stood together against leaders to negotiate the Highway Trust Fund “firewalls” that now exist, ensuring that money raised through the gas tax and other transportation fees is used solely on transportation projects.

“We had a relationship, a partnership. We could sit down and openly discuss our disagreements and then find a way to close the gap ... and that’s the spirit that’s absent today,” Oberstar said of the elder Shuster.

West Virginia Rep. Nick Rahall, who became the committee’s top Democrat with the 2010 defeat of Oberstar, cited Shuster as the last committee head to stand up to leaders.

“There seems to be more of a ropes-pulled-from-above M.O. with this majority than in the past. We’ve not joined as a bipartisan effort on our committee, for example, to confront the leadership. We have in the past, i.e., the Bud Shuster years. So that’s lacking,” he said in an interview.

While former and current members look back fondly on the Shuster days, they are a bygone era, according to a former committee staffer who served under both Shuster and his successor, Rep. Don Young (R-Alaska).

“Independent power of leadership does seem to have changed, and maybe it won’t change back so easily. That might be an area where Shuster was the last to hold independent power,” a former committee aide said.

Power became even more centralized when Dennis Hastert (R-Ill.) took over as House speaker in 1999.

“When we came into this new era of Republicans, at first it kind of operated [with independent committee chairmen], and then leadership under Speaker Hastert took more and more control away from committees. Then you saw what Nancy Pelosi did — I’m not so sure any of those committee chairmen got to do anything they wanted to do,” Bill Shuster said in an interview.

When it came to passing legislation, Hastert’s mentality was “a majority of the majority.” At least half of the Republican majority had to support a bill for it to move — he didn’t rely on Democratic votes.

Things didn’t change much when Young took the committee reins in 2001, two years into Hastert’s tenure.

The motion to recommit a bill, the last procedural chance to change legislation before final passage, is a telling sign of bipartisanship, according to Oberstar, who said he and Bud Shuster would often work out “friendly” motions that would not sink a bill. But in recent years, several major bills — including a D.C. voting rights measure — have been pulled from the floor after the minority party offered a partisan or controversial motion.

“Even when under Don Young, he and I would agree on a friendly motion to recommit, [and] his leadership would come back and say, ‘No, we’re going to oppose that,’” Oberstar said.

But should Mica even pick a fight with leaders? They brought billions of dollars to his highway bill and, despite the delays, seem poised to deliver a deal on the FAA bill, as well.

“It doesn’t seem Mica is interested in doing that or would have the ability to do that without getting pushback from his leadership,” the former aide said. “And I think Mica has calculated that he doesn’t need to fight his leadership.”

Oberstar thinks all the talk of bipartisanship might just be a way for lawmakers to pat themselves on the back. Bipartisanship existed for a long time before the word for it did, he said.

“If you look back and look through the history of debates in committee, in markup, on the House floor, you will not find the word bipartisan,” he said. “People just did it — they didn’t have a name for it.”

But there is a word for it, and committee members are eager to apply it to themselves.

“We’re one of the most bipartisan. There’s deep divides in some of the committees,” Mica said.

“There’s been some bumps in the road, but I still would judge us as the most bipartisan in the Congress,” Rahall said.

Even outspoken Rep. Corrine Brown (D-Fla.), who’s typically eager to bash Republicans, said the committee transcends such squabbles.

“It is really one of the joys of being in Congress — 19 years for me — has been serving on the transportation committee, and we didn’t have the fights the other committees have. It was bipartisan — I don’t care who was in charge. Most of the time, it was Republicans in charge, but we’ve always worked together to put people to work,” Brown said.