

## Monday, July 31, 2006

There are the inevitable features of the last day before an extended Congressional recess. The day stretches into night, the night into early morning. Behind closed doors, Republican Majority leaders craft a bill that will enable their Members to return to their districts trumpeting a major legislative victory. To attract votes, accommodations are made, concerns are met, provisions are inserted, and pages are added -- until the final product is the size of a telephone book or two. And a battle-weary, sleep-deprived House votes in the dead of night, just before the sun rises over Washington and planes carry us home.

Sometimes, there is the insertion of the infamous "poison pill" -- that little bit of bitter, intentionally dropped into legislation in order to guarantee its own demise. That best explains how legislation to increase the federal minimum wage was drafted and passed by the House at 2 a.m. last Saturday.

For months, many Democrats in Congress have demanded an increase in the federal minimum wage, which hasn't been adjusted in a decade. The House Republican leadership has reliably resisted this proposal. But last week a change was in the air, pushed by winds that have become ominous for Republican incumbents. Three months before congressional elections, and for the first time in 12 years, dozens of Republican House members face difficult campaigns in their districts. The last thing they needed was to spend an entire August explaining to their constituents why they raised their congressional salaries, but not the minimum wage. They needed to bring something home. Or, in terms only Washington would understand, anything, even nothing, as long as it looked like something.

The Republican Leaders faced a dilemma. Allowing a vote on a minimum wage increase could actually end up increasing the minimum wage. That would be bad. But keeping it bottled-up would weaken many of their endangered incumbents. Also bad. The task: allow their Members to vote for a minimum wage hike, but make sure the bill never becomes law.

In other words, they needed to fix their "Let Them Eat Cake" image with a "let's have our cake and eat it too" political strategy.

Here's how it happened:

On Thursday afternoon, the Republican Leadership announced that they would present a minimum wage bill to the House and that we would not adjourn until Friday, or perhaps even Saturday.

All day on Friday, rank and file members waited while Congress was in recess. Meanwhile, behind closed doors, a handful of Republicans drafted the bill. It didn't matter that a clean and straightforward minimum wage increase with bipartisan support had been pending after passing at the committee level for months.

It wasn't until 5 p.m. on Friday, that the Speaker finally convened the House with the rap of his gavel.

"What's in the bill?" I asked my Legislative Director.

"We don't know yet. We haven't seen it."

Yet another feature of that last day before recess: draft massive, complex and very expensive legislation, keep it out of view for as long as possible and let Members review hundreds (sometimes thousands) of pages just before they vote. (I get more time to figure out a tip in a Long Island diner.)

Before long, some of the provisions began oozing out.

This wasn't a bill to increase the minimum wage. In fact, the words "minimum wage" didn't even appear in the title. It was a nearly \$300 billion reduction in estate taxes without any offsets -- meaning we would pay for the loss of revenue by adding the costs to our \$8 trillion debt and let our children foot the bill (even as we slashed their federal tuition assistance programs by \$12 billion because of supposed "budget constraints"). It was sprinkled with sweeteners for certain Congressional districts around the country. Projects were funded, problems solved. Oh, and by the way, it did contain a minimum wage increase. But it was phased-in over a far longer period of time than was necessary.

Some of the bill's provisions were good. Some bad. But the whole package was ugly. Ugly because the Senate had already made it clear that this kind of legislation was "dead on arrival" in their chamber. The insertion of these extraneous provisions weren't poison pills as much as they were bombs, timed to explode when the bill reached the front door of the Senate. And the minimum wage would be the principle casualty.

Even the labor organizations that have fought long and hard for a minimum wage hike couldn't support this package.

Democrats asked repeatedly: "Why don't we vote on a simple and clean minimum wage increase that we know will pass the Senate?" Republicans answered with an indignant barrage of bluster and spin and flim-flam. But what they really meant to say was: "Because we don't want it to pass the Senate."

At least one of my Republican colleagues was honest enough to say publicly that Democrats were angry because "we outfoxed you on this issue."

At about two o'clock in the morning, the vote was cast: 230-180.

## **TAKE 1 POISON PILL AND CALL ME AT TWO O'CLOCK IN THE MORNING**

Sunday, July 30, 2006

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It was Washington politics as usual. Republicans could take credit for passing a minimum wage bill in the House even though they knew it would fail in the Republican Senate. Politics trumped policy.

In coming months, when you hear some of my colleagues crow about voting for a minimum wage increase, ask a minimum wage worker whether they got the raise.

Remember this: because the poison pill worked, working families won't receive an increase in the minimum wage -- at least not at anytime soon.

And we wonder why the American people have lost faith in Congress?

Posted by: SI