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Florence P. Dwyer

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REPORT TO THE PEOPLE  
FROM YOUR CONGRESSWOMAN

FLORENCE P. DWYER - 6th District, New Jersey



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Volume V, Number 3

Thursday, February 9, 1961

Last week's 217 to 212 vote by which the House of Representatives narrowly approved the enlargement of its Rules Committee may come to be regarded as the most vital decision of the 87th Congress - but not necessarily for the reasons most proponents and opponents of the enlargement plan had in mind.

It's too early to tell what substantive effect the change will have on the legislative program to be sent to Congress by the Kennedy Administration. Whether the close vote foreshadows similarly narrow margins for the individual parts of the President's program remains to be seen. Certainly, however, many of those who voted to expand the Rules Committee will be found voting against specific Administration requests, just as some of the Members who opposed expansion of the Committee will surely support certain of those measures. The combination of support and opposition at any particular time will depend on the need for legislative action and the degree to which the new Administration can persuade the American people to recognize the need.

At the present time, there is considerable doubt whether people in general share the same sharp sense of urgency which was a keynote of President Kennedy's campaign last fall and which has been notably present in his State of the Union Message and other statements. Unless the President is successful in generating this feeling of urgency, or unless the international situation and the national economy deteriorate more obviously, the Administration's legislative program will have a rocky road to travel this year.

No mad rush

This is why, it seems to me, the fears and hopes of both sides of the Rules Committee controversy may be unrealistic or at least premature. Congress at the moment is almost evenly divided between Members whose natural inclinations are to support the Kennedy program and Members more inclined to oppose the program. Consequently, even though Speaker Rayburn's reform of the Rules Committee has been approved, there will be no mad rush to give the Administration everything it wants, no wild reenactment of the famous "hundred days" of the early New Deal. Congress and the country - whether or not they should be - are not in that mood.

The real significance of the change is deeper than that. It lies at the heart of our representative form of government. It means that the Legislative branch of our National Government will give full and fair consideration to the proposals of the Executive Branch. It means that legislative decisions will no longer be subject to the arbitrary or capricious power of six members of the Rules Committee, but will be returned to all the members of both houses of Congress; where the Constitution ordained that such decisions be made.

In terms of individual members and their constituencies, the Rules Committee vote means two things, opposite sides of the same coin: first, that no member will be denied his right to cast his vote -- either "aye" or "nay" -- on the great issues of the coming months; and second, that no member will be able to avoid this responsibility to the people he represents by hiding behind the Rules Committee, by permitting a handful of his colleagues to make his decisions for him.

It means, briefly, that the House has reasserted its adherence to the principles of majority rule, of the democratic process, of representative government. Whatever the practical consequences of the change, this is extremely important. Under a system like



curs, where everything depends on the willingness of the people to accept and approve the actions of their government, fair play and orderly processes become more than sentimental phrases. They are the very essence of constitutional government -- and, in this sense, conservatives and liberals alike have the same great interest in preserving them. History has shown, time after tragic time, that the frustration of the majority will, the corruption of orderly procedure, and the violation of fair play invite the most radical reactions.

#### Some misconceptions

Behind much of the heat aroused by the Rules Committee fight were, I believe a number of misconceptions about the role of the Committee in the legislative process:

1. The Rules Committee is not and was never meant to be independent of the majority party in the House. The traditional makeup of the Committee, twice as many majority party members as minority party members, is intended to reinforce it as an arm of the majority leadership.

2. The job of the Committee is to determine the time and circumstances under which bills may be brought to the House floor for action. Instead of preventing the House from voting on legislation, the Committee's function has been to assure the House the necessary time with which to consider all important bills.

3. There was no question, therefore, of "packing" the Committee in the sense that President Roosevelt tried to "pack" the Supreme Court. Where Roosevelt's scheme would have subverted the Constitutional independence of the Court, the Rayburn plan simply restored the Committee to the position of servant of the House rather than its master.

4. Similarly, enlarging the Committee's size set no new precedent or broke no old tradition. The size of the Committee has been changed in 1910, 1917, 1935, and 1945, for example.

5. No attempt was made to deny Republicans proper representation on the Committee. Under the change, the 2 to 1 ratio remains the same: 10 Democrats and 5 Republicans instead of 8 Democrats and 4 Republicans.

6. The Rules Committee was never intended to be a bulwark against so-called "big-spending" bills, nor has it, in fact, ever acted in this capacity. All spending (appropriation) bills go directly from the Appropriations Committee to the floor of the House, completely by-passing the Rules Committee.

#### For full consideration

By tradition, by practice, by common sense, the place to oppose legislation or to support it is in the legislative committees, where hearings are held and bills drafted and amended, and on the floor of the House during debate. And by the same tests, the only proper decisions are those made by majority vote of the whole House and after full consideration of the merits of the legislation.

If the whole House, elected by the American people to represent them in Congress, cannot be trusted to vote intelligently, then there is not much point left to representative government.

For myself, I shall continue to judge legislation on its merits, no matter who sponsors it, and then cast my vote according to the best interests of the people of Union County and the United States.