THE DEMOCRATS ARE BACK IN CHARGE, SO WHAT?*

by David A. Dulio and Peter F. Trumbore

"War Weary Voters Seek Change." This was the Associated Press headline that led news accounts in several papers across the United States after the November 7, 2006 midterm election results had been tallied giving Democrats control of both chambers of Congress. But this begs the question: What's likely to change now that Democrats have retaken control of the Congress? We believe we will see probably a lot less change than one might think and than many of the voters who cast ballots on Election Day may want.

The 2006 midterm elections were widely seen as a referendum on President Bush's foreign policy, specifically, the war in Iraq. While it is true that other issues played an important role in the outcome of the election, including concerns about the economy, backlash against perceived congressional corruption, and revulsion over Republican mishandling of the Mark Foley congressional page scandal, no issue motivated the electorate like the perception that President Bush's policies in Iraq have failed. Most of the post-election analysis has characterized the Democrats' victory as a repudiation of the administration's strategy and a demand for change. A look at Election Day exit polls bears this out.

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CNN conducted exit polls nation wide, interviewing more than 13,000 voters, to determine what issues had an impact on their vote for US House of Representatives.[1] The conventional wisdom holds that congressional elections are won or lost on the basis of local issues. That was not the case in 2006. According to the exit polls, 60 percent of those interviewed said national issues mattered more in determining their vote than local issues, and a majority of them pulled the lever for Democrats. Among those national issues, Iraq loomed large. Thirty-five percent of voters said that Iraq was extremely important in determining how they voted, compared to 32 percent who said it was very important, 21 percent somewhat important, and 10 percent who said it was not important at all. Of those who reported that Iraq was extremely important to their vote choice, 60 percent voted to send a Democrat to the House.

CNN's exit polls also show that the American public was voting its dissatisfaction over how things have gone in Iraq. When asked whether they approved or disapproved of the war, 56 percent said they were against it, and a whopping 80 percent of those voted Democratic. Likewise, when asked by CNN pollsters whether the war in Iraq has improved U.S. security, 59 percent of voters said no, compared to only 35 percent who believed that the war has made America safer. Among those who believe the war has put America at greater risk, 77 percent backed Democrats for the House. Finally, the exit polls also indicate the voters want to see some, if not all of the 140,000 American troops deployed to Iraq at the time of the election come home. Twenty-six percent of those polled called for a partial withdrawal from Iraq while 29 percent called for total withdrawal. Only 21 percent of voters said that troop levels should stay the same, and 17 percent said more troops should be sent to Iraq. Those calling for full or partial withdrawal voted overwhelmingly for Democrats, 74 percent to 24 percent for Republicans.

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[1] http://edition.cnn.com/ELECTION/2006

The message of the exit polls seems clear: the voters demanded change on Iraq, and they voted for Democrats to try to make it happen. So here's the key question: Can Democrats deliver? We suspect the voters are likely to be disappointed on this score. In fact, it is very possible that the resignation of Defense Secretary Donald Rumsfeld the day after the election is the most dramatic change of course that we're likely to see on Iraq. While the recommendations of the Iraq Study Group had yet to materialize at the time of this writing, odds are that any major shifts in Iraq policy will come not from the Congress but from the White House. Unfortunately for those who thought a change in control of Congress would lead to a change in Iraq policy, the reality is that there may be little the new Democratic majority can do to shift course.

There are several reasons why we are not likely to see much change in the direction of either foreign or domestic policy after the 110th Congress begins. Factors standing in the way are structural and political; then there are those that are a combination of the two. Structural impediments are those that were set up by the Founders when they devised the institution and are centered on the rules governing both the House and the Senate. In the foreign policy arena, structural impediments also include the manner in which authority over foreign affairs is shared between the legislative and executive branches. Political factors include those that are not directly tied to how policy alternatives proceed through the institution but do relate to how effective the new Democratic majority will be in pursing an agenda of change. Finally, there are factors that bring both of these together. The nexus of structural and political factors only increases the chances that there will be little if any change in the policies that voters said they were most angry about. We address each in turn below.

Structural Influences

Structural factors that will impede Democratic efforts to force a change in the direction of public policy include the fact that

the president has traditionally been viewed as the most prominent actor in foreign policymaking and is traditionally deferred to on matters of war and peace; that the Congress is an institution that requires a majority of support to pass legislation, and in some cases a supermajority, as is the case with anything controversial thanks to the rules and norms of the modern Senate; and the importance of the president in the legislative process through the presidential veto.

Presidential Foreign Policy Dominance

In many areas, the Constitution is vague in granting power to the different branches of government. The Congress, for instance, gets some of its legislative authority from the "enumerated powers" which consist of powers such as the power to establish post offices and roads, to coin money, and to define and punish piracies and felonies committed on the high seas. However, the final power in Article 1 Section 8 is the Necessary and Proper Clause which grants Congress the power "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof"; this greatly expands to power of Congress to do just about anything it wishes. However, the Constitution is very clear in one aspect of foreign policy. While to Congress is reserved the power to declare war, the president is the Commander-in-Chief, charged with responsibility for the conduct of war once military action has been authorized by Congress. As we will discuss below, this is an important qualification given the explicit authorization to use force in Iraq that Congress gave President Bush in 2002. Despite the roughly equal responsibility that the Constitution gives to Congress on matters of foreign policy, however, it is traditionally the president, not the Congress, that has driven foreign policy. The Congress is not, however, completely powerless in this area. In fact, one can argue that Congress possesses the two most important powers relating to foreign policy—the

power of the sword and the power of the purse. While presidents have long disputed with Congress over where real war power resides, what is undeniable is that Congress, and only Congress, has the power to appropriate money.

Conceivably a Democrat-controlled Congress could use its power of the purse to deny the military the money it needs to prosecute the war. In fact, this is probably the single best direct legislative mechanism that Congress has at its disposal to either set foreign policy or force a president to compromise on foreign policy. Until now the Bush Administration has kept the costs of the war off budget by funding it through emergency supplemental appropriations. Given how emergency supplementals have served to obscure the very real budget tradeoffs that paying for the Iraq war has imposed on the country, Democrats are likely to bring that to a screeching halt. They could refuse to agree to permit, or even consider, off-budget Iraq appropriations, but there has been no mention of cutting funds for the war all together. The appearance of congressional Democrats eager to abandon American soldiers in the Iraqi desert would be red meat for Republicans campaigning in 2008. Recognizing this, Democrats have taken their power of the purse out of play. This ultimately leaves the initiative on Iraq policy in the president's hands, as *Washington Post* columnist E.J. Dionne noted right after the election, "On Iraq, the president, not Congress, controls the essential levers of power, especially since the Democrats have made clear they will not use the one instrument they have, to cut off funding for the war . . ."[2] As if to reinforce the intention not to use their control over the budget to force a withdrawal from Iraq, new Senate Majority Leader Harry Reid (NV) instead pledged to increase the military budget by $75 billion to bring the Army's battered units back to combat shape.[3]

It also does not help that one of the most potent foreign

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[2] E.J. Dionne, Jr., "Meeting at The Middle," *Washington Post,* November 9, 2006, A29.

[3] Jonathan Weisman, "Reid Pledges to Press Bush on Iraq Policy," *Washington Post,* November 15, 2006, A01.

policy tools that Congress possess, through a reassertion of power in the mid 1970s, and which Democrats could harness to try to change course in Iraq are also out of play. Consider the War Powers Act, passed in 1973 and made law over President Nixon's veto. Under the War Powers Act, Congress has the authority to order the president to withdraw American troops from combat or from situations where hostilities appear likely. But this authority only applies when the president acts without congressional authorization. Thus in this case the War Powers Act provides no remedy since Congress expressly authorized military action against Iraq in October 2002. At the same time, the Iraq War Resolution was an open-ended authorization for the president to use whatever force he deems necessary in Iraq. This stands in marked contrast to the Gulf of Tonkin Resolution which paved the way for wide-scale American military action in Vietnam. In that earlier case Congress gave itself an out, reserving for the right to call the troops home from Southeast Asia. Congress did not give itself the same power option in the 2002 Iraq resolution.

Institutional Rules and Norms

Another major impediment facing the new Democratic leadership—specifically Speaker of the House Nancy Pelosi (CA) and Senate Majority Leader Reid—are the rules that govern the House and Senate. These are simple but crucial features that will tell us just how much change Democrats can push through Congress. Both the House and Senate are majoritarian institutions. There are only two numbers that matter at the end of the day in the House and Senate—218 and 51, respectively. Certainly Democrats have the votes to win final passage of bills that the leadership would like to pass, be it the budget or an appropriations bill, or an anti-terror bill. The problem lies in the size of the majorities in each chamber.

Since 1995 and the 104th Congress when Republicans were swept into power by a strong anti-Democratic tide, much like the tide that swept them out of power in 2006, the size of

the majority has been small. In the 104th Congress the GOP had a 230 to 205 edge (this includes the lone Independent, Bernie Sanders, a socialist from Vermont). The number of Republicans decreased in each Congress thereafter—from 230 to 228 to 223 to 221—before increasing to 229 in the 108th and again to 230 in the 109th. When 218 votes are needed to win on the floor of the House, these numerical advantages are far from decisive. This greatly affects the majority party's ability to pursue an active agenda because if they lose only a few of their members—and defections happen often for any number of reasons—the majority cannot muster the votes needed to win.

The Democrats in the 110th Congress face a similar scenario. Democrats will likely have roughly a 17-seat majority in the House (as of this writing Democrats held 232 seats and Republicans 199, with four seats still undecided because of recounts or runoffs taking place). In the Senate the picture is much clearer, but not any more favorable to Democrats; Senate Democrats will outnumber Republicans by the slimmest of margins—51 to 49. That majority includes Joe Lieberman (CT) who wishes to be referred to as an "Independent/Democrat" and Vermont socialist Bernie Sanders, who calls himself an Independent and who gave up his House seat to successfully run for the Senate. Democratic majorities in both the House and Senate are so slim that the likelihood of *any* major policy coming out of Congress is small. Speaker Pelosi and her leadership team will have to control their members and command a great deal of party loyalty. This may be difficult for a reason that we will return to below. However, the numbers alone in the House are enough to cause Democrats headaches and decrease the likelihood that change will occur.

In the Senate, things are even more difficult. Incoming Minority Leader Mitch McConnell (TN) commented shortly after the elections that in the Senate "the minority is not irrelevant."[4]

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[4] Kathryn Jean Lopez, "The Minority is Not Irrelevant," *National Review Online*, November 17, 2006 (accessed November 18, 2006; http://article.nationalreview.com/?q=MWI4N2NmYmJlZTY5YWM5ZGExNDNiYTQwMzM0MzAwZmQ=)

He could not be more correct. As we noted, Senator Reid will lead a fragile one-vote majority. However, even having a majority of members in the Senate does not mean success. The rules that govern the Senate make any significant change in policy unlikely, even when the majority party has a more sizable advantage. Under Rule 19 of the Senate, individual senators may speak for as long as they like on a particular issue. The rule of unlimited debate, otherwise known as the filibuster, has a tremendous effect on the chances of any controversial legislation getting through the chamber. As has been the case since the beginnings of the institution, a small group of senators can bring the legislative process to a screeching halt. Today, the filibuster is used in a much different way than its traditional form. The key to moving just about any important piece of legislation through the Senate today lies in Rule 22. Rule 22, or the Cloture Rule, was adopted in 1917 as a way to put down a filibuster and limit debate in the chamber. Once a cloture motion has been agreed to, debate in the Senate is limited and the process can proceed. The difficulty lies in the fact that in order to invoke cloture 60 senators must agree. In other words, 60 votes are required to shut off debate and allow a measure to come to the floor for an up-or-down vote. This means that today the Senate is a supermajority institution. It takes 60 senators to agree for a piece of legislation to get through the process. If Democrats are going to do anything relating to the war in Iraq, or even tangentially related to the broader war on terror, they will have to find at least nine Republicans to join them. This may prove difficult, which again severely hampers the ability of the majority party to pursue its most ambitious policy initiatives.

Presidential Dominance: A Reprisal

On the president's signature policies in the war on terror—limited legal rights for detainees, the detention facility at Guantanamo Bay, the use of coercive interrogation, the sending of terrorist suspects to foreign countries for interrogation (a practice known as rendition), domestic wiretapping of ter-

ror suspects, the Patriot Act, and the like—we are also likely to see little in the way of substantive change. Vermont Democrat Sen. Patrick Leahy said on National Public Radio the day after the election that he expects Congress will reopen and reconsider these issues.[5] How far beyond the reconsideration stage Democrats get is another story.

One area where some Democrats have been gearing up for a fight with the White House is over legislation passed last October governing the use military tribunals for terrorism detainees. In mid-November 2006, Connecticut senator Chris Dodd introduced a bill, which would give habeas corpus protections to military detainees, block testimony gained during coercive interrogations from being used at trial, and give military judges the power to exclude hearsay evidence they deem unreliable. The bill would also allow for the U.S. Court of Appeals for the armed forces to review decisions made by tribunals. Other Senate Democrats, including Leahy, Michigan's own Carl Levin, and Dick Durbin of Illinois, were also planning, as of last fall, to subject these policies to greater scrutiny.[6]

Two things stand in the way of fundamental policy change in these areas, however. First, for all the fears and criticisms voiced by civil libertarians, these measures are relatively popular amongst a public that believes that terrorists and terror suspects deserve fewer rights and protections than law-abiding Americans. Second, and more importantly, the president has the final say on whether any of the possible revisions to or reversal of existing policies being discussed last fall ultimately become law. The Constitution gives the president a tremendous amount of power in the legislative process through the presidential veto. President Bush would be sure to veto any measure that would reverse or rein-in any of the major anti-terror laws that have been implemented in the last several years. In this

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[5] "After Midterms, What Agenda Will the House Set," *Talk of the Nation,* National Public Radio, November 8, 2006.

[6] Roxana Tiron, "Senate Dems Plan Overhaul of Military Tribunal Bill," *The Hill*, November 16, 2006.

area of policy making, President Bush will make the words of President Woodrow Wilson ring true—he will be the legislator-in-chief. While Congress does have the opportunity to override the president's veto, the Democrat's majority in the Congress is too narrow to do so as it requires a two-thirds vote in both chambers of Congress.

Political Forces

The small likelihood of change in course in Iraq or in the war on terror is related to more than the institutional forces working against a Democratic majority. The Democrats also face hurdles politically. These political factors include an inconsistent position on the Iraq war inside the Democratic Party; some of the characteristics of several candidates who were elected on November 7 who are a part of the Democrats' freshman class in the 110th Congress; and the effectiveness of the Democratic leadership team in marshalling support and pushing through legislation.

Lack of a Consensus

As we have demonstrated above, it is not that Congress lacks the ability to influence foreign policy. To the contrary, as Jim Scott, a leading scholar of the congressional role in foreign policy, has written, Congress commands a potent array of direct and indirect, legislative and non-legislative mechanisms that potentially allow it to shape foreign policy.[7] Typically, Scott argues, Congress uses the threat of action as leverage to bring administration policies in line with Congress' preferences. But there are limits to the effectiveness of such a strategy. Success depends first on the credibility of the threat. In other words, if Congress can't deliver the votes, the threat of legislation falls apart. Second, the more committed to a policy, the more likely the president will be to take the risk of pro-

[7] James Scott, "In the Loop: Congressional Influence in American Foreign Policy," *Journal of Political and Military Sociology*, Summer 1997.

voking congressional action. Finally, Scott argues that Congress is much more likely to successfully change administration foreign policy when what Congress wants expands or builds on the president's own priorities. It is least likely to succeed when it's trying to get the president to reverse course.

When you apply these insights to Iraq, it is difficult to be optimistic about Congress' ability to produce any significant change to administration policy. A major problem is that there has been no unified Democratic alternative to the President's policy in Iraq. While grassroots Democrats have been clamoring for a dramatic change of course for years now, a sentiment that many in the wider public got behind last November, the reality is that the Democratic foreign policy elite has never been more than vague about viable policy alternatives. As the *Washington Post* reported, even as far back as December 2005, there is no clear Democratic vision of how to handle the Iraq problem.[8] That picture was not clarified in the 11 months that passed between the publication of that article and last fall's election. Rather, there were a multitude of alternative recommendations running the gamut from the go-slow approach of Connecticut senator Joe Lieberman that emphasized establishing security and stability on the ground in Iraq before any significant redeployment of American forces,[9] to the phased withdrawal advocated by Senator Levin, who now serves as chairman of the Senate Armed Services Committee, to the complete pullout called for by Pennsylvania congressman, John Murtha. Given these divisions on the Democratic side, not to mention the sizable Republican minority that remains in both the House and Senate, it seems clear that Congress' ability to credibly threaten legislative action is limited. Thus while Levin's or Murtha's positions are more in line with voters' preferences, it is more likely that what we will see in Iraq is the Lieberman approach.

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[8] Robin Wright, "Democrats Find Iraq Alternative is Elusive," *Washington Post*, December 5, 2005, A01.

[9] Patrick Healey and Jennifer Medina, "Lieberman Explains Iraq Stance in Bid to Win Back Voters," *The New York Times*, August 6, 2006.

The reality is that while Democrats ran on the promise of a new direction in Iraq, no unified Democratic alternative to the president's policies was ever offered by the party's leadership. While "stay the course" may no longer be the strategy of the day, the Democrats have yet to propose one of their own. Meanwhile the president remains committed to "victory in Iraq," whatever that means. And Harry Reid says the Democrats will use their new-found majority in the hearing rooms and on the floor of the Senate not to legislate a new direction in Iraq, but to "stoke public opinion and drive the debate."[10] This is not the sound of a confident and strident leader who is looking to push a policy change.

The Effectiveness of Democratic Leadership

Congressional Democrats met in mid-November 2006 to elect their leadership teams in both chambers of Congress. We have noted some of these individuals throughout this piece. What we have not mentioned at this point is that the Democrats' choice for Speaker of the House will make Nancy Pelosi the first woman Speaker in history. She will be responsible for leading the House Democrats, and as we noted above, keeping them in line so they will have a chance at passing the legislation that they want to pursue. Majority Leader Reid will have a similar duty in the Senate. There are a few reasons this will be difficult and again may lead to less-than-momentous change in policy.

First, the job of the majority leader in the Senate is difficult because of the individualistic nature of the institution. There are typically more moderates of both parties in the Senate than in the House. One need only to look to senators like Joe Lieberman, Ben Nelson (D-NE), Mark Pryor (D-AR), Olympia Snowe (R-ME), Susan Collins (R-ME), Arlen Specter (R-PA), and probably most notably John McCain (R-AZ), to find great examples. Because of the power of individual senators (only one aspect is their ability to filibuster) and the mod-

[10] Weisman, "Reid Pledges"

erate senators that roam the halls of the chamber, the job of the majority leader has been described as like "herding cats."[11] In other words, it's difficult to get partisan senators to stick together. Majority Leader Reid will have to be very careful in how he works with the other members of his caucus in trying to push legislation if he wants to keep all the different personalities content.

The situation in the House is slightly different, but no less difficult. Here the problem may lie, in this context, less with the other members and more with the leaders themselves. While no one was ever a serious challenge to Pelosi for the Speakership, there was a battle for the number two spot among House Democrats when John Murtha (PA) challenged Steny Hoyer (MD) for the majority leader post. The impact here is not that Murtha challenged Hoyer, but that Pelosi publicly endorsed, and then campaigned for Murtha. Pelosi did this for several reasons. First, she and Hoyer have had a strained relationship since Pelosi defeated him in a leadership battle in 2001. Pelosi also endorsed Murtha's position on the Iraq war early in 2006 and argued that Murtha's election to the second-ranking position in the House would send a tangible message that Iraq policy must change; she went so far as to say, "I was proud to support him for majority leader, because I thought that would be the best way to bring an end to the war in Iraq."[12]

By backing Murtha, Pelosi damaged herself and her leadership capabilities. She was, however, doomed either way. If Murtha had won, yes, the Democrats in the House would have been closer to having a united position on Iraq (Murtha's), but Pelosi would have been tied to the baggage that comes along with Jack Murtha. Democrats, in part, ran in 2006 on the issue

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[11] Former Senator Howard Baker is credited as being the first to use this analogy.

[12] CQ Transcripts Wire, November 16, 2006; accessed November 19, 2006, http://www.washingtonpost.com/wp-dyn/content/article/2006/11/16/AR2006111600659.html)

of corruption among Republicans; Murtha's record here is less than stellar. First, he was an unindicted co-conspirator in the Abscam bribery scandal in the early 1980s. Second, near the end of 2006 he called the ethics reform package Democrats were pushing "total crap."[13] So had Murtha been chosen by his colleagues to be Pelosi's deputy, they would have been vulnerable on one of the issues that they used effectively in the campaign against Republicans and one that they plan to push early in the 110th Congress.

But when Murtha lost that leadership election, Pelosi was dealt her first defeat as Speaker. By backing and working to elect Murtha, only to have her colleagues reject that choice, Pelosi was damaged. Even one of her own supporters said after the vote for majority leader, "I have no idea what she was thinking,'' and "[t]his was a lose-lose scenario for her."[14] Whether the new Speaker can get her fellow Democrats to follow her lead on policy issues throughout the 110th Congress is now an important question that only time will answer.

Therefore, when we combine the close majorities in both chambers with the difficulties the leaders face in keeping their other members in line, the chances of successfully pursuing an active agenda are again decreased.

Democratic Majority in Name Only?

A plethora of conservative voices, including former House Speakers J. Dennis Hastert (IL) and Newt Gingrich, seemed to rationalize Republicans' defeat by trumpeting the notion that while Republican candidates lost on election day, conservatism did not. They have a point. First, many of the Democrats who

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[13] Jospehine Hearn, "Hoyer wins majority leader post, beating Murtha," *The Hill*, November 16, 2006 (accessed on November 18, 2006; http://www.hillnews.com/thehill/export/TheHill/News/Frontpage/111606/majority.html)

[14] Marc Sandal, "What Was Pelosi Thinking?," *San Francisco Chronicle*, November 16, 2006 (accessed on November 19, 2006; http://sfgate.com/cgi-bin/blogs/sfgate/detail?blogid=14&entry_id=11030)

beat Republicans in the House did so in Republican-leaning districts; more than 30 Democratically held seats in the 110th are in districts that President Bush carried in 2004.[15] These Democratic winners were also largely from the Midwest and South; calling oneself a Democrat in states like North Carolina, Georgia, Kansas, and even Indiana, Pennsylvania, and Ohio (all states where Democrats picked up seats) is much different than calling oneself a Democrat in Massachusetts, New York, California, or Vermont.

Second, some of the individuals elected in 2006 sound a lot more like Republicans than Democrats. Take Heath Schuler (NC), for instance. Schuler began his victory speech on election night by saying, "I want to thank my lord and savior, Jesus Christ."[16] Schuler is also pro-life and pro-gun. The same is true of some Democrats who won Senate seats, such as Bob Casey (PA) who is also pro-life and pro-gun; others in this category may be Jim Webb (VA) and John Tester (MT). Now, these Democrats are certainly not from the right-wing; they are still Democrats and espouse many of the traditional Democratic views—Schuler, for instance is against free trade and in favor of increasing the minimum wage. However, they certainly are not from the left-wing either, from which hails much of the Democratic leadership, including a lengthy list of committee chairmen in the House like Henry Waxman (CA), John Conyers (MI), David Obey (WI), Charlie Rangel (NY) or Barney Frank (NY).

We spoke earlier of the nexus of political and structural factors also being an important reason for the possibility of limited Democratic success. Specifically, we believe that this is best illustrated when the small majorities the Democrats enjoy in both chambers is combined with the nature of at least some

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[15] *Peter Baker and Jim VandeHei," A Voter Rebuke For Bush, the War And the Right,"* The Washington Post*, November 8, 2006, p. A1.*

[16] Tim Whitmire, 1 House Victory Offers Strategy for Dems," *Washington Post*, November 11, 2006 (accessed November 19, 2006; http://www.washingtonpost.com/wp-dyn/content/article/2006/11/11/AR2006111100229.html)

of the Democrats newly elected to the 110th Congress. Their conservative leanings—either because that is who these new representatives and senators, like Schuler or Casey, are, or because they come from districts that lean Republican where their constituents will demand a centrist approach to governing—may cause problems for the Democratic leadership in both chambers. In short, there is no guarantee that these members will back an agenda supported by the leadership. When the majorities are so slim, especially in the Senate, and there is a large range of views in Democratic caucus, there is no telling how often Speaker Pelosi and Majority Leader Reid will be able to keep their troops in line to make a lot of change. If anything, a small, but growing group of Democrats called the Blue Dogs—Speaker Pelosi herself identified nine new members[17]—who are made up of fiscal conservatives, and socially conservative but economically progressive members—has gained power, and they will be large enough to command respect from the leadership in the House.

Will There be *Any* Changes?

For those who want to see changes made in the direction of the policies pursued by the federal government, this has been a fairly depressing assessment. There is hope, however, for some change to occur. Speaker Pelosi has said she plans to advance an aggressive domestic agenda at the start of the new Congress. As we have made clear, we believe what she and her party can accomplish will be limited at best. If anything is going to happen right away—when wounds from the campaign are still fresh—it will have to be something that everyone can agree on, or where politics demands bipartisanship.

Pelosi hinted in late 2006 (when we put the finishing touches on this piece) that she wanted to quickly move on an increase in the minimum wage, cuts in tax breaks for oil com-

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[17] Margaret Talev and William Douglas, "Pelosi Vows Bipartisan Approach," *The Sacramento Bee*, November 9, 2006, A10.

panies, a reduction in the rates for college student loans, allowing the federal government to negotiate with drug companies for lower prices, and to institute all of the remaining recommendations from the 9/11 Commission Report (although it is unclear what these specifically are). If Speaker Pelosi can keep her troops in line in the House, she may be able to get each of these through that chamber. The Senate, however, is a different story where a small group or even one Republican can stop the progress of any of these proposals. We must also not forget about the president's tremendously important power of the veto. Depending on the political climate of the time when these proposals are considered, it may be that if the president is faced with a decision to sign or veto either an increase in the minimum wage or implementation of other 9/11 Commission recommendations, he may be forced to sign them when he would otherwise stamp a veto on them.

There is one area, however, where change is likely. Immigration reform might be a policy area where Democrats on the Hill and President Bush can work together. President Bush's immigration proposal from 2006—with a guest worker program and path to citizenship for illegal immigrants—failed to get through the House because of opposition from conservative Republicans. Here the President's proposal is more in line with the Democrats' plans than with his own party. This may be an area where Bush and the Democrats can work together; it would be beneficial for both to do so. First, from the President's perspective, it would give him a major legislative accomplishment during his last two years in office, a time when presidents often think of legacy. It would also be a victory shortly after an electoral defeat, which might give him a bump in approval among Americans (even if not among his own party brethren). It would give Speaker Pelosi and Majority Leader Reid, and the President actually, a great "bipartisan" victory as well as the opportunity for both to claim that they can work with the other.

CONCLUSION

In the end, however, odds are that voters' calls for change will not be realized in the new Congress. We noted above that some of the new Democrats in Congress do not carry traditionally Democratic positions on certain issues and that this might cause the leadership—and any movement for change—some trouble. One area where *all* the new Democrats were united is in their calls for a new direction in Iraq (even if they do not have a unified position on what that change is). It is ironic, then, that where the Democrats have the most unity, and where the country seems to want change the most, is the area where we are likely to see the smallest amount of change.

This, again, is both structural and political for reasons that we have outlined above. But it also may be for another reason. Each side will likely try to use it against the other in the race for the White House and Congress in 2008. Democrats will claim, with a great deal of legitimacy, that Iraq and all the attendant difficulties are President Bush's problem and that he and his party should be held accountable for the lack of progress. After all, they were successful with this strategy in 2006. Furthermore, Democrats desperately want to recapture the White House—for several of the reasons we detailed above, this is where a real change in direction begins. Republicans will want to say in the lead up to the 2008 campaign that now that Democrats have had their chance by controlling not one but both houses of Congress, that they should be held accountable for not delivering on a new direction for Iraq. Democrats have been saying for three years that Republicans have been mismanaging the war, a war that large majorities of Democrats supported at the outset. If they cannot deliver, will the public hold them accountable? Republicans certainly hope so. Let the campaign for 2008 begin.