

ROLL CALL



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Ten Bills That Really Mattered

In honor of Roll Call's upcoming 50th anniversary, we present the first in a series of top 10 lists that assess Congress' achievements, embarrassments and curiosities since 1955.

By Louis Jacobson
ROLL CALL STAFF

Over the past 50 years, Congress has passed approximately 28,000 bills. But only a small minority of them have had a pro-

found impact on American life.

In an attempt to single out the 10 most important pieces of legislation during the past half-century, we looked for those that most significantly shaped the nation's future course, whether for better or for worse. Domestic and foreign policy were both fair game, and we didn't quibble about whether the measure was a bill, a resolution or a treaty ratifi-



cation. (We did exclude confirmations of appointees, however.)

Also, we valued diversity in subject matter so the list wouldn't overflow with bills on the same general topic.

To gather ideas, we consulted a blue-ribbon panel of Congressional scholars: Joel Aberbach of the University of California at Los Angeles. See TOP 10, page 14

House Prepares For Aftermath

By Emily Pierce
ROLL CALL STAFF

With Senate Majority Leader Bill Frist (R-Tenn.) seemingly prepared to push the "nuclear" button, House GOP aides are actively working with their Senate counterparts to create a coordinated agenda and message campaign to be implemented during the expected "nuclear winter" that Democrats have threatened to impose if Frist drops the bomb.

Speaker Dennis Hastert (R-Ill.) brought up the issue of harmonizing with the Senate last week at a House-Senate Republican leadership meeting, hoping to head off whatever negative publicity could come if Frist uses the controversial parliamentary maneuver to end Democratic filibusters of all judicial nomi-



WHAT'S DRIVING THIS WEEK'S AGENDA

needs. "We're in the initial steps of putting together a plan to keep showing the American people that we're getting their work done," said Ron Bonjean, spokesman for Hastert.

Not much progress has been made on the planning yet, because the Senate is in recess this week, Bonjean said. Indeed, the House See ROADMAP, page 13

Conservative '527' to Air Ads

By Paul Kane
ROLL CALL STAFF

A conservative group launched a \$3.3 million campaign to end judicial filibusters Monday, becoming the first activists on the right to fire a multimillion-dollar shot this year

in the long-running battle over confirming President Bush's judges.

Progress for America, a 527 group that counts several advisers close to both the White House and Senate Majority Leader Bill Frist (R-Tenn.), announced its intention

to target up to 10 Senators as they are home this week for recess.

The effort comes just weeks, if not days, before an expected showdown over judicial confirmations known as the "nuclear option."

See NUCLEAR, page 15



By Mary Ann Akers
ROLL CALL STAFF

Masser Sherwood? Rep. Don Sherwood (R-Pa.) has declined further comment on a titillating news report that a young woman called 911 from his Washington, D.C., apartment seven months ago, saying that the Congressman had choked her.

The Times Leader of Wilkes-Barre, Pa., cited a police report that said Cynthia Ore, 29, of Rockville, Md., locked herself in a bathroom at Sherwood's D Street apartment and called 911 from her cellphone on the afternoon of Sept. 15, saying Sherwood "choked her for no apparent reason."

See HOH, page 16

Bill Gates Visits, Quietly

By Tory Newmyer
ROLL CALL STAFF

The world's richest man doesn't often find his way to Capitol Hill. And when he does, he tends to be discreet about it. Last week was no exception.

Officially, Microsoft Corp. Chairman Bill Gates came to Washington for a panel discussion at the Library of Congress. But while he was on the Hill, he also dropped by for a couple of closed-door meetings with lawmakers.

One was with the Congressional delegation from Washington state, where his company is headquartered. The other, about an hour in See GATES, page 13

C IS FOR CARDIO WORK



Chris Maddaloni/Roll Call

Cookie Monster, the "Sesame Street" icon known for his sweet tooth, takes part in a festival on the Mall kicking off National Physical Fitness and Sports Month on Monday.

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Hutchison: Poker-Faced, but Active

By Chris Cillizza
ROLL CALL STAFF

Texas Sen. Kay Bailey Hutchison is running an unorthodox primary challenge to Gov. Rick Perry, refusing to speculate publicly about her intentions even as she privately prepares for the possibility of a bruising

intraparty battle.

Aides to Hutchison argue that she has truly not decided whether she will run for re-election in 2006 — a race in which she would likely cruise to victory — or challenge Perry in a contest that would set off a civil war within the party.

"She is definitely on the ballot in 2006 and we are acting accordingly," explained Terry Sullivan, who is overseeing Hutchison's campaign.

He added that Hutchison has not sent out a single campaign press release this year and will not make a See HUTCHISON, page 15

At the Races

The Nation

DSCC Seeks Big Haul In Big Apple This Week

Senate Democrats are scheduled to rake in at least \$1 million for their 2006 campaign efforts this week at a high-dollar event in New York.

The Democratic Senatorial Campaign Committee will benefit from a \$25,000-per-person event at the St. Regis Hotel tonight. About 50 VIPs will gather for what is being billed as an economic forum dinner.

In addition to DSCC Chairman Charles Schumer (N.Y.), Sens. Joe Biden (Del.), Jay Rockefeller (W.Va.), Chris Dodd (Conn.) and Debbie Stabenow (Mich.) will be on hand to schmooze with donors. Former Clinton administration Treasury Secretary Robert Rubin will be the special guest moderator.

Meanwhile, the DSCC's counterpart raked in an estimated \$3.2 million last week at a fundraiser at the Washington, D.C., home of Senate Majority Leader Bill Frist (R-Tenn.). President Bush headlined the \$25,000-per-person event, which benefited the National Republican Senatorial Committee.

At the end of the first quarter, the DSCC had a \$5.6 million to \$2.4 million cash-on-hand advantage over the NRSC.

— Lauren W. Whittington

Maryland

Women Colleagues Say Hollinger Should Run

Several current and former women state legislators announced on Monday that they have formed a committee to urge state Sen. **Paula Hollinger** (D) to enter the 3rd district race. Three of Hollinger's Senate colleagues and a member of the House are heading what they are calling the Draft Paula Committee.

Hollinger has said she is seriously considering the race and will make a decision soon. Other possible Democratic contenders in



One potential foe of Rep. Vito Fossella (left) falls by the wayside. Rep. Jerry Moran (right) chooses to stay in Congress instead of running for governor next year.



File Photos

the race to replace **Rep. Benjamin Cardin** (D) include Baltimore Health Commissioner **Peter Beilenson** (son of former California Rep. Anthony Beilenson), Del. **Jon Cardin** (the Congressman's nephew), Anne Arundel County Executive **Janet Owens**, and state Dels. **Neil Quinter** and **Bobby Zirkin**.

Hollinger, Beilenson and Quinter are considered the likeliest to run.

State Del. **Maggie McIntosh** (D), who is close to Sen. Barbara Mikulski (D), had also been contemplating the race, but she indicated last week that she would not run.

Republicans are expected to try to make the open-seat race competitive in a district that gave Sen. John Kerry (D-Mass.) a 9-point victory over President Bush in 2004. But no big-name Republican has entered the contest yet.

— Josh Kurtz

Hoyer Endorses Cardin, Escorts Him in District

House Minority Whip Steny Hoyer (D) en-

dorsed Rep. Benjamin Cardin (D) for Senate on Monday.

"His exceptional experience in state and federal office, as well as his leadership skills, legislative effectiveness, and unquestioned integrity are just a few of the qualities that make me so proud to endorse his candidacy," Hoyer said.

Hoyer chaperoned Cardin through his southern Maryland district during the afternoon, stopping first for lunch at Casey Jones, a popular neighborhood pub in La Plata. The two then traveled together to a forum on health care at a senior center in La Plata, then to a discussion on the preservation of southern Maryland's military bases in Lexington Park, home of the Patuxent River Naval Station.

Hoyer's endorsement of Cardin is not unexpected: the two were elected to the Maryland House of Delegates in 1966, and Hoyer's tenure as state Senate president coincided with Cardin's as chairman of the state House Ways and Means Committee.

Cardin served as chairman and chief vote

counter for Hoyer's two leadership races in the House.

And just as he has made protecting and promoting conservative and moderate Democrats a priority in the House and in Congressional elections, Hoyer is also seen as a protector of Maryland's conservative and moderate Democrats. He has apparently come to the conclusion that Cardin as the party's Senate nominee will do less damage to conservative legislative candidates who have been targeted for defeat in 2006 by Republicans than other potential nominees.

Former Rep. and ex-NAACP President **Kweisi Mfume** (D) has already entered the Senate race, and **Rep. Chris Van Hollen** (D) is weighing a run. Both are considered marginally more liberal than Cardin, despite the strong support Cardin receives from labor unions, environmentalists, women's groups and other pillars of the Democratic Party.

— J.K.

New York

State Senator Declines To Challenge Fossella

State Sen. **Diane Savino**, one of three Democrats being recruited to challenge **Rep. Vito Fossella** (R) next year, told the Staten Island Advance on Sunday that she would not run.

Savino said she preferred to seek re-election to the state Senate because she believes Democrats have a good chance of taking control of the chamber for the first time in more than 40 years. Savino said a Democratic majority in the Legislature — the party already is in firm control of the state Assembly — would help national Democrats the next time Congressional district lines are drawn.

"It's ... important that we have a hand in re-drawing our district lines so we can strengthen our position in Washington," she said.

According to the paper, state Assemblyman **Mike Cusick** (D) traveled to D.C. recently to discuss the possibility of challenging Fossella with party leaders. New York City Councilman **Mike McMahon** (D) is also seen as a possible candidate, but he has said he wants to concentrate on his 2005 re-election campaign first.

— J.K.

Kansas

Moran Says He Won't Run for Governor in '06

Rep. Jerry Moran (R) ruled out a challenge to Gov. **Kathleen Sebelius** (D) late last week, providing Democrats with a major boost in their effort to keep the seat.

Moran has held the western Kansas 1st district since 1996 and was widely regarded as Republicans' best — and most likely — challenger to Sebelius.

The primary reason Moran passed on the race was that he and his wife did not want to move to Topeka, according to the Kansas City Star.






With Moran out of the contest, there is no top-tier Republican currently considering the race against Sebelius.

Under the most likely scenario, a candidate from the party's conservative wing will clash in a primary with a flag bearer for party moderates, the same scenario that led to Sebelius' 8-point victory in 2002.

Moran is a heavy favorite to win re-election in the strongly Republican 1st district.

— Chris Cillizza

ROLL CALL CASUALTY LIST

HOUSE	SENATE
Running for Senate	
(2 House: 1R, 1D)	Mark Kennedy (R-Minn.), 48, 3 terms Benjamin Cardin (D-Md.), 61, 10 terms
Running for Other Office	
(1 Senate: 1D)	Jim Davis (D-Fla.), 47, 5 terms
(4 House: 2R, 2D)	Tom Osborne (R-Neb.), 68, 3 terms Butch Otter (R-Idaho), 63, 3 terms Anthony Weiner (D-N.Y.), 40, 4 terms*
	
Weiner	Corzine
	
Davis	
	
Kennedy	
	
Otter	
Appointed to Other Office	
(1 House: 1R)	Rob Portman (R-Ohio), 49, 7 terms
Retiring	
(4 Senate: 1R, 2D, 1I)	Michael Bilirakis (R-Fla.), 74, 12 terms
(3 House: 2R, 1D)	Henry Hyde (R-Ill.), 81, 16 terms Major Owens (D-N.Y.), 68, 12 terms
Died	
(1 House: 1D)	Robert Matsui (D-Calif.), 63, 14 terms**

*These candidates are not required to give up their seats while making their current bids for other offices.

**Matsui was elected to a 14th term in 2004 but passed away before being sworn in.

Roll Call's Top 10 Bills: A Mix of Famous, Obscure

TOP 10, from page 1

les, Scott Adler of the University of Colorado, David Boaz of the Cato Institute, David Brady and Morris Fiorina of the Hoover Institution, Lee Edwards of the Heritage Foundation, Al-

MORE 50 YEARS

lan Lichtman of American University, Burdett Loomis of the University of Kansas, David Mayhew of Yale University, Bert Rockman of Ohio State University, Steven Smith of Washington University, Rick Striner of Washington College, James Thurber of American University and Eric Uslaner of the University of Maryland.

After sifting through these scholars' nominations, we settled on a top 10. We also added a few near-misses.

As it happened, the scholars, though they worked independently of each other, reached a clear consensus on the top 5 pieces of legislation. Beyond that, they diverged wildly — so for the rest of the measures on our list, we applied our own judgment.

Though it wasn't our intention, the top 10 and the runners-up together contain at least one measure signed by every president since 1955 except for Gerald Ford. There's also a virtually equal divide between measures signed by Republican and Democratic presidents. Here's the list:

1. Civil Rights Act (1964). Virtually every scholar, liberal and conservative, ranked this act first on their list. Its impact is unquestionable: Coming after a decade of civil rights struggle in the South and on the heels of President John F. Kennedy's assassination, the hotly contested act effectively ended racial discrimination in public accommodations and employment. Less noticed initially, but arguably just as significant, is the act's role in ending discrimination based on sex. "America could scarcely lay claim to be a moral exemplar for the world prior to this act," Lichtman said.

2. Voting Rights Act (1965). A few of our scholars ranked this act equal to, or even higher than, the Civil Rights Act. They cited not only its intended impact on ensuring the vote for blacks, but also its unintended but profound role in realigning American politics. After the VRA, white voters, first in the South and then elsewhere, flocked to the Republican Party. This in turn made possible America's turn to the right on economic, social and foreign policy since the 1980s.

3. Medicare and Medicaid acts (1965). Together, these programs have protected the health of countless elderly and poor Americans, putting it "right up there with Social Security in its impact on American life," in Aberbach's words. And looking into the future, the programs are so enormous that both the federal government and state governments are destined to face intractable budget challenges.

4. Federal-Aid Highway Act (1956). Its title is obscure, but its impact is not: The act created the Interstate Highway System, which



File Photo

In 1964, President Lyndon Johnson signed the Civil Rights Act. For Roll Call's panel of scholars, it was the clear pick for most important bill of the past half-century.

touched virtually every aspect of American life in the past 50 years. Faster roads intensified economic growth, boosted domestic tourism and made possible just-in-time manufacturing processes. Interstates also produced suburbanization, which dramatically changed lifestyles (more space, but longer commutes), drove downtowns into decline and led to the development of previously empty land. Population shifted to the Sun Belt, changing the nation's political balance. And the Interstates irreversibly solidified the primacy of the automobile, worsening air pollution and climate change and cementing the strategic importance of the Middle East.

5. Economic Recovery Tax Act (1981). ERTA, the keystone of President Ronald Reagan's economic program, cut individual taxes by 25 percent, indexed tax rates to end "bracket creep" and made other technical changes that have had an enormous influence on the economy in the past quarter-century. In a larger sense, ERTA ushered in an era in which big government, and sometimes any government, ceased to be seen as an unalloyed good. The act "changed the direction of the federal government — the biggest shift since the New Deal — and laid the foundation for Republican success," Uslaner said.

6. National Defense Education Act (1958). Passed in response to the Soviet launch of the satellite Sputnik, NDEA provided \$575 million for education and low-interest loans for students. Its stated focus on boosting achievement in science and mathematics helped enhance the nation's intellectual capital, laying the groundwork for decades of American in-

novation in science and technology and, in turn, providing a basis for economic growth, military superiority and world leadership. The act is relatively forgotten today; only two of our panelists cited it.

7. Tonkin Gulf Resolution (1964). The Tonkin Gulf Resolution authorized military action in Vietnam, leading the United States into a conflict that left more than 50,000 Americans dead and bequeathed tremendous divisiveness at home. Beyond that, however, the resolution — which was based on an attack that may not have taken place at all — was a major landmark for presidential authority on waging war. Ever since, presidents have exercised largely unfettered power to commit American troops abroad, with little say by Congress, despite passage of the War Powers Resolution of 1973.

8. Amendments to Immigration and Nationality Act (1965). This legislation, sponsored by Sen. Phil Hart (D-Mich.) and Rep. Emanuel Celler (D-N.Y.), is the sleeper of the list. It removed national-origins quotas for immigrants that had stood since 1921, thus clearing the way for a new wave of mass immigration that transformed America. To supporters, these immigrants have strengthened America's economy; to detractors, they have been a burden, especially for native-born Americans who face new competition for jobs. Either way, the influx of immigrants from around the globe has irrevocably redefined American culture. "At the time, it wasn't thought to be all that important, and it wasn't very controversial," Mayhew said. "But few acts of Congress have ever been as consequential."

9. Clean Air Act Amendments (1970). Other landmarks of environmental legislation could easily have filled this spot — such as the National Environmental Policy Act, passed the previous year — but this measure attracted the most support among our panelists. It played a key role in the federal government's pre-emption of state regulatory authority over the environment, and, coming shortly after the first Earth Day, it was designed to be a clear signal that environmental regulation and economic growth were not incompatible. Despite some ups and downs, that view still holds considerable sway.

10. Personal Responsibility and Work Opportunity Reconciliation Act (1996). This major overhaul of welfare, requiring work rather than government assistance, directly affected many Americans. But it was also passed by a Republican Congress and signed by a Democratic president, Bill Clinton, thus signaling

the bipartisan abandonment — albeit a long time coming — of the ideas that undergirded President Lyndon Johnson's Great Society.

Seven additional measures came very close to making the top 10. The runners-up:

• **End of the military draft (1973).** This one, among these measures, was a case of Congress allowing a law to expire, rather than passing something. The elimination of the draft not only began to heal perhaps the most controversial aspect of the Vietnam War, but it led directly to the creation of an all-volunteer military, which, barring an unprecedented military threat, is likely to continue into the foreseeable future.

• **Gun Free School Zones Act (1990).** Another oddity: This law's significance comes not from its passage, but from its being declared unconstitutional. In *United States v. Lopez* (1995), the Supreme Court threw out the law as an unconstitutional exercise of power under the constitution's Commerce Clause, thus curbing the long-exercised federal power to regulate interstate commerce. This precedent has shaped legislation and jurisprudence ever since.

• **Trade Expansion Act (1962).** This act set the United States firmly on the path of free trade, producing both great economic expansion and dislocation.

• **Nuclear Test Ban Treaty ratification (1963).** This treaty prohibited nuclear weapons tests in the atmosphere, outer space and under water. It not only curbed the spread of dangerous radioactivity in the environment, but it also set a precedent for future international accords that, in all likelihood, prevented the outbreak of nuclear war. Even as other international treaties have cracked under the strain of national interest, this one has remained rock-solid for more than four decades.

• **U.S. Airline Deregulation Act (1978).** The deregulation of the airlines — approved by a Democratic Congress and President Jimmy Carter — was subsequently used, primarily by Republicans, as a model for the deregulation of other sectors, including telecommunications and financial services. It became a milestone in the building of popular confidence in the private sector and dissatisfaction with government regulation.

• **Comprehensive Drug Abuse Prevention and Control Act (1970).** This act consolidated previous drug laws and strengthened law enforcement by allowing police to conduct "no-knock" searches. It was probably the key law in the escalation of the war on drugs — a war that remains with us 35 years later, without an end in sight.

• **Amendments to the Social Security Act (1972).** This act increased Social Security payments and indexed them to inflation. "It virtually wiped out homelessness among the elderly," Mayhew said.

One additional contender earns a grade of "incomplete":

• **PATRIOT Act (2001).** Depending on who one listens to, this law, passed in the wake of the Sept. 11, 2001, terrorist attacks, could have either a major positive impact on law enforcement or a major negative impact on civil liberties. The law is too new to know who's right — and, equally important, the act could be whittled back when it comes up for reauthorization this year.

And how were these laws seen at the time of their passage? In all, there is a modest, but not universal, correlation between the intensity of contemporary media coverage and an act's eventual significance.

Frank Baumgartner of Pennsylvania State University and Bryan Jones and John Wilkerson of the University of Washington measured the amount of coverage afforded by Congressional Quarterly. Several of the measures on Roll Call's list — including each of the top three — rank among CQ's most-written-about bills since 1955. But most on our list do not.



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