

Transcript by American Enterprise Institute of appearance of U.S. Sen. Mitch McConnell, May 22, 2014

ARTHUR BROOKS, American Enterprise Institute: It's my honor now to introduce the Senate minority leader, Mitch McConnell, no stranger to any of you who hang out at AEI. He has given many important policy addresses here over the past two years and has gone one today that you're not going to want to miss.

He's going to offer a few remarks on the role of the Senate in advancing solutions now particularly for the middle class. Why? Why the middle class? The middle class has a unique and important moral role in the fiber of this nation not because being middle class per se is inherently important, but because it's an aspirational goal that's almost unique to the way the United States has been formed.

Most Americans, whether they're middle class or not, think they're middle class. That's the kind of aspiration that does not, as many in the mainstream media will tell you, reflect delusion but one that really does reflect aspiration. If we don't serve that aspiration, we will lose that aspiration. That's something that matters a lot to Mitch McConnell.

As most of you know, he serves the people in Kentucky in his fifth term in the U.S. Senate, soon to be reelected for a sixth term to the U.S. Senate for Kentucky. He just won a big primary victory and I'm sure he's pleased about that as are many of you and certainly me. Senator McConnell has been to AEI to speak many times and we're delighted to hear from him, his insights and practical solutions to problems inspire us to new policy ideas and for our work.

Ladies and gentlemen, Mitch McConnell. (Applause.)

SENATOR MITCH MCCONNELL (R-KY) [Senate Minority Leader]: Good morning. Well, I'm happy to be here, especially this – especially under the present circumstances. If things had turned out differently in Kentucky Tuesday, this could have been a fairly awkward presentation. (Laughter.)

Let me thank – start by thanking- Arthur and AEI for us and for cosponsoring today's conference as well as our other co-sponsors, *National Affairs* and the YG network.

Earlier this year, Senate Republicans hosted a number of today's panelists at our annual retreat. So in some sense, I view today as a continuation of a conversation that's already ongoing – a conversation about our shared commitment to the urgent task of alleviating the burdens of the working poor and the American middle class.

Thanks for the opportunity to share some observations of my own on the role that a Senate led by Republicans might play in making this important goal a reality.

Broadly speaking, I think there are two basic arguments hovering over us this morning. The first argument is that the various policy proposals we now commonly refer to as reform conservatism represent a good initial answer to the question of how government can be used to help – help, not hurt – working Americans across the country whose wages have remained stubbornly flat throughout the Obama era, even as the cost of everything from college tuition to health care continues to rise.

Many of these Americans have come to feel that their government is now working against them, not for them. And reform conservatism is animated in large part by a desire to prove that at least one party in Washington remains determined to change that and to show in the process that today's Republican Party has something to offer those Americans beyond a mere rejection of what the other side is selling.

After all, the Constitution isn't merely a limiting document, though it is that indeed. It is also meant to enable action, to facilitate commerce, mobility, and greater opportunity, to enrich our lives and our society as the nation grows and develops. This is something two of my Kentucky forbearers, Abraham Lincoln and Henry Clay, well understood. And it's well worth remembering even as we steadfastly reaffirm government's proper limits.

The second argument, repeated with great frequency by some of our panelists, is that embracing these various reform proposals and touting them on the campaign trail would go a long way toward alleviating the much-discussed electoral struggles of today's Republican Party.

So let me just say at the outset that I think there's very little to dispute in either one of these claims. I think that if you were to ask any Republicans in Washington which group of Americans stands to benefit most from the ideas and ideals of our party, they'd respond without hesitation it's the American middle class, and that any suggestion to the contrary is based on a cheap and dishonest caricature.

And yet, I think it must also be admitted that in our rush to defend the American entrepreneur from daily depredations of an administration that seems to view any profit-making enterprise with deep suspicion, they have often lost sight of the fact that our average voter is not John Galt. It's a good impulse, to be sure.

But for most Americans, whose daily concerns revolve around aging parents, long commutes, shrinking budgets, and obscenely high tuition bills, these hymns to entrepreneurialism are, as a practical matter, largely irrelevant. And the audience for them is probably a lot smaller than we think.

So I do think we'd do well as a party to get down to the basics. I see Mona Charen out there. This is the way she recently put it, let's talk less talk of job creators and more talk of job-earners would be welcome – a very astute observation.

Having said that, I think a politician's personal appeal and overall electability continue to be as potent a force in American politics as a well-considered policy platform. But that's a larger conversation, and one we'll leave for another day.

Today isn't primarily about tactics. It's about our shared commitment to making life a little easier for the working poor and for the broad American middle class through concrete policies. And it's about recognizing how fortunate we are as a party to have so many thoughtful and creative women and men contributing their energies and talents to this vitally important movement of ideas.

Yuval Levin often speaks about the importance of gratitude. And it is with no little gratitude that I want to acknowledge this morning the tremendous work that so many of you have done in preparing us for the day the American people realize once again that liberalism simply doesn't work and Republicans are once again driving the policy debate in Washington. Thanks to you and to others, we will be well-armed when that happy day finally arrives – I hope sooner rather than later.

I'm proud that several members of my conference have thrown themselves into this movement with enthusiasm. I'm grateful for their efforts as well. James Madison once said that the U.S. Constitution was the work of many heads and many hands. And the same could justly be said of this great collective effort to update our party's ideas consistent with its longstanding principles of upward mobility, shared responsibility for the weak, and a strong but limited government.

For my part, I've pressed for legislation in recent months that addresses a variety of concerns to the voters of my state. For example, the Family Friendly and Workplace Flexibility Act, which I introduced along with

Senator Ayotte, would allow working mothers to enter into a voluntary agreement with their employer, whereby they would be able bank overtime compensation in the form of time off rather than more pay.

The Expanding Opportunity through Quality Charter Schools Act would provide more and better educational choices to families who've made it very clear to me how disappointed they are in their current options and how frustrated they are with teachers unions that block any progress.

And then there's the National Right to Work Act, a bill I've co-sponsored with Senator Paul, which would eliminate a federal rule that requires the employees of certain companies to join a union or pay union dues whether they want to or not. Lifting this rule would vastly increase job opportunities in my state for women and men who want work but just can't find it, especially in the area of manufacturing.

So these are just a few of the ideas. Senators Lee and Rubio and Scott and Paul, among others, have outlined numerous other specific proposals with similar goals in mind. We won't all agree, of course, on the particulars of every single proposal, and we may disagree on the political wisdom of pursuing various proposals at particular times and places, but that's okay. The idea isn't to agree on everything. It's to have a serious debate that leads to good, durable results.

Now, this debate, my friends, is already underway. I believe it is a powerful sign of our strength and vitality as a party and it points to an inherent advantage we have always had over Democrats in the battle of ideas.

As a coalition party, today's Democrats simply don't have room to innovate or to keep pace with the times. That's why they seem to have been pushing the same ideas for more than a century now. They're captive to a handful of interest groups that just won't allow them to think big or innovatively.

Occasionally, they'll try to make a virtue of necessity by casting their commitment to a century-old agenda as a sign of their doggedness, but the truth is they're simply trapped. It's been left to us to fill the gaps.

In a recent interview with Stephen Colbert, George Will noted that liking things that are old doesn't make you a conservative; it makes you a liberal. His point wasn't to suggest that conservatives have given up on preserving institutions that are working as they should. It was to highlight how often liberals won't even discuss – won't even discuss – updating or reforming those that aren't.

Liberals will always react to such a claim, of course, with the swift construction of a straw man. Just hint at the need to update an existing program and they'll claim it's the camel's nose – how many times have you heard this – the camel's nose under the tent, or a dog whistle, or a slippery slope, or whatever other metaphor they can think of to deflect any serious debate.

And that is why, as people who care deeply about the future of our country, we must never tire of pointing out that the only party that has any credibility whatsoever when it comes to preserving what is good about government is ours, because we're the only ones who've actually shown an interest in really doing so. Nor should we ever tire of repeating, as Arthur often reminds us, that the people who stand to suffer the most from the collapse of our most necessary or vital programs are the very people they were originally intended to help, the poor and the marginalized.

Many articles have been written and many panels convened on the question of whether the ambitious social goals that LBJ first outlined in that famous speech in Ann Arbor 50 years ago have, on balance, been helped or hindered by the multitude of initiatives that it spurred. It's a complex question, and I don't intend to add anything new to that particular debate today.

But in closing, I would like to leave you with two thoughts about the prospects of your own labors.

First, I think it's important to note that the fate of any reform agenda depends not just on the composition of the Senate, but also the style of the person who leads it. LBJ's reign as Senate majority leader offers history a rather vivid illustration of this, and so does Harry Reid's, limiting my comments to the latter. (Laughter.)

I don't mind saying that Senator Reid has done tremendous damage to the Senate – tremendous damage to the Senate. By arrogating to himself powers that have traditionally resided with committees and individual members, he's turned the Senate into a graveyard of good ideas and serious, open debate. His propensity to block amendments, even on his own side, has prevented for years the organic development of policy that has always characterized the Senate at its best.

Let me give you two statistics that really illustrate how bad it is. You may have heard recently Republicans pointing out that we've had had nine roll call votes since last July. Senator Barrasso checked this week to see how many Democratic roll call votes have been since July. They've had seven. Nobody's ideas are being given a hearing, a debate on the Senate floor. Some of you have suggested, and it's certainly the case, it looks like the Senate has turned into the House and the House has turned into the Senate. Speaker Boehner has given the minority in the House during the same period of time 136 roll call votes. This is not the way the Senate was operated at any point in its past, even under what some would argue the most tyrannical majority leader ever, LBJ.

So he has muzzled the people's representatives, and through them the people themselves. He has opted for secrecy over transparency by moving the bill-writing process from the Senate floor into his conference room, most notoriously, of course, we all recall, in the drafting of "Obamacare." And I don't need to tell any of you what he has done to the spirit of comity and respect that the public has every right to expect from their leaders.

If Republicans were fortunate enough to reclaim the Majority in November, I assure you, my friends, all of this would change.

A Senate majority under my leadership would break sharply from the practices of the Reid era in favor of a far more free-wheeling approach to problem solving. I would work to restore its traditional role as a place where good ideas are generated, debated and voted upon. We'd fire up the committee process. And, by the way, when I say that, I mean Democratic ideas, too. I don't know what they're afraid of. You know, what are they afraid of? They've got 55 votes. This isn't the way the Senate used to operate. When we were the majority, I used to tell my members the price of being in the majority is you have to give the minority votes that you're not going to like in order to get the bill across the floor. That's always the way it was.

We'd work longer days and weeks, using the clock to force consensus. Let me touch on that for a minute.

If the leader brings up a bill on Monday and really wants to finish it, the fatigue factor is the best tool you have. Rather than trying to shut everybody out and making everybody mad, you just run the clock. And you say – you say on Monday, we're going to finish this bill either Thursday night, Friday morning, Friday night or Saturday morning. And what happens is the hour gets later and later on Thursday. Amendments start disappearing. (Laughter.) And the thought of what they have scheduled Friday noon or Friday night produces an incredible consensus to try to finish.

But if you're tested, you have to mean it, none of which shuts anybody out. Amendments go away because people get tired. And nobody is bitter about it because they voluntarily gave up, confronted with the choice between staying up late on Thursday night and keeping your previously announced schedule, you decide, on

balance, I'll offer that amendment some other time. We never burn the clock whenever you use the exhaustion factor.

I guarantee you these are things that can and will change because one person can change most of the problems in the Senate and that's whoever the majority leader is, the person who gets to set the agenda has the right of prior recognition and has the opportunity to decide whether you're going to apply a gag rule to everybody or whether you're going to use tactics that create a greater level of comity and, of course, get more results.

Now, this approach would lead to its own frustrations. Members who have good ideas of their own may not like going through the committee process or allowing amendments to their otherwise pristine proposals. But after castigating Senator Reid for crowding out the rest of us and shielding his actions from public view, I assure you, we're not going to turn around and do the same thing. There's not a chance that we're going to turn around and do the same thing.

And I'll have, you know, members, who will say, "Gee, I wish we didn't have to vote on this or that." And my answer will be, "You know, you came to the Senate to cast votes," and most of the members who used to be in the House who came to the Senate came for that very reason, because it's much more open to ideas from all different points of view. And typically – although Boehner's operated very differently, as I just pointed out, but typically in the House, if you're the minority, you just sort of sat down and shut up and didn't get to do anything. So people would come over to the Senate from the House, think they were free at last. And, by God, under Reid, it's just like it used to be in the House.

So this is correctible. You know, it doesn't require any rules changes. It's a behavioral issue. It can change and I will change it if the American people give me the opportunity to.

Now, look, the greatest way to ensure transparency is to do exactly what I said: reinvigorate the committees and restore what we used to call the regular order. The greatest way to ensure stability in our laws is to ensure that everyone has an opportunity to participate in some way in the passage. So I think there's no question that a Republican Senate would be far more – a far more hospitable place for the consideration of the kind of creative policy proposals that you've all been writing and thinking about.

But I would remind you that the Senate is by nature and by design an extremely frustrating institution. You remember what Washington, according to legend, said the Senate would be like. He said it's going to be like the saucer under the coffee cup. The coffee – he may have said tea. I'm not sure there was coffee yet – is going to slosh out of the cup down at the saucer and cool off. So it was always anticipated that it was going to be harder to do stuff in the Senate than in the House.

And that could be the case again because, as you all now, it requires 60 votes to do most things in the Senate. I believe it is the case that my party has not had more than 55 Republican senators in 100 years. They had a hammerlock on the place during the New Deal, a hammerlock on the place during the Great Society and a hammerlock on the place the first two years under Barack Obama. So, you know, we haven't been given that opportunity by the American people for a very, very long time. So don't assume that everything we want to do can get 60 votes. This is still going to be a challenging experience, but it is important to be able to set the agenda.

The majority leader can set the agenda. He can decide what we're going to talk about. We wouldn't be talking about most of the things that we've been talking about here recently, all these job-killing proposals that don't do anything to benefit middle-class people. We will, regardless of what happens in November, have to deal

with the government the American people have given us. And it's almost certainly not going to be 60 Republican senators.

So how do you deal with a Senate in which you don't have at least on paper enough members to get to 60? And that's where you come in – it's the power of your ideas. You know, if they're attractive enough, hopefully we will be able to get at least a reasonable number of Democrats to say, this is such a good idea that I'm simply not going to participate in an effort to prevent its passage.

So let me thank you for the work you have already done on that necessary work of persuasion. We're going to need all the arguments you've got, even if we're in the majority, because we're certainly not going to have 60. And I think ideas are powerful things. It was Margaret Thatcher who said, first you win the argument and then you win the election.

So I want to thank you for helping us reinvigorate the conservative movement and to be ready to govern if in fact the American people give us that opportunity. Thanks for being here – for letting me be here. (Applause.)

MR. BROOKS: We have – we have a minute or two before the senator has to go back to the Hill. And that means one or two questions. And we'll start – the first hand I saw. Right back here. First come, first served.

Q: Thank you, Senator McConnell. You imply in your remarks that you would not consider doing away with the filibuster if you were given the privilege of leading the Senate again. Could you comment on that?

SEN. MCCONNELL: Yeah. I think the supermajority requirement in the Senate has been important to the country. It is, of course, more frustrating when you're in the majority, but short of 60.

But if you think back over the history of the country, I think probably the biggest service the Senate's provided to America is the things it has not passed. Some of the proudest moments I can think of in my own career have been the things that I stopped rather than the other.

So the ability to require the kind of consensus you need to have when you have to have 60 votes I think is important, be it ever so frustrating when you're setting the agenda and still can't get to 60 if you could sort of detach yourself from the momentary problem you have with that and look at it in terms of what I think the Senate's done for America, I think it's important not to change that fundamental role.

Now, you know, Reid did a lot of damage. I take you back to the nuclear option. What was the worst thing he did was how he did it. They basically changed the rules of the Senate by breaking the rules of the Senate. What he did was called by the parliamentarian a violation of Senate rules. He appealed the chair, ruling of the chair, and overturned it with 51 votes. What they did substantively was to lower the threshold for nominations for the executive branch and for judiciary except for the Supreme Court to 51.

But, more importantly than that was how they did it. That precedent will always be there. It's hard to un-ring a bell. And I think was very damaging to the institution, which leads to probably what you'd like me to respond to, which I'm not going to do today, which is, what would we do about that were in the majority?

And my advice to my colleagues has been, that's a discussion for December. If we're fortunate enough to be given by the American people the opportunity to set the agenda in the Senate, then we will address that question. But your question was about legislation, I assume, not about executive branch appointments. I do not favor turning the Senate into a majoritarian institution even though we would probably have some short-term advantage from doing it.

MR. BROOKS: Last question right here in the middle.

Q: Mr. Minority Leader, I was wondering, speaking of procedural fights, how do you see the amendment fight on the Senate extenders package playing out?

SEN. MCCONNELL: The what?

Q: The tax extenders package, sir.

SEN. MCCONNELL: Well, hopefully, it will be open for amendment, which gets back to the gag rule that the majority leaders frequently employ. The extender package enjoys considerable support, not unanimous but considerable support. But what Senate Republicans are insisting on is that it be open for amendment and you might be interested to know there were 40 Democratic amendments filed, which would also not be considered on this tax bill.

So I hope you're not bored by discussion of process but process is important. I mean, how you deal with something has a lot of a heck to do with what kind of an outcome you get. So I deal with process every day. It's been actually a lot simpler than it used to be because, typically what's happened, bills are brought up, the gag rule is imposed, nobody gets any amendments, and then, when we rebel against that and don't pass the bill, he calls it a filibuster. The president said we'd engaged in 500 filibusters. I think Glenn Kessler gave him four Pinocchios for that.

I think it's pretty clear these people will do and say anything in order to cling to power. And we're going to see this November whether the American people are sick and tired of this. The only thing that can be achieved, I always say to my folks in Kentucky and I say in other audiences around the country, if you're frustrated by the last six years, the only thing that can be done in 2014 is to change the Senate. Nothing else is achievable in 2014, but to change the Senate and begin to change America by changing the agenda in the Senate. So that's where we are.

But, look, I don't want to be – I'll end with this because Arthur is clearly getting nervous here. There was that old movie in 1972 called *The Candidate*. Some of you were too young to have seen it at the time but may have seen it since, featuring Robert Redford. He was a bright new candidate who went out and won the election. And I think the movie ended when he looked to his campaign manager and he said, "What do we do now?"

You all are helping us answer the question what do we do now. If we are given the responsibility to govern, what do we do now? And for that, I really want to thank you for applying your creative minds to this challenge and we look forward to being able to advance an agenda that we think is in the best interest of our country. Thanks so much. (Applause.)