

WHAT EVER HAPPENED TO “UPPERDOWN VOTES”?

Say what you will about Senator Reid. But right now, he's in a giant showdown with Mitch McConnell (and, disgustingly, Jello Jay Rockefeller), and I guarantee you'd rather have Reid win than McConnell.

The Republicans have refused to allow an "upperdown" vote on any amendment since the Leahy substitution amendment went through. They've called for a cloture vote to vote on the SSCI bill, with just one minor amendment. Which means, if cloture passes, we'll get screwed by Jello Jay, and Bush will get his wet dream of a spying bill.

Reid, on the other hand, wants a fair hearing for the amendments being offered—including immunity, but also things like oversight on minimization and restrictions on wiretaps of Americans overseas. He basically wants the Senate to have a chance to improve on the work of the SSCI. And though he's not saying it, several of these amendments, though they propose something the Administration has said would be okay, would really cause Bush to veto the bill.

The idea is cloture allows Bush to conduct his spying as he wants to, with Congressional approval. Whereas Reid wants to deliver what Bush has said he needs, rather than what he really wants but won't admit to.

The cloture vote is scheduled for 4:30 on Monday. We've got three and a half days to get at least three of the following people to flip their votes from the vote on the Leahy substitution:

Bayh (202) 224-5623
Carper (202) 224-2441
Inouye (202) 224-3934
Johnson (202) 224-5842

Landrieu (202)224-5824
McCaskill (202) 224-6154
Mikulski (202) 224-4654
Nelson (FL) (202) 224-5274
Nelson (NE) (202) 224-6551
Pryor (202) 224-2353
Salazar (202) 224-5852
Specter (202) 224-4254 (What the hell—he
had an amendment ignored today, too)

And to convince those Senators who want to be President that this is a vote they need to be present for. (This assumes Rockefeller won't flip, since he's co-sponsoring the bill with Bond.) It's probably also a good idea to touch base with Senators DiFi (202-224-3841) and Whitehouse (202-224-2921) to make sure they remain on the side of the good.

Several years ago, when they were on the wrong side of a close Senate, Republicans insisted on the sanctity of an "upperdown vote." But now, they want to refuse that right to any legislative action save the one Bush supports.

We can win this one. And boy, do we need to.