

... A SENATOR FOR THE WORKING CLASS

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he had to file a petition to close debate. In the first six years that Harry Reid was majority leader, there were 281 filibusters.

Have things gotten better since you began campaigning for filibuster reform?

Only in one sense. I was able to champion the first major rule change in 39 years, which passed last November, which lowered the number needed to close debate on nominations (except for Supreme Court) from a 60-member supermajority to a simple majority of 51. This is why we have a National Labor Relations Board that's been confirmed. It's why we have Tom Perez as Labor secretary. It's also why the president was able to get Gina McCarthy in as head of EPA, and Richard Cordray as head of the Consumer Financial Protection Bureau.

When you want to change something, you need an inside-outside coalition to bring pressure to bear. I teamed up with a group called Fix Our Senate Now. My own [Senate Democratic] leadership was quite upset with me in January 2013 for having made their life more difficult with the pressure from outside. They ignored that pressure. They did some little tweaks based on a promise from the Republican leader to restore the norms and traditions of the Senate regarding nominations. However, in short order, the Republican leader did not honor that, and proceeded to allow Senator McCain to engage in the first-ever filibuster of a Defense Secretary — ironically his own former Republican colleague Chuck Hagel. Then, a letter from 43 senators said that they would filibuster anyone nominated to head the Consumer Financial Protection Bureau — they weren't going to let that agency do its job protecting Americans from predatory practices. That led then to my leadership saying, "We'll work with you and try to take forward some reforms."

We've got a lot more to do. We certainly need to take on the legislative side.

There's growing consensus that the Senate is broken. It's not passing legislation. It's not appropriating money. Until this year it wasn't confirming presidential appointees at any level, judicial or executive. That part is fixed for now ...

Not fixed. We've doubled the pace at which judges are confirmed. However, executive branch nominees are still being slow-walked. We have a huge number of missing ambassadors, a huge number of second- and third-tier appointees. We can close debate on the most important and visible folks —

the head of the agency, or cabinet secretaries. But tons of executive branch positions are still unfilled, and it's really unacceptable.

Before any Democratic agenda is passed, the filibuster has to be reformed. So why haven't you found more support to change it?

We must change it, in order to take on the big issues facing America. As long as the filibuster is allowed in its current form, it gives veto power to the wealthiest special interests to block every pro-worker possibility. Majority leader [Harry] Reid has become a big fan of fixing these things. That's terrific to have him as a partner. The change I'm proposing would take a rules change. The target date would be January of next year. I'm hoping we'll have enough senators to be able to do that in January.

It could have been done at the beginning of this Congress.

It could have been, and I proposed an extensive change in January 2013. But at that point the leadership was still trying to work it out on a cooperative basis. I'd already held enough meetings with my Republican colleagues to realize they weren't going to help make the place work.

If the Senate becomes functional again, what's some legislation that would be near and dear to your heart?

Living wage jobs. In this last recession, 60 percent of jobs lost were living wage jobs, and only 40 percent of the jobs we're getting back are living wage jobs. That means millions of Americans have lost their financial foundation, and they're chasing part-time, near-to-minimum-wage, low-to-no-benefit positions that are completely insufficient for raising a family.

So are you talking about raising the minimum wage?

Well that's a piece. The Harkin proposal would raise it to \$10.10.

What are the prospects for passing that?

We lost it on a filibuster. But you have to put things forward even when you don't think at that moment you can pass them, because you've got to build the national conversation and the coalition to make it happen.

Apart from living wage jobs, I have a whole list of things I'm advocating for. A huge factor in the American Dream is education. And the thing that has gone up fastest, faster than the rate of standard inflation, is college tuition. That, combined with the fact that Pell grants cover less, has resulted in a massive increase in student loans. And student loans are not just weighing heavily on students who have borrowed the



U.S. Sen. Jeff Merkley (D-Oregon), pictured right, visits a Southeast Portland auto shop March 22, 2012, for a discussion with small business owners about the Affordable Care Act.

money and now don't have a job that pays enough to pay the money back. It also weighs heavily on our high school students who are thinking about whether or not they're going to pursue their dreams. I live in a working class community, the same one I've lived in since third grade, the David Douglas area out in far east Portland. And I hear the parents talking about how they're not sure if they should encourage kids to get an education because they might end up with a debt the size of a millstone around their neck. So there's a crushing of aspirations.

Pell grants need to keep pace. Galloping tuition inflation has to be stopped. We need to have low-interest loans for students. Those loans should never be viewed as a source of profit to the federal government. We should be investing in our students, not profiting off them. And we should enable those who have student loans — and 500,000 Oregonians have student loans — to refinance them, to take advantage of today's low interest rates. That's opposed by my colleagues. We had a bill on this, and the Republicans stopped a motion to proceed. We couldn't get the 60 votes to go forward.

On trade policy, you're regarded as a fair-trader, someone labor looks upon as an ally. What's your position on fast track [a provision that requires a sped-up vote in Congress on a trade agreement, with limited debate and no possibility of amendment]? Would you give the president fast track negotiating authority?

I'm extremely skeptical about fast track. We haven't even seen what is in the TPP [Trans Pacific Partnership, a trade agreement the White House is se-

cretly negotiating with 11 Pacific Rim nations.] We're talking essentially about a trade treaty, right?

In theory.

Well, in practice, it's not a trade treaty. It's an agreement. Why? So you can bypass the supermajority requirement of the U.S. Constitution for a treaty. Our forefathers said when we make an agreement with another country that has semi-judicial properties, it should be subject to a supermajority. Here, with fast track, we're trying to grease the passage so that it's easier than a normal bill to get passed. And yet it has these profound consequences, including what bills we can pass at a state level across this country. My test for any trade treaty is: Does this create a level playing field that enhances our ability to have more good-paying jobs? Most trade agreements have not met that test. So I'm certainly not going to fast track something the details of which have not even been shared with the public.

Where are you on immigration reform?

The Senate did a pretty good job of getting a bipartisan agreement on a very complicated set of issues, and while it's not perfect, it's a lot better than the broken system we have. I hope the House can see its way free to vote on it. They probably won't. It certainly doesn't look like it's possible this cycle. That's deeply damaging to America that they won't even debate an immigration bill. If they could even get part of one passed, we could get to a conference committee and fix some of the problems of our current system.

What are some key differences between you and your opponent, Monica Wehby?

My opponent is pushing for the Romney tax plan, which would give massive tax breaks to the richest Americans. She's pushing for a territorial tax system, which would incentivize shipping jobs overseas. She's for eliminating the estate tax, which only applies to people who have more than \$5 million. How many working families have \$5 million to pass on to their kids? These are often funds that were never taxed by capital gains, so if they don't have an estate tax, then they escape taxation completely. So she is working the agenda of the super-rich. And I'm working for working families.

What gives you hope for 2015 and beyond, assuming you're sent back to Washington by the voters of Oregon?

You know, my wife Mary and I wrestled with whether I should run again, given the enormous obstacles to having an ordinary legislative debate. And the thing that we felt was, number one: I've been able to get a bunch of things passed that have helped people, despite the dysfunction of the current system. And two: I'm helping to lead a fight to restore the functionality. To give up on that could have a profoundly negative impact on workers across this land. So I want to win that fight to restore the Senate to being a functioning body. It's not just that it can't address significant issues, though that is terrible. It's also driving enormous cynicism among our youth to see this dysfunctional body, and it's deeply damaging America's reputation in the world, which has its own set of costs. So I want to go back, to continue this fight.