

Congressional Closeup by Barbara Dreyfuss and Susan Kokinda

Major water reform legislation introduced

Senators Pete Domenici (R-N.M.) and Patrick Moynihan (D-N.Y.) have reintroduced water policy reform legislation which would drastically alter the decision-making and financial process behind major water project construction in the United States. Senator Moynihan has introduced similar legislation affecting harbor/port development.

The Domenici-Moynihan Act, the National Water Resources Policy and Development Act of 1981 (S. 621), was introduced on March 5 and is modeled on legislation introduced by both senators last year but stalled in the House of Representatives.

Rather than the current project-by-project approach, decided on a national basis by the Army Corps of Engineers, the Congress, and the states, S. 621 would establish a block-grant program to be allocated to each state on a formula based half on land area and half on population. The state would then determine how best to allocate its federal funds.

In addition, the federal government could be engaged in not more than 10 regional projects, extending beyond state boundaries, at any one time. In the first category of block grants, states and localities would have to contribute 25 percent of the funding.

Senator Domenici, acutely aware that the impending water crisis was brought about by the failure to embark upon a national program of water resource development, motivates his proposal by noting that the current system is

not working and that a state block-grant program with certain automatic trigger mechanisms could expedite many local water projects.

In a speech on the floor of the Senate on March 5 accompanying the introduction of the bill, Domenici said, "such problems are becoming even more critical as time continues to burden the current system. This nation must resolve these problems if we are to have an effective water resources program to meet the challenges of the final fifth of the century.

"We must resolve these difficulties and rebuild public confidence in the federal government and in its water resources program."

While agreeing with Senator Domenici's intentions, many in the water-resource community fear that allowing states to decide which projects are a priority would destroy national planning priorities.

One week earlier, Senator Moynihan, along with Sen. Jennings Randolph (D-W.Va.), introduced the National Harbor Improvement Act, S. 576. The legislation has three major changes, according to Moynihan: "First, the bill deals with the question of how national priorities should be set for harbor improvements. Selecting projects on a first-come, first-serve basis is hardly a responsible approach to public investment."

Moynihan proposes setting up a national council to determine which harbors should be developed based on some criteria of national interest, such as the need to expand coal exports. The legislation would lessen the role of the Army Corps

of Engineers in project decision-making.

"Second," Moynihan continued, "the bill recognizes that these harbor projects ought not be thought of as free goods. In addition to the general benefit to the nation, these projects have clearly identifiable beneficiaries who should share in the costs of the projects.

"Finally, the bill will set a two-year deadline on the completion of project feasibility studies."

Repeal of marijuana herbicide ban introduced

Congressman Clay Shaw (R-Fla.) last week introduced legislation that would once again allow the United States to assist the efforts of other nations to eradicate their illegal domestic marijuana crops by herbicide spraying.

The bill, H.R. 2420, would overturn the ban on the use of U.S. funds for herbicide programs that has existed since legislation sponsored by Sen. Charles Percy (R-Ill.) was passed amending the Foreign Assistance Act because of the alleged "medical dangers" of paraquat. H.R. 2420 has been referred to the House Foreign Affairs Committee.

Senator Lawton Chiles (D-Fla.) has introduced similar legislation on the Senate side.

Representative Shaw said on the floor of the House March 10 that "my bill will direct the secretary of the Department of Health and Human Services to monitor and report to Congress on the health impact. . . .

"It is unrealistic for the U.S. to say we are serious about controlling drug trafficking if we prohibit other countries from using the single most effective means to accomplish large-scale destruction of marijuana crops."

The introduction of H.R. 2420 follows by days a bill introduced by Rep. Billy Lee Evans (D-Ga.) for an outright repeal of the Percy Amendment without the monitoring for medical effects.

Although "no case of herbicide poisoning by marijuana use has ever been reported to health agencies of the federal government that research such matters," according to Florida Attorney General Jim Smith in a letter to Representative Shaw placed in the *Congressional Record*, political observers note that the medical monitoring provision was expected to be useful in overcoming political opposition to the bill.

Nunn: more money for permanent investigations

When the full Senate debated resolutions proposed by the Senate Rules Committee for the funding of Senate committees March 3, a fight broke out over the funding of the Permanent Investigations subcommittee of the Senate Government Operations Committee. It was this subcommittee, under Sen. Sam Nunn (D-Ga.), which for the last several years has aired a barrage of charges that various trade unions, including the International Brotherhood of Teamsters, the La-

borers' International Union and the International Longshoreman's Union are "controlled by organized crime."

The Senate Rules Committee offered Senate Resolution 57, proposing to cut the budget of the Government Operations Committee by 10 percent from last year's budget. Senator William Roth (R-Del.), now the chairman of the committee, endorsed the resolution, saying that he believed the committee would still increase its activities while cutting its budget. He stressed the role the committee will play in overseeing government agencies and promoting efficiency and eradication of fraud in government.

Senator Sam Nunn (D-Ga.), now the ranking minority member of the Permanent Investigations subcommittee, strongly objected to the funding cuts.

Admitting that he was not speaking with the permission of the majority, Nunn claimed that his subcommittee could not continue the kinds of detailed investigative attacks against organized crime infiltration of labor unless its budget was greatly increased.

The Permanent Subcommittee on Investigations "has a long history, mostly under Senator McClellan . . . and the investigation of organized crime in connection with labor racketeering which took place when Bobby Kennedy was the chief counsel in the late 1950s," said Nunn. "That type of inquiry is a vital part of the investigatory role of the U.S. Senate. . . . I really do not believe that the mood of the country is such that we want to basically put a subcommittee out of business that has a historical

track record as good as this subcommittee."

House to investigate Abscammed members

On March 4, the House voted 390 to 1 in support of H.R. 67, which now authorizes the Committee on Standards of Official Conduct to investigate accused congressmen in the Justice Department's Abscam "sting" operation. The resolution is identical to one passed during the last Congress under which the committee investigated a number of congressmen. The only congressman convicted under Abscam remaining in the House is Rep. Raymond Lederer (D-Pa.).

Congressman Henry Gonzalez (D-Texas) was the sole voter opposed.

On the floor of the House the following day, Gonzalez made an extremely strong attack on the tactics used by the Justice Department in Abscam.

"What we should have learned, and must learn," he warned, "is that the tactics of Abscam went too far. Judges have questioned it, thoughtful editorialists have questioned it—but the issue seems too hot for us to handle here in the House—and this House is where liberty is going to be preserved or lost. . . ."

"It is one thing for a law enforcement agency to investigate crime, and another to fabricate crime. Abscam was very much a case of fabricated crime, aimed against specifically targeted legislators. This is not only troubling, it is frightening."