

Congressional Closeup by Carl Osgood

GOP Rams Bankruptcy Bill Through House

The House GOP leadership (with the complicity of too many Democrats), operating like a pile driver, drove the Senate-passed bankruptcy bill through the House by a vote of 302 to 126, on April 14. They did it using tactics that have become all too familiar: limiting debate to a minuscule amount of time, and prohibiting any amendments from coming to the floor. In this case, it was 35 amendments, all sponsored by Democrats, that would have ameliorated the impact of the bill on various classes of debtors, and one, by Rep. Jerry Nadler (D-N.Y.), that would have “sun-setted” the bill after two years. Other amendments included protection for members of the military bankrupted by their deployments to Iraq and Afghanistan, and for victims of identity theft.

Rep. Louise Slaughter (D-N.Y.), the ranking Democrat on the Rules Committee, displayed a chart showing how over the last five Congresses, the number of amendments allowed to be considered to bankruptcy reform legislation has declined from 12 in the 105th Congress, to zero. “This chart shows a disturbing pattern,” she said, “a pattern that has become common practice here in the House.”

As for the bill, itself, Rep. John Conyers (D-Mich.) called it “the most special interest-vested bill that I have ever dealt with in my career in Congress. It massively tilts the playing field in favor of banks and credit card companies and against working people and their families.” He noted that the bill does nothing to discourage abuse by credit card issuers lending to the developmentally disabled, or by sub-prime lenders or “the sharks” who charge members of the military up to 500%.

Because the House passed the Sen-

ate bill with no amendments, in order to avoid the possibility that it would get bogged down in conference committee, it goes directly to President Bush for his signature.

DeLay Interrogated On House Ethics Process

The battle over the stalled House ethics process escalated another step on April 14, when Minority Whip Steny Hoyer (D-Md.) demanded to know when the resolution sponsored by Rep. Allan Mollohan (D-W.V.), to return the House ethics rules back to what they were prior to the convening of the 109th Congress, would be heard. Hoyer used the opportunity of an otherwise routine colloquy on the House legislative schedule to remind Majority Leader Tom DeLay (R-Tex.) that prior to January, changes in the ethics rules were always made on a bipartisan basis, as was done in 1997, when a task force chaired by then-Rep. Bob Livingston (R-La.) and Rep. Ben Cardin (D-Md.) wrote the last overhaul of the ethics rules.

DeLay claimed that this time around, House Speaker Dennis Hastert (R-Ill.) unilaterally decided that those rules had to be changed in order to “protect” the due process rights of members of the House, because Hastert had “discovered” that the rules could be used in a partisan fashion to hang a member “out to dry.” Of course, the only member “hung out to dry” recently, has been DeLay himself, whose own conduct, not partisan scandal-mongering, has made him the target of controversy. That, of course, was not said, but DeLay showed, by what he did say, that he was more than willing to support unilateral changes in the rules that

have the effect of protecting his own position. Under the old rules, if the chairman and ranking member of the committee could not agree on the charges brought against a member, the charges would automatically be referred to the investigative subcommittee. Under the new rules, that action now requires a majority vote of the committee, making an investigation nearly impossible in a highly charged case, such as DeLay’s.

Hoyer’s interrogation followed an earlier vote on the floor of the House on a privileged resolution offered by Minority Leader Nancy Pelosi (D-Calif.), to set up a bipartisan task force to examine the ethics process in the House. The resolution was tabled, by a vote of 218 to 195, on a motion by Rep. James Sensenbrenner (R-Wisc.), thereby pre-empting any debate, but two Republicans, Rep. Joel Hefley (Colo.), who is a co-sponsor of the Mollohan resolution, and Rep. Jim Leach (Ia.) voted with the Democrats. All of that action followed, by a day, a meeting of the Ethics Committee, at which Mollohan and Chairman Doc Hastings (R-Wash.) were unable to come to an agreement on how to get the committee operating again.

House Backs Permanent Repeal of Estate Tax

On April 14, the House took a step towards the GOP leadership’s goal of making the 2001 and 2003 tax cuts permanent, by voting 272 to 162 to make the repeal of the estate tax permanent. In the process, they brushed aside all arguments from the Democrats that the estate tax repeal only aids a handful of the wealthiest people in the country. The supposed basis for repealing the tax is that it results in thousands of

farms and small businesses shutting down, because those who inherit them cannot otherwise afford to pay the estate tax. The Republicans, in order to generate public support for the repeal, have always referred to the estate tax as the “death tax.”

The Democrats, on the other hand, repeatedly pointed out that only about 2% of the 3 million people who die in the United States every year actually leave behind estates large enough to pay estate taxes, and most of the revenue generated by the tax comes from only about 7,500 estates, or about 0.1%, which will derive most of the benefit from the bill. Opponents also did not fail to notice the economic context in which the debate took place. Rep. Bernie Sanders (I-Vt.) pointed out to the House that real wages have been declining, the middle class is shrinking, poverty is increasing, and at the same time, “the richest people in America have never had it so good.” Rep. Jim McGovern (D-Mass.) noted that for most of the 20th Century, the United States had a progressive tax system. “Those who could afford it paid their fair share. We looked out for each other. We provided food to the hungry, shelter to the homeless, assistance to the unemployed, and health care to the sick.” The Republicans, he said, want to turn that system upside down. “They believe the wealthy should be exempt from paying taxes and the poor should fend for themselves.”

Immigration Provision Added to Spending Bill

The Senate voted 94 to 6, on April 19, to add a provision exempting certain seasonal agricultural workers from immigration caps to the Iraq War sup-

plemental spending bill. The vote came after the Senate successfully fended off efforts to add more expansive immigration provisions earlier in the day. Those efforts came in the form of competing amendments on agricultural guest workers and illegal immigrants, both of which failed to make cloture. Barbara Mikulski (D-Md.), the sponsor of the amendment on seasonal workers, told the Senate that it only applies to those who have worked in the U.S. before, have worked in compliance with the law, and returned home to Mexico during the off season. She said the amendment was needed to address a crisis in the Chesapeake Bay seafood industry, which is facing labor shortages and needs to begin to hire extra workers, now.

The major sticking point continues to be the Real ID act attached to the House-passed bill. Diane Feinstein (D-Calif.) is sponsoring an amendment, which is a sense of the Senate resolution, calling on Senate conferees not to accept the House-passed provision. In remarks on the Senate floor on April 13, Feinstein noted that the Real ID Act is a “very controversial” bill which has never even been considered in the Senate Judiciary Committee. She described the House action in attaching the Real ID Act to the supplemental spending bill as “pre-emptive,” and said, “We are meant to be a deliberative body. We are meant to consider major and controversial pieces of legislation and, if necessary, slow them down.”

Bipartisan Bill Would Defend Union Organizing

Reporters and labor union members were subjected to an increasingly rare sight on Capitol Hill, on April

19, when a Democrat and a Republican joined together to defend the rights of labor unions to organize, free of intimidation and coercion by corporations. Representatives George Miller (D-Calif.) and Peter King (R-N.Y.) both spoke at an event moderated by AFL-CIO President John Sweeney to announce their support for the “Employee Free Choice Act,” which would strengthen the penalties against employers for violating provisions of the National Labor Relations Act pertaining to union organizing activity by employees. It also simplifies certification of union representation, and provides that if an employer and a union engaged in bargaining for their first contract cannot reach agreement after 90 days, the dispute can be referred for mediation and arbitration.

Miller told the crowd that “the right of working men and women to freely organize and bargain collectively is a fundamental human right,” yet a 2000 Human Rights Watch report found “rampant violations” of the right to free association in the United States. “Many workers who try to form and join trade unions to bargain with their employers are spied on, harassed, pressured, threatened, suspended, fired, deported, or otherwise victimized in reprisal for their exercise of the right of free association.” King seconded Miller’s comments, saying, “It’s really an issue of basic human rights” to be able to organize and bargain collectively.

The bill also has bipartisan sponsorship in the Senate, with Edward M. Kennedy (D-Mass.) and Arlen Specter (R-Penn.). Kennedy noted in a press release that the U.S. economy has lost nearly 3 million manufacturing jobs. “Our economy may be growing,” he said, “but workers aren’t benefitting and wages are stagnant.”