

Congressional Closeup by Carl Osgood

Senate Finally Reorganizes Itself

The last act of the Senate before it left for the July 4 recess was to approve an organizing resolution that formalized the Democratic takeover of the Senate. The only real provision in it is the section that provides for a one-vote majority for the Democrats on all committees, except for the Ethics Committee, which remains evenly split between the two parties.

The Republicans failed to get any guarantees regarding judicial nominees. They settled for a letter from Judiciary Committee Chairman Pat Leahy (D-Vt.) and ranking member Orrin Hatch (R-Utah) that the committee would report all Supreme Court nominees to the floor whether or not they had committee approval. The letter simply affirmed a custom that has been practiced for 120 years, nothing more.

The debate on judicial nominees is not over, however. The flap started by Charles Schumer (D-N.Y.) over consideration of the ideology of nominees, carried over into the Sunday morning talk shows on July 1. Schumer, on NBC News' "Meet the Press," clarified his view that he didn't think that ideology should be the sole determining factor. He reminded host Tim Russert that as a candidate, President Bush had said that he would appoint judges that are "strict constructionists"—as opposed to "liberal activist judges." "Now, if it's good for the President to choose a judge of a certain philosophy," Schumer said, "why shouldn't it be appropriate for the Senate to ask questions about what that strict constructionism means and how it goes?"

On July 10, Majority Leader Tom Daschle (D-S.D.) promised that the Senate would move quickly on nominations now that organizational matters have been settled. Leahy announced the same day that he wanted

to move quickly on the nomination of Robert Mueller to be director of the FBI. "We will move to expedite this, even if I have to set aside some other things," he said.

Conrad Blasts Bush's Budget Strategy

Kent Conrad (D-N.D.), the chairman of the Senate Budget Committee, blasted the Bush Administration on July 3, for taking only six months to put "our financial independence at risk." He said that because of the Bush tax cut, the originally projected \$92 billion budget surplus (not including Social Security or Medicare) for fiscal year 2001 will virtually disappear and a raid of \$17 billion on the Medicare trust fund is imminent. He added that the outlook for FY 2002 is even worse, with the Social Security trust fund up for grabs as well.

Conrad's remarks set off a slew of invective against him from the GOP. Columnist Robert Novak, a GOP insider, accused Conrad of preparing a "show trial" for July 12, when Office of Management and Budget Director Mitch Daniels is slated to appear before the Budget Committee. Daniels accused Conrad of practicing "medieval economics." In response, Conrad asserted, on the Senate floor on July 9, "I do have a very serious interest in where we find ourselves after the fiscal policy that the President proposed has been adopted in the Congress, because I think it has created serious problems."

Typical of the GOP argument are remarks by Vice President Dick Cheney after meeting with the Senate GOP Caucus on July 10. He claimed that without the tax cut, there would be less economic activity, a smaller surplus, "and the overall set of circumstances

would be much more difficult." He said that the tax rebate checks that are starting to go out this month are "the best-timed dose of fiscal medicine the economy's ever received."

Bush Suffers Setbacks On Spending Bills

The House began work on the 13 annual spending bills on June 26, passing the Transportation Appropriations Act by a vote of 426-1. Two days later, the House passed the Energy and Water Development Appropriations bill by a vote of 405-15. The House also began work on the Agriculture spending bill before it left for the July 4 recess.

Passage of the two bills did not come without fireworks. An amendment to prohibit funding for the processing of applications for Mexican trucks to operate in the United States beyond the border area, sponsored by Martin Sabo (D-Minn.), was added to the bill by a vote of 285-143. Sabo's amendment was precipitated by the Bush Administration's announcement last January that all restrictions on Mexican trucks operating in the United States will be lifted on Jan. 1, 2002. This is to happen despite, as Martin Frost (D-Tex.) said, "clear evidence that many are unsafe for our highways." Opponents of the Sabo amendment argued that it was a violation of North American Free Trade Agreement (NAFTA) rules. Whereas Sabo admitted that this might, indeed, be true, David Obey (D-Wisc.) rejoined, "NAFTA is a trade pact. It is not a suicide pact."

The sparks continued over an amendment to the Energy and Water Development bill sponsored by Minority Whip David Bonior (D-Mich.) to shut down oil and gas drilling in the Great Lakes. Bonior warned that

continued slant drilling under the Great Lakes risked contaminating the drinking water supply of communities along the lake shores which could take "as much as 500 years to flush out." His amendment passed by a vote of 265-157. Great Lakes drilling is not part of the Bush Administration's energy policy, but the vote may have implications for drilling in the Alaska National Wildlife Refuge and in the Gulf of Mexico.

Rumsfeld Faces Hard Questions on DOD Budget

Secretary of Defense Donald Rumsfeld was put on the defensive on June 28, when he appeared before the House and Senate Armed Services Committees to explain the Defense Department's amended fiscal year 2002 budget. In particular, members of the Senate committee from Kansas and Georgia were angry about the Air Force's decision, announced only the day before, to reduce the B-1 bomber fleet from 93 to 60 planes, because this would mean closing down B-1 operations at bases in those two states, as well as in Idaho. Sen. Pat Roberts (R-Kan.) vowed to make every effort to stop the movement of B-1 aircraft until both he and Sen. Max Cleland (D-Ga.) are confident "that this decision fits into our national defense strategy" and "has had the proper review."

In the House, both parties were skeptical that the proposed budget will address the readiness shortfalls that the Bush Administration has promised to rectify. Charles Taylor (R-Miss.) told Rumsfeld, "I deeply regret that you were not given the opportunity to tell . . . Congress of the hundreds of billions, if not trillions that our Department of Defense is going to need in the next ten years, prior to the tax vote."

Rumsfeld acknowledged the underlying budget tension. When Sen. John Warner (R-Va.) asked him where he was "going to get the money" for military transformation, which the Joint Chiefs of Staff has estimated to cost \$50-100 billion over the next five years, he said that, in addition to generating savings and making trade-offs within the DOD, there's a third way, and that way is if "there's a crisis." If there were a war, then defense spending would rise from the current 3% to 8-10% of GNP, "and we could afford it just fine."

Campaign Finance Reform Nears House Debate

On June 28, Chris Shays (R-Conn.) and Marty Meehan (D-Mass.) announced a new strategy for passing campaign finance reform in the House. They introduced what is essentially the bill passed by the Senate earlier this year, including a ban on soft money. The strategy is to pass a bill as close as possible to that of the Senate, to avoid a conference committee. Meehan told reporters, "The champions of the soft money system have made it clear that a conference committee is the preferred method for killing reform."

To kill reform, the House GOP leadership is backing a bill sponsored by Bob Ney (R-Ohio), chairman of the House Administration Committee, which slightly restricts soft money contributions to parties, but is otherwise much weaker than the Shays-Meehan bill. On CBS News' "Face the Nation" on July 1, House Speaker Dennis Hastert (R-Ill.) said that the parties need soft money for voter registration drives and candidate recruitment efforts.

The GOP bill is apparently designed to pry the Congressional Black

Caucus away from the Shays-Meehan bill. The Senate bill, sponsored by John McCain (R-Ariz.) and Russell Feingold (D-Wisc.), increases the hard money contribution limit to candidates from \$1,000 to \$2,000. Members of the Black Caucus are concerned that this limit increase hurts candidates in poor districts. The supporters of Shays-Meehan have indicated that they may support a compromise that provides for a \$1,000 contribution limit for House candidates and a \$2,000 limit for Senate candidates.

Defense Supplemental Taken Up by Senate

On July 10, the Senate passed by a vote of 98-1 the \$6.5 billion fiscal year 2001 supplemental appropriations bill, \$5.54 billion of which goes to the Defense Department to cover health care, military pay and benefits, higher fuel costs, and increased flying hours, among other things. The non-defense portion of the bill includes \$300 million for the Low Income Home Energy Assistance Program, \$161 million for educational grants, \$100 million as part of an initial U.S. contribution to a global trust fund to fight AIDS and other epidemic diseases, \$92 million for the Coast Guard, and \$115.8 million to cover the costs of processing the tax-rebate checks.

Appropriations Committee Chairman Robert Byrd (D-W.V.) said that the bill was "not one dime above the President's request." He warned Senators that they would have to find offsets for the costs of their amendments to avoid an across-the-board cut in all discretionary funding. His remarks were intended to deflect GOP charges that it's Democratic spending that's making the budget surplus disappear.