

Congressional Closeup by Carl Osgood

Another Budget Train Wreck May Be Looming

The feud between Congress and the White House over spending limits is likely to result in a budget battle that may last until the November elections. While Congress finally finished work on the fiscal 2002 supplemental appropriations bill on July 24, work on the fiscal 2003 spending bills has barely begun, and already there are a number of issues drawing veto threats from President George Bush. In addition to particular issues, overall spending levels also are a bone of contention. The Senate is going for a total discretionary spending level of \$770 billion, while the White House is insisting that the 13 regular spending bills be held to \$759 billion. While the amount at issue is relatively small, the protracted four-month battle over the supplemental suggests that a long Summer and Fall lie ahead.

One particular issue causing heartburn is the provisions related to Cuba, in the Treasury and Postal Service Appropriations bill passed by the House on July 24. An amendment sponsored by Jeff Flake (R-Ariz.), to prevent enforcement of restrictions on remittances by individuals in the United States to families in Cuba, passed by a vote of 251 to 177. Flake condemned Bush's intent to enforce the restrictions when they have not been enforced previously, and called it "the cruelest aspect of our policy towards Havana." The bill passed the following day by a vote of 308 to 121.

Other bills expected to be contentious include the Transportation, Energy and Water Development, and the Interior Department bills. The \$64.7 billion Transportation bill passed by the Senate Appropriations Committee on July 24 includes \$1.2 billion for Amtrak. The Bush Administration asked for \$521 million. The Energy

and Water bill includes \$475 million on top of the \$4.2 billion request for water projects. The Interior bill includes hundreds of millions more for fighting forest fires than the administration asked for. Battles are also expected over the Foreign Aid and Agriculture bills.

Democrats Blast Trade Bill, Cite Job Loss

A last-minute compromise and the rush that comes with trying to finish business before recess led the House to take up the conference report on the trade bill at about 1 a.m. on July 27. The bill rolls up into one package trade promotion authority, trade adjustment assistance, and the Andean Trade Preferences Act (TPA). The Bush Administration and Congressional Republicans say that the President needs TPA in order to negotiate free trade agreements that benefit the U.S. economy. Most Democrats did not oppose free trade, demanding only that it be "fair trade."

Some Democrats, however, pointed to economic reality. Rep. Alcee Hastings (D-Fla.) said, "TPA ought to stand for Thoughtless Political Action." He called the conference report "another perfect example of backroom deals gone bad in the dead of night." He added that since the Bush Administration took office, "157,000 Americans are losing their jobs every month," and the trade bill "will eliminate tens of thousands of more jobs under the pretense of United States trade promotion."

Rep. Bernie Sanders (I-Vt.) complained that the bill continues current trade policies. "Why in God's name would we want to do that," he asked, "when our current trade policy is an absolute disaster that has cost this

country millions of decent paying jobs and has resulted in the pushing down of wages from one end of America to the other?" He said that the annual U.S. trade deficit is hitting record levels, and that 3 million manufacturing jobs were lost between 1994 and 2000 and 1.3 million more in 2001. Republicans offered rhetoric about how free trade allegedly creates jobs; they narrowly prevailed, by a vote of 215 to 212.

Senate Panel Debates Aviation Security

The problems of the Transportation Security Administration (TSA), created by act of Congress in November 2001, were the focus of the Senate Commerce, Science, and Transportation Committee, in a July 25 hearing. A related topic was whether to allow airline pilots to carry guns in the cockpit. Committee Chairman Ernest F. Hollings (D-S.C.), who opposes arming pilots, argued that putting guns on airliners will "arm the terrorists," and that making cockpit doors impenetrable is the best solution. Hollings expressed dismay that Transportation Secretary Norman Mineta, only a few days before, had complained about a lack of funding for the TSA. "We hadn't heard at this committee level of any lack of money," he said.

Mineta was hit by a barrage of criticism for the difficulties in setting up the TSA and getting passenger screeners into the nation's 429 commercial airports. Ron Wyden (D-Ore.) said, "There is an indication that this issue is sliding back into the same pattern of the last 15 years," where new initiatives are not carried through. Barbara Boxer (D-Calif.) said, "I have strong doubts that the air marshal program is as robust as it should be."

Mineta said that the cut of some \$1 billion in TSA funding in the supplemental appropriations bill and the restriction on hiring “have dramatically undermined our ability” to meet the goal of Federalizing airport security by Dec. 31, 2002. While Mineta blamed Congress, Hollings blamed Office of Management and Budget Director Mitch Daniels. Daniels is the one who communicated the President’s threat to veto the bill if it went over the request, Hollings said. “He’s got the best vote at the table [with negotiators]. He’s got the President’s vote.”

Israel’s Use of F-16s May Violate U.S. Law

In a letter to President George Bush released on July 26, Reps. John Dingell (D-Mich.) and Nick Rahall (D-W.V.) challenged the legality of the use of U.S. war matériel in an Israeli massacre on the West Bank.

According to the July 26 Saudi English-language publication *Arab News*, the letter says, “As you are well aware, late Monday, Israeli F-16 warplanes launched a missile strike on a densely populated area of Gaza City, killing at least 17 Palestinians and wounding 150, many of them children. We write to express our condemnation of this attack in the strongest possible terms. Furthermore, we request that the Administration examine whether the American-made and supplied military hardware employed in this attack was used in violation of the Arms Export Control Act, U.S. Public Law 90-89.” They add, “The use of U.S. weaponry in this manner appears to violate U.S. law,” telling Bush that “violent acts that target innocent civilians, regardless of who perpetrates them, must be condemned. There is no justifi-

fication for killing innocent civilians.”

This complaint about Israeli Prime Minister Ariel Sharon’s misuse of U.S. weaponry has been brought up before by members of Congress, but this time Dingell and Rahall note that even the White House admitted this attack was “deliberate.” *Arab News* reported that State Department officials told them that Israel has been put “on notice.”

Homeland Security Bill Clears House

House Majority Leader Dick Arney (R-Tex.) kept to his schedule on the Department of Homeland Security bill, successfully steering the bill to create the department, to final passage on July 26 by a vote of 295 to 132. Before the bill went to the floor, the GOP and Democratic leadership came to an agreement on which of the almost 100 proposed amendments would be considered. After about two days of negotiations, the two sides agreed on 27 amendments, which agreement was certified by the full House on July 25 when the rule for debate was adopted by voice vote.

While the process for bringing the bill to the floor was unusually free of controversy, there was unhappiness with the bill itself. Democrats called the new department just another bloated bureaucracy. Martin Frost (D-Tex.), a member of the select committee, said that the Government Accounting Office has reported that it will take 5 to 10 years to create the new department, and the Congressional Budget Office estimates that the cost of the reorganization will be \$4.5 billion over and above the operating budgets of the agencies involved. Frost called it “a 1950s version of the bu-

reaucracy.” Henry Waxman (D-Calif.) said that if that \$4.5 billion “were used at the front lines of fighting terrorism instead of paying for a new bureaucracy, think how much better off we might be.”

The most contentious issue, however, was that of civil service protections. The bill came out of committee with some protections intact, including the right to collective bargaining, but that was weakened on the floor when the House voted, 229 to 201, for an amendment, sponsored by Chris Shays (R-Conn.), that gives the President the right to waive Federal labor law when he determines that it would have “substantial adverse impact” on homeland security. Shays said that his approach “represents a sensible and workable compromise between permanently diminishing the President’s national security authority”—as he claimed an alternative amendment by Connie Morella (R-Md.) would have done—“and providing no new standards for exercise of that authority.” Steny Hoyer (D-Md.) said that the Shays amendment “provides the President with a trap door to deny union representation to anyone in this department.”

The Senate bill was reported out of the Governmental Affairs Committee on July 25 by a 12 to 5 vote. That version retains full civil service protections for employees of the new department. President George Bush is threatening a veto if the bill comes to his desk with the Senate provision in it. Committee Chairman Joe Lieberman (D-Conn.) brushed off Bush’s objections, but the bill must get past the opposition of Senate Appropriations Committee Chairman Robert E. Byrd (D-W.V.). A Byrd spokesman told the July 26 *Washington Post* that lawmakers are “going too fast” and “racing to meet artificial deadlines.”