

Congressional Closeup by William Jones

House bank records subpoenaed by Justice Dept.

In a move which challenges the constitutional "separation of powers," Special Counsel Malcolm Wilkey, appointed by Attorney General William Barr to investigate possible criminal actions in the irregularities of the now-defunct House bank, has demanded that the House leadership give him access to the complete records of the House Bank between July 1, 1988 and Dec. 31, 1991, including records of congressmen who had no overdrafts on their accounts. Wilkey claims that he has found evidence of a check-kiting scheme involving the bank.

In an attempt to prevent such an open intrusion by the Executive branch into the activities of the Legislative branch, with the information garnered likely to be used in this year's election campaign, House Speaker Tom Foley (D-Wash.) tried to rally Democratic forces to support an amendment which would have called on the House to comply with the subpoenas "in a manner consistent with . . . respect for the constitutional structure of government and the individual rights assured to all citizens." Initially, House Minority Leader Robert Michel (R-Ill.) considered the subpoena "far too broad." But, after huddling with other top Republicans, Michel changed his position.

The House rejected the Foley proposal on April 29 by a vote of 284-131, and then voted 347-64 to fully comply with the subpoenas and release all House records to the special counsel.

One Democrat commented that the vote indicated that the members "didn't have enough guts to vote for due process."

Rep. James Traficant (D-Ohio) commented that "under stress, Congress has turned into a bunch of constitutional wimps."

On May 1, Henry B. Gonzalez (D-Tex.) and Sidney Yates (D-Ill.) filed a motion in federal court to quash the subpoena. Gonzalez characterized them as "shotgun subpoenas," and called their acceptance by his House colleagues "a dangerous precedent that in effect has reduced this House's independence, coequality, and separateness."

U.S. District Chief Judge John Garrett Penn upheld the subpoenas on May 4, rejecting both claims of the litigants with regard to privacy and the "separation of powers" argument. After the Penn ruling, the House records were turned over to the special counsel.

Gonzalez probes Kissinger for criminal activity

Continuing his investigation of the Italian Banca Nazionale del Lavoro (BNL), House Banking Committee Chairman Henry B. Gonzalez (D-Tex.) explained on the House floor on April 28 how Henry Kissinger had lied about his role in the banking scandal, through which the U.S. intelligence community helped provide funds to Iraq.

Gonzalez pointed out that several clients of Kissinger Associates, Kissinger's consulting firm, had extensive dealings with Iraq. Gonzalez said that although he had no definitive proof that the then leading members of Kissinger Associates—Kissinger, Brent Scowcroft (now national security adviser), and Lawrence Eagleburger (now deputy secretary of state)—had knowledge of the BNL loans (which they claim not to have had), Gonzalez said he was proceeding to explore their "interlocking relationships" with BNL and Iraq.

Gonzalez outlined Kissinger's personal history, including his mem-

bership on the President's Foreign Intelligence Advisory Board (PFIAB). "After my April 25, 1991 floor statements on Mr. Kissinger, he told the *Financial Times* newspaper that he had resigned from the BNL advisory board a week before the BNL indictment in February 1991," said Gonzalez. However, it was later revealed in "60 Minutes" that Kissinger served on BNL's advisory board "until his contract expired in the summer of 1991, more than four months after the date he had previously reported."

Gonzalez blamed Scowcroft and the State Department for "masterminding" the attempt of the Bush administration to put a damper on the BNL investigation. He also blamed Kissinger and Eagleburger for not recusing themselves from handling the BNL scandal as public officials, since BNL was a client of Kissinger Associates.

On April 29, Gonzalez sent a letter to President Bush asking that the White House and the National Security Council release all documents relating to BNL. A White House spokesman said the President would probably deny the request by invoking executive privilege.

Mitchell reveals probe of Saudi arms to Iraq

Senate Majority Leader George Mitchell (D-Me.) revealed that Congress is investigating whether the White House secretly permitted Saudi Arabia to deliver U.S. arms to Iraq, Bangladesh, and Syria without notifying Congress, and despite restrictions on such transfers, in an interview on the ABC News program "Meet the Press" on April 19. Reports of such transfers, which allegedly occurred in the mid-1980s, were published in the April 18 *Los Angeles Times*.

In response to the Mitchell comments, on April 20, State Department spokesman Richard Boucher confirmed that the Saudis had, in fact, engaged in unauthorized transfers of American military equipment to Iraq, Syria, and Bangladesh, but said that the Saudis claimed that these shipments had been "inadvertent." Boucher denied that the U.S. government had approved these weapons transfers and that it had brought the transfers to the attention of the Congress in accordance with the law.

Record number of incumbents bow out

With the decision of Rep. Matthew McHugh (D-N.Y.) to not seek reelection, 54 incumbents, a postwar record, have now said that they will not run for reelection.

Many, like McHugh, were found to have overdrawn their accounts at the now-defunct House bank, victims of the "House Bank massacre." Ironically, McHugh led the ethics investigation of the House bank scandal. With so many incumbents not running, the number of new House members next year could be as many as 100 or more.

Senate warns Serbia to end aggression

In a voice vote on April 29, the Senate passed a resolution which would withhold recognition of Serbia and its ally Montenegro until it ceases its aggression against the independent states of Croatia and Bosnia-Herzegovina, halts its brutal repression of the Albanian minority in Kosovo, and withdraws its forces from Croatia and Bosnia-Herzegovina. The resolution

also calls on the U.S. government to hold the government of Serbia accountable for its attacks on and occupation of the Republics of Bosnia-Herzegovina and Croatia.

It is known that the Serbian aggression was encouraged by Secretary of State James Baker on his trip to Belgrade just before the Serbs invaded Croatia, where Baker indicated that it was in the U.S. interest to maintain the unity of Yugoslavia. However, the resolution, sponsored by Sen. Bob Dole (R-Kan.) and supported by Senate Foreign Relations Committee Chairman Claiborne Pell (D-R.I.), makes no reference to the role of the Bush administration in encouraging the aggression.

Republicans target entitlement programs

At a press conference sponsored by Rep. Newt Gingrich's (R-Ga.) political action committee, GOPAC, Reps. Vin Weber (R-Minn.), Clay Shaw (R-Fla.), and Sen. Hank Brown (R-Colo.) presented a "workfare plan" by which "able-bodied" welfare recipients would be required to either work or attend school. If after four years they didn't have a job, they would be taken off welfare.

The attempt to turn welfare into a slave labor program goes hand-in-hand with the overall offensive aimed at putting entitlement programs on the chopping block. On April 10, the House began debating a bill, sponsored by Sen. Pete Domenici (R-N.M.), which calls for major cuts in entitlements. But the issue is not solely the domain of the Bush Republicans, as was attested by the press conference held on April 9 by Domenici and Warren Rudman (R-N.H.) where they were joined by Sam Nunn (D-

Ga.) and Chuck Robb (D-Va.). The senators called for a review of the entitlement programs in order to examine what could be scrapped.

Entitlements have been considered almost sacrosanct by legislators, but now they are fast becoming the primary target of Republicans and "austerity Democrats." The April 30 *Washington Post* reported that there is growing support for a balanced budget amendment. Far more draconian than the Gramm-Rudman budget balancing plan, such an amendment would force cuts in all programs until the deficit was eliminated.

House Budget Committee Chairman Leon Panetta (D-Calif.) indicated to the *Post* that such an amendment could indeed pass.

Investigation of Gander crash sought

Rep. Robin Tallon (D-S.C.), joined by Earl Hutto (D-Fla.) and Alan Wheat (D-Mo.), held a press conference on April 29 announcing that they will introduce legislation for an investigation of the 1985 military plane crash in Gander, Newfoundland which killed 285 people.

Tallon said, "The commission will look into the many unanswered questions which surround the cause of the crash and the botched investigation which followed. . . . Even though it is standard procedure to investigate terrorism as a cause in any air disaster, no U.S. agency, including the Vice President's Task Force on Combatting Terrorism and its chairman at the time, George Bush, ever investigated for the possibility of terrorism or foul play. This despite the fact that the terrorist group, Islamic Jihad, tried four times to take credit for the crash."