

Congressional Closeup by Carl Osgood

House Rejects Budget Enforcement Bill

The chaos that has engulfed the budget process this year was further exhibited on June 24, when House Republicans could not agree among themselves on a budget enforcement bill. The result was that the bill, sponsored by House Budget Committee chairman Jim Nussle (R-Iowa.), went down to defeat by a 146-268 vote. The bill would have imposed spending caps for the next two years, and would have applied the pay-as-you-go rule to mandatory, as well as discretionary spending, meaning that any increases in either category would have had to be paid for somewhere else in the budget. Nussle conceded, at the outset, that he would have preferred to bring his bill to the floor after the Senate had passed the conference report on the Fiscal Year 2005 budget resolution, but the rapid growth in spending made consideration of the bill necessary.

Democratic opposition centered on the fact that the pay-as-you-go rule in the bill only applied to spending, and not to the revenue side of the budget. Rep. John Spratt (D-S.C.), the ranking Democrat on the Budget Committee, told the House that the two measures that worked during the 1990s were not being considered except in an amendment that he was offering; that is, five year spending caps, and a pay-as-you-go rule "which requires us . . . to offset new tax cuts and new entitlement increases by new revenues or by equal spending cuts so they do not add to the deficit. . . ." He argued that the tax cuts of recent years were responsible for the \$2.3 trillion of the budget turnaround from surplus to deficit, but that the Nussle bill ignores that "elephant in the room. . ."

House Appropriations Committee chairman C.W. Bill Young (R-Fla.)

led the opposition to Nussle's bill on the Republican side, complaining that he only wanted a one-year spending cap, and that the Appropriations Committee was left out of consideration of what amounts the caps should be. More importantly, he argued that the bill would impose the caps in law, rather than in a Congressional resolution, which is traditionally how caps are imposed. Making the caps statutory would bring the Executive branch into the budget process, and "That is not the role of the executive branch in government." Young noted that the Constitution gives Congress the responsibility for spending and financial matters, and the only role the President has is to sign appropriations bills. The Nussle bill, however, "puts the Executive branch in the driver's seat when it comes to setting our budget caps. . ." he said.

GOP Slips Debt Limit Increase Into Defense Bill

For weeks, the Congressional GOP leadership has been pondering ways to deal with the statutory debt limit without being forced to vote openly on it. On the evening of June 21, House Republicans found a way by sneaking it onto the Fiscal 2005 defense appropriations bill via the House Rules Committee. When the Rules Committee met to write a rule for the defense bill, it voted to deem as passed, an amendment to the bill instructing the Federal government to "take all steps necessary to guarantee the full faith and credit of the Government."

At first, the Republicans did not even acknowledge what they had done when the rule went to the House floor the following day, but Democrats were incensed. Rep. Martin Frost (D-

Tex.) called it an "underhanded move to raise the debt limit," and said that he resented the fact that anyone would use a bill that normally has wide bipartisan support, for such a move. Rep. David Obey (D-Wisc.) called it a "procedural gimmick" that "abuses the troops in order to hide responsibility," and that it "epitomizes the total lack of shared sacrifice that this administration and the Republican Party have foisted on the American people."

After these attacks, Rep. Todd Tiahrt (R-Kan.) defended the move, claiming that the drop in Federal revenues over the last three years is due solely to the bursting of the tech bubble in 1999 and the Sept. 11, 2001 attacks and other similar external factors, and that these factors have made the increase in the debt limit necessary. The GOP successfully turned back a Democratic attempt to strip the provision from the rule, by a vote of 220-196 and then passed the rule 221-197. The Defense Appropriations bill, itself, later passed by a vote of 403-17.

Pelosi Proposes 'Minority Bill of Rights'

On June 23, House Minority Leader Nancy Pelosi (D-Cal.) sent to House Speaker Dennis Hastert (R-Ill.) a "Minority Bill of Rights" that "includes guidelines for a bi-partisan administration of the House, and for the regular democratic order for legislation. The principles are fair, and will provide for the full and open debate that the American people expect and deserve." Pelosi's proposal calls for regular consultations between the leaders of the two parties, and full and open debate on all legislation, including full rights to the minority to offer amendments. It notes that while the U.S. Con-

stitution begins with the phrase “We the people,” the House is run, today, such that “the voices of nearly half of the people have been silenced, and the marketplace of ideas has been effectively closed. Too often, incivility and the heavy hand of the majority have substituted for thoughtful debate.”

Hastert dismissed Pelosi’s proposal, telling the *Washington Post* that the Republican record is as good as any. House Rules Committee chairman David Dreier (R-Cal.) added: “Yes, we have done, as we have had the responsibility of governing, some of the things we criticized when we were in the minority”; but he said that Hastert’s leadership team has struck a “fair balance.” The way the Republican leadership has consistently used procedural votes to block debate on Democratic alternatives, belies Hastert’s and Dreier’s claims. Their ability to do that is reinforced by the fact that rank-and-file Republicans will rarely, if ever, buck the leadership on procedural votes.

Senate Completes Defense Authorization Bill

The Senate finally completed its work on the Fiscal Year 2005 Defense Authorization bill—passing it by a 97-0 vote on June 23—and sent it to what promises to be a contentious conference to resolve differences with the House. In particular, the Senate adopted a provision that would restrict the Pentagon’s ability to acquire Boeing tankers. The provision, authored by Sen. John McCain (R-Az.) would require the Defense Department to complete and review two studies of the Air Force’s air refueling requirements before buying any new tankers. The

House supported the Pentagon’s plans, and is requiring a contract to be negotiated by March of 2005.

Along the way toward passage, Senate Republicans turned back further Democratic attempts to get more accountability on Iraq and the torture scandal. An amendment sponsored by Sen. Ted Kennedy (D-Mass.) would have required the Bush Administration to submit reports on which countries are contributing forces and resource to Iraq at the behest of the United States, and its estimates on U.S. force posture in Iraq during the next year. Kennedy’s amendment was turned back and replaced by an amendment by Sen. Mitch McConnell (R-Ky.) which requires “a comprehensive balanced report” on Iraq stabilization efforts “within an appropriate and feasible time period that enables Congress to perform its oversight responsibilities,” in the words of Senate Armed Services Committee chairman John Warner (R-Va.).

The Senate also turned back an amendment sponsored by Sen. Jon Corzine (D-N.J.) that would have required the Justice Department to turn over documents in its possession relating to the treatment and interrogation of detainees in U.S. custody.

Levin Slams Bush Administration on Iraq

Sen. Carl Levin (D-Mich.), at a June 25 hearing of the Senate Armed Services Committee, gave an opening statement that warned that the majority of Iraqis see all Americans as behaving like the Abu Ghraib torturers. He called for giving real power to the Iraqis themselves. Levin said the United States is in a race against time in Iraq “because the United States ap-

pears to be losing the war for the hearts and minds of the Iraqi people. According to press reports, a recent poll conducted by the Coalition Provisional Authority but not released to the public, indicated that an overwhelming 92% of Iraqis view the coalition forces as occupiers, and only 2% as liberators. In fact, 55% of the Iraqi people said they would feel safer if U.S. troops left immediately.”

“At the same time,” he added, “it is interesting to note, and discouraging to note that 81% of the Iraqis polled said that they had an improved opinion of Moqtada Sadr, and 64% said the actions of his militia have made Iraq more unified. While their opinion of Sadr is improving, their opinions of Americans are certainly not. Fifty-four percent of Iraqis believe that all Americans act like those who perpetrated the abuses at Abu Ghraib. We have a problem.”

The Bush Administration’s case was made more difficult by one of its own witnesses, Deputy Secretary of State Richard Armitage, who repeatedly contradicted Deputy Secretary of Defense Paul Wolfowitz. Armitage said that the United States made a number of crucial mistakes in Iraq. He added that not only does the insurgency in Iraq have what he described as a central nervous system, but that no one in the administration even has a handle on who the insurgents are. In contrast, Wolfowitz and Chairman of the Joint Chiefs of Staff Gen. Richard Myers would not admit any mistakes on the part of the United States. The only thing Wolfowitz would concede is that “There was no surrender,” to which Sen. John McCain (R-Ariz.) commented “It’s interesting. Things didn’t turn out as we had anticipated they would, yet we didn’t do anything wrong.”