

## Congressional Closeup by William Jones

### Dems' leadership resists balanced budget amendment

The proposed balanced budget constitutional amendment, which was picking up steam throughout May, now may be in trouble. The amendment is supported by the Bush administration, but is opposed by the Democratic leadership in the House and the Senate.

Many incumbents, facing enraged constituents, were eager to back a "quick fix" before the election and jumped on the bandwagon. Momentum for the amendment has also come from a combination of Republicans and "austerity Democrats" like Rep. Charles Stenholm (D-Tex.), who has sponsored the most extreme version. An amendment mandating a "balanced budget" would provide the cover for legislators to start gouging Medicare and entitlement programs.

But House Democratic leaders have proposed alternative amendments, which seem to have whittled away support for the Stenholm amendment. Stenholm, who still thinks he has more than the 290 votes needed for passage, agrees that it will be a tight contest.

Figures released on May 26 by House Budget Committee Chairman Leon Panetta (D-Calif.) indicated that if the amendment were enacted, Congress would have to come up with \$560 billion in spending cuts or tax increases over the next five years. Panetta, an opponent of the amendment, presented a variety of proposals which would mandate a graduated cutback in expenditures over the next five years. Like the failed Gramm-Rudman-Hollings budget law before it, the Panetta proposal also contains an "automatic sequestration" clause which would go into effect if the mandated budget levels were not met.

On May 28, House Majority

Leader Richard Gephardt (D-Mo.) introduced his own version, which would exempt Social Security from spending cuts and would give the President and Congress more flexibility. Gephardt's proposal introduces specific five-year targets for eliminating the deficit. If Congress and the administration fail to meet these targets, a combination of spending cuts and tax increases would automatically be imposed.

In the Senate, Majority Leader George Mitchell (D-Me.) and Appropriations Committee Chairman Robert Byrd (D-W.Va.) seem to have enough support to block passage of the amendment. A constitutional amendment needs two-thirds of the votes in both houses for passage.

### Special counsel Wilkey a 'reform' zealot

Malcolm Wilkey, the special counsel appointed to investigate the House Bank scandal, has long been a zealot of congressional reform, according to the May 31 issue of the Capitol Hill newspaper *Roll Call*. Wilkey was appointed by Attorney General William Barr to take over the investigation.

Wilkey has pulled together a top team of investigators, including James M. Cole, a top official in the Public Integrity Section of the Justice Department for a decade. Another member of Wilkey's team, Jonathan J. Rusch, is among the top bank fraud and money-laundering prosecutors in the country.

A man who has been publicly portrayed as chosen by Barr for his "integrity" and "objectivity," Wilkey has for years been an advocate of curbing the power of Congress. In an article published in the *Harvard Journal of Law and Public Policy* in 1985, enti-

tled "Judicial Activism, Congressional Abdication, and the Need for Constitutional Reform," Wilkey argued that "only outside intervention can alter the performance of Congress." Among the unconstitutional reforms he proposed were a prohibition on reelections and strict single-term limits.

He also wants to introduce the post of ombudsman, a feature of the British system of government, a person who would be elected together with the congressmen (one for each district), and who would deal exclusively with constituent relations.

Wilkey called for a "smaller and more manageable" Congress, with members representing larger population districts than they do now, and an end to the requirement of Senate confirmation of presidential appointees, except, perhaps, judges.

Wilkey also considers the "constitutional concept of declaring war by congressional resolution" an "anachronism." In an address in 1985, Wilkey explained his position: "As an active judge, I have always felt a reluctance, either on or off the bench, to propose such obviously sensible measures as a courtmartial jurisdiction for the civil service. Just think of it! It would take only one firing squad to alter the whole quality of performance by your public servants!"

### Incumbent defeats may be a growing trend

Considerable shock was manifest on Capitol Hill as Rep. Carroll Hubbard (D-Ky.), a nine-term House member, was decisively defeated in his bid for reelection in the Democratic primary on May 26. Hubbard had several hundred overdrafts on the House Bank, which were a factor in the campaign.

Hubbard, who had \$335,000 in his campaign treasury as the 1991-92 election cycle began, faced Tom Barlow, who only raised \$5,000 in campaign funds, to which he added \$35,000 of his own money.

Also suffering defeat on May 26 were Rep. Bill Alexander (D-Ark.) and Rep. Beryl Anthony (D-Ark.). Alexander was a 12-term incumbent. Alexander had 487 bank overdrafts and Anthony had 109.

## **Aspin seeks halt in nuclear testing**

House Armed Services Committee Chairman Rep. Les Aspin (D-Wisc.) said that the United States should stop testing nuclear weapons in order to set an international example, in a speech on June 1 at the Massachusetts Institute of Technology.

"International cooperation is at the core of non-proliferation efforts and that cooperation is going to be difficult to achieve if the United States insists on continuing with nuclear testing," said Aspin.

Aspin predicted that the House would vote shortly to mandate a one-year moratorium on nuclear testing when it considers the committee's fiscal year 1993 defense authorization bill in the second week of June.

## **House votes to cut U.S. forces abroad**

The House voted on June 3 to reduce the number of troops stationed abroad and to pressure U.S. allies to shoulder a greater share of their defense. The vote on cutting funds for stationing U.S. troops in Europe, Japan, and South Korea was 220-185. Overall, it would impose a 40% cut in the 350,000-man troop strength overseas,

and would bring troops to a level of 100,000 by 1995.

The legislation also cut \$1.1 billion from the administration request of \$5.4 billion for the Strategic Defense Initiative. The bill is \$7 billion less than President Bush proposed for the fiscal year beginning Oct. 1.

The House also approved, in an overwhelming 396-9 vote, an amendment which would increase the stationing costs paid by South Korea and NATO allies by about \$6 billion.

## **Iraq probe targets government's stonewall**

The House Banking Committee's hearings on U.S. policy toward Iraq prior to the Persian Gulf war continued on May 29, focusing on the Bush administration's refusal to turn over documents to the committee. Committee Chairman Henry Gonzalez (D-Tex.) has put the Atlanta branch of the Banca Nazionale del Lavoro bank and Kissinger Associates under scrutiny for their involvement in loans to Iraq (see article, page 61).

Gonzalez has pinpointed White House Counsel C. Boyden Gray and a group around C. Nicholas Rostow, special assistant to the President for national security affairs, as those who worked out a series of hurdles designed to prevent the committee from obtaining documents from Executive branch agencies. The White House has so far refused to allow Gray or Rostow to testify.

## **Rostenkowski targeted in federal probe**

A supervisor at the House Post Office has told federal prosecutors that he improperly exchanged postage vouchers

from Rep. Dan Rostenkowski (D-Ill.), chairman of the House Ways and Means Committee, for cash. The supervisor, according to a report in the May 28 *Washington Post*, alleged that the cash transactions totaled \$18-20,000 over the last five years.

The supervisor has been granted immunity from prosecution by the District of Columbia's U.S. Attorney Jay B. Stephens. Converting the vouchers to money would be at most a technical infraction, if the purchases were for official goods and services, and not for private expenses.

Rostenkowski says that he had not received any cash in return for postage vouchers and that the whole affair will be cleared up as the investigation proceeds.

## **'Get Saddam' war chest boosted in committee**

According to a report leaked to the June 2 *New York Times*, the House Select Committee on Intelligence has approved \$40 million in covert aid in 1993 to help overthrow President Saddam Hussein of Iraq, more than double the current \$15 million budget.

The report says that the United States will continue to finance opposition groups outside the country and to increase an anti-Saddam propaganda program that is carried out through clandestine radio stations, the publication of leaflets and other literature, and by spreading disinformation inside the Iraq. One senior administration official confirmed to the *New York Times* that the covert program had been expanded.

The Senate Select Committee on Intelligence has, however, not yet approved the aid and there is a good possibility that it won't.