

## Congressional Closeup by Carl Osgood

### Disaster aid dies over unrelated provisions

President Clinton vetoed an emergency supplemental appropriations bill which contained funds for disaster relief, including for the flood-stricken Plains states, on June 9, because of unrelated provisions Republicans had added to the bill. The veto followed a week of contentious debate, especially in the House, which passed it by a party-line vote of 220-201 on June 5.

The partisan tensions centered on a proposed permanent continuing resolution, which would keep government agencies functioning absent agreement on the budget between the White House and Congress, and a provision dictating how the 2000 census should be carried out. Senate Minority Leader Tom Daschle (D-S.D.) and Sen. Byron Dorgan (D-N.D.) brought in the mayors of Grand Forks, North Dakota and Watertown, South Dakota to appeal to Congress to pass the bill without adding partisan agendas, so that disaster aid could start flowing to stricken areas.

On the census issue, Daschle referred to Republican fears about losing House seats if the Census Bureau is allowed to use sampling methods. "We shouldn't be worried about House seats at a time when people don't have houses, when people don't have businesses, when they don't have farms," he said. He added that the Census Bureau's proposal was developed by the National Academy of Sciences in an attempt to overcome the flaws in the 1990 census.

Senate Majority Leader Trent Lott (R-Miss.) accused Democrats and the administration of "nitpicking." "They think they're going to write the bill," he said, but "that's not the way it works. We write the bills." He added, "Now the solution to all this is to quit staring each other down and find agreement."

Lott also claimed that Federal disaster aid money was already flowing to areas in need. His claim was disputed by Watertown Mayor Brenda Barger, who said, in a June 5 press conference with Daschle, that while the Federal Emergency Management Agency came in immediately when disaster struck, no money for medium- to long-term recovery from the floods has yet been made available.

### Archer releases Republican tax plan

On June 9, House Ways and Means Committee Chairman Bill Archer (R-Tex.) released the Republican tax plan, which, he said, is intended to implement the tax cut portion of the Clinton-Republican budget agreement. The plan provides \$85 billion in tax cuts, including a \$500 per child tax credit; \$35 billion in education tax credits, "consistent with the objectives of President Clinton"; a two-tiered reduction in the capital gains tax; and reform of the Individual Retirement Accounts (IRA) and estate taxes.

The capital gains tax cut is intended to feed the stock market bubble. Archer pointed to the "recent stock market boom" and the "stake" that a growing number of middle-income Americans, at whom the reduction to 10% is aimed, have in it.

Democratic response to Archer's plan has been less than friendly. Charles Rangel (N.Y.) called on President Clinton to reject Archer's plan, calling it "unacceptable." He compared it to the Reagan tax cuts of the 1980s, because it "gives instant gratification and leaves our kids and grandkids to pay the bill." Rangel's harshest criticism was that "this bill challenges the premises on which the President went into this agreement in

the first place."

On June 10, President Clinton said that the plan is not "faithful" to the budget agreement and that the tax cuts don't meet his standards.

### Reorganization of State Dept. becomes muddled

On June 4 and 5, the House took up the 1998-99 State Department authorization bill. However, the bill that was marked up in the International Relations Committee was dropped by the Rules Committee and replaced with a Republican substitute that rewrote sections of it, including a provision that would reorganize the State Department.

Republicans claimed that their substitute was essentially the same bill, incorporating President Clinton's proposals to merge the U.S. Information Agency and the Arms Control and Disarmament Agency into the State Department. However, Lee Hamilton (D-Ind.) argued that the Republican version "dictates" and "micro-manages" how that reorganization is to take place, making the bill "veto bait" to the administration. In addition, the bill mandates policy provisions, including the appointment of a special envoy for Tibet, which Hamilton said "could significantly complicate management of the vitally important United States-China relationship." It also would move the U.S. Embassy in Israel to Jerusalem, which "prejudices the United States position on the final status of Jerusalem," Hamilton said.

While some of these provisions were in the original bill, many Democrats were angry at the process that was used to bring the new version of the bill to the floor. Sam Gejdenson (Conn.) called it "a process that the Politburo would have envied." Joe

Moakley (Mass.) said that the result of that process was that “what was once a bill that had both Republican and Democratic support, not to mention the support of our President, has been chopped up and changed so that it no longer resembles” the original bill.

A number of amendments to the bill were taken up. On June 4, Joe Scarborough (R-Fla.) sponsored an amendment to apply financial transaction restrictions against Sudan under existing law. During his floor speech, Scarborough, joined by Chris Smith (R-N.J.), painted a false picture of mass killing in Sudan that makes it appear worse than the genocide in Congo/Zaire—of which not a word was mentioned.

Another amendment, sponsored by Frank Pallone (D-N.J.), calls on the administration to facilitate the construction of an oil pipeline from Azerbaijan, across Armenia, to Turkey. Pallone called his proposal a “tangible way to support regional cooperation.” But Smith attacked the country playing a crucial role in the Eurasian Land-Bridge project. “I do not want,” he said, “to see the energy-exporting countries of the Caucasus and Central Asian regions forced to build pipelines across the territory of Iran,” because of Iran’s alleged role in terrorism.

The vote on these two amendments, as well as final passage, was delayed until the following week.

## **G**rassley attacks FBI for intimidation, arrogance

“I have never known an agency that right now is in need of more oversight, including Congressional oversight, than the FBI,” said Sen. Charles Grassley (R-Iowa) on June 4, at a Senate Judiciary Committee hearing. While most Americans have an the image of

the FBI as beyond reproach, and as “the untouchables,” he said, “serious problems with the Crime Lab punctured that image, also Ruby Ridge and Waco have.”

Grassley told FBI Director Louis Freeh, the only witness, that “beyond the veneer is an ugly culture of arrogance that uses disinformation, intimidation, empire building, to get what it wants. . . . And I’ve got some documentation, if you’re interested.”

On the FBI Crime Lab, Grassley contrasted the FBI’s treatment of forensic scientist Frederic Whitehurst, who blew the whistle on the lab’s wrongdoing, with that given FBI agent Michael Malone, who, he said, “was found to have made 27 false statements to the judicial panel in the Alcee Hastings case.” While the FBI was trying to fire Whitehurst, Grassley said, “Agent Malone, with a trail of bad testimony in multiple cases, was honored with a plaque on the wall of honor in a corridor right outside the lab director’s office. . . . Agent Malone developed a reputation for providing testimony on hair and fiber analysis that no one else would, he would overstate analysis, allegedly fabricate evidence, but he, of course, would help get the convictions. . . . Dr. Whitehurst, on the other hand, who merely spoke the truth, had his badge and gun taken away. He’s been suspended, and he’s not allowed in the FBI building or to talk to the FBI.” Grassley was the only senator at the hearing who seriously criticized the FBI.

In the House, Freeh and the FBI came under criticism from freshman Robert Wexler (D-Fla.). Wexler admitted, during a hearing the next day of the Crime Subcommittee, that until two weeks before, when two FBI officials appeared before the subcommittee to respond to the Department of Justice Inspector General’s report on the FBI lab, he would have questioned

the motivation of anyone criticizing the FBI. Wexler said he “sensed a degree of arrogance, and more importantly, either insensitivity or just a complete lack of understanding, with respect to how dangerous it is when a police agency goes beyond that which most Americans would perceive to be the appropriate role of the police and actually become perpetrators, rather than protectors.”

## **C**omp time bill taken up again in Senate

The Senate again took up the compensatory time bill, which would allow employers to replace overtime pay with extra time off, even though Republicans still don’t have enough votes to stop a Democratic filibuster against the bill. A cloture vote on June 4 fell 9 votes short of the 60 needed to cut off debate.

Senate Minority Leader Tom Daschle (D-S.D.) told reporters on June 2 that the debate is “really an extension in many respects of the minimum wage fight that we had last year. Republicans opposed increasing the minimum wage. Now, they’re opposing the advocacy or extension of overtime pay.” Daschle said that what the Democrats want to do is “ensure that the choice [between overtime pay and compensatory time] is every bit as much the employee’s as it is the employer’s,” and on this point Republicans refuse to compromise.

One the day of the cloture vote, Majority Leader Trent Lott (R-Miss.) vowed that Democrats “are going to get serious in negotiating with us, or I am going to serve this up to them every day until the end of ’98.” In a more friendly tone, he added, “I do think we can work out a lot of their concerns, and I’d like for them to engage us.”