

Congressional Closeup by Carl Osgood

Use of line-item veto raises Congress's ire

President Clinton's first major use of the line-item-veto authority given to him by Congress last year, has shattered the illusions of even its most vocal proponents. On Oct. 6, Clinton sent back the Military Construction Appropriations bill with 38 projects lined out, affecting districts of both Democrats and Republicans. In his veto message, Clinton said that cancelling those items "will reduce the Federal deficit, will not impair any essential government functions, and will not harm the national interest," a conclusion immediately disputed by members of Congress on both sides of the aisle.

In the House, Appropriations Committee Chairman Bob Livingston (R-La.), in an Oct. 8 letter to the President, wrote that the line-item veto was intended "to reduce the number of unnecessary, low-priority, unduly expensive programs," and not to be used "at random against miscellaneous but worthy projects not blessed by the White House," nor "as a raw exercise of power to threaten, intimidate, or exert revenge on wayward legislators." He warned that "if this authority continues to be handled so poorly, I will have no choice but to entertain the process for an override."

On the Senate side, Ted Stevens (R-Alaska) and Robert Byrd (D-W.V.), the chairman and ranking member, respectively, of the Senate Appropriations Committee, introduced a bill on Oct. 9 to overturn Clinton's vetoes. Stevens, who was a big booster of the line-item veto in 1996, echoed Livingston's formulations and added that Clinton's action "reneges on the budget agreement he reached with the Congress," because the 38 projects eliminated from the bill were "meritorious, sought by the Depart-

ment [of Defense], and were not wasteful or excessive spending." Stevens warned that if the same procedure were followed on the Defense Appropriations bill, action on which is expected to be completed soon, "I intend to introduce a bill to repeal the Line-Item Veto Act."

Byrd, on the other hand, based his statements on constitutional arguments. He called the line-item veto "one of the most shocking abdications of duty that members of this Congress have committed," and said, "I am here to say that this pernicious act should be repealed."

Global warming treaty meets growing opposition

In separate actions, the House and Senate upped the pressure on the Clinton administration against the global climate change treaty, to be negotiated in Kyoto, Japan in December.

In the Senate, Chuck Hagel (R-Neb.) and Pat Roberts (R-Kan.), joined by a coalition of farm groups, held a press conference on Oct. 9 and warned against the potential economic effects of the treaty on agriculture. The senators pointed out the supranational aspect of the treaty's dictates on so-called greenhouse gas emissions. Hagel asked, "Are we really serious in this country about allowing an international body to dictate to our farmers, our ranchers, our business, our industries, on how much energy they can use and at what cost?"

On July 25, a resolution co-sponsored by Hagel and Robert Byrd (D-W.V.), which passed by a vote of 95-0, warned the administration against signing a treaty that exempted most of the developing world or

"would result in serious harm to the economy of the United States."

In the press conference, Roberts lauded the 1995 farm bill, claiming that with it, U.S. farm income and market share are better than at any time in the last ten years. "We did that so we can feed America and a troubled and hungry world," he said. He called it a "paradox of enormous irony" that at a time when America is successful in meeting that challenge, and when there's a famine in North Korea and the administration is involved in negotiations in an attempt to alleviate it, "that the administration would throw a monkey wrench into the greatest food and fiber machine that we've ever seen and seriously endanger the capability of American agriculture to meet our responsibilities." Roberts warned that the tax level required to achieve the 20% reduction in greenhouse gas emissions mandated by the treaty "would be five times greater than the [proposed] BTU tax in 1993." He called that a "nonstarter."

On the House side, Dana Rohrabacher (R-Calif.), at a House Science Committee hearing on Oct. 9, said that disagreeing with the global warming theory is "politically incorrect." He complained, "No one in the scientific community has been able to question the religious commitment to global warming and the global warming theory and expect to get any government grants."

McCain-Feingold campaign finance reform bill dies

A series of cloture votes on Oct. 7, 8, and 9 failed to keep alive the McCain-Feingold campaign finance reform bill. Democratic attempts to invoke cloture and close debate on the bill re-

ceived 52 votes out of 60 required. Senate Majority Leader Trent Lott's (R-Miss.) amendment, the so-called "Paycheck Protection Act," which would restrict union political expenditures derived from mandatory dues, brought on a Democratic filibuster and contributed to the bill's death.

On Oct. 7, Senate Minority Leader Tom Daschle (D-S.D.) complained that Lott's amendment was a "poison pill" and his tactic of "filling up the amendment tree" prevented any meaningful debate on the bill. He said that Lott didn't accept Democratic offers to take up his amendment as a separate bill, because Lott wanted "to set up a situation that requires a Democratic filibuster." Lott didn't "want an up or down vote on his amendment," or "an up or down vote on campaign finance reform," he said.

Lott stated that the two cloture votes on Oct. 7 "put an end to campaign finance reform at this time. They end the drive for phony reform, the kind that rigs the law in favor of one side or the other. They end the partisan gameplan that treated the Constitution and the right of free speech guarantees as technicalities to be gotten around." He added, "Until we do something about the paycheck equity issue, allow people to have some say over how their dues are used, and make sure that all campaign contributions are voluntary, I don't see how we can ever resolve this issue."

Senate chooses own path on transportation bill

On Oct. 8, the Senate began debate on its version of an authorization bill to continue the programs of the Intermodal Surface Transportation Effi-

ciency Act of 1991, which expired on Sept. 30. The new bill, dubbed ISTEA II, passed out of the Environment and Public Works Committee on Sept. 17 by a unanimous vote of 18-0, provides \$145 billion over six years for highway, mass transit, and safety programs, a 20% increase over the 1991 act.

Senate floor action on the bill, however, is clouded by a number of issues, including the fact that the House laid aside its major bill and passed a six-month extension. Senate Majority Leader Trent Lott (R-Miss.) said of the House bill, "We don't feel like that really addresses or cures anything." However, Lott suggested that the Senate was prepared to work with the House to get the bill through.

The major issue that will dominate the Senate debate centers on allocation formulas, a concern raised by Frank Lautenberg (D-N.J.) in a statement appended to the committee report on the bill. He wrote that despite the funding increase in the bill, many states get less funding under the bill's formulas. "A long-term transportation bill should allocate funding based on usage and should reflect the needs and costs of repair for each state. I am sorry to say that this bill does not do that." Lautenberg expressed hope that the bill would be revised to address this concern before it reaches President Clinton's desk.

District Appropriations bill clears House

The House passed, by a vote of 203-202, the District of Columbia Appropriations bill on Oct. 9. The debate was marked by partisan clashes over ideological issues inserted into the bill by

the Republican majority, including school vouchers, re-opening Pennsylvania Avenue in front of the White House, and changes to the D.C. government.

James Moran (D-Va.), the ranking member on the D.C. Appropriations Subcommittee, tried to eliminate most of the ideological provisions with a substitute bill based largely on the Senate version written by Lauch Faircloth (R-N.C.). Moran argued that his substitute would "eliminate the need for this Congress to pass another continuing resolution and to further delay the necessary budget and management reforms being implemented in the District of Columbia."

Moran's substitute was defeated 212-197, but Democrats succeeded in stripping the waiver of the Davis-Bacon prevailing wage law for construction contracts on D.C. schools, with an amendment sponsored by Martin Sabo (D-Minn.). The Republicans, in typical union-bashing fashion, claimed that Davis-Bacon wastes money and supports special interests, i.e., labor unions. Majority Whip Tom Delay (R-Tex.) said, "We can vote to support schools and public education or we can vote to support corruption and Washington union bosses."

One exception to this GOP attack was Jack Quinn (R-N.Y.), who argued that this was not the way to look at the effects of the Davis-Bacon law. To do that, he said, "we should conduct hearings, we should have a fair and open debate, and then we should do it the right way and not legislate on appropriations." He said that "if the prevailing wage laws are repealed, it would in essence allow contractors to use the vast power of the Federal government to depress wages of construction workers and then cut those wages to win the Federal projects they desire."