

## Congressional Closeup by Carl Osgood

### Interior Department to get more subpoenas

On July 21, the House Resources Committee voted 24-14 to give its chairman, Don Young (R-Ak.), broader subpoena authority in his pursuit of Interior Department employees who disagree with the House GOP on the garment sweatshop operations in the Commonwealth of the Northern Marianas, a U.S. territory in the western Pacific.

Young repeated his formulation of the previous week, that the committee had "specific and credible evidence" of violations of the Hatch Act by at least one employee of the Office of Insular Affairs. He claimed that the activities of that employee were "efforts to undermine the democratic process." Young reported that the acting director of the OIA had turned over some of the materials earlier demanded by Young, but that this was not sufficient to satisfy the committee's requirements, and so future subpoenas may be issued.

The fishing expedition-like nature of the investigation was exposed when Young admitted that the committee has evidence against only one person. "We have suspicion" against other individuals, he said. "I don't believe any one individual can carry out these kinds of activities without the knowledge of higher ups."

Ranking committee member George Miller (D-Calif.) expressed concern that the authority that Young was seeking is too broad, and that the subpoenas are too short notice, preventing the relevant officials from being able to respond within the time-frame specified. He noted that it is "interesting" that the committee was able to react immediately when the allegations against the OIA officials first surfaced, but, in three years, he hasn't been able to get a hearing to look into

the abusive labor conditions that predominate in the Marianas. "We've been avoiding our responsibilities" to those people who have been entrapped in near slave labor conditions, he said.

Young backed off his earlier threat to seek a Contempt of Congress citation against OIA Acting Director Ferdinand Aranza, after the department reached an agreement with the committee to make available all of the materials demanded by the committee, including computers used by the targeted individuals.

### GOP tax cut bill passes the House

Late in the evening of July 21, the House took up the Republican tax-cut bill, after the GOP leadership spent a day scrambling to come to an agreement with Republican moderates to ensure enough votes for passage. The compromise they arrived at reduced the total cost of the bill from \$864 billion to \$792 billion, by reducing the phase-in period for many of its provisions, and it added a provision delaying the tax cuts for any year that specific debt reduction targets are not reached.

The procedure by which the GOP modified the bill, using the Rules Committee to amend the bill as passed by the Ways and Means Committee, generated as much opposition as did the bill itself. Martin Frost (D-Tex.), a member of the Rules Committee, charged Republicans with incompetence. "They simply cannot run this House in an orderly manner," he said. Ranking Ways and Means Committee member Charles Rangel (D-N.Y.) added, "I do not know what they put in the water over there in the Republican cloakroom, but it cannot be that they really think we are going through a legitimate procedure."

Provisions of the ten-year bill include reducing the personal income tax rate by 10%, eliminating the "marriage penalty," and reducing both individual and corporate capital gains tax rates. It also includes a number of tax benefits for education, and deductions for health insurance for the self-employed. However, the provisions phase in gradually, and many don't take full effect until 2007 and later.

In the debate on the bill itself, the GOP charged the Democrats with wanting to spend as much of the taxpayers' money as they can get their hands on, while the Democrats charged the GOP with tax cuts that disproportionately benefit the wealthiest people in the country. Some Democrats questioned the wisdom of basing tax cuts on surpluses that have yet to materialize, thereby threatening efforts to shore up Social Security and Medicare.

The tax-cut package, despite efforts to reach a bipartisan compromise in the Senate, is facing a veto threat from President Clinton. Office of Management and Budget Director Jacob Lew told reporters on July 26 that alternatives to using the surplus for Medicare would require a combination of cuts in benefits and premium increases that are "beyond what there is a political will to accomplish."

### DOE reorganization part of Intelligence bill

Senate debate on the fiscal year 2000 Intelligence Authorization bill focused on proposals to reorganize the Energy Department's nuclear weapons functions, in the wake of allegations of Chinese spying at U.S. nuclear weapons laboratories. Jon Kyl (R-Ariz.) sponsored an amendment to cre-

ate an Agency for Nuclear Stewardship, which would be a "semi-autonomous" agency within the DOE, the head of which would report directly to the Secretary of Energy. That agency would have direct oversight over weapons production and testing, non-proliferation and fissile materials disposition, and naval reactors.

Kyl told the Senate that his proposal, which was passed by a vote of 96-1, was based on the report of former Sen. Warren Rudman (R-N.H.), now chairman of the President's Foreign Intelligence Advisory Board, which calls for reorganization of the DOE's nuclear weapons functions by statute rather than from within the administration.

Kyl also had great praise for the Cox Committee report alleging Chinese theft of U.S. nuclear secrets, calling it "a great service to the nation." The Cox Committee report was treated completely uncritically by those Senators who referred to it. This, despite the fact that, as was admitted by one of that committee's own members, Rep. John Spratt (D-S.C.), the committee never interviewed even one competent scientist who could speak to the actual operations of the labs and whether the Chinese could actually use the data they purportedly stole to build a nuclear bomb.

With the exception of a statement by Sen. Bob Kerrey (D-Neb.), the impact of the reorganization on unclassified scientific work and on international cooperation was not addressed.

## **A**ppropriations bills slowly move along

Spending bills continued to move through both Houses, with Senate passage of the Commerce, Justice, State and the Judiciary bill on July 21, and

House passage of the Defense spending bill on July 22 by a vote of 379-45. About the only controversy in either bill was the surprise action by the House Appropriations Defense Subcommittee to eliminate \$1.8 billion for early production of the Air Force's F-22 fighter plane, a cut reaffirmed by the full House. The plane's supporters avoided a vote on it on the House floor in the hope that they might retain some leverage in conference committee, because the Senate retained the funding in its version of the bill.

One bill which is expected to cause much heartburn, is on funding for the Labor, Health and Human Services, and Education Departments. On July 26, Senate Appropriations Committee Chairman Ted Stevens (R-Ak.) announced his intent to exceed the budget caps for the bill by \$11 billion, in order to write a bill that is passable. Stevens's action, however, would require 60 votes to break the rules, and his announcement was reportedly not well received by the majority of Senate Republicans.

On the procedural front, the Senate passed a resolution on July 26 to enforce Rule 16, which prohibits attaching legislation to appropriations bills. Rule 16 was overturned by a GOP majority in 1995, and the result has been, as Majority Leader Trent Lott (R-Miss.) has complained repeatedly, that the appropriations process has been slowed down by Democratic attempts to attach their agenda to bills, in the form of legislative amendments. Democrats, while nominally supporting the rule change, complained that the reason they had to offer legislative amendments, such as the Patients' Bill of Rights, on appropriations bills, is because they have been left with no other choice. Byron Dorgan (D-N.D.), who served in the House before moving to the Senate in 1993, complained

that Lott has set himself up as a one-man Rules Committee, deciding what amendments the Democrats can bring to the floor.

## **P**rison industries reform bill introduced

An unusual coalition of pro-business and pro-labor interests in the Congress has come together to support a bill in the House to reform the way the Federal Prison Industries (FPI) program does business. The Federal Prison Industries Competition in Contracting Act, introduced on July 19, would eliminate the requirement that Federal agencies purchase the products of the FPI, and would force the FPI to compete with the private sector for contracts. Lead sponsors of the bill are Pete Hoekstra (R-Mich.), Barney Frank (D-Mass.), Mac Collins (R-Ga.), and Carolyn Maloney (D-N.Y.).

At a July 27 press conference, Hoekstra said that the "FPI gives employment to people who have thumbed their noses at laws of our nation and takes those job opportunities away from thousands of honest, hard-working Americans." He said, "FPI's unfair advantages in the Federal market must end."

Frank noted the irony of the fact that the United States bans importation of prison labor products from other countries, but requires the Federal government to purchase the same products produced in the Federal prison system. However, to placate those who believe that prison labor is rehabilitative, Frank supports a provision of the bill that makes furniture and textile products produced by the FPI available for donation to non-profit organizations that do not have the resources to purchase what they need in the private sector.