

## Congressional Closeup by Carl Osgood

### Democrats Score GOP For Blocking Iraq Oversight

On June 14, angry Democrats denounced the Congressional GOP leadership for continuing its lack of oversight of the Bush Administration. This time, it was for exempting \$1.7 billion for Iraq reconstruction from the oversight of Special Inspector General for Iraq Reconstruction, Stuart Bowen, who has a staff of 100, including 55 auditors, on the ground in Iraq. A provision in the Iraq war and hurricane relief supplemental appropriations conference report puts that \$1.7 billion under the State Department's U.S. Agency for International Development (USAID), rather than in the Iraq Relief and Reconstruction Fund (IRRF). Bowen's authority does not extend to USAID funds spent in Iraq, leading Rep. Louise Slaughter (D-N.Y.), the ranking Democrat on the House Rules Committee, to charge that the GOP leadership "is now undermining the only source of accountability for the Iraq reconstruction program."

Democrats made this lack of accountability, and the lack of oversight by Congress in general, the theme of their remarks during debate on the conference report on June 12. Aside from the provision on Iraq reconstruction, Democrats are also calling for an independent investigation modeled on the Truman Committee of 1944, which investigated contracting for war materials during World War II. They also decried the removal of a provision, which had passed both the House and the Senate, that would have prohibited the spending of funds for building permanent bases in Iraq. Rep. Dennis Kucinich (D-Ohio) told the House that the Bush Administration went into Iraq without an exit strategy "not because they are incompetent, but because they have no in-

tenction of leaving."

The conference committee met President Bush's \$94.5 billion limit mostly by removing the additional spending that had been added by the Senate, including \$700 million to relocate a railroad line in Mississippi, and reducing agricultural disaster relief to \$500 million, limiting it to hurricane-stricken areas, among other cuts. The deal was designed to buy just enough Democratic support in the Senate to guarantee passage over the objections of Sen. Arlen Specter (R-Pa.), who is still insisting on the additional \$7 billion for health and education programs that the Senate had supported in its budget resolution earlier this year.

### House Passes Senate Mine Safety Bill

The House GOP leadership bypassed further debate on mine safety, passing the Senate-passed mine safety legislation, on June 7, under suspension of the rules, which limited floor debate and precluded amendments. Rep. George Miller (D-Calif.), who has been leading efforts in the House for tough mine safety legislation, refused to support the bill on the grounds that if another accident like the Sago, West Virginia disaster that killed 12 miners last January, were to happen again, "this bill does not ensure that we would not have the same tragic deaths," because the bill does not address what killed those miners. He argued that the bill does not guarantee that trapped miners have enough air to survive, it does not give miners prompt access to portable wireless communications, nor does it guarantee that portable air units in mines would be tested by Federal regulators to ensure that they work properly.

Most of Miller's allies in his efforts supported the bill on the basis that half a loaf is better than none. Rep. Nick Rahall (D-W.Va.) denounced the Mine Safety and Health Administration (MSHA) for its cozy relationship with mine operators. He agreed with Miller that a number of necessary provisions were missing from the bill, but called it a "step in the right direction, that must not be delayed." He said that "To delay this legislation, no matter how noble the intentions, is to gamble recklessly with the lives of our nation's coal miners."

However, the House passage of the bill did not end the dispute with the Bush Administration over mine safety. On June 13, Senate Majority Leader Bill Frist (R-Tenn.) cancelled a cloture vote on the nomination of Richard Stickler to head the MSHA, when it was clear to the GOP leadership that they did not have the 60 votes needed to proceed with his confirmation. Stickler is a former mine executive who testified during his confirmation hearing that current mine safety law is "adequate," which led Democrats to question his commitment to safety.

### House Passes Refinery Permit Bill

On June 7, the House took up a bill to ease requirements for siting of oil refineries that, in the words of Rep. Ed Markey (D-Mass.), had "risen from the grave like some horror movie monstrosity to haunt this House and our country once again." Markey was referring to the fact that the exact same bill had been considered by the House once before, under suspension of the rules on May 3. At that time, the bill could not garner the two-thirds vote to pass under suspension, so the Republi-

can leadership brought the bill back under regular order, which only requires a majority vote, but still would not permit any amendments to be considered. The Energy and Commerce Committee did not even use the intervening time to hold hearings on the bill before sending it back to the House floor.

The bill is supposed to ease regulatory restrictions so that new oil refineries can be built. The bill also directs the President to designate three closed military bases for the siting of new refineries. Democrats disputed the notion that the reason that oil companies have not built any new refineries since 1976 is because of environmental regulations. Rep. Rick Boucher (D-Va.), citing the spectacular profits being reported by the industry in recent years, told the House that "The real reason we do not have enough refineries is the economic interests of the refiners, not environmental constraints." Rep. Henry Waxman (D-Calif.) charged that the Republicans went ahead with the bill "only for the purpose of saying that we have done something [about high gasoline prices] without actually doing anything that would provide relief to millions of American families."

## Senate To Begin Work on Appropriations Bills

The Senate is finally expected to begin work on its appropriations bills, after agreeing to an \$873 billion discretionary spending cap for the Fiscal 2007 budget. The Senate had passed a budget resolution, last March, that called for \$889 billion in discretionary spending, but the House refused to move on it, instead simply "deeming" an \$873 billion cap before moving ahead with its own appropriations

bills. The Senate followed suit, in the context of the conference negotiations on the Iraq war and hurricane relief supplemental spending bill on June 9.

Meanwhile, the House has been moving ahead with its bills, having passed 7 of the 11 appropriations bills by June 9. These included the Foreign Operations and Homeland Security Appropriations bills, after Congress returned from its Memorial Day recess. The foreign operations measure, at \$21.3 billion, is 10% less than the Bush Administration requested, with the cuts coming primarily from the Millennium Challenge Account, which gets \$2 billion, \$1 billion less than the request, as well as Iraq and Afghanistan reconstruction, which were reduced by about \$350 million from the request.

Coming next on the House floor are the Transportation-Treasury-Housing and Urban Development bill, and either the defense appropriations or the bill funding the Departments of Labor, Health and Human Services, and Education. Democrats actually won a rare victory on the Labor-HHS bill on June 13, when the Appropriations Committee adopted an amendment increasing the minimum wage by \$2.10 by Jan. 1, 2009. The minimum wage provision is not expected to survive on the House floor, however.

## Immigration Conference Stalled on Procedures

Two weeks after Senate passage of its version of immigration legislation, House Speaker Dennis Hastert (R-Ill.) still has not appointed members of a conference committee to work out differences between the House and Senate bills. Aside from difficulties of merging two vastly different pieces of legislation, speculation on the delay

has centered on a provision in the Senate bill which would require illegal immigrants to pay back taxes. The Constitution requires that revenue-raising measures originate in the House, which raises the possibility of the House blocking consideration of the Senate bill, through a so-called "blue slip" procedure.

Each side, however, is saying there is no problem, and is blaming the other for the impasse. Senate Minority Leader Harry Reid (D-Nev.) said on June 6, that the only problem is that Republicans "don't want to go to conference." He suggested that the Republicans could use a tax bill as a vehicle instead of the House-passed bill, if they come up with a plan to protect the Senate's position on immigration. Two days later, House Majority Leader John Boehner (R-Ohio) put the blame squarely on Reid who, he said, is "standing in the way" of progress on the issue. He said Senate Majority Leader Bill Frist (R-Tenn.) and others have suggested a way to deal with the blue slip problem, but Reid "wants to stand in the way of any possible efforts to get an immigration bill finished."

Hastert further muddied the waters, on June 13, when he suggested to reporters that the House might hold hearings on the Senate bill. That suggestion was apparently encouraged by the victory of Republican Brian Bilbray in the California special election, to replace disgraced former Rep. Duke Cunningham (R-Calif.). Bilbray campaigned on the House version of the bill, which emphasizes enforcement and border security, whereas the Senate bill provides a pathway towards citizenship for illegal immigrants already in the country. Hastert appeared to have backed off that suggestion, however, the next day, as to hold hearings would certainly delay the bill even further into the future.