

109th Congress Comes To an Unlamented End

by Carl Osgood

The 109th Congress finally stumbled to a conclusion in the wee hours of Saturday, Dec. 9, bringing to an end 12 years of Republican rule on Capitol Hill. During those 12 years, Republican control of the Congress often looked more like a one-party dictatorship, particularly under the leadership of disgraced former Speaker of the House Rep. Tom DeLay (R-Tex.), than it ever did any honest attempt to conduct the Constitutional responsibilities of the legislative branch. The Republican leadership routinely rammed legislation through the House without hearings and with little committee action, and under restrictive rules that limited debate and amendments on the House floor. They would then hold conference committees with the Senate behind closed doors, locking the Democrats out of the process completely. On more than one occasion Democrats and Republicans alike were forced to vote on conference reports in the middle of the night, with little time to even read what they were voting on. While not every bill was passed under such circumstances, the more controversial and fractious a bill was likely to be, such as the 2003 Medicare Reform bill, the more likely the GOP leadership was to strong-arm its passage.

The 110th Congress will be of a very different character, with the Democrats set to take control of both the House and the Senate on Jan. 4. The Democrats have wasted no time, since the election, establishing what they think that character will be. Incoming House Speaker Nancy Pelosi (D-Calif.) has already announced that the House will run on five-day weeks throughout much of 2007, with votes possible every day, and recesses, with the exception of the August break, will be much more limited. If maintained, such a schedule will be in stark contrast to 2006, in which the Congress worked fewer legislative days than even the Congress of 1947-1948, famously labelled by Harry Truman as the "Do-Nothing Congress." While Pelosi has laid out a "100-hour agenda" for the Democrats in January, high on the list of priorities will be finishing the unfinished work left by the Republicans, including, most emphatically, the fiscal 2007 appropriations process.

Whatever Pelosi's plans for a new agenda in Congress, there are two other factors that are sure to have a powerful impact on the 110th Congress: the onrushing collapse of the global financial system, and the "New Politics" of mass-effect organized by Lyndon LaRouche and his Youth Movement, which was instrumental in the Nov. 7 Democratic election victories.

'The Most Useless Congress in Modern History'

The unfinished budget process is indicative of what Rep. David Obey (D-Wisc.) labelled "the most useless Congress in modern history"; on Dec. 8. Rep. Barney Frank (D-Mass.) added that the Republicans ended the 109th Congress "governing in the same way in which they carried on for two years: incompetently, without respect for democratic procedures, and with a willingness to inflict harm on the most vulnerable members of our society." Frank's remarks could arguably be extended to the entire 12 years of Republican rule. They came to power in 1995 viewing the process as a vehicle for their neo-conservative, tear-down-the-government agenda (the "Contract on America"), which led to the government shut-downs of late 1995 to early 1996, when they tried to force it on President Clinton.

In fact, only once in the last six years did the Republican-controlled Congress finish all of the annual spending bills without an omnibus appropriations bill, and even in that one year, 2002, it took until Dec. 20, more than two-and-a-half months after the beginning of the fiscal year, to finish them. In two of those years, 2004 and 2006, the process was left for the next Congress to deal with.

Obey, who will take over the chairmanship of the House Appropriations Committee, and Sen. Robert Byrd (D-W.V.), Obey's counterpart in the Senate, decided they would be facing a nightmare if they were to try to pass the remaining nine of this year's spending bills in the first weeks of the new Congress. Not only would they be forced to deal with them during Pelosi's 100 hours agenda, but the White House will be sending up the Fiscal 2008 budget and a very large Fiscal 2007 supplemental appropriations request for the wars in Iraq and Afghanistan during the first week of February. Obey and Byrd announced on Dec. 11 that, in order to be ready to manage the tidal wave coming in early February, they would finish off the Fiscal 2007 budget process with a long-term continuing resolution.

The two Democrats stated: "The outgoing Republican leadership's failure to govern has denied the new Congress the opportunity to start with a fresh slate. . . . There is no good way out of the fiscal chaos left behind by the outgoing Congress. . . . After discussions with our colleagues, we have decided to dispose of the Republican budget leftovers by passing a year-long joint resolution. We will do our best to make whatever limited adjustments are possible within the confines of the Republican budget to address the nation's most important policy concerns."

Overall, GOP control of the Congress was characterized by an all-out war on the principle of the general welfare, on behalf of the wealthiest few percent of the population. As a result, that top tier of income groups received hundreds of billions of dollars in tax cuts, while the bottom 80% of income earners was left to fend for themselves. The Republicans pushed budget cuts, in parallel with the tax cuts, that targeted

the social welfare of large numbers of Americans, from veterans, to Medicare and Social Security recipients, to the poor who depend on Medicaid and other low-income programs to everyone in between, all in the name of “fiscal responsibility.”

Try as they might, however, they could not keep their own corruption from hanging out for everyone to see, as four significant members of the House GOP caucus were forced out of the 109th Congress, two of them to go straight to prison on corruption charges: Rep. Randy “Duke” Cunningham (R-Calif.) for bribery, and Rep. Bob Ney (R-Ohio) for his involvement in the Jack Abramoff scandal; House Majority Leader DeLay, indicted for campaign finance violations in Texas, and Rep. Mark Foley (R-Fla.), forced to resign just before Election Day when salacious e-mails he had sent to underage House pages became public.

Democrats Promise Oversight

With all of the committee chairmanships changing hands, the Democrats will be in a position to do what they complained the Republicans rarely, if ever, did: oversight of the Executive branch. A number of the key incoming chairmen have already begun to move aggressively on that agenda: Rep. Henry Waxman (D-Calif.), who will take over the House Government Reform Committee, has issued findings and/or inquiries on half a dozen different matters since the election, including on Iraq contracting, Food and Drug Administration regulation, the pharmaceutical industry and others. Waxman was quoted, last month, telling an audience in Los Angeles that his biggest problem will be deciding how to “pick and choose” among the large number of issues requiring oversight. Incoming House Armed Services Committee Rep. Ike Skelton (D-Mo.) announced that he would be re-establishing the Oversight and Investigations Subcommittee within the Armed Services Committee, which will likely be chaired by Rep. Marty Meehan (D-Mass.). One of the issues that Skelton’s committee is likely to scrutinize is the outsourcing of what used to be considered strictly military functions. Rep. John Murtha (D-Pa.) plans to use his chairmanship of the House Defense Appropriations Subcommittee to investigate the Iraq War, with “two hearings a day for the first three or four months . . . to find out exactly what happened and who’s been responsible for these mistakes.”

Similarly, on the Senate side, Democratic Leader Harry Reid (D-Nev.) is promising to take a close look at the Iraq War. For the last several years, the Democratic Policy Committee, under the chairmanship of Sen. Byron Dorgan (D-N.D.), has done a credible job of exposing much of the mismanagement of the war, in spite of not having the authority of the standing committees of jurisdiction. Now that the Democrats will be in control, that work must be built upon within the relevant committees.

Sen. Jay Rockefeller (D-W.V.), who will become chairman of the Senate Select Committee on Intelligence, announced shortly after Election Day that two of his top priorit-



EIRNS/Stuart Lewis

The 109th has been described as “the most useless Congress in modern history.” Incoming Democratic leaders Harry Reid and Nancy Pelosi, shown here at a recent press conference, are promising change in the 110th; but they have still not acknowledged the number-one issue facing them: the onrushing collapse of the global financial system.

ies would be investigating the use of pre-war intelligence on Iraq and the National Security Agency’s domestic wire-tapping program. In a Nov. 15 statement, listing a number of foci for the committee, he said: “We must insist on full access to the NSA warrantless surveillance program and the CIA detention and interrogation program. Only then, can we conduct thorough oversight. . . .” On the Iraq War he stated, “as part of our core oversight responsibilities, [we] must complete the long-overdue, unfinished business, related to the use and misuse of intelligence leading up to the war in Iraq.” He noted that the committee had already put out three reports related to pre-war intelligence, and that now, “we will complete the three remaining sections of Phase II.”

A few days earlier, Sen. Carl Levin (D-Mich.), who will chair the Senate Armed Services Committee, announced his intention to probe the CIA’s renditions and secret prisons program. “I’m not comfortable with the system,” he said on Nov. 12. “I think that there’s been some significant abuses which have not made us more secure but have made us less secure, and have also, perhaps, cost us some real allies, as well as not producing particularly useful information. So I think the system needs a thorough review and, as the military would say, a thorough scrubbing.”

Sen. Patrick Leahy (D-Vt.) announced a similar agenda for the Judiciary Committee. In Dec. 13 remarks at the Georgetown University law School, Leahy promised “to repair real damage done to our system of government over the past few years.” Leahy continued, “The White House has behaved as if the Constitution begins with Article II,” (referring to the section on the Executive branch, and leaving out Article I, on the Legislative branch). “And they’ve taken their extreme ideology of a ‘unitary executive’ to strip both Congress and our independent Federal judiciary of their rightful roles. For this country to succeed, the constitutional balance has to be restored.”

Leahy said that his new agenda for the Judiciary Committee is “an agenda of restoration, repair, and renewal: restoration of constitutional values as well as the rights of ordinary Americans; repair of a broken oversight process and the return of accountability; and also, and just as important, a renewal of the public’s right to know—the right of every American to know what their government is doing.” Leahy’s agenda items included war profiteering, warrantless wiretapping in violation of the law, and restoring habeas corpus and other fundamental rights stripped away by the Military Commissions Act.

Sen. Barbara Boxer (D-Calif.) will head up the Environment and Public Works Committee. While she has demonstrated a weakness for some of the hobbyhorse environmental issues, such as biofuels and wind energy, she also expressed a commitment to investing in the nation’s economic infrastructure, when she announced her committee priorities on Dec. 5, particularly in drinking water infrastructure and the Water Resources Development Act. The WRDA, she said, “will be a priority in the next Congress.” The bill passed the Senate, last July, with broad bipartisan support and was taken to conference with the House, but it never emerged from the conference committee. A WRDA was generally passed every two years from the mid-1980s through the end of the 1990s, but not once in the last six years of the Bush-Cheney Administration. The bill would authorize billions of dollars in long overdue work on American waterways.

Boxer also reported that the committee will take up the request of the two Louisiana Senators, Mary Landrieu (D) and David Vitter (R), to hold hearings on the post-Katrina debacle, “as soon as we get all our ducks in a row and get ready to go and help them through that rebuilding process and make sure we don’t face this again.” In doing so, it is likely that the committee will also learn a great deal more about how the Bush Administration, through the Federal Emergency Management Agency, has been dragging its feet on the recovery process.

How To Deal with Financial Meltdown

Though the Democrats are still loath to admit the reality of the financial meltdown, the economic issues they plan to address will bring them face to face with it. Both the incoming

chairman of the Senate Banking Committee Chris Dodd (D-Conn.) and Rep. George Miller (D-Calif.), of the House Education and the Workforce Committee, plan hearings on the collapse of manufacturing. Dodd noted to reporters on Dec. 12 that the manufacturing sector is “hemorrhaging, plain and simple,” and has lost over 3 million jobs in the last six years. Miller, during a Dec. 12 press conference, said in response to a question from *EIR* that more than hearings were needed to reverse deindustrialization, and spoke at length about “reinventing the auto industry at the same time it is downsizing”; “reinventing American manufacturing” and unleashing innovation; but within the Democratic bounds of producing new types of vehicles and fuels.

One of the factors behind the “hemorrhaging” that Dodd spoke about is hedge funds. Both Dodd and Rep. Barney Frank (D-Mass.), Dodd’s counterpart in the House, have indicated that hedge funds will also come under scrutiny but perhaps not to the degree that they should. Dodd, while he said he plans to examine the role that hedge funds play in the economy, also said that, “I’m not hostile to them at all.” Similarly, Frank is not anticipating any legislation, but told the Dec. 10 *San Francisco Chronicle* “What we need to do is have hearings on hedge funds.”

Another factor making the character of the new Congress different will be the incoming freshmen. Pelosi has already moved to strengthen the positions of many of the freshmen who won in close races, or were running in districts where the GOP incumbent was mired in controversy. A number of these freshmen have been given plum committee assignments that have already garnered favorable news coverage in their districts. Eight freshmen have been put on the House Armed Services Committee, ten on the Transportation and Infrastructure Committee, and six on the Education and the Workforce Committee.

Two freshmen, Paul Hodes (N.H.) and Chris Murphy (Conn.), have been assigned to the Government Reform Committee. These committee assignments are likely to raise the profiles of the freshmen members as they participate in oversight investigations. According to news reports, several have even been told that given a choice between voting the party line and casting a vote that will help them in their districts, they should feel free to decide on their own.

If the Democrats do the kind of oversight that they are promising, in a nonpartisan way, the evidence of the malfeasance of the Bush Administration that will emerge as a result will, itself, put the issue of the impeachment of both President Bush and Vice President Cheney on the table. Bush made the 109th Congress irrelevant by his signing statements and, by taking away Congress’s ability to legislate: it could not do anything, not that the Administration’s allies in control of the Congress were much inclined to do anything, anyway. However, the vote on Nov. 7 actually saved the Republic. Now, the Congress must assert its constitutional authority as the legislative branch and move to stop a dictatorship.