

The unholy transformation of the U.S. Congress

No amendments to the Constitution were made. The Bill of Rights was never tampered with. Yet over the last decade, and especially since the 1973 Watergate scandals, the U.S. Congress has been ominously shifted from a constituency representative body toward a parliamentary system controlled by the White House and a Democratic Party leadership that came to power with the help of Department of Justice witchhunts. This House leadership, led by House Speaker Tip O'Neill (D-Mass.), implements policy through its vehicle, the Democratic caucus. The caucus has made some of the crucial decisions for the Congress that previously were made by senior Democratic committee chairmen closely tied to local political networks. Most importantly, the caucus now elects the committee chairmen previously chosen by seniority. A leadership grouping led by O'Neill now nominates committee chairmen.

The key turning point was the Watergate affair. It is a myth that Watergate merely destroyed a Republican President. In fact it began the systematic decimation of political machines throughout the nation, Democratic and Republican. The myriad of scandals spinning off Watergate shook political strata nationwide. Following Watergate, a whole series of local scandals, frame-ups, and entrapment schemes, culminating in the Carter Justice Department's Abscam and Brilab, have wrenched apart many political machines. The erosion of especially the Democratic Party as a constituency-based organization has permitted the election of congressmen not closely tied to the base of the party. A weakened Congress, in tandem with a weakened and, under Carter, denigrated Presidency, have proven unable to legislate the economic growth of the nation.

One immediate result of Watergate was the Democratic freshman sweep in the 1974 congressional elections, when 75 first-termers entered the legislature. Most of these congressmen had not come through the political ranks in their areas, they were without legislative experience, and they were in many cases "liberals" disconnected from constituent groups. Many were in the mold of liberal Elizabeth Holtzman (D-N.Y.), elected in 1974, whose only political experience was two years as a district leader. Holtzman defeated Emmanuel Celler, an important New York political leader who had served 50 years in the House. It was this freshman class which ousted many of the senior Democrats from their committee chairmanships.

Congress is a gutted structure but it has not yet been razed and replaced by an American House of Lords and Commons. As passage of the historic McCormack fusion energy bill this session proves, Congress still has the capacity—given appropriate policy direction—to enact positive legislation.

But if the Carter administration is given another four years in office, it is determined to turn Congress into a rubber stamp for the stated policies of the Trilateral Commission, namely the "controlled disintegration" of the U.S. economy. White House counsel Lloyd Cutler, an ex-Trilateral Commission member, made this explicit in an article he wrote for the current issue of *Foreign Affairs*, the publication of the Council on Foreign Relations, which is the Eastern Establishment policy-making elite.

In the article, Cutler demands a British parliamentary system for the United States, going so far as to propose that the President have the power to dissolve Congress. The aim of White House control over Congress would be to completely break influences on Congress that stand in the way of "allocating burdens and orchestrating sacrifices."

Election of a Democratic Congress closely tied to its constituents is a necessity this year for the continuation of the American constitutional system. It is precisely such congressmen and their political machines which have been the target of the Brilab and Abscam entrapment schemes of the Carter administration and numerous scandals since Watergate.

The overthrow of powerful chairmen who used their committees to advance the interests of the producing sectors of the country was followed by two years of structural reforms that had begun to undermine their power. In January 1973, the Democratic caucus adopted a "subcommittee bill of rights" which greatly augmented the power of subcommittee chairmen (see page 00). Subcommittee chairmen, of which there are over 100, now initiate bills and manage legislation on the floor, a practice unheard of 10 years ago.

Subcommittee power can now push a proliferation of narrowly considered, undigested legislation to the floor of the House. As a result, the floor is glutted with legislation which cannot pass, but which consumes valuable time in the form of endless procedural votes.

The collapse of the centralizing and "filtering" role of committee chairmen has led to fragmentation and

near anarchy in the House's functioning, such that congressmen spend the day dashing from subcommittee to subcommittee to roll call vote to quorum call, and never have time to deliberate or become competent in major areas. Twenty years ago there were 3,059 committee and subcommittee meetings. Four years ago there were more than twice as many—6,975. The average member works 11 hours per day when the House is in session, and spends none, or little, of that time by himself, studying issues.

Another erosion point occurred in 1974 with the passage of the Congressional Budget Act. Where committee chairmen could substantially determine federal budgets in the past, the Budget Act created the House and Senate Budget Committees to circumscribe that power. One former House Armed Services Committee staffer told of the first budget clashes in 1975 when the Senate Budget Committee, then headed by Senator Edmund Muskie (D-Maine) sent the military construction authorization bill back to the conference committee because it had exceeded the Budget Committee's ceiling. Senate Armed Services Committee chairman John Stennis (D-Miss.) solved the problem by cutting all the funding for shipbuilding in Maine, the home state of the Budget Committee chairman. Stennis did not have the same trouble again, but other committee chairmen have not been able to wield such power.

In a larger sense, the destruction of the strong role of two dozen committee chairmen and House leaders has led to the unbalancing of the separation of powers concept of "checks and balances." Increasingly, the executive branch, especially under Carter, dominated by environmentalists, consumerists, public interest groups, or budget cutters, has been able to run roughshod over the weakened Congress. A veteran administrative assistant who described the 1974 massacre said, "70 percent of the time and manpower in a congressional office now goes to casework—straightening out our constituents' problems with the federal government. We carry 700 to 1,500 cases per year. We don't initiate, we don't legislate, we are reactors. We have become the ombudsmen of the executive branch."

The result? Forty-three congressmen and senators following over 100 of their colleagues in the past four years and simply getting the hell out. A case in point is Texas Democrat Ray Roberts, chairman of the Water Resources subcommittee of the House Public Works Committee. Public Works Committee chairman Bizz Johnson is in serious danger of losing his reelection bid, which would put Roberts in a good position to become committee chairman. Despite that possibility, Roberts is retiring.

When he assumed chairmanship of the Water Resources Subcommittee in 1976, he did so with the intent to use his chairmanship to develop a water policy for the nation to last through the year 2020, in the time-honored tradition of the old Rivers and Harbors Committees that

gave the United States its system of internal waterways. With environmentalists dominating the executive branch, Roberts found that the administration could do nothing except oppose existing projects. On the other hand, erosion of the seniority system left the congressman unable to initiate anything comprehensive at the congressional level. Not one new water project has been started in the past four years, let alone a comprehensive strategy. In short, Congress no longer works. What happened to it?

The rise of the Democratic caucus

The history of Congressional reform in the 1970s is the history of the rebirth of the Democratic Party caucus.

The caucus is the fundamental tool of parliamentary functioning. Ultimately, constituency influences from below, mediated through powerful committee chairmen, are to be wholly replaced by party discipline from above, dictated by the caucus. The United States is at an inflection point: the caucus procedure has broken the power of committee chairmen and fragmented and immobilized the House, but parliamentary advocates have yet to succeed in imposing effective policy control by caucus.

Following the demise of the short-lived "King Caucus" at the turn of this century, where caucus decisions were binding on Democratic members of Congress, the Democratic caucus was largely symbolic up to the 1970s. Speaker Sam Rayburn used the caucus only at the outset of each session to ratify leadership positions for the House. During the early 1960s, the vastly outnumbered liberals in the House, guided by the Institute for Policy Studies, formed the Democratic Study Group (DSG). By 1968, the DSG came out with a series of specific proposals to revive the caucus and reform the House. The removal of Lyndon Johnson from the Presidency, in tandem with the crippling of the traditional machine base of the Democratic Party at the 1968 Chicago convention, obviously gave the "reformers" the green light they needed to accelerate the assault on the House.

The first concrete reform came in 1969, with the seemingly small step of establishing monthly meetings of the Democratic caucus in the House, and allowing any member to bring up a point of discussion. Using this forum, the reformers succeeded by 1970 in establishing a Committee on Study, Organization and Review which proposed changes in the seniority system that December. In January 1971, it was decided that seniority would no longer be the automatic determinant in committee