

Congressional Closeup by Carl Osgood

Senate passes line item veto

On March 27, the Senate passed the line item veto, a key provision of the Republican Contract with America, and sent it to President Clinton for his signature. It would allow the President to reject specific items in an appropriations bill without vetoing the entire bill, which supposedly will help control spending.

Robert Byrd (D-W.V.) called the bill a "colossal mistake." He warned that the Senate was "about to adopt a conference report which will upset the constitutional system of checks and balances and separation of powers, a system that was handed down to us by the Constitutional Framers 208 years ago."

After reviewing the history of legislative control of the national treasury, from 13th-century England to the 1787 Constitutional Convention, Byrd said, "It is ludicrous that we are about to substitute our own judgment for that of the Framers with respect to the control of the purse and the need to check the Executive." He took out of his pocket a well-worn copy of the Constitution and proclaimed, "My contract with America is the Constitution of the United States." He called the conference report a "malformed monstrosity, born out of wedlock. . . . It is a profanation of the temple of the Constitution which the Framers built and it will prove to be an *ignis fatuus* in achieving a balanced budget."

However, Byrd understood the political environment. "I have no doubt this measure will pass," he said. "Political expediency will be the order of the day, for we are like Nebuchadnezzar, dethroned, bereft of reason, and eating grass like an ox."

Byrd offered a substitute amendment that would make it easier for Congress to override line items vetoed by the President, and also give the

President authority to veto tax breaks, which the conference report specifically prohibited. Byrd said that his amendment would "effectively amend the present impoundment procedure [the Congressional Budget and Impoundment Control Act of 1974] while at the same time maintaining the constitutional separation of powers by protecting Congressional control of the purse strings from an unchecked Executive."

Byrd's substitute was tabled by a vote of 58-42, and the conference report was passed by a vote of 69-31.

Some Republicans blast the GOP's NASA budget

Republicans on the House Science Committee attacked the Clinton administration's fiscal year 1997 budget request for the National Aeronautics and Space Administration, during hearings on March 28, but the funding level is close to that demanded by House Republicans.

The administration's multi-year budget puts off unpopular deep cuts in NASA to the next Presidential term, cuts that result from trying to work within the straitjacket of a seven-year balanced budget. The FY 97 request of \$13.8 billion is close to the FY 96 level, but funding is projected to decline to \$11.6 billion by the year 2000.

Dave Weldon (R-Fla.), whose district includes the NASA Kennedy Space Center, said, in a press release issued before the hearing, that the administration request "cuts far too deeply" in the later years. Yet he later admitted that "some critics may say that the Republican budget resolution last year called for similar funding levels, and that is true."

At the hearing, George Brown (D-Calif.) poked fun at congressional ef-

fort to micro-manage the space program, thanking NASA Administrator Dan Goldin for appearing, in order to hear the testimony of House members. Brown said he will work with the White House to revise the funding levels for NASA beyond the current fiscal year.

Goldin tried to appease members, reading a statement from the Office of Management and Budget which said that "not too much" should be read into the spending figures projected for the future. Thanks to the Republican refusal to work with the White House during the FY 96 budget cycle, NASA does not have a budget, but is being forced to operate on only 75% funding from continuing resolutions.

Republicans oppose hike in the minimum wage

House Republicans turned back an attempt by the Democratic leadership to increase the minimum wage to \$5.15 an hour by July 3, 1997, on March 27.

Minority Whip David Bonior (D-Mich.) moved to recommit the bill that provided a \$500 billion increase in the public debt and a line item veto, back to the Ways and Means Committee with instructions that the committee report the bill back with an amendment for the increase. But Ways and Means Committee Chairman Bill Archer (R-Tex.) objected that the motion to recommit was not germane to the bill under debate and that an increase in the minimum wage constituted an unfunded mandate. Archer cited Congressional Budget Office figures that suggest that raising the minimum wage would impose an unfunded mandate of over \$1 billion.

Bonior called Archer's objection "ironic," and said that it is "way past time that we raise the minimum wage

for these folks who have chosen work over welfare, many of them single women with children who need to have more money in their pockets so that they can live in dignity and teach their children that work indeed does pay in this country.”

Archer's objection was sustained by a party-line vote of 232-185.

Conrad would ban import of Canadian wheat

On March 28, Sen. Kent Conrad (D-N.D.) reacted to the news of a decision by Canada to ban the import of U.S. durum wheat, by proposing a ban on the import of Canadian wheat into the United States. Conrad said the Canadian decision is the result of karnal bunt fungus having been found in Arizona, but that “87% of the durum wheat that makes pasta is grown in North Dakota,” which has not been affected by the fungus.

The Canadian ban on wheat produced in the Midwest prevents the transfer, in Canadian ports, of U.S. wheat from U.S.-based Great Lakes grain ships to ocean-going vessels, forcing the grain to be shipped south to U.S. ports on the Gulf of Mexico, at much greater cost.

Conrad accused Canada of deception, because it not threatened and has acknowledged that it is not threatened. “I believe,” he said, “it is an attempt to secure a competitive advantage, and we should not allow it.” Conrad's bill would ban the import of Canadian wheat until Canada drops its restrictions on U.S. wheat.

Conrad said he was also introducing a bill to ban the import of Canadian beef into the United States. “If they are going to threaten us” because of a fungus in Arizona, he said, “we can threaten them the same way and shut

off all imports from Canada of their beef and their cattle because of the mad cow syndrome in England, when we know there have been shipments of beef from that country to Canada. It makes just as much sense to ban imports of cattle and beef from Canada, where there is no known BSE [bovine spongiforme encephalopathy], as it does to ban imports of wheat from the upper Midwest, where there are no known outbreaks of karnal bunt.”

Dorgan calls for audit of Federal Reserve

On March 26, Sen. Byron Dorgan (D-N.D.) called for a yearly audit of the Federal Reserve Board, and for its non-monetary policy functions to be subject to the annual appropriations process “just as are all other functions of government.” Dorgan, along with Sen. Harry Reid (D-Nev.), had commissioned a Government Accounting Office report which criticized accounting procedures at the Fed.

“The Fed has counseled this country to cut its expenditures, slim down, downsize, and streamline. . . . The Fed has counseled that America go on a diet,” Dorgan told the Senate, and yet, the Fed itself “has decided to overeat.” If the Fed were audited, he said, “what you will find is a Federal Reserve Board that . . . seems to be growing while the rest of government is shrinking.”

Dorgan took the opportunity to criticize Fed monetary policy. He said that monetary policy should be “separate and apart” from the Congress, but “I do not agree with the Fed when it believes its mission in life is to be a set of human brake pads designed to slow down the American economy.” He said the Fed is “dead wrong” to limit economic growth to 2.5% per year, be-

cause both inflation and wages are going down. “I think their monetary policy is . . . inhibiting growth in this country and slowing down the American economy.”

Democrats attack product liability ‘reform’

Democrats took aim at the hypocrisy of the Conservative Revolution during debate on the product liability reform bill in the House on March 29. Democratic opposition focused on the punitive damage limits imposed by the bill.

Bob Wise (D-W.V.) said, “I am trying to figure out why it is that in an era when we seem to be moving in, and this Congress seems to be wanting to be moving toward deregulation, toward ‘taking regulation off the backs of people,’ in which government tries to safeguard the population in safety and workplace safety and consumer product safety and other areas, at a time when regulation is being cut back because we want to encourage the individual—why it is then we are not letting the individuals retain the individuals’ ability to protect themselves and to protect themselves against products that are created unsafe, that are used in the workplace or by consumers.”

Lloyd Doggett (D-Tex.) was even more pointed in his criticism. “This piece of legislation,” he said, “rejects the notion that I have heard about so often . . . about the concept of personal responsibility. It is okay to demand personal responsibility of the most disadvantaged, of the poorest people, of the most vulnerable people in our society, but for some reason, it is the position of those who support this conference report that it is inappropriate to demand full personal responsibility of those who kill and maim and destroy the lives of their neighbors.”