

Congressional Closeup by Carl Osgood

Black Caucus urges recess appointments

Four members of the Congressional Black Caucus, Reps. Jim Clyburn (D-S.C.), Eddie Bernice Johnson (D-Tex.), Maxine Waters (D-Calif.), and Eleanor Holmes Norton (D-D.C.), condemned Senate Republicans for failing to confirm black and women judicial nominations (and others), and urged President Clinton to make them recess appointments, because the Senate Judiciary Committee will not process them, at a press conference on Oct. 25.

Coming in for the most opprobrium were Sens. John Ashcroft (R-Mo.), for his treatment of Missouri Supreme Court Justice Ronnie White, and Jesse Helms (R-N.C.), for his treatment of former Senator Carol Mosely-Braun (D-Ill.). White was rejected by the Senate on Oct. 5 in a straight party-line vote, after heavy lobbying by John Ashcroft (R-Mo.) among his Republican colleagues. Helms has come under fire for his demand that Mosely-Braun, who is President Clinton's choice to be U.S. Ambassador to New Zealand, apologize for remarks she made about the Confederate flag during a debate in 1993.

Clyburn said that those in the Senate who seek to "railroad" the nomination process "with a litmus test of color and race are in effect undermining the Constitution." White's nomination, he said, "is the latest example of the Senate's differential treatment of African-American Federal judicial nominees." The only remedy that the Black Caucus sees, is for President Clinton to use his constitutional authority to make these nominees recess appointments.

Senate Republicans, especially Majority Leader Trent Lott (Miss.), deny that race is an issue. But, Clyburn produced a list of five African-American nominees, who were compared

with white nominees nominated at the same time. The whites were all confirmed within three months. Four of the five African-Americans have not even received a hearing.

Clinton signs DOD bill, eases budget tensions

On Oct. 25, President Clinton signed into law the Department of Defense appropriations bill, after it had sat on his desk for weeks. That action reduced tensions that had flared in the wake of the Oct. 19 meeting among Clinton and Congressional leaders from both parties, convoked to discuss ways out of the budget impasse.

In the days after the meeting, Democrats were fuming at the sharp partisan rhetoric coming from the GOP side. House Majority Whip Tom DeLay (R-Tex.) had accused Democrats of "concocting schemes" to raid the Social Security surplus for other programs. After the DOD bill signing, DeLay was more conciliatory. He told reporters that Clinton's decision to sign the DOD bill "shows that we can work together and find agreement on the important issues facing this country." He also claimed that Clinton had rejected the "gridlock strategy" being advocated by House Minority Leader Richard Gephardt (D-Mo.), who had called for the bill to be vetoed because it contains several billion dollars more than the administration had requested.

The DOD bill makes seven of 13 spending bills now signed into law. Clinton had earlier signed into law the Veterans Affairs-Housing and Urban Development bill on Oct. 20 and the Agriculture bill on Oct. 22. However, he vetoed the Commerce, Justice, State and the Judiciary bill on Oct. 25, because of a number of issues, includ-

ing not enough funding for the Community Oriented Policing program, and the tying of U.S. payment of arrears to the UN to an authorization bill yet to be acted on.

Also causing problems is the bill funding the Labor, Health and Human Services, and Education departments. While the Senate passed its bill on Oct. 7, the House has decided to attach its version to the revised D.C. Appropriations bill, but that bill has now become bogged down by disagreements between House and Senate GOP negotiators over language related to needle distribution.

Manufacturing, not free trade, says Hollings

On Oct. 21, the Senate began debate on a motion to proceed to the African Growth and Opportunity Act, a free trade bill for Africa similar to the North American Free Trade Agreement (NAFTA). The bill includes the Caribbean Basin Initiative and re-authorization of a number of trade programs within the Department of Commerce. However, the bill ran into a roadblock erected by Ernest F. Hollings (D-S.C.), who is objecting to consideration of the bill.

Hollings told the Senate that under NAFTA, South Carolina has lost 31,700 textile jobs. He reported that he was told in 1983 by Sony chairman Akio Morita that a developing country "must develop a strong manufacturing capacity in order to become a nation-state." He also quoted Henry Ford, who said, "I want my workers to make enough to be able to buy what they are making." Instead, Hollings said, "our strong manufacturing economy has been drained over night" by free trade policies.

Hollings said that he had, in the past, supported "some kind of Marshall Plan" for Mexico. "If we can put in a plan where Mexican workers can have workers' rights," he said, "and some money in the economy would not be stripped and sent back to bankers in New York, . . . if we could do that, we could have some prosperous parity with our friends in Mexico." Instead, we have NAFTA, with its consequent deleterious effects on manufacturing and the American standard of living.

Paul Wellstone (D-Minn.) also opposed the bill. He said that if cloture is invoked, he will bring up the agriculture crisis and introduce an amendment "that will call for a moratorium on these acquisitions and mergers taking place that are driving our producers off the land." He endorsed the House alternative bill on Africa sponsored by Jesse Jackson, Jr. (D-Ill.), which has been introduced in the Senate by Russell Feingold (D-Wisc.).

Hearing debunks alleged threat to Panama Canal

The latest scheme by which the Conservative Revolution is seeking to disrupt U.S.-China relations took some hits on Oct. 22, when the Senate Armed Services Committee heard witnesses on the subject of the security of the Panama Canal. The flurry was touched off by claims published in the *Washington Times* and elsewhere last summer, that the awarding of Panama port concessions to the Hong Kong-based Hutchison Whampoa company constituted a security threat to the canal, and therefore, to U.S. national interests.

The lead-off witnesses were Reps. Dana Rohrabacher (R-Calif.) and Bob

Barr (R-Ga.), who have been among the most strident in charging that there is a Chinese takeover of canal operations.

However, some rationality was introduced into the hearing by ranking Armed Services Committee member Sen. Carl Levin (D-Mich.). After reviewing the relevant legal documents, Levin said, he had concluded that Hutchison does not acquire any authority to operate the canal, nor can the contract between Hutchison and the Panamanian authorities "lead to any interference by Hutchison with the administration or operation of the canal."

Levin was backed up by witness Joseph Cornelison, the deputy administrator of the Panama Canal Commission, a retired U.S. Army officer and Vietnam Veteran. Cornelison said that Hutchison Port Holdings is a well-established company which operates 18 ports around the world. "We simply have seen nothing," he said, "that presents an indication of a security threat posed by the presence of operations of Hutchison in those regions." Furthermore, he said, "there's not a single Chinese person" in Panama, today. The top two officials of the company are British and American, and the remainder of the employees are Panamanian.

Richardson grilled on DOE reorganization

Energy Secretary Bill Richardson appeared before a joint hearing of the Senate Energy and Natural Resources and the Government Affairs committees on Oct. 19, to explain how the Clinton administration is implementing the nuclear weapons laboratories reorganization that was mandated by the fiscal year 2000 Defense Authori-

zation bill, signed into law by President Clinton on Oct. 5. Clinton has ordered Richardson to assume the duties of a new Undersecretary for Nuclear Security that was created by the legislation, until deficiencies in the bill are corrected by Congressional action.

Republicans have concluded that President Clinton has chosen not to follow the law. However, Energy and Natural Resources Committee Chairman Frank Murkowski (R-Ak.) admitted that the reorganization as agreed on in the Senate, and what came out in the conference report, were two different things, and this is what is at issue. Governmental Affairs Committee Chairman Fred Thompson (R-Tenn.) was less charitable. "The heart of the matter before us," he said, "is whether the President will implement the law as enacted by Congress and signed by him."

Richardson said that while he and the President intend to follow the law, their concern is that "this new legislation undermines accountability and responsibility." As for changes in the law that he and Clinton are seeking, he said, "I am asking you to look at minor modifications that I think can achieve all of" Congress's objectives, including dramatically improving security at the weapons labs, without the dual chains of command and logistics and the stripping of the Secretary's authority over nuclear programs that the current legislation calls for.

Richardson refused to back down under intense questioning by Thompson and Pete Domenici (R-N.M.). They asked repeatedly if Richardson planned to implement the law as Congress intended. Richardson replied, "I am coming to you saying that there are serious problems with the way the statute passed in the final form that make implementation of the law difficult."