

## Congressional Closeup by Carl Osgood

### Republicans Resume Push For Energy Bill

Congressional Republicans have made a tactical decision to jack up the pressure on Democrats to break the logjam in the Senate on the energy bill, stalled since last November by a Democratic filibuster. At the same time that GOP Senators were telling reporters that the Democrats were to blame for the recent spike in gasoline prices, House Republicans were pushing through passage four bills to "send a message" to the Senate to act.

The GOP leaders glossed over the fact that some of their problems stem from within their own party. One reporter at their June 15 press conference noted that a number of Republican Senators had walked away from the energy policy bill for parochial reasons. Senate Energy and Natural Resources Committee chairman Pete Domenici (R- N.M.) replied that "If we picked up four or five or six Democrats . . . we'd get the bill. So you know, you can talk about us, but we're right in talking about them."

Democrats in the House were quick to emphasize the very fact that Domenici wished to ignore. Rep. James McGovern (D-Mass.), noting that both bodies are controlled by Republicans, suggested "They should talk to each other and try to work things out."

Democrats also minced no words on the process taking place in the House itself. Of the four bills the House passed on June 15 and 16, one was a rehashing of the energy policy bill. Another was a bill to ease restrictions on siting and constructing refineries, which went to the House floor without being considered by the Energy and Commerce Committee. McGovern called the process "indefensible" because "people are getting locked out and bills are being rushed to

the floor without hearings and without markups, but also, this is bad policy."

### No Budget This Year?

House Appropriations Committee chairman C.W. Bill Young (R-Fla.) started off the appropriations process, this year, by announcing that after the House is finished with its 13 bills, he would roll them all up into a single omnibus spending bill. "Then it would be my plan to take all 13 bills and incorporate all 13 into one bill, and go to conference with the Senate," he said on June 16. He added that he hoped to get the omnibus done before the end of the fiscal year on Sept. 30.

Young was reportedly echoing Senate Appropriations Committee chairman Ted Stevens (R-Ak.) who indicated the night before that he also might be forced to go the omnibus route.

The talk of omnibus bills is yet another indication of the chaos reigning in the budget process, with the Senate GOP leadership still not having brought the budget resolution to a vote, and the House Republicans still in dispute over a budget enforcement bill passed by the House Budget Committee back in March. Young, as part of his omnibus plan, wants only one-year spending caps on the budget, but Budget Committee chairman Jim Nussle (R-Iowa) and other budget hawks have been pushing for the five-year caps included in the enforcement bill. House leaders have not come down on one side or the other, or anywhere in between, yet.

Meanwhile, Young has begun pushing appropriations bills down to the House floor. The House voted 334-86 on June 17 to pass the Interior Department Appropriations bill, and

voted 400-5 the following day for the Homeland Security bill. The Homeland Security bill comes in at \$33 billion, about \$2 billion below last year's appropriation, but \$900 million more than the Bush Administration request. Young expects to move the Defense and the Energy and Water Development Appropriations bills next, and to finish the entire process in the House by June 23.

### Tax Bill Vehicle for GOP Special Interests

A \$4 billion tax bill intended to bring U.S. tax law into compliance with a World Trade Organization ruling on export subsidies, became a \$150 billion bill under House Ways and Means Committee chairman Bill Thomas (R-Calif.), which, by his own account, became an "opportunity" to "have a look at the problems" in the tax code. The original bill repealed a tax break for exporters and replaced it with a reduction in the top corporate tax rate from 35% to 33%. Added to that were numerous provisions extending soon-to-expire tax breaks and tax benefits for companies with foreign operations; creating an income tax deduction for state and local sales taxes; and enacting a \$10 billion tobacco buyout, among other things.

The Republicans named the bill, the "American Jobs Creation Act," because all of the tax changes in the bill will supposedly create jobs. Thomas claimed that the changes were necessary because "small businesses in certain industries are faced with a discriminatory U.S. tax code that puts U.S. small businesses at a disadvantage to foreign businesses. He said that all of the various tax breaks, such as for tackle boxes and fish-detecting

equipment, are in the bill “because our code discriminates against American producers.”

Rep. Charles Rangel (D-N.Y.) blasted the bill for having nothing to do with reform, and because it was brought to the House floor before many members had had a chance to read its 400 pages. “So, you can put lipstick on a pig,” he said, “but you cannot call it a lady.” Democrats charged that the bill also encourages corporations to move jobs offshore, except for those of the lobbyists who helped write the bill. “We can see that the big fish do well in this bill,” said Rep. Lloyd Doggett (D-Tex.), “while the American people are told one whopper after another.”

## Senate Votes Against Torture

During its continued consideration of the Fiscal 2005 Defense Authorization bill, the Senate took the momentous step of adding, on June 16, an amendment reaffirming the prohibition of the use of torture against individuals in the custody of the United States. Sen. Richard Durbin (D-Ill.), the sponsor of the amendment, told the Senate that it was “a reaffirmation . . . that we are committed, as every administration has been going back to President Abraham Lincoln, to oppose torture and the kind of inhuman conduct and treatment that we saw at Abu Ghraib prison” in Iraq.

The amendment also requires the Defense Department to promulgate guidelines on proper conduct during interrogations and on treatment of detainees, and to report to Congress when violations occur. Senate Republicans, apparently not wanting to go on record against the amendment, let it pass on a voice vote.

However, the GOP was not so accommodating on another amendment, to prohibit contractors from participating in interrogation of detainees. Sen. Christopher Dodd (D-Conn.) argued, in the context of the Abu Ghraib scandal, that intelligence interrogations “ought to be inherently a governmental function, and one that is not shopped out or outsourced . . . where there is no accountability, no chain of command, no responsibility, and virtual immunity if they do anything wrong” under military law. Senate Armed Services Committee chairman John Warner (R-Va.) replied that the amendment was impractical because of the already heavy reliance on contract translators and interrogators at Guantanamo Bay and elsewhere, and because there is no in-house capacity to replace them. Warner’s argument prevailed and Dodd’s amendment was turned down by a vote of 54-43.

## Democrats Skeptical of Wolfowitz Testimony

House Armed Services Committee chairman Duncan Hunter (R-Calif.)—as has become the pattern in recent months—spared no effort in defending the Bush Administration’s Iraq policy during a hearing of his committee on June 22; but his efforts failed to protect Deputy Secretary of Defense Paul Wolfowitz from those Democrats who would not accept his testimony at face value.

Rep. Neil Abercrombie (D-Hi.) was the most pointed in his questioning, demanding to know from Wolfowitz, what exactly the relationship will be between American forces in Iraq, and its government after June 30, and what will be the conditions for withdrawal of U.S. forces from that

country. On the one hand, Wolfowitz said that mechanisms were being put in place by which the two sides will consult with each other on conducting either joint or separate military operations. On the other hand, he said, “We’re fighting a very determined enemy” and an elected government in Iraq will face defeat without the American presence.

Abercrombie responded that he thought that what Wolfowitz was proposing “is virtually schizophrenic. On the one hand, you’re saying that everything is working according to the plans that we have. . . . And yet, when it comes to the United States being able to extract itself in an honorable fashion . . . it suddenly disappears.”

Rep. Baron Hill (D-Ind.) subjected Wolfowitz to further grilling about his own record calling for war on Iraq since the early 1990s, and his relationship with Ahmed Chalabi. Wolfowitz first claimed that what he advocated in the 1990s was more help for the Iraqi opposition; but, “For me, everything changed after Sept. 11.” The “mere fact of contact” between Saddam Hussein and Al-Qaeda, he added, “is disturbing,” and apparently enough justification for invasion. Then, Wolfowitz claimed that Chalabi was not “an important part of our intelligence.”

Hill blasted Wolfowitz, telling him that “I think the evidence is overwhelming that you and Mr. [Richard] Perle and others decided a long time ago that Saddam Hussein had to be removed, prior to Sept. 11”; that Wolfowitz was trying to make connections between Iraq, and that event, that do not exist. Hill noted, at the end of his time, that he had voted for the Iraq war resolution on the basis of an intelligence briefing claiming Iraq had drones that could threaten the United States, which proved to be a fabricated story.