

# What's happening in Congress

*New feature keeps you up-to-date on Capitol Hill activity*

This week's U.S. REPORT previews an expanded version of a regular new service to our readers, Congressional Calendar. Designed to alert you on major pending legislative developments in Washington — with particular emphasis on those bills contrary to the national interest that sometimes tend to slip through without adequate notice or debate — each week's Congressional Calendar will focus on selected issues which are likely to become law in the future. In particular, Congressional Calendar will keep you up to date on pending developments in legislation affecting trade, industrial development, business, and related items of foreign and domestic policy, and will report on those developments in time for you to act to affect the laws our Congress enacts.

Congressional Calendar is compiled by veteran U.S. political reporter Don Baier, under the supervision of national affairs desk chief Konstantin George, in collaboration with the congressional staff of our Washington Bureau. In this week's premier edition: GATT, Stevenson's trade proposals, the Energy Department budget, and criminal code reform.

## **GATT in trouble on Capitol Hill**

On March 1, the House of Representatives finally passed a bill without which the Carter Administration cannot proceed on the multilateral General Trade and Tariff (GATT) negotiations among Western trading partners. The bill is the so-called countervailing duties waiver, suspending provisions of law mandating U.S. unilateral imposition of protectionist barriers as a response to the growing crisis in world trade flows. When the 95th Congress failed to extend the waiver last year, the European Community countries, led by France, informed the U.S. they could not conclude the negotiations "at gunpoint," and would not act until the waiver was reinstated.

The waiver bill now goes to the Senate Finance Committee, where, according to a spokesman for U.S. Special Trade Negotiator Robert Strauss, it is hoped the way can be cleared to permit a favorable vote in the Senate in April. "It's no secret many people in government and on the Hill think that deadline is optimistic," he volunteered. The Administration pried the bill loose from the House only after it concluded a humiliating

deal for "limited protectionism" with the backward U.S. textile industry backed 100 percent by the AFL-CIO's "trade war lobby."

Meanwhile, according to press reports, the Administration itself has been flirting with a replay of the early 1970s "Nixon shocks," with President Carter himself at one point threatening to go into full-fledged import controls to wreck the Tokyo economic summit in June unless Japan dismantles its powerful industrial export economy.

The GATT negotiations were originally scheduled for completion last December; at present they may not be wrapped up before the Tokyo summit in May. A total breakdown of GATT and an ensuing wave of protectionism could result in a catastrophic collapse in world trade.

## **Stevenson launches East-West Trade fight**

As we go to press, Sen. Adlai Stevenson is beginning an important legislative effort to force a fundamental refor-

mulation of U.S. trade and foreign policies. Having frequently demanded of the Carter Administration basic monetary and trade reforms geared up to an aggressive expansion of U.S. industrial exports, Stevenson is now taking dead aim at one of the major legislative roadblocks to this policy orientation.

On March 5 the Senator will begin hearings in the international trade and finance subcommittee of the Senate Banking Committee on his own bill, S-339, which aims to roll back the Jackson-Vanik and Debt Limitation amendments to the 1974 Trade Act. The amendments were rammed through the Democratic controlled Congress by a Zionist lobby-liberal coalition in order to abort the Nixon Administration's push for detente and expanded trade with the Soviet Union and Eastern Europe.

Stevenson has submitted S-339 unsupported by the Carter Administration, which has so far contented itself with private remarks by the President on the desirability of extending most favored nation status to the Soviet Union and China.

S-339 and its companion bill HR 1835, introduced in the House by Rep. Les AuCoin (D-Wis), would accomplish the following:

- Remove the limitation of \$300 million on U.S. Export-Import Bank credits to the Soviet Union. Instead, a \$2 billion ceiling would be placed on Ex-Im credits to any communist country.

- Allow the President to waive emigration-linked restrictions on government credit to communist countries for five years when he has determined that the country in question is in compliance with the "free emigration" practices mandated by Jackson-Vanik. At present the Jackson-Vanik amendment requires the affected country itself to provide assurances that it will comply, forcing the Soviet Union to take the most prominent example, to acknowledge the principle that the U.S. Senate has ultimate jurisdiction over matters the Soviet government regards as the internal affair of the USSR.

- Extend most favored nation trading status to the Soviet Union and China.

To bring this bill through Congress, Stevenson will have to create new political alignments, dragging patriotic, pro-economic growth Republicans away from the overwhelming influence of anti-Soviet crusader Henry Kissinger, and splitting mainstream Democrats away from hardcore Zionist Lobby liberals like Sen. Henry Jackson. Congressmen will have to be shown that they cannot continue to oppose a skilled-jobs-creating export policy and count on political survival.

Stevenson, by posing the solution to present U.S. economic decay and joblessness in terms of expanding industry and trade, has given himself the opportunity to organize a new consensus in American politics.

## Energy Dept. budget shambles

The fiscal year 1980 Department of Energy budget, dubbed the solar budget by much of the nation's press, is so incompetent that House Science and Technology subcommittee chairman Mike McCormack (D-Wash) has sent the entire nuclear section of the budget back to the DOE to be redrafted. Resubmission from the DOE is expected in early March. But whatever the changes (likely to be minimal) the political prospects for government efforts to increase energy production in the U.S. are dim.

Out of a total proposed budget authorization of \$8.4 billion, \$1.99 billion is allocated for projects that have either no impact or a negative impact on the U.S. capability to meet its energy needs, including \$800 million for expensive, wasteful solar energy. Other program categories in this \$1.99 billion include environmental research, conservation, management, and regulation. The authorization for research and development and production of nuclear weapons is increased by nearly \$500 million within overall DOE defense spending of \$3.02 billion, while nuclear energy research and development for peaceful purposes is being slashed.

The total rejection of the nuclear budget by McCormack and others was triggered by the omission of any funds for either the continuation or the termination of the Clinch River liquid metal fast breeder reactor project. Given overall Congressional budget parameters, this meant that the committee would have had to take \$160 million from one of the other programs in the budget: McCormack could either cut some already suffering nuclear program under his subcommittee's jurisdiction; attempt to raid funds from some other subcommittee, incurring the wrath of his fellow congressman; or hand the budget back to the Energy Department.

The nuclear budget also lacks any funds for the Barnwell uranium fuel reprocessing facility, a necessary project to shield the United States from the risk of running out of nuclear fuel before the year 2000. Moreover, the planned construction of additional uranium enrichment capability at Portsmouth was cancelled to "bring future production in line with market expectations," that is zero-growth projections. The fusion and high-energy physics R and D programs suffered real dollar cuts, after accounting for inflation.

The chances that Congress will reverse even the most drastic antinuclear provisions of this budget are limited. For example, although the House can be expected to fund either a continuation of the Clinch River breeder or a replacement project, the Senate Energy Committee is a logjam that has yet to be broken. Last year the committee was split 9-9 between pronuclear and environmentalist forces.

## 96th to enact Kennedy justice code revisions

Under the leadership of Senate Judiciary Committee head Sen. Edward Kennedy (D-Mass), the 96th Congress is preparing to pass a revised version of the federal criminal code reform once known as S-1. Billed as the latest in modern penology, Kennedy's reform is in fact a sharp turn away from the basic legal principles traditionally at the heart of American criminal law.

While the latest version of the controversial bill is not yet available, previous drafts centered on three provisions: first, repudiation of statutory immunities protecting individual entrepreneurs from risks attached to corporate ventures; under the earlier versions, individual corporate officers were made liable not only for violations of criminal law by the corporation they served, but also for criminal negligence arising in the course of a corporation's operations. Such a standard is unknown in American law except in cases which directly threaten the lives of individuals. The proposal means that corporate executives will be subjected to a wide range of felony "white collar crimes" which now do not even exist as prosecutable offenses.

Second, previous versions of the bill have contained sweeping proposals for the decriminalization of marijuana, and have pointed in the direction of broader sanction for psychotropic drugs.

Finally, the bill has previously propounded broad encroachments on civil liberties, punctuated by its proposals to abolish the discretionary sentencing powers of federal judges and virtually wipe out the parole system, in favor of mandatory fixed sentences for felony crimes. This last proposal, which serves partly as a ploy to gain conservative support for the bill, would guarantee long prison stays for the legion of new "white collar offenders" the bill would create.

Thanks principally to Kennedy, the bill, reported out as S-1437, sailed through the Senate in the 95th Congress, but its companion legislation, HR-2311, ran out of steam in the House Judiciary Committee largely due to objections from civil libertarians and the pressures of time at end-of-session.

Kennedy has now arranged a special procedure to eliminate the House roadblock. At present, the staff of the criminal law subcommittee of the House Judiciary Committee is conducting an unofficial markup of the bill, comparing provision by provision, S-1437, HR-2311, the original Brown Commission recommendations on the criminal code, and current federal law, hammering out differences and making political deals to assure lightning passage when the bill is finally drafted and submitted. Rep. Robert Drinan is acting as Kennedy's "point man" in the House Committee.

## House panel suppresses Mitchell fraud evidence

The Democratic-controlled House Administration Committee has torn up the due process provisions of the U.S. Constitution in their attempts to cover up the vote fraud through which Parren Mitchell "won" the congressional seat in Maryland's 7th district. The committee yesterday unilaterally denied contestant Debra Hanania-Freeman the right to subpoena evidence — thus preparing the way to dismiss her election contest next week for "lack of evidence."

Last week, attorneys for Mrs. Freeman, the U.S. Labor Party-backed candidate in last November's elections, issued subpoenas to the Baltimore Board of Elections requiring the board to produce voter registration books, tally sheets, and the voting machines for inspection. With the aid of corrupt local judges, the board of elections has succeeded so far in preventing Mrs. Freeman's representatives from examining election materials — which are normally *public* records. Examination of these materials and inspection of the voting machines will provide the positive proof of how Mitchell and his backers stole the Nov. 7 election.

Yesterday — without offering Mrs. Freeman's attorney an opportunity to reply or even holding a hearing — Administration Committee Counsel Robert Moss granted the board of elections' motion to quash the subpoena. Reportedly, not even the Republican member of the three-member panel which is officially designated to hear the case was notified of the motion to quash.

By quashing the subpoena, Administration Committee Chairman Frank "Tombstone" Thompson of New Jersey and his hatchet man Moss hope to set the stage for a dismissal of Freeman's contest in the hearing scheduled for March 14. If the committee holds to recent practice, they will attempt to dismiss the case on the grounds that Mrs. Freeman has not shown sufficient evidence that she won the election.

By suppressing the evidence, observers noted, Thompson and Moss will have in fact *guaranteed* that Mrs. Freeman will not have that evidence.

At stake in the Mitchell-Freeman contest is the issue of whether Congress will take on the Kennedy national vote-fraud machine, or whether it will suppress the evidence in this case as it has done in almost every other case in recent years. The larger issue is whether the Kennedy machine — which has often expressed its dissatisfaction with the U.S. Constitution — has already decided that the Constitution no longer applies to procedures used in the House of Representatives.