

# ADA

AMERICANS FOR DEMOCRATIC ACTION

## Legislative Newsletter

Legislative Representatives  
Vicki Otten • Bruce Cameron

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The report card for the first session of the 95th Congress looks something like this: Jimmy Carter flunked, and Congress was held back for the third year in a row.

The biggest failure of this first session was its inability to initiate desperately needed policies and programs. While the Carter Administration struggled to learn the ins and outs of Capitol Hill and appropriate White House/Hill decorum, Congress played a game of "Mother, May I?" The past eight years of battle between White House and Congress often produced creative and constructive new policies in-  
~~stead of the simple, direct and approved~~  
a presidential veto. This process collapsed as an overwhelmingly Democratic Congress faced a fellow Democrat in the White House.

Now Congress appears able to act only with clear direction from the Administration. With policies dribbling out of the White House, the Hill sat on full employment legislation, welfare reform, reform of health delivery services and policies to aid urban areas. Tax reform, too, waited for next year's promised presidential package.

There are legislative accomplishments this session (see box), but they do not begin to fulfill the promise a Democratic White House and Congress seemed to offer.

### CONGRESSIONAL ACCOMPLISHMENTS

The session was not without accomplishments. Congress can take responsibility for these measures:

- a comprehensive farm bill which, in extending the food stamp act, eliminated the purchase price requirement for eligibility for food stamps;
- a youth employment act which, over 18 months, will funnel \$1.5 billion into youth employment and training programs for the creation of an additional 243,000 jobs for youth;
- a strong strip mining bill;
- extension of the Clean Air and Clean Water Acts, although each included further delays in pollution control deadlines; and
- a Social Security bill which will increase Social Security revenues by \$227 billion over the next decade, but also will increase the tax burden on both employers and employees.

## Domestic Policy

### THE BUDGET

The first signal that Congress was going to drag its feet in reordering national priorities came as debate began on President Carter's economic stimulus proposal and the FY78 budget. The President's \$30 billion stimulus package included both jobs and tax reductions for individuals and businesses. Although it created over 500,000 new jobs, the major thrust was tax cuts. Congress approved the President's job creation recommendations. The tax program, however, ran into trouble.

In March, citing improvements in the economy, the President recommended that both the individual and business tax components of the package be dropped. Both Houses dropped the \$50 rebate but, despite the valiant efforts of Representative Elizabeth Holtzman (D-N.Y.) and Senator Edward Kennedy (D-Mass.), neither body agreed to eliminate the business tax benefits.

During debate on the FY78 budget, it appeared briefly that Congress might display some leadership. The House Budget Committee, under the admirable direction of Chairman Robert Giaino (D-Conn.), reported out an FY78

## ADA's 1977 VOTING RECORD

bill from the President's request for defense, and raised spending ceilings for some major domestic programs.

During House debate, however, Democrats and Republicans began whittling away at the defense cuts, eventually returning to the original Carter figure. An effort by Representative Parren Mitchell (D-Md.) to transfer funds from defense into domestic programs went down to defeat.

On final passage, liberals joined with conservatives to defeat the resolution; liberals concerned with high defense spending and conservatives angry with the high deficit.

Again, Chairman Giaino proved an admirable negotiator; the military spending ceiling again was cut back. With the defense figure over \$2 billion below the Carter request, liberal support was won and the resolution passed on the House floor.

For the most part, efforts of the House to begin reordering national priorities were lost in conference. The Senate, led by Budget Committee Chair Edmund Muskie (D-Me.) had approved domestic and defense targets slightly higher than the President's recommendations. The final FY78 budget resolution was a bit more expansionary in terms of domestic programs and minimally lower in defense spending than the original Carter budget.

Both debate and the final FY78 budget resolution underscore Congress' inability to develop anything more than a slight variation on a presidential theme.

### THE POWER OF SOME PEOPLE

Following close on the heels of failure to initiate bold and badly needed policies, this Congress has seen the culmination of another trend that has been developing for several

years -- the power of specific interest groups and of sectional interests.

Perhaps the biggest test of the effectiveness of this new Administration and of this Congress will be the final shape of President Carter's energy legislation. From the battle in the Senate, and now the battle in conference, one thing becomes clear. In many areas, including energy, the legislative process seems to be a tool of particular interest groups or sectional interests which seek to enact legislation protective and responsive to their particular needs and beliefs.

Fewer Members are voting in a manner consistent with national needs and their own moral values. Members increasingly seem to feel that their votes are held hostage by either well-financed or well-organized groups perceived, by Members, as potentially instrumental in either their re-election or their defeat.

The energy proposal is one example of this new voting pattern. The energy bill, now in conference, is stalled on two major issues -- deregulation, and how to use increased oil taxes. Both issues -- if settled in a way consistent with the views of Senate Finance Chair Russell Long (D-La.) and other Members in the pocket of the oil industry, and contrary to the recommendations of the President -- would result in exorbitant profits to oil and gas companies and phenomenally high energy bills for consumers.

### CIVIL RIGHTS AND CIVIL LIBERTIES

The continued influence of specialized interests in development of far-reaching legislation also can be seen in a series of attacks on civil rights and civil liberties. Although opposition to civil rights and civil liberties is not new, what was new this year was the ferocity with which a whole range of rights was attacked.

With the Labor/HEW appropriations bill taking the brunt, Congress attempted to limit the right of poor women to abortion services, students' access to busing, affirmative action for minorities and women, the rights of Vietnam veterans to gain amnesty or to have access to veteran's benefits, and the right of gays as well as those involved in busing litigation to legal aid assistance.

The battle over Medicaid abortions tied the Labor/HEW appropriations bill up in conference for five months and was resolved only during the closing weeks of the session.

The hours of debate on abortion, busing, amnesty and gay rights showed that many senior Senators, once instrumental in passing civil rights legislation, now seek to restrict those rights. In the House, many new Members who ran -- and won -- on moderate-to-liberal platforms joined many old-time moderates and liberals in seeking to restrict some civil and social rights. Although not all of these measures passed, the increase in both the number and success of these appropriations riders is too great an indication of congressional irresponsibility to overlook.

## Foreign Policy

First promise, and then uncertainty and drift are words that come to mind in looking back at the first year of the Carter Administration's record in foreign policy. At the close of the year, major stories focus on the death throes of the S-1, and mounting uncertainty on Senate ratification of the Panama Canal treaties (which in turn cast a long shadow on the success of SALT II).

For its part, Congress has tried to hobble most of President Carter's progressive initiatives, instead of pressing him to extend them. The one partial exception is in the area of human rights and foreign aid. Here,

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14. **TRANSFER AMENDMENT** Mitchell (D-Md) substitute amendment to the Budget Committee amendment to transfer \$6.5 billion in budget authority and \$3.6 billion in outlays from the national defense function to functions containing domestic programs. Rejected 102-306, April 27. A vote for is a +, a vote against is a -.

15. **RHODESIAN CHROME** Final passage of the bill to halt the importation of Rhodesian chrome in order to bring the United States into compliance with United Nations economic sanctions imposed on Rhodesia in 1966. Passed 250-146, March 14. A vote for is a +, a vote against is a -.

16. **MILITARY ASSISTANCE** Harkin (D-Iowa) amendment to reduce by \$102.7 million the fiscal 1978 military foreign sales authorization of \$2,098,500,000. Rejected 139-260, May 24. A vote for is a +, a vote against is a -.

17. **NICARAGUA** Wilson (D-Texas) amendment to re-instate funds deleted by the Appropriations Committee for military assistance, military training and education, or for military credit sales to Nicaragua. Adopted 225-180, June 23. A vote against is a +, a vote for is a -.

18. **B-1 BOMBER** Addabbo (D-N.Y.) amendment to delete \$1.5 billion from the bill for production of five B-1 bombers. Rejected 178-243, June 28. A vote for is a +, a vote against is a -.

19. **CLINCH RIVER** Brown (D-Ca) substitute amendment to the Dodd (D-Conn) amendment to authorize \$33 million instead of the \$150 million in the bill for construction of the Clinch River Breeder Reactor Project. (The amendment would have stopped construction of the Project.) Amendment rejected 162-246, September 20. A vote for is a +, a vote against is a -.

20. **NEUTRON BOMB** Weiss (D-N.Y.) amendment to prohibit the use of appropriated funds for development or production of enhanced radiation weapons - "neutron bombs." Rejected 109-297, September 29. A vote for is a +, a vote against is a -.

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Congress did force the Administration to accept stronger human rights regulations governing U.S. participation in the international banks, and went slightly beyond the Administration in cutting military aid. But the House also badly muddled the issue of human rights by attempting to prevent the United Nations and the international banks from giving even humanitarian aid to Vietnam, Laos, Mozambique, Cuba or Angola.

Other congressional actions also have limited tentative moves in a positive direction: on support of majority rule in southern Africa, on normalization of relations with Vietnam and Cuba, on withdrawal of ground forces from Korea, and on ratification of the Panama Canal treaties.

**B-1, Panama and SALT II**

It now appears that the B-1 bomber program will be halted sometime in January, despite a recent set-back for its opponents in the House. This will be a notable achievement: a major weapons system will have been halted before going into full-scale production and before acceptance of a SALT treaty. It demonstrates the potential power for progressive change in foreign policy when leadership from the White House is joined by skilled and committed Members of Congress and an active citizens movement.

The fact is, however, that a citizens movement opposing the B-1 already was in place when Carter made his decision. In the case of Panama and SALT, similarly strong citizens movements to support these treaties are lacking. A wide spectrum of the population supports these treaties, apparently, but much stronger presidential leadership is required to persuade this support to declare itself. Because the canal treaties are so favorable to U.S. interests and make only partial concessions to Panamanian sovereignty, they probably will be accepted, despite

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the right wing propaganda blitz and the overwhelming opposition in mail to the Senate.

Much more serious is Administration failure to either effectively rebut the critics of arms control, or to give positive leadership to its allies in Congress and the nation. President Carter's first act was to recommend an overall ceiling on defense spending which was only \$2.8 billion lower than the Ford Administration's request, continuing a two year trend of increased military spending.

This act gave strong credibility to the assertion of the previous Administration that the United States faces a serious and increasing threat from the Soviet Union. And, of course, it did not satisfy either those critics seeking major reductions in defense spending or those critics who want a strong U.S. defense posture.

The case to be made for SALT and for reduced defense spending is strong. What is lacking is equally strong leadership from the White House and from Congress. The President has allies in the nation, those who opposed the war in Vietnam and have supported his effort to halt the B-1. The lingering and nagging question is this: will he turn to them?

**HUMAN RIGHTS**

President Carter quickly gained public acclaim and greater support for all of his foreign policy by embracing a very visible and highly public human rights policy. Very quickly, however, problems arose.

**Military Aid**

Shortly after taking office, Assistant Secretary of State for Human Rights Patt Derian made it quite clear that this Administration's human rights efforts were premised, except in rare cases, on continuing aid to dictatorships: "When we have to resort to these actions (aid cuts), it is because we have failed in other efforts to enhance

respect for human rights."

Following the deliberations and passage of the Security Assistance Authorization bill and the Foreign Assistance Appropriation bills, some little progress could be noted. Funds for military aid which had been rejected by five countries (Argentina, El Salvador, Brazil, Guatemala and Ethiopia) were deleted from these bills despite an Administration request for "flexibility." In addition, military training to Argentina was suspended, and Argentina will not be permitted to buy weapons from the United States. Also, a small but symbolically important cut was made in military aid to the present martial government in the Philippines.

**Economic Aid**

The Administration also opposed extending Harkin-type language to international financial institutions. (The term "Harkin amendment" is Capitol Hill shorthand for any amendment to an economic aid bill which would prohibit bilateral economic aid or would require U.S. directors of international banks to oppose economic loans to governments guilty of a consistent pattern of gross violations of human rights, unless the aid or loan benefitted needy people.)

This amendment see-sawed back and forth as it was passed by voice vote in the House, defeated on a roll call vote in the Senate (43-50), gutted in conference committee, and finally restored with only minor modifications when the House rejected the conference report. The alignment on Harkin-type amendments is peculiar, with younger liberals joining conservatives in support, and with opposition coming from moderates and senior liberals, notably Representative Don Fraser (D-Minn.) and Senator Edward Kennedy (D-Mass.)

The human rights issue evolved in ways not anticipated by either liberals or the Administration. The liberal premise on applying economic aid sanctions has always included an exception for "aid which directly benefits needy people." In addition, a



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general consensus opposed specific country restrictions on general funds to international institutions (World Bank, UN, etc.).

On June 22, Representative Bill Young (R-Fla.) offered an amendment to prohibit what he called "indirect aid" to Vietnam, Cambodia, Laos and Uganda. It passed overwhelmingly, 295-115. Similar amendments directed at Mozambique, Angola and Cuba subsequently were also adopted by voice vote.

These votes not only created confusion on how economic aid sanctions should be applied, but also did serious damage to the Administration's tentative moves in normalizing relations with Vietnam, Laos and Cuba, and made Administration support of majority rule in southern Africa less credible. The Administration -- joined by a coalition of public interest organizations -- was able to successfully urge the removal of these restrictions in the Senate.

The Administration, however, was not willing to make defeat of the principles underlying the Young amendment in the House a major priority. To obtain final approval for the foreign aid appropriations bill without the restrictive amendments, President Carter wrote a letter on October 6 promising that U.S. representatives would oppose all loans to the seven countries even if such loans would meet human needs.



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