

Originally Processed With FOIA(s):

S

FOIA Number:

S

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the George Bush Presidential Library Staff.

Record Group/Collection: George H.W. Bush Presidential Records
Collection/Office of Origin: Speechwriting, White House Office of
Series: Speech File Backup Files
Subseries: Alpha File, 1987-1991

OA/ID Number: 13843
Folder ID Number: 13843-008

Folder Title:
Congress, 1992

Stack:	Row:	Section:	Shelf:	Position:
G	26	23	2	7

Should We Be Paying for This? Pork Barrel Items in the Fiscal 1993 House Appropriations Budget

Department of the Interior & Related Agencies

- \$500,000 for the Chicago, Illinois, wetlands office.
- \$300,000 for a study on striped bass.
- \$1,201,000 for African elephant conservation.
- \$7,400,000 for capital improvement projects in the Republic of Palau.
- \$300,000 for fencing at the Hekalau National Wildlife Refuge in Hawaii.
- \$925,000 for the relocation of a road at Jackson National Fish Hatchery in Wyoming.
- \$1,000,000 for the Chicago urban forestry program.
- \$370,000 for the national kick-off of the Smokey Bear 50th Anniversary celebration in New Mexico.

Energy and Water Development

- \$1,000,000 to continue work on the Beaver Lake Water Quality Project in Arkansas.
- \$1,500,000 for repair of the breakwater at Monterey Harbor, California.
- \$713,000 to replace the Carlyle Lake, Illinois, Visitor Center.
- \$400,000 in additional funds to continue dredged material management in Toledo Harbor, Ohio.
- \$1,500,000 for the repair of the north jetty at the Yaquina Bay and Harbor in Oregon.
- \$700,000 to pave a new road and parking lot, and to install a boat dock, a composting toilet, and a concrete boat launching ramp at the Tennessee-Tombigbee Waterway in Alabama and Mississippi.

August 28, 1992

The Thomas A. Roe Institute for Economic Policy Studies

No. 913
The Heritage Foundation · 214 Massachusetts Avenue, N.E. · Washington, D.C. 20002-4999 · (202)546-4400 · Telex: 440235

The **Backgrounder**
Heritage Foundation

Defeat of Budget Amendment Fans Anti-Deficit Flames

*Proponents already looking to vote on super collider
as test of congressional ability to restrain spending*

The dramatic defeat June 11 of a proposed constitutional amendment requiring a balanced federal budget has set Congress up for a summerlong series of tests of fiscal self-discipline.

Arguing that there is no substitute for political will, Democratic leaders reversed what just weeks before had seemed an unstoppable tide in favor of a balanced-budget amendment.

Budget-cutters in both parties are now hoping that they can turn their defeat into an opportunity for a new assault on the deficit.

The first test will come the week of June 15 when the House votes on the fate of the hyperexpensive superconducting super collider as part of the energy and water appropriations bill (HR 5373). (*Story, p. 1692*)


Almost certain to be at risk is a \$2 billion supplemental spending bill (HR 5132) that started out as an emergency measure to help Los Angeles recover from riots and Chicago from floods. Lawmakers have since attached about \$1.5 billion worth of extra spending that may be put on the cutting block as proof of their will to tackle the deficit. (*Story, p. 1691*)

"There will be a groundswell, and I think it will accomplish what many of us wanted," said David Dreier, R-Calif., an amendment supporter.

"This has been a wake-up call," said Jim Slattery, D-Kan., a strong advocate for spending restraint who opposed the amendment. "There will be a lot of key votes in the next 10 days" as appropriations bills begin to come to the floor.

Barely a week before the vote, passage of the balanced-budget amendment seemed certain. But a combination of hard lobbying by the Democratic leadership and outside interest groups, and a creeping uneasiness about tinkering with the Constitution,

By John R. Cranford



BOXSCORE

Bill: H J Res 290, S J Res 18 — balanced-budget constitutional amendment.

Latest action: House defeated, 280-153, June 11.

Next action: None expected.

Reference: Weekly Report, pp. 1592, 1520, 1325, 1233; 1990 Almanac, p. 174.

gave opponents a relatively comfortable nine-vote victory cushion. The amendment (H J Res 290) was defeated 280-153; it needed 289 votes, two-thirds of those present, to pass. (*Vote 187, p. 1744*)

In a bitter twist for chief sponsor Charles W. Stenholm, D-Texas, 12 cosponsors of his original amendment were persuaded to vote against the final version, three more than his losing margin. (*Defectors, p. 1684*)

In the Senate, where sufficient support for an amendment (S J Res 18) was even less certain, Majority Leader George J. Mitchell, D-Maine, said immediately after the House vote that he would not call the measure up. That effectively killed any chance for the amendment this year.

Though Democratic opponents re-

peatedly stressed during the House debate that it is the president's obligation to provide deficit-cutting leadership, it was widely agreed that the amendment's defeat put Congress in the position of having to prove that it could act without a constitutional mandate.

"We are in danger of doing again what the people are blaming us for, all talk and no action," Stenholm said, in concluding debate on the amendment June 11.

"If you think American people are mad now, just defeat this one ray of hope we have now for reducing the federal deficit, and you will really see a revolt," added Rod Chandler, R-Wash.

In a rare floor speech, House Speaker Thomas S. Foley, D-Wash., urged support for a deficit-cutting bill being crafted by House Budget Committee Chairman Leon E. Panetta, D-Calif.

"If half of the courage expressed in the rhetoric presented here today in support of this amendment will stand behind a proposal, which the Committee on the Budget will shortly produce on the floor, we can establish the process to reduce the deficit," he said.

Panetta's proposal would set new deficit-reduction targets for the rest of the decade, coupled to a new mechanism for automatic spending cuts and tax increases to force compliance if Congress and the president fail to bring down the deficit voluntarily.

Panetta has vowed to bring his bill to the floor in the coming weeks. Although he was a principal obstacle to passage of the constitutional amendment, using what some supporters called scare tactics to defeat it, Stenholm and another key amendment backer, Bill Gradison, R-Ohio, have said they will cooperate with the Budget chairman. (*Panetta's role, p. 1688*)

Both Stenholm and Gradison are on the Budget Committee, and both

Amendment's Fragile Bloc of Backers . . .

With a Mickey Mouse watch on his right wrist and a Rolex on his left, Robin Tallon is a walking contradiction. When he went to the House floor June 11 for the vote on the balanced-budget amendment, he was carrying two speeches in his coat pocket — one in favor and one against.

The South Carolina Democrat was waiting until the last possible moment to decide how he would vote on what was perhaps the most hotly lobbied vote of the year.

There was one problem: He had already pledged his support to Charles W. Stenholm, D-Texas, sponsor of the balanced-budget amendment. As recently as that morning, he had emerged from a White House lobbying session with President Bush saying he was probably going to vote for it.

But as the day wore on, he began to falter under a barrage of lobbying by Democratic leaders and others opposed to the amendment. Finally, his decision made, Tallon chose the appropriate speech and stood in the well of the House: "It would be much easier to be consistent, to not admit I had changed my mind," Tallon said. "All I need to do is get on board this resolution and go home as the champion of fiscal responsibility. But I will not vote for the Stenholm amendment."

With that, Tallon sounded the death knell of the balanced-budget amendment. In a climactic reversal of fortune, 12 Democrats who had attached their names to Stenholm's list of 278 cosponsors changed positions and voted no.

"I never ever agonized on a vote as much as this one," Tallon said in an interview.

The final vote was 280-153. Had nine of the original supporters voted in favor, Stenholm would have had the two-thirds majority necessary to approve a constitutional amendment.

Opposition Accelerated as Vote Neared

The outcome was a testament to the power of Speaker Thomas S. Foley, D-Wash., whom many members were unwilling to cross in such a key test of strength between the Democratic-controlled Congress and the White House. But the result also reflected unease with the remedy, unease that grew as the vote neared. Quite suddenly, members supporting the amendment were confronted with the intense opposition of senior citizens groups and organized labor, who argued that cuts necessary to balance the budget would gut Social Security, Medicare and other cherished programs.

The political pressure to vote "no" heightened on the day of the vote, when undeclared presidential candidate Ross Perot announced on NBC's "Today" show that morning that he was opposed to the constitutional amendment.

12 Democrats Get 'Cold Feet'

As the day wore on, votes began melting away.

Along with Tallon, Stenholm's defectors were Democrats Frank Annunzio, Ill., Albert G. Bustamante, Texas, Joan Kelly Horn, Mo., Tom Lantos, Calif., Gerald D. Kleczka, Wis., Matthew G. Martinez, Calif., Austin J. Murphy, Pa., Richard E. Neal, Mass., Jim Olin, Va., Patricia Schroeder, Colo., and James A. Traficant Jr., Ohio.

Loss of the 12 Democrats was not taken kindly by Stenholm and his supporters. "Obviously I'm very disappointed that many of our cosponsors switched," said Stenholm, adding that "Everybody will know who switched and why. And that's the key."

In a post-vote news conference, Texas Republican Joe L. Barton ran down the full list in an effort to apply political heat to the defectors.

Said Timothy J. Penny, D-Minn., a Stenholm supporter: "Some folks cosponsored the resolution, but did

favor moving ahead with deficit cuts for the coming fiscal year. But they may have significantly different views about how what has come to be called a budget enforcement bill should look.

"I'm going to need to wait now for my chairman on this because I certainly don't want to get out front of him again," Stenholm said with a half-smile. "The key is bipartisanship. . . . I'll be there with Mr. Panetta and Mr. Gradison."

Even if they can get together, however, there will be roadblocks to action elsewhere. President Bush still wants a deficit-reduction measure acted on after — not before — Congress sends a balanced-budget amendment to the states for ratification. In addition, members facing re-election will be chary of any bill that even hints of higher taxes.

"If we don't see [an enforcement

bill], it's because there aren't 50 votes for it," Slattery said.

A Week of Changes . . .

Floor action began June 9, when the House took up a proposed balanced-budget law that was similar to a bill that passed the House in 1990 as an alternative to a constitutional amendment. The bill (HR 5333) would have required the president to submit a balanced budget, and the House and Senate Budget committees to send balanced budgets to the floor of both chambers, beginning for fiscal 1998.

This year's bill died on a 199-220 vote, not winning even a simple majority, much less the two-thirds needed because it was brought up under a special procedure that prevented amendments. (*Vote 174, p. 1740*)

Stenholm cheered the defeat as

proof that "there were no cheap votes."

Sponsor Barbara B. Kennelly, D-Conn., rejected assertions that the bill was introduced to provide political cover for those opposing the constitutional amendment. Of the 189 Democrats who voted for the bill, however, 121 later voted against the amendment.

The following day, Stenholm unveiled a revised version of his balanced-budget amendment, which he had refined in negotiations among House and Senate supporters.

Stenholm's substitute — the version eventually rejected by the House — was intended to provide a compromise that might win support in the Senate without change and thereby avoid a joint House-Senate conference committee that could have been de-

... Undone by Last-Minute Defections

so with a feeling that it was never going to come to a vote. When it did come to a vote, they got cold feet," he said.

For some, the decision to change was a matter of simple politics. Annunzio, a veteran Chicago pol who is retiring from Congress this year, said he changed his mind a week or so before the vote because "you got all the labor groups and senior citizens" opposing the amendment. Annunzio did not bother to take his name off the list of cosponsors, however.

Other lawmakers had reason to worry about their future advancement in the House if they ignored the wishes of Speaker Foley and Majority Leader Richard A. Gephardt, D-Mo., who fought hard against the Stenholm amendment. With the unusually high number of members retiring or being defeated at the polls, dozens of choice committee slots will open up next year. Those who expect to be around know the unspoken rule of the House: If you want the leadership to anoint your bid for a top committee slot, you are expected to side with them on votes like this one.

Among the switchers said to be seeking new committee slots are Kleczka and Traficant, who want to join the Ways and Means Committee. Both denied in interviews or through staff that committee considerations played a role in their votes. Another Democrat who is considering leaving the Banking Committee, Peter Hoagland, D-Neb., voted for the Stenholm amendment.

Bustamante said he decided to switch his position at a meeting of the Texas delegation the day before the vote. It galled him, he said, to hear fellow Texans clamoring to support the measure at the same meeting they were discussing ways to get full federal funding this year



Robin Tallon

for several multibillion-dollar projects that would directly benefit their state. Among them are the superconducting super collider and the space station *Freedom*.

"They're like drug addicts," Bustamante said in an interview. "It's so hypocritical. I tell my friends you want a balanced budget, and you want all these things for your state."

Eleventh-Hour Bush Effort Fails

Bush, in last-minute lobbying before leaving for South America, invited more than a dozen wavering members to the White House for a morning meeting. He continued the lobbying even after take-off. "The president called me this morning from Air Force One, and asked me to vote for a balanced-budget amendment," said Neal. "I said I was going to."

One undecided Democrat said that Foley, Bush and Gephardt all had called him in a span of 4½ hours. It was the third time in four days Foley had urged him to vote against the amendment. Other lawmakers said they had received repeated calls from Cabinet members and other top administration officials urging them to back the president.

But perhaps no one struggled more with the decision than Tallon. At the morning meeting with the White House, Tallon said, he asked Bush for specifics about the programs he would cut if the constitutional amendment became law. Bush handed him a book of options for cutting the deficit. He even autographed it: "Robin," Bush wrote. "Do the right thing. Thanks, George Bush."

"So I did the right thing," said Tallon. "I voted against it."

—David S. Cloud

railed by Democratic opponents in the leadership.

Paul Simon, D-Ill., the prime amendment sponsor in the Senate, embraced the negotiated compromise. But several House supporters abandoned Stenholm over the change.

Patricia Schroeder, D-Colo., who signed on as a cosponsor in February, said she was disturbed by language adopted from Simon's Senate version that would have permitted a waiver of the balanced-budget requirement in times of declared military emergencies. "You don't think there will be an imminent threat to national security every year — from Uruguayan terrorists?" she said, half-facetiously.

... And Heavy Lobbying

As the week progressed, Stenholm backed away from his statement of

two weeks before that he had as many as 305 votes.

By June 10, the first day of floor debate on the amendment, both supporters and opponents said it was too close to call. And for the first time Stenholm hinted that he might not even have a "solid 290" as he had continued to assert.

On the morning of June 11, as the House began to debate four alternative balanced-budget amendments, opponents seemed to have turned the tide.

"Earlier today, I thought it was still doable," said Timothy J. Penny, D-Minn., a key pro-amendment strategist. "We were four short, and there were 12 names to get them from." Though supporters picked up two undecided members, they lost others during the day, he said.

Dave Nagle, D-Iowa, said the

morning of June 11 that the Democratic whip count showed 151 firm no votes. When the final tally was 153 "nays", Nagle said he had forgotten to include Independent Bernard Sanders of Vermont, and had only counted on one Republican, when two — Benjamin A. Gilman and Bill Green, both of New York — voted against the measure.

Nagle said that 10 days earlier there had been only 85 solid no votes. "It's been pretty intense," he said.

Still, a large number of members were undecided throughout the two days of floor action. Some said they made up their minds at the last minute.

Republican Constance A. Morella, who represents the Maryland suburbs of Washington said she ultimately and reluctantly decided to vote for the amendment, despite a strong showing of constituent opposition. Peter

Hoagland, D-Neb., was on the fence until late June 10, and said one contributing factor to his yes vote was the number of senior citizens who, contrary to expectations, called his district office endorsing the amendment.

National senior citizen lobbies — led by the American Association of Retired Persons, the Older Women's League and the National Committee to Preserve Social Security and Medicare — worked actively against the amendment in the final week. The latter group and others issued statements charging that adoption would guarantee big cuts in Social Security, a charge that amendment sponsors strongly denied.

Stenholm complained that "a lot of folks haven't been honest in fighting this... Every member of the House knows we will not gut Social Security." But he acknowledged that Medicare and Medicaid, the federal health-care programs for the elderly and the poor, were facing cuts: "We have to make substantive changes in Medicare and Medicaid to keep them from bankrupting this country," he said.

When Slattery made a reference to Social Security during floor debate, Stenholm was ready with a big red fish, which he placed on a table in the middle of the House chamber. Stenholm later told Slattery that he was tempted to give him "the red herring award."

Lobbyists from labor unions, advocacy groups representing senior citizens and low-income people, religious organizations and the citizens lobby Common Cause crowded the hallway outside the chamber. As the amendment was defeated, a cheer arose first in the chamber and then among the lobbyists.

But it seemed clear that the efforts of Foley, Panetta and most of the rest of the Democratic leadership were more important to the outcome than those of outside lobbyists.

It might have helped, however, that traditional anti-deficit lobbyists such as the Chamber of Commerce of the United States, opposed the amendment (chiefly because they feared it would be used to justify a tax increase). And several members mentioned the opposition of presumed presidential candidate Ross Perot as a factor.

Perot announced his opposition on the NBC "Today" show the morning of the vote. He "became an extra argumentative shield for those who opposed a balanced-budget amend-



Thomas S. Foley

Charles W. Stenholm

ment," said amendment supporter Jim Leach, R-Iowa.

But Charlie Rose, D-N.C., who was undecided until the end, when he voted no, said Perot made a good point. "Ross Perot says we don't need it — we need leadership. That's advice worth listening to."

Some Surprises

The seriousness of the 16 hours of floor debate reflected the widespread sense among members that they were casting a momentous vote.

W. J. "Billy" Tauzin, D-La., invoked his father in support of the amendment: "He never had a credit card. He never signed a mortgage. He never signed a time agreement... He understood something most ordinary Americans understand... The easiest dollar to spend is the one you don't have... Most ordinary Americans would like to put a limit on our credit card."

Richard J. Durbin, D-Ill., offered a catastrophic view in opposition: "This amendment is the direct result of the mismanagement and misguided policies of Presidents Ronald Reagan and George Bush... This amendment is Ronald Reagan's revenge... He left a deficit behind him that is nothing short of a time bomb... It's an act of political desperation that will haunt us for generations."

In the final vote, although most senior Democrats stuck with the leadership, a few surprises stood out: Jamie L. Whitten, D-Miss., and William H. Natcher, D-Ky., the chairman and acting chairman of the Appropriations Committee, voted for the amendment. So did one other Appropriations subcommittee chairman, Tom Bevill, D-Ala. One key member of the House leadership, Steny H. Hoyer, D-Md., who has a new, more conservative district, also voted yes.

Major Amendments

Floor action on the balanced-budget amendment focused on four alter-

natives; the last to be adopted by a majority vote was then submitted to the full House for a final vote, requiring a two-thirds majority. The four alternatives were:

- By Jon Kyl, R-Ariz. His amendment, like the others, would have generally required that all government outlays not exceed total receipts.

But it had two other significant provisions. Total outlays would also have been restricted to 19 percent of the country's total output of goods and services for the year, measured by the gross national product (GNP), and it would have given the president authority to veto all or part of individual provisions of bills that appropriated money or otherwise obligated the Treasury.

Bills resulting in deficits or in outlays in excess of the GNP ceiling would have required support of three-fifths of the total membership of the House and Senate.

Panetta dismissed the outlay ceiling as a "mindless formula." Kyl shot back that "a lot of thought has gone into it. It is not mindless."

The amendment was rejected 170-258, on a nearly party-line vote. (*Vote 183, p. 1744*)

- By Joe L. Barton, R-Texas. This amendment largely tracked Stenholm's, with one significant wrinkle. It would not have allowed government revenues to increase at a rate greater than that of total growth in national income, unless a bill to that effect supported by three-fifths of both chambers was enacted into law.

Barton's amendment won strong Republican support and drew more Democrats than Kyl's, but it was rejected 200-227. One lone Democrat — Slattery — voted for Barton's amendment and voted no on final passage. (*Vote 184, p. 1744*)

- By Richard A. Gephardt, D-Mo. Majority Leader Gephardt adapted his amendment from one proposed several weeks before by two key Appropriations Committee subcommittee chairmen, David R. Obey, D-Wis., and John P. Murtha, D-Pa.

It would have required only a majority of both the House and Senate to permit a deficit. But it would have capped outlays at the level proposed by the president. And it would have excluded Social Security from deficit calculations, which Gephardt contended would have protected that program from cuts.

Some Democratic opponents of

A Winner At Last

Leon Panetta has a history of taking on unpopular causes — and losing.

In his former life as a Republican, he ran the Office for Civil Rights in the Nixon administration. In 1970, at age 31, he was forced out by the White House for being too aggressive.

As a Democrat, he was elected to the House in 1976, served for six years on the Budget Committee and became its chairman in 1989. Since then, he has had to defend the oft-denounced 1990 budget agreement that he helped engineer. He tried — and failed — to dismantle a portion of that agreement earlier this year to shift money from defense to domestic spending. In the past month, he was for a long time a lone soldier trying to halt the juggernaut of the balanced-budget amendment. He tends to laugh a lot at adversity, and lately he's seemed to be having a rollicking good time.

He was asked at one point about Sen. Robert C. Byrd, D-W.Va., who recently began working hard to derail the balanced-budget amendment in the Senate, apparently with success. "He came to life, didn't he," Panetta said, and then guffawed, letting his laughter express his relief.

The Real Test

This time, Panetta won. But it remains to be seen if he can convince his colleagues that they should get serious about cutting the deficit in this election year. Panetta would view that as real success.

Like Bill Gradison of Ohio, ranking Republican on the Budget Committee, Panetta tends toward seriousness; he is rarely without a sheaf of papers under his arm, and he is constantly in motion.

He eschews partisanship when he can, despite the highly partisan job he holds: Presenting the Demo-



R. MICHAEL JENKINS

Panetta is not one to shy from a fight.

crats' budget is anything but a joint effort with the Republicans on the committee. But he does not shy from a fight — whether to defend his party's taxing and spending priorities or to battle against the balanced-budget amendment.

His hardball tactics in the budget amendment fight drew criticism from some Republicans.

The White House accused him of "crying wolf" when he put out what most consider a worst-case scenario for spending cuts and tax increases to yield the \$600 billion in deficit reduction over five years that the Congressional Budget Office says would be needed to balance the budget. (*Weekly Report*, p. 1520)

But he has his bona fides on the subject, and several members paid him respect during the amendment fight.

Panetta almost never left the floor during the two long days. At the end, his principal adversary, Charles W. Stenholm, D-Texas, commended him for his handling of the debate.

He also chided him for his effort earlier in the year to spend money that was to be cut from defense, instead of applying it to the deficit. "Mr. Chairman, you were not with us that day. . . . But you have been with us most of the other times."

Panetta returned the compliment, paying tribute to Stenholm and others for raising the visibility of the deficit issue — and seizing the opportunity to hold members accountable for the next test.

"What we've done here is we've focused attention," Panetta said after the amendment was defeated. "Now we've got to roll up our sleeves and get to work on what I think is the effort that really counts . . . so that we truly exercise the discipline that we have to do if we're serious about getting the deficit in control."

—John R. Cranford

Stenholm were clearly enamored of this version, if only to show their support either for a balanced budget or for Social Security.

"It's the best of a bad lot," said Douglas Applegate, D-Ohio.

But some raised serious questions about ceding power to the president by letting him set a ceiling on outlays. "Not even two-thirds of the House and two-thirds of the Senate are empowered to [spend more than the president proposes]," said Tom Campbell, R-Calif. "For the first time, this would be an absolute veto. . . .

This is very, very dangerous."

The amendment appeared to have the desired effect of muting Democratic support for Stenholm. "The decision to put Gephardt in brought about 35 votes," Nagle said. In all, 47 Democrats voted for Gephardt and against Stenholm; six of them had been Stenholm cosponsors.

The amendment was rejected 103-327, with a significant majority of Democrats and virtually all Republicans opposed. (*Vote 185*, p. 1744)

• By Stenholm. His alternate preserved the basic terms of H J Res 290 as originally introduced — including

three-fifths majorities to permit deficit spending or an increase in the federal debt. But it incorporated the military emergency waiver, a requirement that Congress enforce the amendment by statute and a later effective date of fiscal 1988. The substitute was first adopted by a vote of 279-153. (*Vote 186*, p. 1744)

It then failed on final passage — when a two-thirds majority was required — by 280-153. The difference was that Walter B. Jones, D-N.C., voted no on the substitute and yes on passage, and Foley, who has voted only 14 times this year, voted no on passage. ■

HOUSE VOTES 182, 183, 184, 185, 186, 187

182. Procedural Motion. Approval of the House Journal of Wednesday, June 10. Approved 284-112: R 48-107; D 236-5 (ND 164-5, SD 72-0); I 0-0, June 11, 1992.

183. H J Res 290. Balanced-Budget Constitutional Amendment/Spending Limit and Line-Item Veto. Kyl, R-Ariz., substitute to propose a constitutional amendment that would prohibit total outlays from exceeding total revenues for each fiscal year and prohibit total outlays from exceeding 19 percent of the gross national product for each fiscal year, unless a three-fifths majority in each chamber votes to permit a deficit. It would grant the president line-item veto authority for all spending measures. The spending constraints would take effect the third fiscal year after ratification but not before fiscal 1996. The line-item veto would take effect upon ratification. Rejected 170-258: R 152-13; D 18-244 (ND 6-173, SD 12-71); I 0-1, June 11, 1992. (Story, p. 1683)

184. H J Res 290. Balanced-Budget Constitutional Amendment/Tax Increase Limit. Barton, R-Texas, substitute to propose a constitutional amendment that would require the president to submit and Congress to approve a budget in which outlays do not exceed revenues unless a three-fifths majority in each chamber approves a specified deficit; to require that estimated revenues do not grow faster than the rate of increase in national income in the second prior fiscal year, unless a three-fifths majority in each chamber approves a tax increase; and provide that the amount of federal public debt on the first day of the second fiscal year beginning after ratification shall become a permanent debt limit unless a three-fifths majority of each chamber passes a bill approving an increase. The amendment would take effect in fiscal 1998 or the second year after ratification, whichever is later. Rejected 200-227: R 155-9; D 45-217 (ND 8-172, SD 37-45); I 0-1, June 11, 1992. (Story, p. 1683)

185. H J Res 290. Balanced-Budget Constitutional Amendment/Majority Vote and Social Security Exemption. Gephardt, D-Mo., amendment in the nature of a substitute to propose a constitutional amendment that would require the president to submit and Congress to adopt a balanced budget in the first year after ratification unless there is a declaration of a national urgency by the president that is approved by a majority vote of both chambers of Congress; prohibit Congress from approving higher expenditures than recommended by the president in a fiscal year; and exempt Social Security from deficit calculations. Rejected 103-327: R 2-164; D 101-162 (ND 72-109, SD 29-53); I 0-1, June 11, 1992. (Story, p. 1683)

186. H J Res 290. Balanced-Budget Constitutional Amendment/Substitute. Stenholm, D-Texas, amendment in the nature of a substitute to propose a constitutional amendment that would prohibit deficit spending unless a three-fifths majority of both chambers of Congress approve a specific deficit amount or there is a declaration of war or a declaration of national military emergency enacted into law; require the president to submit a balanced budget each fiscal year; and require a three-fifths majority of both chambers of Congress to increase the public debt. The amendment would take effect in fiscal 1998 or the second year after ratification, whichever is later. Adopted 279-153: R 164-2; D 115-150 (ND 52-129, SD 63-21); I 0-1, June 11, 1992. (Story, p. 1683)

187. H J Res 290. Balanced-Budget Constitutional Amendment/Passage. Passage of the joint resolution to propose a constitutional amendment that would prohibit deficit spending unless a three-fifths majority of both chambers of Congress approve a specific deficit amount or there is a declaration of war or a declaration of national military emergency enacted into law; require the president to submit a balanced budget each fiscal year; and require a three-fifths majority of both chambers of Congress to increase the public debt. The amendment would take effect in fiscal 1998 or the second year after ratification, whichever is later. Rejected 280-153: R 164-2; D 116-150 (ND 52-130, SD 64-20); I 0-1, June 11, 1992. A two-thirds majority of those present and voting of both chambers (289 in this case) is required to propose an amendment to the Constitution. A "yea" was a vote in support of the president's position. (Story, p. 1683)

KEY

- Y Voted for (yea).
- # Paired for.
- + Announced for.
- N Voted against (nay).
- X Paired against.
- Announced against.
- P Voted "present."
- C Voted "present" to avoid possible conflict of interest.
- ? Did not vote or otherwise make a position known.

Democrats Republicans
 Independent

	182	183	184	185	186	187
ALABAMA						
1 Callahan	Y	Y	Y	N	Y	Y
2 Dickinson	N	Y	Y	N	Y	Y
3 Browder	Y	N	Y	Y	Y	Y
4 Bevil	Y	N	Y	Y	Y	Y
5 Cramer	Y	N	Y	N	Y	Y
6 Erdreich	Y	Y	Y	N	Y	Y
7 Harris	Y	N	Y	N	Y	Y
ALASKA						
AL Young	N	Y	Y	N	Y	Y
ARIZONA						
1 Rhodes	Y	Y	Y	N	Y	Y
2 Pastor	Y	N	Y	N	Y	N
3 Stump	N	Y	Y	N	Y	Y
4 Kyl	N	Y	Y	N	Y	Y
5 Kolbe	N	Y	Y	N	Y	Y
ARKANSAS						
1 Alexander	?	N	N	N	N	N
2 Thornton	Y	N	Y	N	Y	N
3 Hammerschmidt	Y	Y	Y	N	Y	Y
4 Anthony	?	?	?	?	Y	Y
CALIFORNIA						
1 Riggs	N	Y	Y	N	Y	Y
2 Heger	N	Y	Y	N	Y	Y
3 Matsui	Y	N	N	N	N	N
4 Fazio	Y	N	N	Y	N	N
5 Pelosi	Y	N	N	N	N	N
6 Boxer	Y	N	Y	N	N	N
7 Miller	Y	N	N	N	N	N
8 Dellums	Y	N	N	N	N	N
9 Stark	Y	N	N	N	N	N
10 Edwards	Y	N	N	N	N	N
11 Lantos	Y	N	Y	N	N	N
12 Campbell	N	Y	Y	N	Y	Y
13 Mineta	Y	N	N	N	N	N
14 Doolittle	N	Y	Y	N	Y	Y
15 Condit	Y	Y	Y	N	Y	Y
16 Panetta	Y	N	N	N	N	N
17 Dooley	Y	N	N	N	Y	Y
18 Lehman	Y	N	N	N	N	N
19 Lagomarsino	N	Y	Y	N	Y	Y
20 Thomas	N	Y	Y	N	Y	Y
21 Gallegly	N	Y	Y	N	Y	Y
22 Moorhead	N	Y	Y	N	Y	Y
23 Beilenson	Y	N	N	N	N	N
24 Waxman	Y	N	N	N	N	N
25 Roybal	Y	N	N	N	N	N
26 Berman	Y	N	N	N	N	N
27 Levine	Y	N	N	N	N	N
28 Dixon	?	N	N	N	N	N
29 Waters	?	N	N	N	N	N
30 Martinez	Y	N	N	N	N	N
31 Dymally	Y	N	N	N	N	N
32 Anderson	Y	N	N	N	Y	Y
33 Dreier	Y	Y	N	Y	Y	Y
34 Torres	Y	N	Y	N	N	N
35 Lewis	N	Y	Y	N	Y	Y
36 Brown	Y	N	Y	N	N	N
37 McCandless	N	Y	Y	N	Y	Y
38 Dornan	?	Y	Y	N	Y	Y
39 Dannemeyer	N	Y	Y	N	Y	Y
40 Cox	?	Y	Y	N	Y	Y
41 Lowery	N	Y	Y	N	Y	Y

182
183
184
185
186
187

42 Rohrabacher	N	Y	N	Y	Y	Y
43 Packard	Y	Y	Y	N	Y	Y
44 Cunningham	Y	Y	Y	N	Y	Y
45 Hunter	?	Y	N	Y	Y	Y

COLORADO						
1 Schroeder	N	N	N	Y	N	N
2 Skaggs	Y	N	N	Y	N	N
3 Campbell	?	?	N	Y	Y	Y
4 Allard	N	Y	Y	N	Y	Y
5 Hefley	N	Y	N	Y	Y	Y
6 Schaefer	N	Y	N	Y	Y	Y

CONNECTICUT						
1 Kennedy	Y	N	N	N	N	N
2 Gejdenson	Y	N	N	N	N	N
3 DeLauro	Y	N	N	Y	N	N
4 Shays	N	Y	N	Y	Y	Y
5 Franks	N	Y	N	Y	Y	Y
6 Johnson	N	Y	Y	N	Y	Y

DELAWARE						
AL Carper	Y	N	Y	N	Y	Y

FLORIDA						
1 Hutto	Y	Y	Y	N	Y	Y
2 Peterson	Y	N	Y	Y	Y	Y
3 Bennett	Y	Y	N	Y	N	Y
4 James	N	Y	N	Y	Y	Y
5 McCollum	Y	Y	N	Y	Y	Y
6 Stearns	N	Y	Y	N	Y	Y
7 Gibbons	Y	N	Y	N	Y	Y
8 Young	N	Y	N	Y	Y	Y
9 Bittick	N	Y	Y	Y	Y	Y
10 Ireland	?	?	?	N	Y	Y
11 Bacchus	Y	Y	Y	Y	Y	Y
12 Lewis	N	Y	Y	N	Y	Y
13 Goss	N	Y	Y	N	Y	Y
14 Johnston	Y	N	N	N	Y	Y
15 Shaw	Y	Y	N	Y	Y	Y
16 Smith	Y	N	N	N	N	N
17 Lehman	?	N	N	N	N	N
18 Ras-Lahtinen	N	Y	Y	N	Y	Y
19 Foscell	Y	N	N	N	N	N

GEORGIA						
1 Thomas	Y	N	Y	N	Y	Y
2 Hatcher	Y	N	Y	N	Y	Y
3 Ray	Y	N	Y	N	Y	Y
4 Jones	Y	N	N	N	Y	Y
5 Lewis	Y	N	N	N	N	N
6 Gingrich	N	Y	N	Y	Y	Y
7 Darden	Y	N	Y	N	Y	Y
8 Rowland	Y	N	Y	N	Y	Y
9 Jenkins	Y	N	Y	N	Y	Y
10 Barnard	Y	N	Y	N	Y	Y

HAWAII						
1 Abercrombie	Y	N	N	Y	N	N
2 Mink	Y	N	N	N	N	N

IDAHO						
1 LaRocco	Y	N	N	Y	Y	Y
2 Stallings	Y	N	N	Y	Y	Y

ILLINOIS						
1 Hayes	Y	N	N	N	N	N
2 Savage	?	N	N	N	N	N
3 Russo	Y	N	N	N	N	N
4 Sangmeister	Y	N	N	Y	Y	Y
5 Lipinski	Y	N	Y	N	Y	Y
6 Hyde	Y	Y	Y	N	Y	Y
7 Collins	Y	N	N	N	N	N
8 Rostenkowski	Y	N	Y	N	Y	N
9 Yates	Y	N	N	N	N	N
10 Porter	N	Y	Y	N	Y	Y
11 Annunzio	Y	N	N	N	N	N
12 Crane	N	Y	Y	N	Y	Y
13 Fawell	N	Y	N	Y	Y	Y
14 Hastert	N	Y	Y	N	Y	Y
15 Ewing	Y	Y	Y	N	Y	Y
16 Cox	Y	N	Y	N	Y	Y
17 Evans	Y	N	N	N	N	N
18 Michel	N	Y	Y	N	Y	Y
19 Bruce	Y	N	Y	N	Y	Y
20 Durbin	Y	N	Y	N	Y	N
21 Costello	Y	N	Y	N	Y	Y
22 Poshard	Y	Y	N	Y	Y	Y

INDIANA						
1 Visclosky	Y	N	N	N	N	N
2 Sharp	Y	N	N	Y	Y	Y
3 Roemer	Y	N	N	Y	Y	Y

ND Northern Democrats SD Southern Democrats

TIM:

The following Members of Congress cosponsored the Stenholm
Balanced Budget Amendment and then voted against:

Annunzio (D-IL)	As Introduced 6/26/91
Bustamante (D-TX)	As Introduced 6/26/91
Horn (D-MO)	Added 4/9/92
Kleczka (D-WI)	As Introduced 6/26/91
Lantos (D-CA)	Added 4/30/92
Martinez (D-CA)	Added 5/14/92
Murphy (D-PA)	As Introduced 6/26/91
Neal, R. (D-MA)	As Introduced 6/26/91
Olin (D-VA)	As Introduced 6/26/91
Schroeder (D-CO)	Added 2/5/92
Tallon (D-SC)	As Introduced 6/26/91
Traficant (D-OH)	Added 3/26/92

Also attached is a complete list of cosponsors.

Becky

FYI -

The "switchers list"

*Please post in
Research.*

- DMCJ



Phone: (202) 546-4400

Fax: (202) 675-1778

DATE: 8/27/92

TO: ED Walters

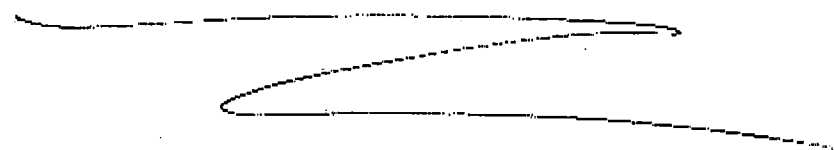
FAX NUMBER: 202 456-6218

FROM: Steve Schwalm

NUMBER OF PAGES:

COMMENTS:

I have a ton of Congress info which I'd be happy to mail.



Your Congressman: A Six-Million-Dollar Man

By David Mason

It has been particularly enjoyable to be outside of Washington this week, in part because of the reactions I get when I explain that I write about the Congress for a living. The usual response is sympathy, as if I had a necessary but somewhat distasteful job—and there is that aspect to dealing with Congress. But for the most part, I genuinely enjoy my job, for it is certainly a good time to be a congressional reformer.

There is a publication in Washington called *Roll Call*, which styles itself “the newspaper of Capitol Hill.” On the day I left Washington a banner headline across the top of the front page told us that a House committee had been forced to temporarily furlough some of its staff, and that other committees faced a similar threat because the House had not passed its annual committee funding bill.¹ The rest of the front page was taken up by stories about the House Bank scandal, the House Post Office investigation, and the possibility that a lot of incumbent Congressmen would be defeated at the polls this fall. To my mind, this is all good news. Of course, I’m not happy to see someone laid off, even temporarily, but I think it is a useful lesson for Congress during this nationwide recession: If you don’t get your work done on time, and if you don’t satisfy your customers (the voters in this case), there are real, and often unpleasant, consequences. If Congress is about to be dragged back into reality by outraged voters, so much the better.

My immediate task is to explore the culture of the Imperial Congress by examining the budget of the royal household. Just how big is the congressional budget? Just how many perks do our elected representatives lavish upon themselves? We started looking into this a couple of years ago and came to the initial conclusion that the congressional budget is bigger than a bread box—a lot bigger. Just how much bigger is difficult to determine—information about the congressional budget is hard to find. For executive agencies, getting the budget is fairly easy—just look at the Appropriations bills passed by Congress. If you want more detail, there are scores of legally required and publicly available budget documents.

Arcane and Confusing. Getting information about Congress, on the other hand, is exceedingly difficult. In the first place, the Legislative Appropriations bill that funds most, but by no means all, of Congress’s expenses is arcane and deliberately confusing. To find out how much one committee spends, you have to examine five different accounts. A long-time member of the Legislative Branch Appropriations Subcommittee recently had this system explained to him for the first time — by a reporter. His reaction: “That’s fascinating. I didn’t know that. You know, you turn up a rock and you’re likely to find a lizard.”²

David Mason is the Director of the U.S. Congress Assessment Project at The Heritage Foundation.

He spoke at The Heritage Foundation’s Annual Board Meeting and Public Policy Seminar, Kiawah Island, South Carolina, on April 11, 1992.

ISSN 0272-1155. ©1992 by The Heritage Foundation.

1 *Roll Call*, April 9, 1992.

2 *Congressional Quarterly* Special Report, “Where the Money Goes,” December 7, 1992, p. 111.

Even if you finally penetrate the Appropriations bill, you'll discover that many expenses aren't included. Search all you will, but you will find no funds for Congressmen's salaries. But don't assume they're not being paid or are going broke. Their \$129,500 annual stipends, now with automatic cost-of-living adjustments, are provided through what is known as a "permanent appropriation"—otherwise known as an entitlement. I guess this makes Congressmen America's richest welfare recipients.

Other items which aren't funded in the annual budget include: foreign travel (those infamous congressional junkets), part of their retirement benefits, free medical care, and the many executive branch employees who are "detailed"—that is, they are loaned to Congress, sometimes for years at a stretch. These costs aren't insubstantial: the average congressional retiree stands to collect around \$2 million in pension payments.

Exempt From Audits. I may still be missing a few items, because Congress—or as it often refers to itself, "The People's Body"—has exempted itself from the Freedom of Information Act, as well as from most other laws it passes. Try to get something from Congress and they can just say no. There is, for instance, something called the Capitol Preservation Commission, which was funded by a special sale of commemorative coins rather than by a regular appropriation. That Commission now has \$16 million in the bank, but has done nothing in four years of operations. There is no source of public information on the Commission's operations, and despite laws calling for it, there has never been an audit of the Commission's funding.³ In another case, House Speaker Tom Foley decided to have some elevators in the Capitol redecorated, including new marble flooring, at a cost of several million dollars. But there was no opportunity for other Congressmen, much less the taxpayers who provided the lavish new convenience, to comment on whether the expense was appropriate. And, by the way, if you visit Washington and go to the Capitol you won't be able to ride on these expensive elevators—they're for Congressmen only!

What is the bottom line on the congressional budget? Adding all of these benefits together you find that the average, run-of-the-mill Congressman is, like the TV show of a few years ago—a six-million-dollar man. Appropriated spending for Congress this year will amount to just under \$3 billion—an average of over \$5 million for each Senator and Representative. Add in pay, retirement, travel, medical care, parking, detailed employees, free publications, historic preservation, marble floors and suddenly every Congressman is a TV star.

Now, some people inside the Beltway say, "Gee, what's wrong with that? After all, these people have important jobs. It's just a drop in the bucket compared to the Executive Branch. Corporate CEOs make a lot more," and on and on. I could argue with all the analogies, but the real problem is a lot simpler. With all of the perks, privileges and power, the average Congressman begins to think he *is* the six-million-dollar man: He can see farther, run faster, jump higher and is just plain smarter than the average 'ol constituent. Pretty soon the Congressman starts to feel that the folks back home just don't understand. Then, a little later the Congressman starts thinking that he really *deserves* all of the perks, and you end up, for instance, with the Defense Department providing congressional airplanes that make first class travel on a commercial airline look like the back of the bus.

The budget isn't all. There's the deferential staff, favor-seeking lobbyists, free meals and vacations, fawning bureaucrats, and interest groups offering adulation. According to the Florida-based newsletter *Lobbying & Influence Alert*, there are 77 lobbyists for each U.S. Senator and about 24 lobbyists for each House member. It all ends in an attitude that breeds scandal:

3 *Roll Call*, April 8, 1992, p. 3.

bounced checks at the House Bank, money laundering at the House Post Office, ghost employees, using tax money for campaigns, trading influence for contributions, and then trying to cover it all up. Still, the ultimate evil isn't the perks themselves, but the transformation of our democratically elected representatives into imperial satraps.

Bloated Staff. Congress—and our representative democracy—was hurt by this process long before the scandals broke out. The congressional staffs I mentioned are three times as large today as they were in 1960, and, as Vice President Quayle has pointed out, this allows the Congressman to do a lot more—to serve, for example, on seventeen committees and subcommittees. An obvious question, however, is whether America as a whole, or even Congress in particular, has benefitted from the rapid growth and gargantuan size of the legislature. In fact, Congress suffers directly as a result of this overload—mostly by becoming more bureaucratic. Congressional staffs spend most of their time trying to manipulate bureaucracies. The Pentagon alone receives 2,500 phone calls every working day from Capitol Hill—that is nearly five each day from every Member of Congress. And Congressmen write over 100,000 letters a year to the Defense Department—that is almost a letter a day from every Congressman. Now none of this prevented the \$300 hammer or the \$500 toilet seat because, believe me, those calls and letters aren't mostly to check up on whether the Pentagon is spending money wisely, but to make sure they spend it in the right place.

But again, what's so bad about pork—it is certainly amusing for Heritage to write about leafy spurge bio-control or the Sweet Auburn Curb Market. But at only \$100,000 each, these don't add up very fast—at least not by congressional standards. One illustration may suffice. In 1956 Congress passed the Interstate Highway Act, which in the memory of most of you revolutionized transportation in America. In that bill, Congress made a few big decisions—that we would have a new, national highway network, built to then unheard-of standards, and they passed a federal gasoline tax to pay for it. Then they stopped. They left it up to the Transportation Departments of six successive administrations and fifty states to decide exactly where to put the roads and which to build first. It was a remarkable success. Last year, in contrast, Congress passed another transportation bill that dwarfed the 1956 act in terms of spending, but most of the funds were earmarked by individual Congressmen for individual districts, even down to the level of dictating the timing of a specific traffic light in a small Pennsylvania town. What was lost in the rush to bring home the bacon was any conception of the national interest, or any significant thought about future transportation needs: should we reform the air travel system, encourage high speed rail, look at private road construction? These questions were addressed only insofar as they represented the subject of a research grant for a local university. And when you look back 25 years from now the billions of dollars spent in that bill will have made little noticeable difference. What we lose from a bloated, pork-obsessed Congress isn't as much the wasted money as the lost opportunity to make real decisions about major issues that affect us in significant ways.

Wave of Reform. Everyone realizes there are many problems with Congress—just turn on the late night talk shows and Congress jokes abound. But I believe things can get better. Historically Congress does change. Congressional reform comes in big waves. There was one in 1946, another in 1974, and we are today on the verge of yet another big wave. Those previous waves were preceded by a lot of intellectual groundwork, and Heritage is working to provide that groundwork now, so that when 100 or more freshmen Congressmen show up for work in January of 1993 we'll have a reform program ready.

Everyone agrees that something should be done, but what can we do? First, be suspicious of incumbent congressmen bearing reform plans. Campaign finance reform, for instance, would tax you to pay for politicians' re-election efforts and, in the process, would give incumbents even greater advantages over challengers.

Second, keep up the pressure. Public outrage over cover-ups of the Bank and Post Office scandals have started to rock the cozy incumbent protection machine, and already fifty House Members and half a dozen Senators have decided to call it quits. Don't be disgusted, stay mad.

Third, think big. Some well-intentioned Republicans on Capitol Hill are talking about 25 percent, 33 percent, even 50 percent cuts in committee staff areas (not all, though). But committee staff is only a small part of the overall congressional staff. Even if we cut the *whole* congressional staff in half, it would still be twice as large as it was when Congress passed that interstate highway bill. Keep in mind that, if the objective is not to save a few hundred million dollars in staff salaries, but to change the way the institution operates, you need significant, broad-ranging cuts.

What about the committees? Dan Quayle told us recently how he eliminated a few committees when he was in the Senate, but why not get rid of standing committees altogether? People have proposed rotating committee chairmen or members as a way of breaking up the iron triangle, whereby long-time committee members become not just part of the problem, but *the* problem. But Congress got along for over a hundred years with just a few standing committees—and many legislatures still operate that way today. Originally, a bill was introduced, debated for an hour, and then acted upon. Unobjectionable bills were passed, bad ones died a quick death, and important legislation that might need more consideration was referred to a specially selected committee which had as its only purpose refining that bill and bringing it back to the floor. Restoring a system like that would go a long way toward eliminating the special interest influence and legislative logjams that bedevil Congress.

Making Congress More Representative. Last, we need to de-professionalize Congress. Most of us agree on term limits, but perhaps more damaging than the number of years spent in Washington is the number of days. If Congress is a full-time job, Representatives have to quit their jobs, pull their children out of school, move their families—in short, sever all of their real ties to the communities they represent. While it will require reversing the momentum of twenty years or more of ethics laws, it is worth the effort to make Congress less professional and more representative. We could start by requiring them to spend two months at home every summer instead of only one, with the goal of limiting congressional sessions to six months a year or less.

While these suggestions sound a bit far-fetched today—at least they do in Washington—real reform is possible with continued electoral pressure and perhaps term limits. But, we need to think big, for if this truly is an Imperial Congress, only a real revolution will change it.

◆◆◆

A Congressional Priesthood

By Ralph Kinney Bennett

Andrews Air Force Base is just a short limousine ride from Capitol Hill, just outside the Beltway and about as far into real America, it seems, as our isolated Congress would like to go. Andrews is far enough away from the Hill that the nation's legislators can escape the legislative grind but still be well shielded from the prying eyes of the general public, so that they can act, well, like themselves. While a "reform" spirit continues to sweep the Hill and perks keep dropping, at least temporarily, by the wayside, it's useful to recall something which happened at Andrews Air Force Base last fall: the Congressional Golf Tournament held on the base course.

There, you could see well-tanned senators and congressmen dressed in gaudy golf clothes gathered at the base officer's club. Imagine, if you will, mighty legislators with tiny whales and anchors and other little devices embroidered on their kelly-green pants coming in from their day on the course. As they indulged in food, drink, and camaraderie, they were able to contemplate a veritable tumulus of consumer goods, very expensive ones, piled before them: VCRs, crystal, electronic gadgets, clothing, liquor, magnums of champagne. All this vast pile, provided, by the way, by lobbyists, was to be handed out as prizes for various feats on the golf course that day. The august lawmakers eyed this mass of goods in such an anxious way that it was clear their \$125,000 a year salaries had not inured them from intense freebie lust.

Somehow it was decided that the idea of awarding prizes would be dispensed with. Everyone could take what they wanted. Whatever decorum there may have been quickly evaporated. Elbowing each other aside the men, all of whom had been provided with \$400 leather golf bags courtesy of some lobbyist, began stuffing items into these handy containers in what a participant described later to the *Wall Street Journal* as a "feeding frenzy."

A World Apart. Such sordid scenes remain largely hidden from public knowledge because Congress truly does live in a world apart. It's not just the perks and salaries; it's much more. We're seeing all that go by the wayside for the moment under the glare of publicity: the fixed parking tickets, the free first class upgrades, the junkets, the numerous slush funds disguised as furniture allowances and stationery expenditures, et cetera, et cetera, et cetera. But there's something else that sets the Congress apart, something of which the perks are just a symptom. It's a wilful elitism which has become institutionalized and manifests itself in the very texture of life on the Hill. Congress, by and large, sees itself not working for the people as public servants, but *governing* them. It does what it wants and it takes what it wants.

The House check kiting scandal is an obvious example. Go back to the early days when it was first revealed that the House bank, staffed by patronage employees, was allowing overdrafts to float for months and even years. As the dimensions of the scandal first became apparent, the lawmakers instinctively tried to cover up what was going on.

Read the newspaper accounts of those early days and see the character of the immediate reaction of the Congress to that scandal. A reporter tried to find out whether the House Ways and Means

Ralph Kinney Bennett, a Senior Staff Editor of *The Reader's Digest* in its Washington Bureau, has reported from Washington since 1966.

He spoke at The Heritage Foundation's Annual Board Meeting and Public Policy Seminar, Kiawah Island, South Carolina, on April 11, 1992.

ISSN 0272-1155. © 1992 by The Heritage Foundation.

Committee chairman, Dan Rostenkowski, had bounced any checks. One of the congressman's key aides confronted the journalist and said, "Aren't you ashamed? This is none of your business." Representative Barney Frank embellished that and just said, "It's none of your damn business." Gus Savage replied, "Call back when you have a serious question."

As public outrage grew, we noticed that the House fell back on its favorite defense, assuring the public that it would have the matter investigated—by, of course, the House Ethics Committee, a body whose chief purpose is as a staple of stand-up comedy. But my favorite moment, I think, was when a spokesman for Speaker Foley reminded the press that these overdrafts were paid out of members' bank balances and therefore no "public funds" were ever used. It never occurred to the staffer that every dollar of the House bank overhead and salary of staff, every dollar in its accounts, was *our* money. *We*, the people, pay these solons their ill-gotten salaries.

Watch congressmen and -women on the Hill and you see a separate race of public figures carefully coiffed, clothed, considerably pancaked for the television cameras, moving about on private elevators, cordoned from staring tourists by sycophantic doormen and their own police force. They have slipped the bonds of being public servants and assumed the mantle of governing in their own right. While burdening the people with massive regulations, they have, of course, exempted themselves routinely from all of them. Congress is totally exempt from such strictures as the Equal Employment Opportunity Act, the Occupational Safety and Health Act, the Fair Labor Standards Act, the Freedom of Information Act, the Wage and Hour Act, the Americans With Disabilities Act, all of the Civil Rights Acts.

Fancying themselves "in touch with the people" and fooling many voters through the technological trickery of such things as computerized letters to answer constituent mail with replies tailored to every issue, our senators and representatives basically listen only to each other and to the special interest lobbyists, many of whom are ex-congressional staffers or government bureaucrats. They hear what they want to hear in endless rounds of hearings, receptions, and junkets, disguised as fact-finding trips.

Spenders Listening to Spenders. Read the excellent work which Jim Payne¹ has done showing how this congressional culture thrives on itself and how its budget planning is nothing but spenders listening to spenders in carefully orchestrated hearings. Look, too — if you believe that Congress might somehow be taught to hold the line on national spending — at what Congress spends on itself. In fiscal 1991, while businesses were cutting back, holding the line, offering three and four percent salary increases, an expansionist Congress increased its spending 14.2 percent to over \$2.5 billion for its offices, its burgeoning staffs, its police, its trappings, and perquisites.

In fiscal 1992, Congress's spending on itself will jump 17.5 percent to over \$3 billion. This reflects not only the pay increases for the legislators themselves, but many other costs. There are now 20 committees and 87 subcommittees in the Senate, 27 committees and 155 subcommittees in the House; 37,000 employees on Capitol Hill. Five times the level from 1970.

This is all part of a phenomenon that really should give us pause. There was a survey done by the Kettering Foundation that didn't get much notice last year. Called "Citizens and Politics as Viewed From Main Street America," it shows that despite the conventional wisdom that Americans are apathetic about national politics, the real problem lies elsewhere, on Capitol Hill. The Foundation concluded that "citizens do care about politics but they no longer believe they can have an effect. They feel politically impotent." Why? Because the study finds they feel they have been cut off

1 James L. Payne, *The Culture of Spending: Why Congress Lives Beyond Our Means* (San Francisco: ICS Press, 1991).

from most policy issues due to the way these issues are framed and talked about in Washington. They are cut off by arcane procedures, and a foreign insider language that is alien to them.

I have seen this problem close up on Capitol Hill, and as I have interviewed congressmen and staff people, I've come to realize more than ever that Congress does its business in such a way as to really cut the public out of the loop. It has created elaborate parliamentary and procedural screens behind which it can conduct its business without what it considers interference from the public. Indeed, it has gone to the trouble of creating an ersatz forum of "public input," elaborately, orchestrated through select witnesses and structured hearings. It has created for itself a huge, complex, yet virtually invisible legislative system which goes its own way, forming legislation on its own terms and with input only from those lobbyists and pressure groups which it chooses to hear.

Congress, if you really want to understand it, has become a priesthood, a priesthood of legislators, staff, and lobbyists. It is a priesthood of Byzantine complexities, temples within temples, rites within rites. It employs a variety of obscure procedures, terms of art, et cetera, all designed to create an *illusion of openness*. And the press, in many ways, goes along with this, because the press's position is enhanced by this priesthood. Journalists are privileged to come down onto the steps of the temple and explain to the masses the mysterious rites going on inside.

It is interesting, isn't it, that it took two reporters from the *Philadelphia Inquirer* fifteen months of working day-in and day-out to ferret out the story of how the 1990 tax bill came into being. Think about that! Here was a bill which affected you and me, every American, and yet it took two reporters, working full-time and using every tool of their trade from leaks to Freedom of Information filings to consultations with accountants and lawyers to furtive meetings with staffers who said, "Don't use my name," to find out what was in a tax bill.

Robert Potts, former chief of staff of the Senate Republican Policy Committee and a top senatorial aide for former Senator Bill Armstrong, notes that, "Curiously, all this has been compounding even while the Congress seems to be becoming more open, with C-SPAN coverage of both Houses. But remember, the Congress controls those cameras and most of what is really significant cannot be seen by the average citizen."

Congress's Tricks. There are many ways, of course, by which Congress bypasses or subverts the normal civics class idea of how legislation is produced. One, of course, is the informal session. Before the formal session of the committee (which you may well see on C-SPAN and thus feel you're seeing democracy at work) there has already been an informal meeting of the main committee members in which all the substantive issues have been agreed upon and ironed out. There may well have been agreement in that meeting that no new issues will be brought up during the public session. In some cases, there may not even be this informal session, but merely a series of phone calls between top staffers, extracting prior agreements that no embarrassing amendments or new business will be brought up, and that certain congressmen or senators who have shown a kind of a meddlesome streak will be kept out of the procedures.

Another favorite device is to bypass the conference committee. Instead of the usual meeting of House and Senate conferees to reconcile two bills, a more informal get-together with key members from both sides takes place. We'll never hear about this. There's no conference report. Perhaps not even a complete transcript of the meeting in which the mark-up takes place.

Then there are the so-called "task forces." These are the new ad hoc, get-things-done groups on Capitol Hill. Instead of the full committee meeting on something, task forces are formed excluding certain "difficult" members. And, of course, there's that hoary classic: simply delay the printing of the material from the hearings themselves. The record of the hearings on a bill is often not available in time to be of any use to those considering the pros and cons of the legislation. (In the hearings, the pros far outnumber the cons anyway.) Very often the final bill itself is not prepared or made available in time for the vote. A thousand-page bill is being considered and there is one copy on the

floor for members to come down and peruse. Who is going to read it, let alone understand what is in it?

But my favorite device of all—I love to see this one in action—is the concept that the more important and vital the hearing, the smaller the hearing room. This is a very deeply ingrained and very important matter on the Hill. Committees do not want you to know what goes on when they get together with lobbyists to thrash out legislation. So what is not settled over the telephone or in an informal session is discussed in tiny rooms where access is extremely limited. Go up to Capitol Hill very early in the morning; you will see messengers who have been paid by lobbyists to sit in the hall outside these legislative walk-in closets. They sit in the hall and hold a place in line for various special interest supplicants who will then have a chance to get inside the room where this vital legislation is being “hammered out.”

Now, of course, the advocates of this system, the priests themselves, say that this is a more effective way of doing business. After all, it's so messy when the public gets involved in these things.

“Just a Citizen.” Bob Potts told me a story that I think best illustrates the way Congress has become a world apart, how even those with the best intentions become imbued with the characteristics of a priesthood:

Senator Armstrong was on the Treasury and Postal Subcommittee of Appropriations, so I would go to all those hearings with him. One morning we had a meeting in which the Secretary of the Treasury was testifying. It was just a small room and there weren't many people there. While he was testifying, a man and his family, tourists, came into the room. It was just a man and his wife and their kids, kind of thrilled, I guess, to be seeing democracy at work close up.

At one point the Secretary had to leave the room to make a phone call or something and there was a break. This man got up and raised his hand and said, “Mr. Chairman, Mr. Chairman,” very quietly and politely. He said he knew something about the point they were discussing and he had something helpful he would like to say. We all ignored him. I remember the staff people who were there, just regular guys, good down-to-earth people, but suddenly they were part of the different world, the different culture, and we ignored this guy.

Finally some staff guy felt, “Well, I'd better do something,” and he went down and spoke to the man for a minute. He came back and we asked, “What did you tell him?”

He said, “I told the man that if he had anything to say he could sign up to testify and come back in a couple of months.”

Why didn't we just let this guy say what he had to say? It wouldn't have hurt anything. But no, we were the Senate and he was just a citizen.

◆◆◆

helium industry. Still, the program continues to exist, consuming over \$120 million in taxpayer funds each year.

Example: The National Fertilizer Development Center grew out of a munitions plant at the end of World War I. Later the fertilizer factory was turned over to the Tennessee Valley Authority. For some sixty years the government-owned plant has produced fertilizer and conducted fertilizer research for the benefit of private companies. It currently costs taxpayers over \$35 million per year to operate the facility.

5) Streamline departments.

An efficient company uses the minimum number of employees and departments to accomplish the maximum amount of work. Except in very critical areas, duplication and redundant capacity is considered wasteful and costly. Yet the government maintains overlapping programs and agencies on a huge scale.

Example: The federal government manages over 75 different poverty programs. The annual cost of these programs to all levels of government totals some \$250 billion—nearly two and one-half times the cash needed to lift every poor American above the poverty threshold.

Example: There are over sixty federal environmental programs. Some \$6 billion could be saved over five years simply by merging these programs into a single block grant to the states.

Example: The Department of Agriculture manages 11,000 field offices in 94 percent of the counties in America, even though only 13 percent of the nation's counties are considered agricultural.

Example: There are at least 37 programs, located in at least three agencies, designed to manage fishery issues.

6) Eliminate waste.

When the economy is strong and business is booming, many firms are willing to spend money on activities or expenses not directly related to the mission of the company. These might include executive perks such as company cars and country club memberships. But during hard times, owners usually act quickly to cut back perks and costs not directly related to the central business of the firm.

The federal government, on the other hand, spends tens, if not hundreds, of billions of dollars on programs and activities that do not benefit the country as a whole and are not related to the central purposes of government. More often than not, this spending helps no one, save perhaps the bureaucrats who collect or spend the money and the special interests who receive the government largesse. There are thousands of these special projects, often called pork barrel projects, laced throughout the federal budget. Table 4 lists just a few such projects slated for funding in the fiscal 1993 appropriations bills recently passed by the House of Representatives.

Wasteful spending, however, often extends beyond the traditional "pork" projects:

Example: The government has established dozens of commissions of questionable national purpose. Among them: The American Battle Monuments Commission; the Commission for the Preservation of America's Heritage Abroad; the Christopher Columbus Quincentenary Jubilee Commission; the Delaware River Basin Commission; and the Franklin Delano Roosevelt Memorial Commission. Terminating most of these commissions could save taxpayers some \$645 million over the next five years.

Example: The honey, wool, and mohair subsidy programs have been called the "dinosaurs" of federal programs by the General Accounting Office because they should have been terminated years ago. These programs are federal perks that benefit only a very small group of individuals, yet cost taxpayers some \$200 million annually.

7) Sell surplus assets.

Even the most efficient businesses, burdened by heavy debt or expenses, may find it necessary to turn some assets into cash. For instance, airlines sell routes, conglomerates sell divisions, real estate companies sell land, and publicly held companies sell more stock.

The federal government, however, is prohibited by its own arcane budget laws from reducing the deficit by selling assets. The 1990 budget agreement, for instance, instituted rules that prevent Congress and the Administration from using funds raised from

Table 4 Should We Be Paying For This? Pork Barrel Items in the Federal Budget

- \$2,000,000 for the Center For Suburban Mobility in Northern Virginia to continue "intelligent vehicle highway systems" research.
- \$1,900,000 for a railroad-highway crossing demonstration project in Augusta, Georgia.
- \$100,000 for railroad metallurgical and welding studies at the Oregon Graduate Institute.
- \$925,000 for the relocation of a road at Jackson National Fish Hatchery in Wyoming.
- \$32,800,000 for magneto-hydrodynamics research.
- \$700,000 to pave a new road and parking lot, and to install a boat dock, a composting toilet, and a concrete boat launching ramp at the Tennessee-Tombigbee Waterway in Alabama and Mississippi.
- \$500,000 for acoustics research.
- \$5,500,000 for apple research.
- \$4,959,000 for bee research.
- \$200,000 for Locoweed research.
- \$11,048,000 for potato research.
- \$510,000 for soybean-based ink research.
- \$7,000,000 for African elephant conservation.
- \$300,000 for an urban forest climate study in Syracuse, New York.

the sale of government assets for deficit reduction. This is like a bank telling a family it must foreclose on their farm because the bank cannot count as a mortgage payment the money the family has just deposited from a stock sale.

In an era when governments from Moscow to Mexico City are transferring their assets to the private sector, it is ironic that the U.S. Congress discourages or prohibits the federal government from selling assets to reduce the deficit.

There many assets that the federal government could sell to reduce the deficit:

Example: The government currently holds some \$205 billion worth of outstanding direct loans. These loans should be sold to the secondary loan market in much the same manner that a mortgage company resells its loans. The Farmers Home Administration (FmHA) raised nearly \$4 billion for the Treasury in 1987, the last year in which the agency was legally allowed to sell its loans to the private sector.

Example: The government currently manages enterprises worth billions of dollars that should be sold to the private sector. These include the Naval Petroleum Reserves, the Power Marketing Administrations, the Tennessee Valley Authority, and millions of acres of public lands.

8) Give managers flexibility to cut wasteful spending.

Line staff and managers often are better able than their superiors to identify cost-reduction measures in a firm. Thus wise business owners encourage junior managers to look for ways to save the company money.

It is hard to imagine any company being so foolish as to institute company rules to stop their managers from saving money. Yet Congress does exactly that. For instance, Congress regularly sets lower limits on the number of employees that must staff certain agencies. These "employment floors," as they are known, prevent agency managers from making the most effective use of the employees they supervise, such as by shifting workers from one department to another. Other rules similarly prevent managers from saving money.

Example: The U.S. Park Service is prohibited from covering its costs by raising the entrance fees it charges to visitors. Because of this rule, the Park Service now charges tourists less than one-fourth of the real costs associated with admitting each visitor. The Service spends \$220 million per year on visitor services, but receives only \$60 million back through fees.

Example: The Davis-Bacon Act of 1931 increases the costs of government construction contracts by over \$1 billion annually. It does so by forcing contractors to pay union scale wages on all federally funded construction contracts, even though less expensive labor often is available. This legislation originally was enacted to keep black workers off federal construction sites. That is precisely what it has done during the last sixty years. A similar law, the Service Contract Act, serves the same function for federally funded service contracts. The extra costs imposed by these laws: some \$2.0 billion per year.

FIGHTING PORK BARREL SPENDING

In all too typical fashion, Congress is using this \$27 billion windfall to reward its favorite constituencies. The fiscal 1991 budget bill became a Christmas tree of gifts to hundreds of special interests, representing everything from catfish farms to zebra mussel research.

Alarmed by the proliferation of such spending, Senator Bob Smith, the New Hampshire Republican, Representative Harris Fawell, the Illinois Republican, and Representative Timothy Penny, the Minnesota Democrat, organized a group of Congressmen who call themselves "PorkBusters." This group has developed a standardized definition of pork barrel spending, and is now attempting to rescind those items in the fiscal 1991 spending bills that fit the definition.

Using this test, the PorkBusters find wasted taxpayer money on hundreds of projects. Among them from the fiscal 1991 budget:

- ◆ \$37,000 to study the "handling of animal manure and the development of resolution techniques to address conflicts between producers and the general public";
- ◆ \$150,000 to the town of Matewan, West Virginia, to study the century-old Hatfield-McCoy feud;
- ◆ \$320,000 to purchase President William McKinley's in-laws' home and donate it to the state of Ohio;
- ◆ \$942,000 to produce refined fish oil, which is then donated to the National Institutes of Health for research;
- ◆ \$25,000 to study the location for a new House of Representatives staff gymnasium.

PORK BUSTERS

According to the PorkBusters, the following criteria identify abuses of the budget process and congressional rules. To be branded "pork," a project must meet at least three of the following criteria:

- 1) The appropriation was never the subject of a congressional committee or subcommittee hearing;
- 2) The appropriation lacks specific authorization for individual projects;
- 3) The appropriation was added in conference committee when neither the House nor Senate bill originally contained such a provision;
- 4) The appropriation has no meaningful relationship to the act, agency, or program under which it is funded;
- 5) The appropriation for a project is not competitively awarded. This includes projects which are not subject to peer review, which fail in a competitive process, or for which the competitive procedure is waived;
- 6) The appropriation was earmarked in violation of established congressional procedures or a process prescribed by law; or
- 7) The appropriation is for projects of purely local interest, without national or regional importance.

night of 7/17/92

7TH STORY of Focus printed in FULL format.

The Associated Press

The materials in the AP file were compiled by The Associated Press. These materials may not be republished without the express written consent of The Associated Press.

July 19, 1991, Friday, PM cycle

SECTION: Washington Dateline

LENGTH: 663 words

HEADLINE: Some 1992 Senate Candidates Say They'll Give Pay Raises to Charity

BYLINE: By MATT YANCEY, Associated Press Writer

DATELINE: WASHINGTON

KEYWORD: Senate Pay Raise

BODY:

Senators who face re-election challenges next year already are trying to distance themselves from a \$ 23,200 pay increase the Senate voted itself.

A day after the raise was approved by a 53-45 vote on a surprise amendment brought to the Senate floor by Democratic and Republican leaders in the dead of night, at least five members whose terms expire in 1993 said they will refuse all or some of the money or give it to charity.

"The majority of senators have stiffed the American people and this time the voters will remember," consumer advocate Ralph Nader predicted Thursday. "People can be pushed around by crooked and greedy politicians only to a certain limit ... and then a simmering revolt erupts."

The measure attached to an appropriations bill would close the gap between the \$ 125,100 annual salaries of the House's 435 members and the \$ 101,900 that senators now get.

In exchange, senators would be banned from pocketing thousands of dollars in speaking fees that more than half of them now accept each year from special interest groups seeking to influence legislation. The House renounced such honoraria in boosting its salaries by \$ 28,500 last January.

However, some frequent performers on the rubber chicken speaking circuit actually could get an honoraria windfall this year.

Those who already have pocketed the \$ 23,068 limit on honoraria this year could make a total of \$ 134,364 in pay and speaking fees in 1991 if the legislation is finished and signed by President Bush before Congress goes on vacation next month.

Of the 33 senators who face re-election in the next two years, 25 opposed the pay increase and only eight supported it. Three of those eight - Republican Leader Bob Dole of Kansas and Sens. Tim Wirth, D-Colo., and John Breaux, D-La., explained their votes.

The Associated Press, July 19, 1991

FOCUS

"Maybe we're all overpaid," said Dole. "But we can't cut House salaries and I believe most people in my state will understand ... there ought to be parity."

Breaux complained that many of his colleagues "too often are eager to vote against a pay raise but all too willing to accept the money."

Wirth defended his vote as a way to rid the Senate of honoraria and encourage more non-millionaire candidates with families to seek seats in it. But he said he was going to divert all of the increase to setting up a charity program in Colorado.

Three other senators up for re-election in the next two years but who voted against the increase also said they will give it all to charity to return at least a portion of it to the government.

Sen. Harris Wofford, D-Pa., said his first donation would go to a fund to help families of Pennsylvania soldiers killed in the Persian Gulf War

Sen. Bob Packwood, R-Ore., said he will turn back to the government any portion "more than I would have gotten" had there been annual cost-of-living increases equal to those received by Social Security recipients over the past 15 years.

Actually, the Senate just got a \$ 3,500 cost-of-living raise last January but had not received one previously since 1987, when it accepted a \$ 12,100 boost in senators' salaries.

But during the double-digit inflation and recession cycle of the early 1980s lawmakers in both the Senate and the House rejected such COLA raises for themselves three years in a row.

Bobbi Munson, a spokeswoman in Packwood's office, said his aides have not yet calculated just how much, if any, of the raise Packwood would give up.

Sen. Dan Coats, R-Ind., also voting against the raise, and Sen. Jay Rockefeller, D-W.Va., who voted for it, said they would give the extra money to charity.

Nader, meanwhile, questioned the sincerity of all 45 senators who voted no to the pay raise, saying that not a single one of them threatened to mount even a short filibuster.

Such a move would have then required what he called the "bipartisan, two-party cabal" of Dole and Majority Leader George Mitchell, D-Maine, to raise 60 votes instead of just a simple majority to pass it.