



June 6, 2002

Happy Anniversary, Leader Daschle

A Not-So-Sterling Record

Fifty-eight years ago today, the Allied invasion force hit the beach at Normandy. Despite fierce resistance, the Americans blasted out of Utah Beach and were pinned down for barely a day on Omaha. In the weeks and months that followed, they fought their way through the French hedgerows, blunted the German counterattack at the Battle of the Bulge, and crossed the Rhine at Remagen. Less than a year after Normandy, Berlin had fallen.

One year ago today, Tom Daschle and his army of Democrats hit the beaches as the governing party in the Senate. A full year later, they're still pinned down on Omaha.

In recognition of the one-year anniversary of Senator Daschle's service as Majority Leader, the Democrats have been promoting their accomplishments in the majority. The following are items that the Senate Democrats have neglected to mention in their list of feats.

Unprecedented Failure to Pass a Budget

At least the Allies of 1944 had maps – the Senate Democrats cannot even pass a budget, the congressional roadmap to guide spending decisions. It is now June 6, and still no budget resolution has been called up, much less adopted. For the first time since the passage of the Budget Act of 1974, it is becoming increasingly apparent that the Senate will fail to adopt a budget resolution. The Majority Leader might reflect upon the words of his colleague, Budget Committee Chairman Conrad who, when the budget battles were erupting in Congress a few years ago, had this to say: “What a way to govern. What a way to manage. . . . A budget resolution is the distinct responsibility of the Congress. This Congress has failed” (*Congressional Record*, October 12, 1998).

Subverting Committee Process

During his time as Majority Leader, Senator Daschle has been successful in rendering the committee process irrelevant. The following are examples of Leader Daschle's decisions to bypass the Senate committees in bringing major legislation to the Senate Floor: the energy bill, the farm bill, the economic stimulus package, the terrorism reinsurance bill, the railroad retirement bill, the Patients' Bill of Rights, minimum wage, and trade adjustment assistance. At the same time the Senate was in the midst of its debate over the energy bill that was not written by the committee but by the Majority Leader, this same leader asserted to reporters that “committees are there for a reason, and I think we have to respect the committee jurisdiction, responsibility, and leadership, and that's what I intend to do” [transcript,

3/14/02, referring to the Judiciary Committee's act of killing judicial nominations].

Unprecedented Failure to Act on Judicial Nominations

The Democratic Leadership has blocked nearly 45 percent of President Bush's judicial nominees, including 70 percent of his circuit court nominees and one-third of his district court nominees. Rather than leading the Senate in its constitutional duty of advice and consent, Senate Democrats have stonewalled attempts by the White House to address the judicial crisis that exists in the nation's federal courts.

Reversing Earlier Pledge to Defend Americans

Three years ago, all but three Senate Democrats voted for supporting a U.S. policy to deploy a national missile defense system as soon as technologically possible to defend America from limited ballistic missile attacks, and for continuing negotiated reductions in U.S. and Russian strategic nuclear forces. At the time, Democrats argued that missile defense and arms control must go hand-in-hand. Yet, last month every single Armed Services Committee Democrat who supported this policy voted, during markup of the FY 2003 Defense Authorization Act, to cut drastically President Bush's funding request for missile defense. This Democrat reversal is in the shadow of the United States and Russia having just signed an agreement committing each side to reduce its nuclear warheads to between 1,700 and 2,200.

Claiming Credit for Republicans' Fiscal Responsibility

"The Democratic-led Senate passed all 13 appropriations bills last year, *without spending a penny more than the President requested*" (emphasis added), claimed a Democratic Policy Committee press release (May 23). A Presidential veto threat and a steadfast Republican minority blocked Democrat spending sprees. For example, during the debate on the stimulus package last November, Democrats attempted to increase spending by \$15 billion above the President's requested level in the Baucus substitute. Republicans were successful in thwarting that effort by twice sustaining points of order, after which the Majority Leader pulled the bill (see 107th Congress, 1st session, vote Nos. 337-338). Also, during the debate on the Defense Appropriations bill last December, Democrats again attempted to increase spending by \$15 billion, but again Republicans held their ground by sustaining three points of order against the Democrat provisions (see 107th Congress, 1st session, vote Nos. 354-355, 357).

Killed Real Economic Stimulus

Daschle blocked adoption of a bipartisan stimulus package negotiated between the White House and both Republican and Democrat Senators late last year. "Reuters (12/20/01) reported President Bush's 'revised plan to stimulate the U.S. economy died an acrimonious death in the Democratic-led Senate on Thursday hours after its predawn passage in the Republican-led House of Representatives.' As Congress 'tried to complete its work for the year and go home for the holidays,' Senate Majority Leader Tom Daschle 'refused to bring up the bill for a vote and Republicans could not force him to do so'" (*The Bulletin's Frontrunner*, December 21, 2001).

Playing Politics With 9-11

On May 16, Majority Leader Daschle stated during a news conference: “I’m gravely concerned about the information provided us just yesterday that the President received a warning in August about the threat of hijackers by Osama bin Laden and his organization.” Senator Clinton, in a floor speech on May 16, declared: “We have learned something today that raises a number of serious questions. We have learned that President Bush had been informed last year, before September 11, of a possible plot by those associated with Osama bin Laden to hijack a U.S. airliner” (*Congressional Record*, S4453). Here’s how a respected opinion writer with the *New York Times* had to say about the news reports: they “ignited a political bonfire, if not quite a firestorm, in Washington, as Democrats and reporters sensed an opportunity – the first of Mr. Bush’s administration – to polish up their gotcha politics and gotcha journalism. . . . The Democrats seem a long way from proving their case, but gotcha politics, once underway, is hard to stop. . . . The question is, will we feel at the end that the price in unity and, perhaps, dignity, was worth paying to find these things out in wartime?” [R.W. Apple, Jr., *The New York Times*, 5/19/02].

Sustaining Iraq’s Hold on U.S. Energy Needs

The United States imports 56 percent of its oil, forcing the nation to rely upon OPEC for its energy needs. Yet Majority Leader Daschle refused to allow an up-or-down vote on the bipartisan amendment to the energy bill that would have allowed exploration of the Arctic National Wildlife Refuge. The country’s energy security is hindered by dependence on nations such as Iraq and Iran, but the Democrat leadership denied the United States the opportunity to regain some needed energy independence.

No Action to Protect Social Security

Democrats have repeatedly accused Republicans of dipping into Social Security to pay for massive tax breaks and have called on the Senate to protect Social Security surpluses. But the Democratic Leadership has yet to offer and pass a Social Security lock box or restrain spending so that Social Security surpluses are not used for other programs. Meanwhile, federal debt authority has lapsed twice under Daschle’s watch, endangering Treasury’s ability to send out Social Security checks. And the Democrat budget that Daschle refuses to debate raids both Medicare and Social Security every year for the next ten years.

No Bankruptcy Reform

Despite the fact that bankruptcy reform legislation has passed the Senate multiple times with broad, bipartisan support (including a conference report that was pocket-vetoed by President Clinton in 2000), the Democratic leadership has failed to get the conference report to the floor and on the President’s desk. According to press reports, a single Democrat Senator is holding up the bill in conference over an abortion provision.

No Medicare Prescription Drug Benefits

Regularly, Democrats clamor for a new Medicare prescription drug benefit, but since they have been in the Majority, there has been zero action on the issue. Both parties support creating a Medicare Prescription Drug Benefit, but while the Republican-led House is close to adopting its version,

Daschle's Senate has done nothing – no hearings, no markups, no action. The Majority Leader is not even calling up a budget that would allow for its creation.

No Patients' Bill of Rights

Democrats congratulate themselves for passing a Patients' Bill of Rights, yet one year later the Majority Leader has neglected even to appoint conferees for this supposed legislative priority. And efforts at compromise made by the White House and Senator McCain have been completely rebuffed because the Democrat majority has chosen trial lawyers over patients.

No Cloning Bill

Since last year scientific events have made it obvious that the Senate needs to confront this issue of human cloning. Senator Brownback has been at the forefront on the debate in his attempts to get a total cloning ban passed by the Senate. However, as *The New York Times* on May 26 reported, "Senator Tom Daschle. . .promised Mr. Brownback a vote by February or March, then set a deadline of Memorial Day. Now, Mr. Daschle says, the vote will take place in June." Looking at Daschle's list of must-pass bills for the next three weeks, it appears that he will have to renege again.

No Terrorism Reinsurance

Though Democrats would like to blame the lack of action on terrorism reinsurance legislation on Republican stonewalling, the truth is that the Democratic leadership pulled the bill because their supporters in the trial lawyer community did not like the liability provisions in the original Dodd/Enzi/Gramm/Sarbanes compromise language. Senator Daschle continues to insist that trial lawyers be allowed to seek punitive damages from the victims of terrorism.

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