

Supplemental Sans Roll Call Provides Cover All Around

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For all the debate and the unprecedented amounts of money involved, it was an oddly subdued moment Nov. 3 when the Senate cleared an \$87.5 billion measure for Iraq and Afghanistan. Action on the largest supplemental spending bill in U.S. history was not a roll call but an unrecorded voice vote of the five members present. Even that action was a hastily arranged afterthought.

Indeed, the bill's passage had already been pre-ordained late in the evening on Oct. 30, when Senate Majority Leader Bill Frist, R-Tenn., and Minority Leader Tom Daschle, D-S.D., agreed to set aside six hours for debate on the measure (HR 3289 — H Rept 108-337). When the time for talking was to expire at 5 p.m. on Nov. 3, the two leaders agreed, the measure would be considered passed. By unanimous consent, both Republicans and Democrats accepted their plan.

But that following Monday, only a last-minute objection by Robert C. Byrd, D-W.Va., forced the Senate to alter the script. "I do not think it should be adopted by unanimous consent," protested Byrd, ranking Democrat on the Appropriations Committee. "That was not meant to happen. I understood there would be a voice vote."

So the Senate yielded to the wishes of the institutionalist, now in his eighth Senate term, and a voice vote was held. Byrd's was the only "no" vote to echo in the nearly empty chamber.

Since then, several Republican lawmakers have expressed uneasiness that no roll call was taken on such an important bill. Some, such as Pat Roberts of Kansas, say it was an easy way for Democratic critics of President Bush's Iraq policies to avoid voting against sending more money to U.S. troops in Iraq.

Others say the voice vote also provided a convenient exit strategy for Democratic presidential hopefuls such as John Kerry of Massachusetts, whose past votes to authorize the use of force against Iraq last October (PL 107-243) and for the \$78.5 billion war supplemental in April (PL 108-11) have caused them grief on the campaign trail.

Meanwhile, others are quick to point out that the voice vote also provided useful cover for eight Republicans who voted during the Senate's Oct. 16 passage of the bill to make a portion of the money a loan, but then went along with President Bush after he demanded that the loan provision be stricken from the conference report. (CQ Weekly, p. 2715)

In the end, congressional experts say, both sides must share the blame.

"They bailed," said Norman J. Ornstein, a longtime scholar of Congress at the conservative American Enterprise Institute. "Both parties decided they'd rather not push this to a roll call."

"Politicians are pretty good at structuring things to cause them minimal pain," added Paul S. Herrnson, director of the Center for American Politics and Citizenship at the University of Maryland. "Many of them may have felt that even though they disagreed with the policy, the politics of disagreeing were too risky. They were afraid someone would call their patriotism into question."

Seeking Political Advantage

That did not stop some Republicans from trying to make the Democrats appear as the main beneficiaries of the voice vote decision.

"There's a supposition that people who have made some pretty tough statements on the supplemental, loans and grants, and the war in general would just as soon not be in the position of voting against the troops," said Roberts, a staunch Bush supporter and chairman of the Senate Intelligence Committee. Asked if he meant Republicans or Democrats, he said, "I think they're on the D side."

Reminded that eight Republicans were pivotal in Senate passage of the loan provision, Roberts seemed undeterred. "I just think a lot of members didn't want to vote," he said. "Their rhetoric got in the way of it."

Other Republicans simply expressed bewilderment that no roll call vote was taken. "I was mystified," said Olympia J. Snowe of Maine, one of eight GOP renegades on the loan issue. John McCain of Arizona, a senior member of the Senate Armed Services Committee, told the Council on Foreign Relations on Nov. 5 that "it's not wise to have the vote go unrecorded. . . . I do not understand why we did it by voice vote."

Daschle spokeswoman Ranit Schmelzer said presidential politics did not figure into the decision.

"Everybody wants to support the troops," she said. And once the Democrats lost their bid to divide the bill into two parts — one for the military that could have been passed quickly, and one for the reconstruction efforts that could have been rewritten more to their liking — the Democrats decided to make it unanimous, she said.

Expedient Procedure

Professional congressional observers recognize the utility of bypassing a roll call vote on such an important bill.

Ornstein says the voice vote helped Republicans, especially those who voted to make part of the Iraq money a loan. For those Republicans, "trying to explain why you took one vote to stand up for taxpayers, and then caved in to the White House, as they clearly did, it was just more convenient not to have to deal with that issue," he said.

Meanwhile, he said, Democrats are having troubling balancing their support for the troops and the skepticism toward Bush's overall Iraq policy. "Knowing you're going to lose anyhow, why cast a vote where some people are going to have to explain the nuances?" Ornstein said.

As Bush signed the bill into law Nov. 6, he praised Congress for maintaining the money as grants, not mentioning his take-no-prisoners campaign to persuade GOP loan supporters to back down on what they viewed as a sensible, politically popular way to finance the reconstruction of Iraq.

"Today, the United States is making a critical financial commitment to this global strategy to defeat terror," Bush said. "We're supporting our servicemen and women on the field of battle. We're supporting reconstruction and the emergence of democratic institutions in a vital area of the world.

"The American people accept these responsibilities now, in our time, so that we will not face far greater dangers in the future. With this act of Congress, no enemy or friend can doubt that America has the resources and the will to see this war through to victory."

More Protection for Troops

The conference report largely followed the president's request, providing \$65.8 billion for the military — up from the \$65.6 billion Bush sought.

The additional funds are in part for buying more body armor and armored HUMVEEs; providing payments for travel by family members of military personnel who are ill or injured due to their active duty service; and extending the military's health care coverage, Tricare, to National Guard members and reservists and their families.

The bill also provides \$21.8 billion for reconstruction and foreign aid, up from Bush's \$21.5 billion request. Iraq's \$18.6 billion is down \$1.7 billion from Bush's \$20.3 billion request. Afghanistan will get \$1.2 billion, \$400 million more than Bush wanted.

The bill's total, \$87.5 billion, is about \$500 million more than Bush sought Sept. 7. The Federal Emergency Management Agency got that boost for such disasters as the California wildfires and Hurricane Isabel.

Supporters of the final version approved by House and Senate conferees on Oct. 29 said the money will send a message. "We will not walk away from Iraq," said Senate Appropriations Chairman Ted Stevens, R-Alaska. "We will not withdraw our forces from Iraq, we will not leave the Iraqi people in chaos, and we will not create a vacuum for terrorist groups to fill."

Bush's critics used the final hours of debate to pillory the administration for leading the country to war on questionable grounds.

Ernest F. Hollings, D-S.C., said he voted to authorize the use of force last October only after Bush said that "we cannot wait for the final proof, a smoking gun that could come in the form of a mushroom cloud."

"I was misled," said Hollings, alluding to the subsequent U.S. failure to find any evidence of weapons of mass destruction.

Hollings showed little patience for the administration's insistence that Iraq is not becoming the new Vietnam. "The heck it isn't," he said. "This crowd here has got historical amnesia."

The measure prohibits the administration from spending the appropriated funds for certain military activities unless the congressional defense committees receive advance notice. In a separate statement, Bush said some situations may require him to act without such prior notification and to withhold information from Congress to protect national security.

The bill also calls for the creation of an inspector general's position in the U.S.-led occupation government in Iraq to review and audit its spending. In his statement, Bush said the inspector general "shall refrain from initiating, carrying out, or completing an audit or investigation," or issuing subpoenas which require access to sensitive operational or intelligence information.

But in an apparent bow to Congress, Bush said the Pentagon may make exceptions "in the public interest."