

Congress Embarrassed

Friday, October 24, 2003; Page A24

WHERE IS the energy bill? According to spokesmen for the House and Senate energy committees -- whose staffs have been writing the bill -- the legislation is now finished, except for a few sections on taxes. Yet although this bill may become law in a few days, no Democrats, few Republicans and even fewer members of the public have seen it: The bill's language will be released, committee chairmen now say, no earlier than 48 hours before a possible vote -- an improvement over the 24 hours originally promised, but not much. There appears to be no plausible explanation for this deep veil of silence -- except possibly embarrassment. For the past several weeks, members of Congress have scrambled to stuff last-minute provisions that benefit their districts or their local industries into this piece of legislation: Perhaps they don't want anyone to find out about them before it's too late.

That, at any rate, is the only conclusion that can be drawn when we hear about measures such as the one Rep. Joe Barton (R-Tex.) is proposing to include in the bill. Mr. Barton's amendment would, according to his staff, merely allow the Environmental Protection Agency to give urban areas more time to meet air pollution deadlines set out in the Clean Air Act. No one denies that this measure is intended to apply to that section of the Dallas-Fort Worth region contained in Mr. Barton's district -- an area known for its high number of air-polluting industries. The trouble is, the change would affect the air quality in the entire region and might affect the enforcement of the Clean Air Act across the country. Among those affected, for example, are the Dallas constituents of Rep. Eddie Bernice Johnson (D-Tex.), who first learned that this measure was included in the energy bill from the Dallas Morning News editorial Web log.

This provision was not in either version of the energy bill originally passed by the House and the Senate. Few of the citizens of Dallas have been acquainted with this measure, and Mr. Barton has not gone out of his way to talk about it. As of yesterday afternoon, for example, we were unable to find information about the measure on the congressman's Web site. Mr. Barton is able to stuff this damaging legislation into this already pork-laden bill only because he is on the conference committee that, in this Congress, effectively meets in secret. Is that democracy?