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BRUCE COHEN

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Long talk about agenda, running of Judicial Committee, links and bridges to the House, 1688, 1701 etc, the setting of 16pp. report Michel.

Is it his first priority. "I think it is. It's the bill that would be best for him. At least when he thinks about it, it is. When he gets through thinking about Lebanon, grain sales and summits, it is. The question is how much time has he spent personally talking with Chuck Grassley about it. How many people on the committee has he spent time with. Has he gone up to Max Baucus on the floor, grabbed him by the sleeve and said 'Max, this is my bill I want to move it. Max would say I don't know what it's about. And Arlen could give him a quick capsule. It would take maybe thirty seconds. Those thirty seconds are ~~very~~ really substantive. And that's what's important. I can write a 50 page memo, and it won't have any effect compared to 30 seconds on the floor between Arlen and another Senator. That's the way the Senate works. If Arlen asks, they'll say, sure Arlen. He knows we have contacted other staffs, that we're working on the staff level. The question is what has he been doing. I wish you'd ask him the next time you see him. I should know what he's doing but I don't. He says it's his top priority. But I don't know that he acts as if it is."

His point is that 1688 may be his priority verbally, but in terms of behavior, it's more dubious.

Bruce thinks they have 10 votes for, 3 against and five "we don't know about and don't care about, because we've got ten--but, of course we want more than ten if we can get them."

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"If we had taken it up Tuesday, we would have voted it out. We had ten votes for, three against and five we don't know about. The reason we are in that good shape is because Kevin has gone around and worked so smoothly on the staff level. We have our 150 page report.. It went out Friday. No one has read it yet. But I'm afraid if they do read it we'll be in trouble. They'll start thinking about it. We have a very shaky coalition now--very fragile--Hatch to Kennedy. It's been done so far on a personal basis. Once they get into the report, who knows. The Committee has a rule that any Senator for any reason can put a hold on a bill for one week. So any Senator can say 'I've got this 200p. report here and I need a week to read it. If they read it, we may be in trouble. It's so defensive. It keeps saying 'we're sure it's a good bill.' 'We're sure it's a good bill.' 'The strongest support comes from DA's. But the DA's association has withdrawn their support. How does that makes us look?... The staffer of one of the Democratic Senators came to me and said I think I'm going to have to tell my Senator to put a hold on the bill. I said to her if you are ever willing to do anything for me on a personal basis, please don't. It will make one week of pure hell for us. I don't think she's ever mentioned it to her Senator. I'm not sure how long we can hold it together like this."

They failed on the quorum on Tuesday. Later that day the committee sent around a poll to poll out 2 of the bills--the bicentennial commission and 1701. They are bills that Thurmond wants. But 1701 came from Arlen's subcommittee and the full committee guys never consulted Bruce. "I called them and said 'what the hell are you guys doing polling out one of our bills without calling me.' I wanted two chances for my guy to beat his chest and you've robbed me of one.' They don't know what they are doing. This committee is not even run.

They apologized. But I was mad that I wasn't consulted. That night I thought a long time about whether I would advise Arlen to object to the poll. One objection will stop them from polling it out. But I decided to advise him, instead, not to do anything that would give the faintest excuse to feel slighted. We won't get the bill to the floor without Strom. And Baker won't bring it to the floor without Strom's OK. So we cannot offend Strom in any way. The first job is to get it out of Strom's shop."

He told me how 1688 got moved up in the agenda. 1701 was up pretty high. Several others are dropped out is controversial. (They are cutting out the controversial ones so as to try to get a quorum.) Bruce asks "Dee" someone or other if he can set the priorities from his subcommittee and substitute 1688, which is lower in the list, for 1701, which is higher. And he uses not just the priority argument, but also the time argument, 1688 came out of subcommittee first. So they say OK. "I'm sure Dee checked with Thurmond. He doesn't go to the barthrooms without checking with Thurmond." But then Thurmond pulls out of 1701 anyway. Bruce wants to make sure there are other bills in there that someone wants, so they'll have meetings. He thinks Thurmond may have all he wants now."

The way the Committee works is that the counsels to the various subcommittees, majority and minority, meet every Monday. "But nobody says anything. If you spoke up it would be presented. It's a complete waste of time. The committee is run very badly. It isn't even run. We are supposed to discuss an agenda. We don't. We just accept the agenda set by the Chairman. (Do you always go? 'Yes.')

... Last week we held a special meeting of the Republican counsels only. The idea was to see if we couldn't set an agenda that would bring a quorum for Tuesday's executive meeting. Dee put the question Are there any bills now on the agenda which, if we keep them there, will

definitely keep your members from coming to the meeting. Mathias guy mentioned three bills that he thought might be trouble. They took more off. One of them was the Habeas Corpus bill was the main reason why . . . wouldn't come. Another one would have meant such a long debate that ours would never come up. So we moved up three slots. Another bill was taken off the agenda because Simpson wants to bring it up with the immigration bill. These 5 were all ahead of ours. But in place of the last one Thurmond slipped in a bill that he and Hatch want--a bicentennial commisssion. It hadn't even been on the agenda before. That left the other bill from our subcommittee in fourth place. I went to Dee afterward and asked if I couldn't determine the priorities for the bills coming out of our subcommittee. I said 1688 was now top priority and I argued timeliness--that it came out of subcommittee before 1701. He agreed, checked it with Thurmond, and 1688 was 4th on last Tuesday's agenda."

He says he thinks 'they are in trouble re quorum next week because they worked so hard this week and told every member to come, because every other member would come. Three of 'em went to leadership meeting at White House. Thurmond must have known the 3 would be absent, says Bruce, because he was invited, too. So, it may be that Thurmond is killing their goose slowly, even though none of them--Paul, Arlen, Bruce--will come out and say it.