

in two days. In an April 25 letter to chairman Tom Davis (R-Va.), ranking Democrat Henry Waxman (Calif.) had written that, because of the magnitude of the reforms contemplated in the bill, "It is clear to me that additional hearings are necessary, as well as consultations with outside experts and affected groups, in particular DoD employees." He noted that the start-

ing point for the authorities being demanded by the Pentagon are those granted to the Department of Homeland Security. "Before we grant these requests," he added, "we need to evaluate how well the Homeland Security Department implements its flexibilities, whether they are working, and what problems have arisen."

The entire package includes more than just civil service reforms. It also "reforms" the military personnel system—including giving the Secretary of Defense more control over promotion and assignment of flag-rank military officers—the defense acquisition system, and the Pentagon's internal management system. The civilian personnel provision in the bill would give the department the unilateral ability to develop its own personnel system, exempt from most of the laws governing the civil service, including those portions of the law that provide for performance appraisal, pay rates and classification systems, collective bargaining rights, and due process and appeal rights. Those authorities were already given to the Homeland Security Department, but the Pentagon also wants more authority over the hiring and firing of employees.

In an unusual show of unity, the Democrats on both the Armed Services and Government Reform Committees came out swinging against the bill. The May 6 Government Reform Committee hearing was particularly tumultuous. Nearly all of the committee's Democrats showed up to grill Wolfowitz, and a half-dozen Republicans showed up to express grave concerns about the race to pass the bill.

### Wolfowitz Lies to Committee

Wolfowitz's "Straussian" performance (committee members repeatedly caught him lying about the content of the bill, and simply contradicted him by reading from the draft text) was interrupted by House Minority Whip Steny Hoyer (D-Md.). Hoyer, whose district is dominated by government workers, was allowed to give his own testimony strongly opposing the bill. He compared the mad race to ram it through to the lengthy and careful review that preceded the 1978 Civil Service Reform Act. Hoyer warned that Rumsfeld and Wolfowitz are planning to ram the bill through the House committees and then attach it to the defense authorization bill, so that it would never be taken up as a self-standing piece of legislation. He charged that the DoD intends to have the bill passed and signed by President Bush by Memorial Day.

Armed Services Committee Democrats have been equally energetic in their protests. At the May 1 hearing, Rep. John Spratt (R-S.C.) said, "I keep coming across this phrase in the draft, 'at the Secretary's sole, exclusive and unreviewable discretion.' In other words, the Secretary is isolated and insulated from any kind of challenge. Sole and unreviewable discretion. Those are strange words for the government of the United States." Spratt said to Undersecretary Chu, "I'm telling you, this is a hell of a grant of authority."

Rep. Jim Cooper (D-Tenn.), also a member of the Government Reform panel, said, "Because there's so much sole,

## Rumsfeld's 'Notverordnung'

*This statement was released by the LaRouche in 2004 Presidential campaign committee on May 10, 2003.*

On the subject of the proposed "Defense Transformation Act of the 21st Century," which has been presented on behalf of Secretary of Defense Donald Rumsfeld:

1. Our U.S. Federal Constitution was crafted under the authority of that natural law stipulated by our 1776 Declaration of Independence and Preamble of that Constitution. The separation of powers is the principal functional distinction of that Constitution as a whole. In the matter of the proposed legislation, the authorities demanded for Secretary of Defense Donald Rumsfeld would be a grave material breach of that Constitution, a leak in the dike which opens the way for the kinds of dictatorial powers assumed by the Adolf Hitler regime on Feb. 28, 1933, powers from which all the principal crimes of the Hitler regime ensued.

2. In this matter, we can not be blind to the fact that leading members of the present Administration, such as Vice-President Cheney and Secretary Rumsfeld, have associated themselves with a philosophy of unconstitutional and other insurrectionary practices, formerly identified as "Synarchist: Nazi-Communist." The stated premises of the most clearly objectionable features of the draft legislation are also peculiarly consistent with the Nazi legal doctrine of Carl Schmitt, a notorious confederate of the late Professor Leo Strauss and Alexandre Kojève whose synarchist connections and style in philosophy are those of relevant high-ranking officers of Secretary Rumsfeld's Department of Defense.

The relevant language presented within the proposed legislation should therefore be outlawed, root and branch.

3. Such features of the proposed legislation might be grounds to seek impeachment of those who are considered as conspiring to destroy our Constitution through imitation of Nazi-like emergency powers.

—Lyndon H. LaRouche, Jr.