

## **Task Force decries hypocrisy of ethics committee investigation**

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By Bob Roehr

They say that politics makes strange bedfellows, and that certainly is the case with the letter that the **National Gay and Lesbian Task Force** sent to the Senate Ethics Committee asking it to drop its investigation of the toe-tapping Larry Craig (R-Idaho).

**"We are writing to object to the inherently contradictory and disparate treatment of allegations of ethical misconduct by Senators Larry Craig and David Vitter," Executive Director Matt Foreman wrote to Chairman Barbara Boxer (D-California) and Vice Chairman John Cornyn (R-Texas) on November 13.**

**Foreman criticized the committee for opening an investigation into Craig's guilty plea to a misdemeanor incident in a Minneapolis airport men's room, now under appeal, while not investigating the multiple reports of Senator David Vitter (R-Louisiana) engaging the services of prostitutes, a more serious violation of the law.**

**"There is no explanation for the diametrically opposed responses to these two situations, other than hypocrisy tinged by homophobia," Foreman wrote. "There are only two ways to resolve this: drop the investigation of Senator Craig or investigate the allegations surrounding Senator Vitter."**

The committee jumped to investigate Craig as soon as news of the airport incident broke in the press in late August. It has dragged its feet on investigating Vitter, despite his connection to alleged prostitution being known since July. Members of the committee have been tight-lipped about their activities.

But Vitter may not have that option; the senator was served with a subpoena on November 13 by Deborah Jeane Palfrey, the so-called D.C. Madam. It requires him to testify at a hearing on November 28 about his admitted use of the escort service. Palfrey has maintained that the service she ran only engaged in legitimate business activities, not prostitution, and she seeking to have Vitter give his personal testimony to that effect.

### **No recess for Holsinger**

The Senate traditionally takes a two-week recess over Thanksgiving, but not this year. Don't worry, most of the senators will still make it home for the holiday, but a few lonely members have agreed to meet periodically and call the empty chamber into session, then quickly adjourn in order to maintain the pretext of continuing to meet.

The reason is that Constitution allows the president to make "recess appointments" to offices that otherwise require Senate confirmation. The appointees can serve until the end of that session of Congress. The rule was written back in the days of quill pens and horses to give the president the needed flexibility to govern when the Senate was out of session for long periods of time.

Contemporary presidents have used the option to name controversial figures held up by the Senate confirmation process. For Bush, that has meant federal Judge Charles Pickering and UN Ambassador John Bolton, among others.

So when the rumors started to swirl that Bush was planning to do the same thing again over the Thanksgiving break, and possibly name the anti-gay physician James Holsinger as U.S. surgeon

general, Democratic Majority Leader Harry Reid (D-Nevada) reached into his own bag of parliamentary tricks. He got those senators to agree to maintain the illusion that the Senate remains in session.

So there will be no recess appointment for Holsinger, or any other nominee who has languished longer than Bush would like.