the secretary of the Interior to conduct a volunteer pilot project at one national wildlife refuge in each U.S. Fish and Wildlife Service region, and for other purposes.

S2319 - A bill to authorize the use of receipts from the sale of migratory bird hunting and conservation stamps to promote additional stamp purchases.

S1700 - A bill to designate the headquarters building of the Department of Housing and Urban Development in Washington, D.C., as the Robert C. Weaver Federal Building.

HR643 - A bill to designate the U.S. courthouse to be constructed at the corner of Superior and Huron Roads, in Cleveland, Ohio, as the "Carl B. Stokes United States Courthouse."

HR3504 - A bill to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the performing arts and to further define the criteria for capital repair and operation and maintenance.

S1222 - A bill to catalyze restoration of estuary habitat through more efficient financing of projects and enhanced coordination of federal and non-federal restoration programs, and for other purposes.

S2131 - A bill to provide for the conservation and development of water and related resources, to authorize the secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Agenda:

GSA Prospectus for Duncan Plaza

Nominations: Nikki Tinsley to be Inspector General of the

EPA

Information verified as of 08:23pm 07/17/98

HOLOCAUST ASSETS

Future Senate committees * Revised *

(SCHEDULE 07/22/98; Banking, Housing & Urban Affairs)

Item Key: 56

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HOLOCAUST ASSETS * Revised *

Senate Banking, Housing and Urban Affairs Committee (Chairman D'Amato, R-N.Y.) will hold a hearing on the 1946 Washington Accords between Switzerland and various countries that dealt with the handling of assets taken from victims of the Holocaust. In the 1946 Washington Accords, the Swiss agreed to turn over approximately $58 million in gold to the Allies, though according to captured ledger books it is estimated that the Swiss accepted at least $289 million in gold alone from the Germans.

The Swiss haggled back and forth with Allied negotiators for six years and in the end returned only $28 million in German assets. The hearing will consider whether on not the 1946 agreement should be reopened.

July 22 10:00 am SD-538 Dirksen Bldg.

Information verified as of 08:23pm 07/17/98

There are no more items to read.

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ECONOMICS AND FINANCE: DISTRICT OF COLUMBIA SPENDING

Schedule highlights

(SCHEDULE 07/20/98)

Item Key: 11

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ECONOMICS AND FINANCE: DISTRICT OF COLUMBIA SPENDING

By Matthew Tully and Bob Gravely, CQ Staff Writers

The Senate Appropriations Committee this week will begin work on the fiscal 1999 spending bill for the District of Columbia, which in recent years has served as a temporary home to controversial "riders."

The Senate has allocated $482 million in budget authority to the District spending bill, which is $9 million less than the House bill and $10 million less than the president has requested. Aides on Friday night said members had not yet received the details of the budget and declined to release other details of the measure.

Last year, Republicans attempted to link school vouchers, which would have allowed families to pay for admittance to the public or private school of their choice, to the spending bill. President Clinton earlier this year vetoed a bill (S1502) to authorize school vouchers for residents of the District of Columbia. An effort to attach such a provision to this year's bill is not expected.

Both the D.C. City Council and the city's control board have approved a $5.2 billion budget that would provide $254 million for infrastructure improvements and $11 million in tax cuts. The president's budget request seeks $25 million in improvements for the area's Metro train system.

City Council Chairwoman Linda W. Cropp urged lawmakers last month to steer clear of social issues that she said should be determined locally. Still, many in Congress are likely to at least attempt to strike down a city ordinance requiring new city hires to be city residents.

CHINA TRADE POLICY

The annual showdown vote on whether to grant China normal trade relations for another year is scheduled in the House later this week.

As in previous years, the House is expected to uphold President Clinton's June decision to renew China's most-favored-nation (MFN) status, but only after a contentious debate that is slated to last for four hours.

The vote will be on a resolution (HJRES121) to discontinue the trade status, meaning that Clinton's position and MFN for China will be upheld if the resolution is rejected.

Clinton and those in Congress who support the extension argue the policy of "engagement" with China serves U.S. economic interests and promotes change in China and stability in Asia, among other benefits. That position also is shared by the business community.

Opponents counter that the normal trade designation, accorded to all but a few nations, should not be granted to China primarily because of its human rights record.

Other reasons for the opposition to intensify are the investigation into U.S. technology transfers to China's military and a probe of alleged Chinese efforts to influence U.S. elections.

Last year, the House defeated a China MFN disapproval resolution on a 173-259 vote. The Senate did not vote.

[ThisWeek]

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! WEEKLY RREPORT DATABASE

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Who's in Charge When Terror Strikes?

Law/Judiciary/Supreme Court

(HR4103, S2132, S2260; WR 07/18/98 p. 1921; 302 lines)

Item Key: 3461

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LAW & JUDICIARY

Who's in Charge When Terror Strikes?

>> Plans to counter chemical and biological attacks are badly coordinated, lawmakers say.

By Dan Carney and Chuck McCutcheon, CQ Staff Writer

As a high-ranking official in the Soviet Union's biological weapons program during the Cold War, Dr. Kenneth Alibek oversaw the preparation of fungi, viruses and other deadly toxins. Now he spends his time warning about the havoc they can wreak.

"In the 21st century, the century of very high development of technologies, we should expect more and more people to know how to create [biological] agents," Alibek, who has served as a consultant to the U.S. government on bioterrorism, said at a July 9 lecture sponsored by the Heritage Foundation. "It's very easy to develop biological weapons. But it's very difficult to develop a protection agent against them."

Mindful of such warnings, members of Congress have put aside partisan bickering in recent years as they work to prepare American cities for the possibility of a terrorist attack with either biological or chemical weapons. But as lawmakers pour ever-increasing resources into the effort -- including as much as a four-fold increase this year for the Department of Justice's anti-terrorism spending -- there is growing debate about whether good intentions necessarily translate into positive results.

A number of lawmakers have begun to question how the program is being managed. They look at the many agencies involved -- including the departments of Defense, Justice, State, and Health and Human Services, the Federal Emergency Management Agency and the CIA -- and wonder how these bureaucracies could possibly coordinate with each other and with local authorities.

The lack of effective coordination between government agencies is seen as a major problem by Alibek and other experts. With researchers years away from developing an effective defense against biological weapons, Alibek said, the government needs to place more emphasis on training and preparedness.

They are only partially mollified by President Clinton's decision May 22 to create a central coordinating office within the National Security Council (NSC). That directive appointed Richard A. Clarke, an NSC adviser on global affairs, as the coordinator. Clarke will oversee the government's efforts on chemical and biological weapons, as well as a program to combat potential terrorist attacks on the nation's computer-based telecommunications systems, air-traffic control systems and other public and private networks. (CQ Weekly, p. 1622)

Lawmakers do not necessarily question the concept of a coordinating office, but wonder if the NSC is the right place -- and whether it has a clear mission.

Curt Weldon, R-Pa., chairman of the House National Security Research and Development Subcommittee, argues that it would take someone with the stature of the vice president to effectively play the coordinating role envisioned.

"I don't see how someone from the NSC is going to tell the military what they should and shouldn't do and get their cooperation," Weldon said.

Jon Kyl, R-Ariz., chairman of the Senate Judiciary Subcommittee on Terrorism, Technology and Government Information, also questions whether the intelligence portions of the program are up to par.

Lawmakers are further concerned about accountability to Capitol

Hill. Some complain that they cannot call Clarke to testify before them as they could a Defense secretary or an attorney general. Others observe that the anti-terrorism effort is in part a law enforcement function, and running it out of the White House raises the possibilities of politicization.

Sen. Judd Gregg, R-N.H., and Rep. Harold Rogers, R-Ky., chairmen of the two appropriations subcommittees that fund the Departments of Commerce, Justice and State (CJS), worry about giving control to someone with no real power, no assets to deploy in the field and no budgetary authority over the federal agencies involved, not to mention the various local officials.

"We have learned that bitter lesson with the drug czar, who has no real authority over agencies," said Rogers. "He's a commander without troops."

Clarke dismissed many of these concerns, saying the coordinating process created by Clinton will resolve many of the management issues and that the NSC has a history of running major programs like these.

"We've always done this sort of coordination," he said in an interview.

POTENTIAL FOR DISASTER

How well the program is run is of more than bureaucratic interest.

Casualties from a poisonous gas attack could go well into the thousands. From a pathogen such as anthrax, the numbers could go much higher if the disease spreads rapidly through an urban population.

Several recent events have underscored the possibility of a terrorist group attacking a U.S. city with poisonous gas or disease-spreading pathogens.

The World Trade Center bombing in 1993, the Oklahoma City bombing in 1995 and the 1996 attack on U.S. troops in the Khobar Towers complex in Saudi Arabia convinced a number of officials that terrorism on a large scale could come to American cities. The Persian Gulf War, meanwhile, underscored the prevalence of chemical and biological weapons among rogue nations potentially willing to supply them to terrorist groups.

Perhaps the most alarming incident was the 1995 attack on a Japanese subway by a cult using poisonous sarin gas. In prior years, the same group had tried unsuccessfully to spread anthrax and the toxin that causes botulism, and sent a team to Zaire to try to recover the Ebola virus.

The first legislative response to these types of incidents was an amendment to the 1996 defense authorization law (PL 104-201) sponsored by Sen. Sam Nunn, D-Ga. (House 1969-72, Senate 1972-97), and Richard G. Lugar, R-Ind., and Pete V. Domenici, R-N.M., to improve emergency response preparedness and coordination among federal, state and local agencies to deal with chemical and biological weapons and other terrorist attacks. (1996 Almanac, p. 8-8)

The initiative included a program that calls for training authorities in 120 cities over five years to respond to a chemical, biological or nuclear incident. FBI Director Louis J. Freeh said at an April 22 joint hearing of the Senate Intelligence Committee and the Judiciary Subcommittee on Technology, Terrorism and Government Information that 23 cities were visited last year and 27 more are expected to be trained this year.

Although he acknowledged it is far from ideal, Freeh contended that coordination between his agency and other governmental agencies on chemical and biological terrorism is rapidly improving.

"I'm not trying to paint an overly optimistic picture, but we are in a much better position to deal with these issues now than we were a few years ago," he said.

The Defense Department also has been paying more attention to preparedness against so-called weapons of mass destruction. For fiscal 1998, Congress appropriated more than $574.5 million for various Pentagon programs aimed at improving defenses against chemical and biological attacks. (1997 CQ Weekly, p. 2321)

The administration has requested $620.3 million for those programs in fiscal 1999, including $283.9 million for the purchase of gas masks and other protective equipment and $336.4 million for research and development and related activities.

Both the House and Senate defense appropriations bills (HR4103; S2132) would add slightly to the administration's request. Nevertheless, some defense-minded lawmakers remain interested in pressing for greater awareness in the Pentagon about the need to be prepared.

"The United States must adapt its strategy . . . so that U.S. forces and its allies are capable of operating in an environment where chemical and biological agents and weapons are employed," the Senate Armed Services Committee said in a report accompanying the fiscal 1999 defense authorization bill (S 2060-S Rept 105-189).

LOCAL EXPERTISE NEEDED

As the anti-terrorism effort has evolved, focus has begun to shift from developing new technologies and levels of expertise to getting them to localities around the country.

Among some of the current priorities are deploying devices around the country to detect chemical and biological weapons and training "first responders," the police, firefighters and other local officials who would arrive on a scene first.

"We need to have well-prepared groups of first responders," Alibek said.

By far the biggest player in this domestic part of the program is the Justice Department. The fiscal 1999 appropriation for the department will likely include as much as a four-fold increase from the $61.7 million allocated in fiscal 1998. Gregg's bill (S2260) scheduled for consideration by the Senate the week of July 20 contains $224 million, most of it ($197 million) in a special anti-terrorism fund. The draft House bill, approved by the Appropriations Committee on July 15, includes a $129 million anti-terrorism fund. (House bill, p. 1943)

"One of the messages that's come back loudly from police chiefs and firefighters and sheriffs is, 'Look, we're on the front line. . . . We don't have the equipment,' " Attorney General Reno said at the April hearing.

As the anti-terrorism effort has widened to include so many domestic and foreign policy agencies, its level of complexity has expanded exponentially. Clinton's directive creating Clarke's position has only partially resolved the complexity issue, according to a number of lawmakers and congressional aides. While no one disputes the need for some sort of coordinating office, they are concerned that it may evolve into something that tries not only to coordinate policy but also run operations.

Regarding the Pentagon, this concern is expressed in report language with the House version of the fiscal 1999 defense authorization bill (HR 3616-H Rept 105-532). It says members of the House National Security Committee "hold serious concerns about where operational control of the

Defense Department's counterterrorism efforts will reside."

It directs the secretary of Defense to prepare a report by January outlining in detail the Pentagon's anti-terrorism strategy, including an assessment of whether the Defense Department's role should be expanded.

On the domestic front, Gregg is leading a similar effort with respect to the Justice Department. It is one thing to have someone working on long-range policy and advising the president, he argues. But as a crisis approaches, he thinks the important shots should be called by people in a well-established chain of command.

Through both funding and report language, he has been trying to consolidate as much of that decision-making as practical within the Justice Department. Long before Clinton's May directive (which increased his budget request in addition to creating Clarke's position), Gregg was planning his huge increase for the Justice Department.

In his fiscal 1998 spending bill (PL 105-119), Gregg instructed Reno to draft a five-year, inter-agency anti-terrorism plan by Nov. 31. This year's Senate bill is accompanied by report language admonishing her for having brought too many other agencies into the drafting of the plan.

By consolidating as much as possible within the department, Gregg hopes both to create clear lines of command and to help prevent inter-agency turf wars.

"The biggest problem we have is getting everybody working together and having a top-down, total commitment to cooperation," he said. "There is an inherent nature of bureaucracy to protect one's bailiwick. But we cannot tolerate turf war on this."

BLURRED LINES

If lawmakers are worried about too many federal agencies getting involved, they are also worried that Congress will not be able to get involved enough. One problem they see in having an NSC official coordinating administration anti-terrorism efforts is that he is not subject to much congressional oversight.

Another complaint raised about the NSC's running the program is that the lines between politics and prosecution could become blurred.

An anti-terrorism effort is in part a law enforcement program. Having a law enforcement program run by a national security aide who is not subject to Senate confirmation and works within the White House could set a dangerous precedent, Sen. Patrick J. Leahy, D-Vt., argued.

This complaint strikes many counterterrorism experts as oversimplification.

Michael Moodie, president of the Chemical and Biological Arms Institute, which promotes weapons non-proliferation, says the issue goes beyond law enforcement. He said it makes no sense not to coordinate a project as broad and important as counterterrorism at the White House level just because part of it deals with law enforcement.

"It's important to understand that this is not just a law enforcement problem. This is a problem that has many angles, and broader questions that link it to arms control treaties and nonproliferation regimes," he said.

Moodie also dismisses the question of congressional accountability. Surely, he said, Congress and the administration can work out an arrangement that keeps members fully informed while allowing the president to coordinate anti-terrorism policy within the confines of the White House.

Clarke argues that his position, along with an inter-agency committee created by Clinton, has already made great strides toward a good management structure for the federal anti-terrorism effort.

"The presidential directive creates an inter-agency committee to do that coordination," he said. "Frankly, the coordination was not being done well prior to that. Now that that committee has stood up, I think this problem will go away."

Most outside experts say they would be hard-pressed to come up with a plan better than the one forwarded by Clinton. There may be some problems with a coordinating office, they argue, but fewer than there would be if no one was coordinating the disparate agencies.

Ultimately, though, the differences over how to manage the program underscore a crucial point. There may be no way to devise an effective policy before an attack because of the enormous complexities involved. An attack on an American city with a disease-causing pathogen such as anthrax could necessitate the hospitalization of thousands, perhaps even millions, of people. There has been nothing to test the nation's ability to cope with such an outbreak.

Despite all the efforts to plan for such an attack, no one is sure how these plans would function.

"Who's in charge?" asked a senior congressional aide. "You're never going to know until there is a real crisis."

2 of 20 items CQ's WASHINGTON ALERT 07/20/98

Legal Maneuvers Over Issue Ads Steal Spotlight From Congress' Ongoing Campaign Finance Debate

Politics/Elections

(HR3526; WR 07/18/98 p. 1930; 215 lines)

Item Key: 3453

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CAMPAIGN FINANCE

Legal Maneuvers Over Issue Ads Steal Spotlight From Congress' Ongoing Campaign Finance Debate

By Karen Foerstel, CQ Staff Writer

As Congress continues to meander its way through debate on overhauling the campaign finance system, real action is heating up in courts across the country.

In at least six states, private interest groups are suing government authorities over election laws that restrict "issue advocacy" -- campaign efforts that advocate for or against specific issues but are barred from calling on voters to vote for or against specific candidates. In addition, two high-profile cases involving federal limits on issue advocacy are expected to come to a head sometime before the November election.

Issue advocacy includes advertisements and other activities -- such as voter guides and pamphlets -- that highlight issues and often note candidates' stances on those issues. Groups that run such ads are exempt from disclosure laws and contribution limits as long as they do not expressly call for the election or defeat of a particular candidate.

But critics say that issue ads are often thinly veiled candidate ads. Legislation pending in Congress would tighten restrictions on issue advocacy, but the Senate has deadlocked over campaign finance proposals and House debate has proceeded inconclusively for months. (Senate action, CQ Weekly, p. 467; House action, p. 1688)

In the meantime, the Federal Election Commission (FEC) and several state election authorities have moved to crack down on issue advocacy, charging that special interest groups are crossing the line by trying to influence elections.

The burgeoning lawsuits are a result of the increasing impact issue ads are having on elections in which candidates sometimes find their own ads elbowed aside by issue ads run by dueling outside groups. The outcome of the legal maneuvering will likely serve as a bellwether for federal regulations now being debated in Congress. (Issue ads, CQ Weekly, p. 1108)

Defenders of issue advocacy argue that virtually any restrictions amount to an abridgment of free speech. "The courts are unanimous and consistent in striking down the efforts of politicians to curtail the ability of private citizens to express their views," said James Bopp Jr., an election law attorney handling several lawsuits across the country. "We're not raising money for campaigns. We're raising money to educate the public."

Bopp is working with the Christian Coalition in its defense against a 1996 lawsuit filed by the FEC. He is also working with cases involving anti-abortion groups in Vermont, Florida, Iowa and Montana, and with a North Carolina suit involving a hog farmers' group that says the state is blocking its freedom of speech by regulating issue ads.

Bopp, who recently won a case in Virginia that struck down limits on issue advocacy, predicted the courts will ultimately strike down all such regulations, including any federal laws enacted by Congress.

The 2 year-old FEC suit against the Christian Coalition is moving into a new phase. Discovery in the case -- the gathering of depositions and evidence -- is to be completed by July 24, and oral arguments in the case could come this fall.

The FEC filed the suit in 1996 charging the Christian Coalition cooperated with and expressly supported Republican candidates by issuing voter guides and other materials in the 1990, 1992 and 1994 elections.

U.S. District Court Judge Joyce Hens Green on June 25 granted the FEC a motion to penalize the Christian Coalition for dragging its feet during the discovery process and ordered the organization to pay the FEC's legal costs related to the delay.

The Christian Coalition insists it has done nothing wrong in its political activities and is simply exercising its right to free speech. Coalition spokesman Arne Owens said his group plans to continue distributing voter guides -- approximately 45 million this year.

Thelimit on how much unregulated "soft money" can be spent on issue ads is unconstitutional. The parties hope to have a decision before the November elections. (Soft money refers to unlimited donations to party committees -- not individual candidates -- from companies, interest groups and individuals.)

LAWSUITS IN THE STATES

Meanwhile, on the state level, numerous lawsuits are being waged between private groups and state authorities that have tried to force the groups to disclose their financial supporters and to comply with contribution limits.

In Wisconsin, the state attorney general's office has sued two groups that ran issue ads targeting local candidates in 1996. While the groups -- Americans for Limited Terms and Wisconsin Manufacturers & Commerce -- contend their ads did not expressly urge votes for or against candidates, the state board of elections charged that the ads crossed the line into political activity.

The ads called some candidates "out of touch" and "big spenders," while praising others for "a record we can all be proud of."

In January, a judge ruled that the state has the authority to regulate issue ads but dismissed the case against Wisconsin Manufacturers & Commerce, saying the election board had not clearly defined what sort of candidate advocacy is forbidden.

The case against Americans for Limited Terms is still pending. Last month a judge ruled that its ads, while not directly telling voters how to vote, sent a clear political message against certain candidates.

"There's an effort by incumbents to clamp down on issue ads because it's the only area of campaign spending that's tilted against incumbents," said Eric O'Keefe, president of Americans for Limited Terms. "In my view it's among the most important campaign spending because it's an outlet for dissenting voices. It's extremely vital in democracy."

O'Keefe said private groups such as his will be forced out of business if they are subject to fundraising limits and disclosure laws. He said his group will fight the case all the way to the Supreme Court if necessary.

A similar case is pending in Vermont, where the anti-abortion group Vermont Right to Life is suing the state over a new law that sets up reporting requirements for issue advocacy campaigns. Under the law, any "mass media" campaign that uses the names of candidates 30 days before an election must file a report with the secretary of state and all the candidates mentioned in the ads.

Vermont Right to Life, which has traditionally handed out voter guides listing hundreds of candidates and their positions on issues, said the law has made it impossible for the group to inform members of candidates' stances.

"It would put a nonprofit like us out of business," said Mary Hahn Beerworth, executive director of Vermont Right to Life. "It would severely challenge our resources and ability to keep up with the paperwork. Our hands are tied."

A state court heard oral arguments in the case on July 6, and Vermont Right to Life is hoping to have a decision by the end of August.

LOOMING MICHIGAN CASES

More lawsuits are expected in Michigan, where new regulations go into effect in August that place strict rules on issue ads that contain the names or photos of candidates 45 days before an election. Groups that air such ads will be prohibited from accepting union or corporate donations, and will have to comply with disclosure and fundraising limits.

While interest groups say their free-speech rights are being violated by these laws, others say the regulations are in the best interest of voters.

"Issue ads severely undermine the campaign finance system," said Ken Weine, spokesman for the Brennan Center for Justice at New York University School of Law. "Our legislators have taken the time to determine what level of contributions is appropriate. To have literally millions of dollars in campaign contributions flowing outside these rules makes the existing laws worthless."

In its Buckley v. Valeo decision of 1976, the Supreme Court ruled that only ads that expressly advocate the election or defeat of candidates can be regulated by the government. (1976 Almanac, p. 459)

Interest groups argue that as long as advertisements do not say "vote for" or "vote against" a candidate, they are not conducting the forbidden "express advocacy."

But others argue that any ad that contains the names of candidates just months or weeks before an election amounts to express advocacy.

"An ad does not have to say explicitly to vote for or against someone in order to get the message across," said Kathleen Hall Jamieson of the Annenberg Public Policy Center of the University of Pennsylvania. "The viewers will hear it as express advocacy."

The Annenberg Center estimates that from $135 million to $150 million in issue ads ran during the 1996 cycle, all of them unregulated.

Jamieson, who has filed a brief in the Vermont case, added that disclosure is vital because the source of a message has an impact on the viewer.

"They will judge the credibility of a message based on the motive of the source," she said. "People have a right to know who sponsors these things."

HOUSE CAMPAIGN FINANCE ACTION

As the states battle over the definition of issue ads and how they should be regulated, the House renewed its on-again, off-again debate on a series of campaign finance bills that include proposed restrictions on issue ads.

One lead bill (HR3526) offered by Reps. Christopher Shays, R-Conn., and Martin T. Meehan, D-Mass., calls for full disclosure and contribution limits for issue ads that are run 60 days before an election. While Shays and Meehan insist their bill covers only advertisements, and not other literature such as voter guides, opponents of the bill say it could be interpreted to limit any materials that mention the names of candidates.

John T. Doolittle, R-Calif., offered an amendment July 14 that sought to exempt printed and on-line materials such as voter guides from the bill's regulations. The House defeated the amendment 201 to 219. (Vote 275, p. 1968)

House Members Shoot Holes In Treasury-Postal Bill

Appropriations

(HR4104, S2312; WR 07/18/98 p. 1949; 252 lines)

Item Key: 3463

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APPROPRIATIONS

House Members Shoot Holes In Treasury-Postal Bill

>> Unusual rule leaves dozens of provisions vulnerable to deletion during floor debate

By Juliana Gruenwald, CQ Staff Writer

Like Humpty Dumpty, fiscal 1999 Treasury, Postal Service and general government spending legislation fell off the wall July 16, leaving helpless House appropriators to put it back together again during a conference with the Senate.

The House bill (HR4104), which provides funding for the Treasury Department, U.S. Postal Service subsidies, executive office of the president and several independent agencies, fell victim to parliamentary warfare before being passed, 218-203, on a cliffhanger vote that changed more than half a dozen times as House leaders tried to line up support.

(Vote 293, p. 1972)

The House Rules Committee issued an invitation to havoc when it crafted a rule that protected only one provision in the bill -- language to block an annual cost of living increase for members of Congress. That left unprotected -- and vulnerable to deletion any other provision that violated House rules by, for example, providing funds for unauthorized programs or legislating on a spending bill. Despite rules against such provisions, they often are inserted and lawmakers typically look the other way.

This time, however, lawmakers readily accepted the unusual rule as an invitation to strike about 50 items from the bill.

Leading the charge were Democrats who complained that Republicans were trying to remove controversial provisions favored by Democrats, including money to fix Year 2000 computer problems and language requiring health care plans for federal employees to provide coverage for contraceptives if they also cover other prescription drugs.

"I didn't invent the rule," said David R. Obey of Wisconsin, the top Democrat on the Appropriations Committee, who was responsible for striking most of the items that were removed. "I'm not going to let the Republican leadership decide they can knock out things our people think are important and not see the consequences."

Most of the items removed were policy provisions, not funding items

-- so most of the bill's funding remained intact. Jim Kolbe, R-Ariz., chairman of the Treasury-Postal Service Appropriations Subcommittee, said he expected many of the deleted provisions to be restored in a House-Senate conference.

Before coming to the floor, the legislation would have provided $29.2 billion in funding for fiscal 1999. After House action, it would provide $26.95 billion, according to committee aides.

In a much less contentious debate July 14, the Senate Appropriations Committee approved a $29.9 billion fiscal 1999 Treasury-Postal Service spending bill (S2312) by a vote of 28-0.

BUMPY RIDE

The House bill's chaotic journey began June 25 when House leaders first tried to bring it to the floor. They were stymied when conservative Republicans joined with Democrats to reject the rule, which governs debate. Republicans objected to the language on contraceptives being protected by the rule, and the Democrats were angry that the rule effectively deleted the money for the Year 2000 computer fix.

After a two-week recess, House leaders returned with an even more controversial rule. Rules generally protect language that technically violates House rules but that makes the measure attractive to certain lawmakers. But this rule only protected language that would bar an otherwise automatic cost of living increase for members of Congress.

It aimed to bring conservatives back on board by leaving the contraception language open to deletion, said John Linder, R-Ga., a Rules Committee member. Republicans also tried to bully Democrats into voting for the rule by claiming a vote against it was a vote in support of a congressional pay raise.

"I think it helped pass the rule," said Linder, who heads the National Republican Congressional Committee, the House Republicans' political arm. He put out a news release July 15 warning Democrats that Republicans would try to claim that those voting against the rule were voting for a pay raise.

Despite losing 23 Republicans, the rule passed July 15, 218-201, with the help of 20 Democrats. (Vote 284, p. 1970)

The next day, still steamed by GOP efforts to turn debate on the rule into a vote on the pay raise, W.G. "Bill" Hefner, D-N.C., who is retiring at the end of the 105th Congress, offered an amendment to remove the provision to freeze the cost of living increase.

"It was absolutely intellectually dishonest," Hefner said of the GOP's tactics. His amendment, however, was defeated, 79-342. (Vote 289, p. 1970)

Democrats were responsible for removing most of the 50 provisions deleted from the bill, but Republicans also used the opportunity to strike items they opposed.

Mark W. Neumann, R-Wis., succeeded in striking the $2.25 billion in emergency funding to fix the glitch that may cause computers to go haywire or shut down when the date changes to Jan.1, 2000. (Year 2000, p. 1955)

Neumann and other budget hawks objected to the Year 2000 money because as an emergency spending item it would not count toward the discretionary budget caps set in 1997's budget spending law (PL 105-33). Republican leaders said they plan to include the money in a supplemental appropriations bill. (Budget law, 1997 CQ Weekly, p. 2990)

But Senate Appropriations Committee Chairman Ted Stevens, R-Alaska, said he would prefer to keep the money in the Treasury spending bill. The Senate's bill includes $3.25 billion for ensuring that the federal government's computers are fixed. "Clearly it's an emergency," Stevens said.

ABORTION FIGHT

Another major controversy erupted over the language on contraceptives, sponsored by Rep. Nita M. Lowey, D-N.Y., which had been added in committee.

Todd Tiahrt, R-Kan., succeeded in striking the language because it sought to legislate on an appropriations bill. Tiahrt and Christopher H.

Smith, R-N.J., one of Congress' most vocal abortion opponents, objected to federal funding for contraceptives because, Smith claimed, some of them can be used to chemically induce abortions.

Democrats, however, outmaneuvered Smith and his allies, scoring a surprising victory when they came to the floor with a slightly reworded version of the Lowey language.

The amendment would bar federal funds from being used to renew contracts with health care plans for federal employees that provide coverage for prescription drugs but do not include coverage for contraceptives. The amendment exempted five health care plans with a religious orientation.

The amendment was in line with House rules, which allow for limitations on how money is spent. The House adopted it, 224-198. (Vote 290, p. 1970)

Despite the loss, Smith was not ready to give up. He countered with an amendment seeking to bar the use of contraceptives that chemically induce abortions.

Lowey charged that Smith was trying to outlaw funding for all contraceptives. "The gentleman from New Jersey is saying to every woman who may take a birth control pill or use another one of the five accepted methods of contraception that they are abortionists," she said to applause from many female lawmakers.

Smith, however, said the pill and the diaphragm would be allowed under his amendment. Nonetheless, his amendment was rejected, 198-222. (Vote 292, p. 1972)

It was not the only abortion-related issue to emerge.

Rosa DeLauro, D-Conn., offered an amendment to remove a long-standing provision in the bill barring funding for abortions through federal employee health care plans.

Smith led the move to defeat DeLauro's amendment, 183-239. (Vote 288, p.1970)

"Americans should not be forced to underwrite the costs of destroying unborn babies," Smith said.

In protesting the rule, Obey struck exceptions to the abortion ban that allow funding of abortions in cases of rape, incest or to save the life of the woman. He said he supports the exceptions but "wasn't playing favorites."

OTHER CONTROVERSIES

Democrats scored a few other victories besides the Lowey amendment.

Carolyn B. Maloney, D-N.Y., struck language that would impose a four-year term limit on the staff director and general counsel of the Federal Election Commission (FEC). Democrats charged that Republicans added the provision in retribution against the FEC for targeting GOP-leaning organizations, such as the Christian Coalition, for investigations of campaign finance violations.

Maloney and Vince Snowbarger, R-Kan., also sponsored an amendment, approved 214-210, that would add $2.8 million to the FEC's budget, bringing its total to $36.5 million. (Vote 287, p. 1970)

Appropriations Committee Chairman Robert L. Livingston, R-La., objected to the boost, saying that despite past funding increases, the FEC has failed to do its job effectively or fairly.

The House rejected, 195-226, an amendment offered by Bernard Sanders, I-Vt., to require congressional approval before the president can make any loan or credit to a foreign government or entity of more than $250 million from the Treasury Department's Exchange Stabilization Fund. (Vote 291, p. 1972)

SENATE ACTION

The Senate markup was much tamer, and Chairman Stevens moved quickly after the markup to defuse a potential controversy.

Like the House measure, the Senate bill contains language that would freeze the cost of living increase for members of Congress for fiscal

1999.

Herb Kohl of Wisconsin, the top Democrat on the Treasury-Postal Service Appropriations Subcommittee, said he was concerned because the language differed slightly from the House provision, making the item open for debate in a House-Senate conference.

After initially dismissing such concerns, Stevens decided to change the provision to make it identical to the House's language.

The panel approved by voice vote an amendment, offered by Frank R. Lautenberg, D-N.J., that would require the federal government to tap into the frozen assets of nations labeled as terrorist states to pay for judgments rendered by U.S. courts against those countries for acts of terrorism in cases brought by U.S. citizens.

"This sends the strongest possible message to terrorist states," Lautenberg said.

The Treasury Department, however, has objected to the language, saying it would impair the president's ability to use the money as a bargaining chip when dealing with hostile countries, according to a letter sent to Kohl.

Harry Reid, D-Nev., planned to offer an amendment similar to the Lowey contraception language but withdrew it after being told that the Governmental Affairs Committee, which has jurisdiction over the issue, objected to such a move. He said he would offer the amendment when the bill goes to the Senate floor.

BOXSCORE

Bills: HR4104 (HRept105-592); S2312 (SRept105-251) -- Fiscal 1999 Treasury-Postal Service-general government appropriations

Latest action: House passed HR4104, 218-203, on July 16; Senate Appropriations Committee approved S2312, 28-0, on July 14.

Next likely action: Senate debates S2312.

Reference: House rule defeated, CQ Weekly, p. 1765; House committee, p. 1700; House subcommittee, p. 1614.

House Votes 275, 276, 277, 278, 279, 280, 281, 282

Inside Congress/Lobbies

House Vote Charts

(HR2183, HR3682, HRES499, HR3267; WR 07/18/98 p. 1968; 626 lines)

House Votes 275, 276, 277, 278, 279, 280, 281, 282

By CQ Staff

275. HR2183. Campaign Finance Overhaul/Shays-Meehan Substitute -- Voter Guides. Doolittle, R-Calif., amendment to the Shays-Meehan substitute amendment to the bill to overhaul campaign finance laws. The Doolittle amendment would strike the section of the substitute that requires voter guides to list at least two candidates or federal officeholders and only include their voting record or position on certain issues, with no commentary. Rejected 201-219: R 183-40; D 18-178 (ND 11-133, SD 7-45); I 0-1, July 14, 1998. (Story, p. 1930)

276. HR2183. Campaign Finance Overhaul/Shays-Meehan Substitute -- Contributions. Fossella, R-N.Y., amendment to the Shays-Meehan substitute amendment to the bill to overhaul campaign finance laws. The Fossella amendment would prohibit non-citizens from making campaign contributions to federal elections. Adopted 282-126: R 200-17; D 81-109 (ND 57-84, SD 24-25); I 1-0. July 14, 1998. (Story, p. 1930)

277. HR3682. Transporting Minors for an Abortion/Previous Question. Myrick, R-N.C., motion to order the previous question (thus ending debate and the possibility of amendment) on adoption of the rule (HRES499) to provide for floor consideration of the bill to make it a federal crime for anyone other than the parent to transport a minor across state lines with the intent that she obtain an abortion. Motion agreed to 252-174: R 217-9; D 35-164 (ND 27-120, SD 8-44); I 0-1. July 15, 1998. (Story, p. 1951)

278. HR3682. Transporting Minors for an Abortion/Rule. Adoption of

the rule (HRES499) to provide for House floor consideration of the bill that makes it a federal crime for anyone other than the parent to transport a minor across state lines with the intent that she obtain an abortion. The rule blocks all amendments and provides two hours of general debate. Adopted 247-173: R 209-14; D 38-158 (ND 29-117, SD 9-41); I 0-1. July 15, 1998. (Story, p. 1951)

279. HR3682. Transporting Minors for an Abortion/Recommit. Scott, D-Va., motion to recommit the bill to the Judiciary Committee with instructions to report it back with an amendment to make it a federal offense only when force or a threat is used to transport a minor across state lines with the intent that she obtain an abortion. Motion rejected 158-269: R 10-216; D 147-53 (ND 110-37, SD 37-16); I 1-0. July 15, 1998. (Story, p. 1951)

280. HR3682. Transporting Minors for an Abortion/Passage. Passage of the bill to make it a federal crime for anyone other than the parent to transport a minor across state lines with the intent that she obtain an abortion. Passed 276-150: R 209-14; D 67-135 (ND 43-105, SD 24-30); I 0-1. July 15, 1998. A "nay" was a vote in support of the president's position. (Story, p. 1951)

281. HR3267. Restore Salton Sea/Study Authorization. Miller, D-Calif., substitute amendment to authorize a study on alternatives for restoring the aquatic and environmental balance of the Salton Sea in California. The bill authorizes funds for both a study and a restoration project. Rejected 202-218: R 10-212; D 191-6 (ND 140-4, SD 51-2); I 1-0.

July 15, 1998.

282. HR3267. Restore Salton Sea/Passage. Passage of the bill to authorize a study and restoration project for the Salton Sea in Southern California and rename the area the "Sony Bono Salton Sea National Wildlife Refuge." Passed 221-200: R 195-28; D 26-171 (ND 17-127, SD 9-44); I 0-1. July 15, 1998. A "nay" was a vote in support of the president's position.

CQ	2	2	2	2	2	2	2	2
Vote	7	7	7	7	7	8	8	8
Number:	5	6	7	8	9	0	1	2

Alabama

1 Callahan S (R)	Y	Y	Y	Y	N	Y	N	Y
2 Everett T (R)	Y	Y	Y	Y	N	Y	N	Y
3 Riley B (R)	Y	Y	Y	Y	N	Y	N	Y
4 Aderholt R (R)	Y	Y	Y	?	N	Y	N	Y
5 Cramer R (D)	N	Y	N	N	N	Y	Y	N
6 Bachus S (R)	Y	Y	Y	Y	N	Y	N	Y
7 Hilliard E (D)	N	N	N	N	Y	Y	Y	N

Alaska

AL Young D (R)	?	?	Y	Y	N	Y	N	Y

Arizona

1 Salmon M (R)	Y Y Y Y N Y N N
2 Pastor E (D)	N N N N Y N Y N
3 Stump B (R)	Y Y Y Y N Y N N
4 Shadegg J (R)	Y Y Y Y N Y N Y
5 Kolbe J (R)	Y Y Y N N Y N Y
6 Hayworth J (R)	Y Y Y Y N Y N Y

Arkansas

1 Berry M (D)	N Y Y Y N Y Y N
2 Snyder V (D)	N Y Y Y N Y Y N
3 Hutchinson A (R)	Y Y Y Y N Y N Y
4 Dickey J (R)	Y Y Y ? N Y N Y

California

1 Riggs F (R)	Y Y Y Y N Y N Y
2 Herger W (R)	Y Y Y Y N Y N Y
3 Fazio V (D)	N N N N Y N Y Y
4 Doolittle J (R)	Y N Y Y N Y N Y
5 Matsui R (D)	N Y N N Y N Y N
6 Woolsey L (D)	N N N N Y N Y N
7 Miller G (D)	N N N N Y N Y N
8 Pelosi N (D)	N N N N Y N Y N
9 Lee B (D)	N N N N Y N Y N
10 Tauscher E (D)	N Y N N Y N Y N
11 Pombo R (R)	Y N Y Y N Y N Y
12 Lantos T (D)	N N N N Y N Y N

13 Stark P (D)	? ? N N Y N Y N
14 Eshoo A (D)	N Y N N Y N Y N
15 Campbell T (R)	N N Y Y Y N N N
16 Lofgren Z (D)	N N N N Y N Y N
17 Farr S (D)	N N N N Y N Y N
18 Condit G (D)	N Y N N N Y Y Y
19 Radanovich G (R)	Y Y Y Y N Y N Y
20 Dooley C (D)	N Y N N Y N Y Y
21 Thomas B (R)	Y Y Y Y N Y N Y
22 Capps L (D)	N N N - Y N Y Y
23 Gallegly E (R)	N Y Y Y N Y N Y
24 Sherman B (D)	N Y N N Y N Y N
25 McKeon H (R)	Y Y Y Y N Y N Y
26 Berman H (D)	N N N N Y N Y N
27 Rogan J (R)	Y Y + + N Y N Y
28 Dreier D (R)	Y Y Y Y N Y N Y
29 Waxman H (D)	N N N N Y N Y N
30 Becerra X (D)	N N N N Y N Y ?
31 Martinez M (D)	N ? N N Y N Y Y
32 Dixon J (D)	N N N N Y N Y N
33 Roybal-Allard L (D)	N N N N ? ? ? ?
34 Torres E (D)	N N N N Y N Y N
35 Waters M (D)	N N N N Y N Y N
36 Harman J (D)	N Y N N Y N Y Y
37 Millender-McDonald J (D)	N N N N Y N Y Y
38 Horn S (R)	N Y Y N Y N N Y
39 Royce E (R)	Y Y Y Y N Y N Y

40 Lewis J (R)	Y Y Y Y N Y N Y
41 Kim J (R)	Y N Y Y N Y N Y
42 Brown G (D)	N N N N Y N Y Y
43 Calvert K (R)	Y Y Y Y N Y N Y
44 Bono M (R)	Y Y Y Y N Y N Y
45 Rohrabacher D (R)	Y Y Y Y N Y N Y
46 Sanchez L (D)	N Y N N Y N Y N
47 Cox C (R)	Y Y Y Y N Y N Y
48 Packard R (R)	Y Y Y Y N Y N Y
49 Bilbray B (R)	N Y Y Y N Y N Y
50 Filner B (D)	N N N N Y N Y N
51 Cunningham R (R)	Y Y Y Y N Y N Y
52 Hunter D (R)	Y Y Y Y N Y N Y

Colorado

1 DeGette D (D)	N N N N Y N Y N
2 Skaggs D (D)	N N N N Y N Y N
3 McInnis S (R)	Y Y Y Y N Y N Y
4 Schaffer B (R)	Y Y Y Y N Y N Y
5 Hefley J (R)	Y Y Y Y N Y N N
6 Schaefer D (R)	Y ? Y Y N Y N Y

Connecticut

1 Kennelly B (D)	N Y N N Y N Y N
2 Gejdenson S (D)	N Y N N Y N Y N
3 DeLauro R (D)	N Y N N Y N Y N
4 Shays C (R)	N N N N Y N Y N

5 Maloney J (D)	N Y N N Y N Y N
6 Johnson N (R)	N N N N Y N N Y

Delaware

AL Castle M (R)	N Y N N N N N Y

Florida

1 Scarborough J (R)	Y Y Y Y N Y N N
2 Boyd A (D)	N Y N N N Y Y N
3 Brown C (D)	N N N N Y N Y N
4 Fowler T (R)	? ? Y Y N Y N Y
5 Thurman K (D)	N Y N N Y N Y Y
6 Stearns C (R)	Y Y Y Y N Y N Y
7 Mica J (R)	Y Y Y Y N Y N Y
8 McCollum B (R)	Y Y Y Y N Y N Y
9 Bilirakis M (R)	Y Y Y Y N Y N Y
10 Young C (R)	Y Y Y Y N Y N Y
11 Davis J (D)	N N N N N Y Y N
12 Canady C (R)	Y Y Y Y N Y N Y
13 Miller D (R)	Y Y Y Y N Y N ?
14 Goss P (R)	Y Y Y Y N Y N Y
15 Weldon D (R)	Y Y Y Y N Y N Y
16 Foley M (R)	N Y Y Y N Y N Y
17 Meek C (D)	N N N ? Y N Y N
18 Ros-Lehtinen I (R)	Y N Y Y N Y N Y
19 Wexler R (D)	N ? N N Y N Y N
20 Deutsch P (D)	N ? N N Y N Y N

21 Diaz-Balart L (R) Y N Y Y N Y N Y

22 Shaw E (R) Y Y Y Y N Y N Y

23 Hastings A (D) N N N N Y N Y N

Georgia

1 Kingston J (R) Y Y Y Y N Y N N

2 Bishop S (D) Y Y N N Y Y Y N

3 Collins M (R) Y Y Y Y N Y N Y

4 McKinney C (D) N N N N Y N Y N

5 Lewis J (D) N N N N Y N Y N

6 Gingrich N (R) Y S S S S S S S

7 Barr B (R) Y Y Y Y N Y N N

8 Chambliss S (R) Y Y Y Y N Y N Y

9 Deal N (R) ? ? Y Y N Y N Y

10 Norwood C (R) Y Y Y Y N Y N Y

11 Linder J (R) Y Y Y Y N Y ? ?

Hawaii

1 Abercrombie N (D) N N N N Y N Y N

2 Mink P (D) N N N N Y N Y N

Idaho

1 Chenoweth H (R) Y Y Y Y N Y N Y

2 Crapo M (R) Y Y Y Y N Y N Y

Illinois

1 Rush B (D) ? ? N N Y N Y N

2 Jackson J (D)	N N N N Y N Y N
3 Lipinski W (D)	N Y Y Y N Y Y Y
4 Gutierrez L (D)	N N N N Y N Y N
5 Blagojevich R (D)	N N N N Y N Y N
6 Hyde H (R)	Y Y Y Y N Y N Y
7 Davis D (D)	N N N N Y N Y N
8 Crane P (R)	Y Y Y Y N Y N Y
9 Yates S (D)	? ? N N Y N ? ?
10 Porter J (R)	N N N N Y ? Y N
11 Weller J (R)	Y Y Y Y N Y N Y
12 Costello J (D)	Y Y Y Y N Y Y N
13 Fawell H (R)	N Y Y Y N Y N Y
14 Hastert D (R)	Y Y Y Y N Y N Y
15 Ewing T (R)	Y Y Y Y N Y N Y
16 Manzullo D (R)	Y Y Y Y N Y N Y
17 Evans L (D)	N Y N N Y N Y N
18 LaHood R (R)	Y Y Y Y N Y N Y
19 Poshard G (D)	Y Y Y Y N Y Y N
20 Shimkus J (R)	Y Y Y Y N Y N Y

Indiana

1 Visclosky P (D)	N N N N Y N Y N
2 McIntosh D (R)	Y N Y Y N Y N Y
3 Roemer T (D)	N Y Y Y N Y Y Y
4 Souder M (R)	Y Y Y Y N Y N Y
5 Buyer S (R)	Y Y Y Y N Y N Y
6 Burton D (R)	Y ? Y Y N Y N Y

7 Pease E (R)	Y Y Y Y N Y N Y
8 Hostettler J (R)	Y Y Y Y N Y N Y
9 Hamilton L (D)	N Y Y Y N Y Y N
10 Carson J (D)	N N N N Y N Y N

Iowa

1 Leach J (R)	N Y Y Y N Y N Y
2 Nussle J (R)	Y Y Y Y N Y N Y
3 Boswell L (D)	N Y N N Y Y Y N
4 Ganske G (R)	N Y Y Y N Y N Y
5 Latham T (R)	Y Y Y Y N Y N Y

Kansas

1 Moran J (R)	Y Y Y Y N Y N Y
2 Ryun J (R)	Y Y Y Y N Y N Y
3 Snowbarger V (R)	Y Y Y Y N Y N Y
4 Tiahrt T (R)	Y Y Y Y N Y N Y

Kentucky

1 Whitfield E (R)	Y Y Y Y N Y N Y
2 Lewis R (R)	Y Y Y Y N Y N Y
3 Northup A (R)	Y Y Y Y N Y N Y
4 Bunning J (R)	Y Y Y Y N Y N Y
5 Rogers H (R)	Y Y Y Y N Y ? Y
6 Baesler S (D)	? ? N N N Y Y N

Louisiana

1 Livingston R (R)	Y Y Y Y N Y N Y
2 Jefferson W (D)	N N N N Y Y Y N
3 Tauzin W (R)	Y Y Y Y N + N Y
4 McCrery J (R)	Y Y Y Y N Y N Y
5 Cooksey J (R)	Y Y Y Y N Y N Y
6 Baker R (R)	Y Y Y Y N Y N Y
7 John C (D)	? ? N Y N Y Y N

Maine

1 Allen T (D)	N N N N Y N Y N
2 Baldacci J (D)	N Y N N Y N Y N

Maryland

1 Gilchrest W (R)	N Y Y Y N N N Y
2 Ehrlich R (R)	Y Y Y Y N Y N Y
3 Cardin B (D)	N N N N Y N Y N
4 Wynn A (D)	N N N N Y N Y N
5 Hoyer S (D)	N N N N Y N Y N
6 Bartlett R (R)	Y Y Y Y N Y N Y
7 Cummings E (D)	N N N N Y N Y N
8 Morella C (R)	N N N N Y N N Y

Massachusetts

1 Olver J (D)	? ? N N Y N Y N
2 Neal R (D)	N N N N N Y Y N
3 McGovern J (D)	N N N N Y N Y N
4 Frank B (D)	N N N N Y N Y Y

5 Meehan M (D)	N N N N Y N Y N
6 Tierney J (D)	N N N N Y N Y N
7 Markey E (D)	N Y N N Y N Y N
8 Kennedy J (D)	N Y N N Y N N Y
9 Moakley J (D)	N Y ? ? N Y Y N
10 Delahunt B (D)	N N N N Y N Y N

Michigan

1 Stupak B (D)	Y Y Y Y N Y Y N
2 Hoekstra P (R)	Y Y Y Y N Y N N
3 Ehlers V (R)	Y N Y Y N Y Y N
4 Camp D (R)	Y Y Y Y N Y N N
5 Barcia J (D)	Y Y Y Y N Y Y N
6 Upton F (R)	N Y Y N N Y N N
7 Smith N (R)	Y Y Y Y N Y N Y
8 Stabenow D (D)	N Y N N Y N Y N
9 Kildee D (D)	N Y Y Y N Y Y N
10 Bonior D (D)	N N N N N Y Y N
11 Knollenberg J (R)	Y Y Y Y N Y N Y
12 Levin S (D)	N Y N N Y N Y N
13 Rivers L (D)	N Y N N Y N Y N
14 Conyers J (D)	N N N N Y N N N
15 Kilpatrick C (D)	N N N N Y N Y N
16 Dingell J (D)	N N ? ? ? ? ? ?

Minnesota

1 Gutknecht G (R)	Y Y Y Y N Y N Y

2 Minge D (D)	N N N N Y Y Y N
3 Ramstad J (R)	N Y Y Y N Y Y N
4 Vento B (D)	N N N N Y Y Y N
5 Sabo M (D)	N N N N Y N Y N
6 Luther W (D)	N Y N N Y N Y N
7 Peterson C (D)	Y Y Y Y N Y Y N
8 Oberstar J (D)	Y N Y Y N Y Y N

Mississippi

1 Wicker R (R)	Y Y Y Y N Y N Y
2 Thompson B (D)	N N N N Y N Y N
3 Pickering C (R)	Y Y Y Y N Y N Y
4 Parker M (R)	N Y Y Y N Y N Y
5 Taylor G (D)	N Y Y Y N Y N Y

Missouri

1 Clay W (D)	N N N N Y N Y N
2 Talent J (R)	Y N Y Y N Y N Y
3 Gephardt R (D)	N ? N N Y N Y N
4 Skelton I (D)	N Y Y Y N Y N Y
5 McCarthy K (D)	N Y N N Y N Y N
6 Danner P (D)	Y Y N Y N Y Y N
7 Blunt R (R)	Y Y Y Y N Y N Y
8 Emerson J (R)	Y Y Y Y N Y N Y
9 Hulshof K (R)	Y Y Y Y N Y N Y

Montana

AL Hill R (R)	Y Y Y Y ? ? ? ?

Nebraska

1 Bereuter D (R)	N Y Y Y N Y N Y
2 Christensen J (R)	Y Y Y Y N Y N Y
3 Barrett B (R)	N Y Y Y N Y N Y

Nevada

1 Ensign J (R)	Y Y Y Y N Y N Y
2 Gibbons J (R)	Y Y Y Y N Y N Y

New Hampshire

1 Sununu J (R)	Y Y Y Y N Y ? Y
2 Bass C (R)	N Y Y N Y N N Y

New Jersey

1 Andrews R (D)	N N N N Y N Y N
2 LoBiondo F (R)	N Y Y Y N Y N N
3 Saxton J (R)	N Y Y Y N Y N Y
4 Smith C (R)	Y Y Y Y N Y N Y
5 Roukema M (R)	N Y Y Y N Y N Y
6 Pallone F (D)	N N N N Y N Y N
7 Franks B (R)	N Y Y Y N Y N Y
8 Pascrell B (D)	N N N Y N Y Y N
9 Rothman S (D)	N Y N N Y N Y N
10 Payne D (D)	? ? ? ? ? N Y N
11 Frelinghuysen R (R)	N Y Y Y N Y N Y

12 Pappas M (R)	Y Y Y Y N Y N Y
13 Menendez R (D)	N N N N Y N Y N

New Mexico

1 Wilson H (R)	Y Y Y Y N Y N Y
2 Skeen J (R)	Y Y Y Y N Y N Y
3 Redmond B (R)	Y Y Y Y N Y N Y

New York

1 Forbes M (R)	N Y Y Y N Y Y N
2 Lazio R (R)	N Y Y Y N Y N Y
3 King P (R)	Y N Y Y N Y N Y
9 Schumer C (D)	N Y N N Y N ? ?
10 Towns E (D)	N N N N Y N Y N
11 Owens M (D)	N N N N Y N Y N
12 Velazquez N (D)	N N N N Y N Y N
13 Fossella V (R)	Y Y Y Y N Y N Y
14 Maloney C (D)	N N N N Y N Y N
15 Rangel C (D)	N N N N Y N ? ?
16 Serrano J (D)	N N N N Y N Y N
17 Engel E (D)	? N N N Y N Y N
18 Lowey N (D)	N N N N Y N Y N
19 Kelly S (R)	N Y N N Y Y N Y
20 Gilman B (R)	N Y N N Y N N Y
21 McNulty M (D)	? ? ? ? ? ? ? ?
22 Solomon G (R)	Y Y Y Y N Y N Y
23 Boehlert S (R)	N N N N N N N Y

24 McHugh J (R)	Y Y Y Y N Y N Y
25 Walsh J (R)	N Y Y Y N Y N Y
26 Hinchey M (D)	N Y N N Y N Y N
27 Paxon B (R)	Y Y Y Y N Y N Y
28 Slaughter L (D)	N N N N Y N Y N
29 LaFalce J (D)	N Y Y Y N Y Y N
30 Quinn J (R)	Y Y Y Y N Y N Y
31 Houghton A (R)	N Y Y N N N N Y

North Carolina

1 Clayton E (D)	N N N N Y N Y Y
2 Etheridge B (D)	N Y N N Y Y Y N
3 Jones W (R)	Y Y Y Y N Y N Y
4 Price D (D)	N Y N N Y N Y N
5 Burr R (R)	Y Y Y Y N Y N Y
6 Coble H (R)	Y Y Y Y N Y N N
7 McIntyre M (D)	N Y Y Y N Y Y N
8 Hefner W (D)	N N N ? Y N Y N
9 Myrick S (R)	Y Y Y Y N Y N Y
10 Ballenger C (R)	Y Y Y Y N Y N Y
11 Taylor C (R)	Y Y Y Y N Y N Y
12 Watt M (D)	Y N N N Y N Y N

North Dakota

AL Pomeroy E (D)	N Y N N Y Y Y Y

Ohio

1 Chabot S (R)	Y Y Y Y N Y N N
2 Portman R (R)	Y Y Y Y N Y N Y
3 Hall T (D)	N ? Y Y N Y Y N
4 Oxley M (R)	Y Y Y Y N Y N ?
5 Gillmor P (R)	N Y Y Y N Y N Y
6 Strickland T (D)	N Y N N N Y Y N
7 Hobson D (R)	Y Y Y Y N Y N Y
8 Boehner J (R)	Y Y Y Y N Y N Y
9 Kaptur M (D)	N Y N N Y Y Y Y
10 Kucinich D (D)	N Y Y Y N Y Y N
11 Stokes L (D)	N N N N Y N Y N
12 Kasich J (R)	Y Y Y Y N Y N Y
13 Brown S (D)	N Y N N Y N Y N
14 Sawyer T (D)	N Y N N Y N Y N
15 Pryce D (R)	Y Y Y Y N Y N Y
16 Regula R (R)	Y Y Y Y N Y N Y
17 Traficant J (D)	Y Y Y Y N Y N Y
18 Ney B (R)	Y Y Y Y N Y N Y
19 LaTourette S (R)	Y Y Y Y N Y N Y

Oklahoma

1 Largent S (R)	Y Y Y Y N Y N Y
2 Coburn T (R)	Y Y Y Y N Y N Y
3 Watkins W (R)	Y Y Y Y N Y N N
4 Watts J (R)	Y Y Y Y N Y N Y
5 Istook E (R)	Y Y Y Y N Y N Y
6 Lucas F (R)	Y Y Y Y N Y N Y

Oregon

1 Furse E (D)	N N N N Y N Y N
2 Smith B (R)	Y ? Y Y N Y N Y
3 Blumenauer E (D)	N N N N Y N Y N
4 DeFazio P (D)	N N N N Y N Y N
5 Hooley D (D)	N Y N N Y N Y N

Pennsylvania

1 Brady R (D)	N N N N Y N Y N
2 Fattah C (D)	N ? N N Y N Y N
3 Borski R (D)	N N N N N Y Y N
4 Klink R (D)	N Y Y Y N Y Y N
5 Peterson J (R)	Y Y Y Y N Y N Y
6 Holden T (D)	N Y Y Y N Y Y N
7 Weldon C (R)	Y Y Y Y N Y N Y
8 Greenwood J (R)	N Y N N Y N N Y
9 Shuster B (R)	Y ? Y Y N Y N Y
10 McDade J (R)	? ? Y ? N Y N Y
11 Kanjorski P (D)	N N Y Y N Y Y N
12 Murtha J (D)	Y N Y Y N Y Y N
13 Fox J (R)	N Y Y Y N Y N Y
14 Coyne W (D)	N Y N N Y N Y N
15 McHale P (D)	N N N N N Y Y N
16 Pitts J (R)	Y Y Y Y N Y N Y
17 Gekas G (R)	Y Y Y Y N Y N Y
18 Doyle M (D)	N Y Y Y N Y Y N

19 Goodling B (R) Y Y Y Y N Y N Y

20 Mascara F (D) N Y Y Y N Y Y N

21 English P (R) Y Y Y Y N Y N Y

Rhode Island

1 Kennedy P (D) N N N N Y N Y N

2 Weygand B (D) N N N N N Y + N

South Carolina

1 Sanford M (R) N N Y Y N Y Y N

2 Spence F (R) Y Y Y Y N Y N Y

3 Graham L (R) Y Y Y Y N Y N Y

4 Inglis B (R) Y Y Y Y N Y N N

5 Spratt J (D) N Y N N Y Y Y N

6 Clyburn J (D) N N ? ? Y N Y N

South Dakota

AL Thune J (R) Y Y Y Y N Y N Y

Tennessee

1 Jenkins B (R) Y Y Y Y N Y N Y

2 Duncan J (R) N Y Y Y N Y Y N

3 Wamp Z (R) N Y Y Y N Y Y N

4 Hilleary V (R) + + Y Y N Y N Y

5 Clement B (D) N Y N N N Y Y N

6 Gordon B (D) Y Y N N N Y Y N

7 Bryant E (R) Y Y Y Y N Y N Y

8 Tanner J (D)	N N N N N Y Y N
9 Ford H (D)	N N N N Y N Y N

Texas

1 Sandlin M (D)	N Y N Y Y Y Y N
2 Turner J (D)	N Y Y Y N Y Y N
3 Johnson S (R)	Y Y Y Y N Y N Y
4 Hall R (D)	Y Y Y Y N Y N Y
5 Sessions P (R)	Y Y Y Y N Y N Y
6 Barton J (R)	Y Y Y Y N Y N Y
7 Archer B (R)	Y Y Y Y N Y N Y
8 Brady K (R)	Y Y Y Y N Y N Y
9 Lampson N (D)	N N N N Y N Y N
10 Doggett L (D)	N ? N N Y N Y N
11 Edwards C (D)	N Y N N Y N Y N
12 Granger K (R)	Y Y Y Y N Y N Y
13 Thornberry W (R)	Y N Y Y N Y N Y
14 Paul R (R)	Y Y Y Y N N Y N
15 Hinojosa R (D)	N N N N Y N Y N
16 Reyes S (D)	N N N N Y Y ? ?
17 Stenholm C (D)	N Y Y N N Y Y N
18 Jackson-Lee S (D)	N N N N Y N Y N
19 Combest L (R)	Y Y Y Y N Y N Y
20 Gonzalez H (D)	? ? ? ? ? ? ? ?
21 Smith L (R)	Y ? Y Y N Y N Y
22 DeLay T (R)	Y Y Y Y N Y N Y
23 Bonilla H (R)	Y Y Y Y N Y N Y

24 Frost M (D)	N N N N Y N Y Y
25 Bentsen K (D)	N Y N N Y N Y N
26 Armey D (R)	Y Y Y Y N Y N Y
27 Ortiz S (D)	Y N Y Y N Y Y Y
28 Rodriguez C (D)	N N N N Y N Y N
29 Green G (D)	N Y N N Y N Y Y
30 Johnson E (D)	N N N N Y N Y N

Utah

1 Hansen J (R)	Y Y Y Y N Y N Y
2 Cook M (R)	Y Y Y Y N Y N Y
3 Cannon C (R)	Y Y Y Y N Y N Y

Vermont

AL Sanders B (I)	N Y N N Y N Y N

Virginia

1 Bateman H (R)	Y Y Y Y N Y N Y
2 Pickett O (D)	N Y N N Y N Y Y
3 Scott R (D)	Y N N N Y N Y N
4 Sisisky N (D)	N Y N N Y N Y Y
5 Goode V (D)	Y Y ? ? ? Y Y N
6 Goodlatte R (R)	Y Y Y Y N Y N N
7 Bliley T (R)	Y Y Y Y N Y N Y
8 Moran J (D)	N N N N Y N Y N
9 Boucher R (D)	N Y N N Y N Y N
10 Wolf F (R)	Y Y Y Y N Y N Y

11 Davis T (R)	Y Y Y Y N Y N Y

Washington

1 White R (R)	Y Y Y Y N Y N Y
2 Metcalf J (R)	N Y Y Y N Y N Y
3 Smith L (R)	Y Y Y Y N Y N Y
4 Hastings R (R)	Y Y Y Y N Y N Y
5 Nethercutt G (R)	Y Y Y Y N Y N Y
6 Dicks N (D)	N N N N Y N Y N
7 McDermott J (D)	N N N N Y N Y N
8 Dunn J (R)	Y Y Y Y N Y N Y
9 Smith A (D)	N Y N N Y N Y N

West Virginia

1 Mollohan A (D)	Y N Y Y N Y Y N
2 Wise B (D)	N Y N N Y N Y N
3 Rahall N (D)	Y Y Y Y N Y Y N

Wisconsin

1 Neumann M (R)	Y Y Y Y N Y N Y
2 Klug S (R)	N Y Y Y N N N N
3 Kind R (D)	N N N N Y N Y N
4 Kleczka J (D)	N Y Y Y N Y Y N
5 Barrett T (D)	N N N N Y N Y N
6 Petri T (R)	Y Y Y Y N + Y N
7 Obey D (D)	N Y N N N Y Y N
8 Johnson J (D)	N Y Y Y Y Y Y N

9 Sensenbrenner F (R) Y Y Y Y N Y ? N

Wyoming

AL Cubin B (R) Y Y Y Y N Y N Y

New York

6 Meeks G (D) N N N N Y N Y N

KEY --

Y YEA

N NAY

PAIRED FOR

X PAIRED AGAINST

+ ANNOUNCED FOR

- ANNOUNCED AGAINST

P VOTED PRESENT

C VOTED PRESENT TO AVOID

POSSIBLE CONFLICT OF INTEREST

S SPEAKER EXERCISED DISCRETION NOT TO VOTE

? DID NOT VOTE OR MAKE POSITION KNOWN

I NOT ELIGIBLE MEMBER

Even Brighter Budget Forecast Renews GOP's Hope for Tax Cuts

Banking/Economics/Labor

(SCONRES86, HCONRES284, S1415; WR 07/18/98 p. 1928; 218 lines)

Item Key: 3432

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BUDGET

Even Brighter Budget Forecast Renews GOP's Hope for Tax Cuts

>> Republican split still wide as moderates remain wary of spending cuts or other breaks with 1997 budget deal

By Andrew Taylor, CQ Staff Writer

Yet another upward surge in forecasts of a big budget surplus is tempting GOP lawmakers to tap part of it for an election year tax cut.

But the rosy budget picture -- surpluses projected to total $520 billion over the next five years -- does little to lower the political and logistical hurdles that stand in the way of a Republican tax-cutting drive.

A prerequisite for any serious tax cut effort would be to pass the long-overdue fiscal 1999 budget resolution. But talks between Senate Budget Committee Chairman Pete V. Domenici, R-N.M., and his House counterpart, John R. Kasich, R-Ohio, have yielded little progress.

Domenici and Kasich have a fundamental philosophical difference about the budget. Domenici wants -- and the Senate passed -- a budget resolution (SCONRES86) that sticks closely to last year's balanced-budget pact. Kasich, a potential presidential candidate in 2000, is pushing a five-year, $101 billion spending and tax cut plan (HCONRES284) that would break with last year's budget deal, which promised President Clinton higher domestic spending in exchange for a GOP-driven tax cut.

When Domenici and Kasich met July 14 for the first time since the July Fourth recess, Domenici offered a plan for a modified budget-reconciliation bill that could produce a tax cut as high as $70 billion through 2003. But the plan would ignore most of Kasich's controversial spending cuts and leave it to the Senate Finance and House Ways and Means committees, which share jurisdiction over taxes and entitlement programs such as Medicare and Medicaid, to produce the offsetting spending cuts.

Top GOP leaders have made it plain that they have no appetite for sizable reductions in such programs. And there is equal distaste among Republican moderates for the considerable cuts in discretionary appropriations called for by the House.

Domenici devised his plan to give conservatives who favor cuts and moderates who oppose them a vehicle that both could support. It would avoid committing to cuts of a specific size while paving the way for a budget and tax bill to flesh out the non-binding blueprint set forth by the budget resolution. "It just kicks the can further down the dusty road," said a top Domenici staff aide.

Kasich and Ways and Means Committee Chairman Bill Archer, R-Texas, reacted coolly to Domenici's idea. "We can't end up with any decent tax bill on that basis," Archer said.

CBO FORECASTS

The uncertain budget picture was muddied further July 15 when the Congressional Budget Office (CBO) issued its revised surplus forecasts. The scorekeeping agency projects a budget surplus for fiscal 1998 of $63 billion. More significantly, projected surpluses in future years would rise impressively above prior predictions. For fiscal 1999, for example, CBO foresees an $80 billion surplus, rising to $139 billion in fiscal 2002. (Datafile, p. 1912)

The surplus forecast came as welcome news to Republicans frustrated by severe splits in the party over the budget, and it reignited calls to use part of the surplus for a tax cut.

House Speaker Newt Gingrich, R-Ga., who has vacillated over the question of whether to use some of the surplus to finance a tax bill, again shifted course to embrace the idea.

"In light of these new estimates, we hope the administration will work with us to phase out the marriage penalty, cut the capital gains tax and eliminate the [estate] tax altogether," Gingrich said July 15. Easing the so-called marriage penalty, under which about 21 million married couples pay higher taxes than they would if they filed as singles, is at the top of Republicans' election year tax agenda. (Taxes, CQ Weekly, p. 1750)

Regardless of the surplus forecast, any attempt to cut taxes faces a daunting set of obstacles, primarily budget process rules that require tax cuts to be fully financed by reductions in mandatory spending programs. To "spend" part of the surplus on tax cuts would require 60 votes in the Senate if Democrats raised a point of order against it.

Moreover, Clinton has parried any GOP effort to devote some of the surplus to tax cuts with a vow to "save Social Security first." Regardless of the size of the surplus, said an OMB spokesman, cutting taxes should come after an effort to shore up Social Security.

While Republicans would prefer that Clinton sign any tax bill they produce, they also feel they cannot lose on the issue: GOP strategists view a Clinton veto or Democratic filibuster just prior to the November election as a big blow to Democrats' efforts to win back a House majority.

But before the budget gets to that stage, Republicans must sort out a major internal rift. Conservatives and moderates have staked out positions on opposite sides of the tax question and vow to scuttle any budget blueprint they disagree with.

Senate moderates weighed in July 13 with a letter to Domenici sharply critical of the House budget resolution, which passed in June only after an all-out drive by Republican leaders. (Budget resolution, CQ Weekly, pp. 1601, 1515)

"Any agreement that moves substantially towards the House position would be difficult for us to support," wrote four senators, led by John H. Chafee, R-R.I. "We cannot support a budget resolution that unravels the 1997 balanced-budget agreement by proposing . . . unwise mandatory and discretionary spending decisions."

Previously, both House and Senate conservatives laid down their own marker -- nothing less than the $101 billion tax and spending cut plan passed by the House. The moderates, however, are in a commanding tactical position: Any failure to agree on a budget would preserve the status quo, which is their goal. (Budget pact, 1997 CQ Weekly, p. 2990)

TESTING THE WATERS

The difficulty in producing a budget was illustrated by Domenici's recent effort to test the Senate's appetite for cutting spending along the lines envisioned by the House. He and Majority Leader Trent Lott, R-Miss., met with several chairmen of authorizing committees -- including Banking, Commerce and Energy -- to see whether their panels could contribute savings to a budget-reconciliation bill. Not surprisingly, they received an unenthusiastic response.

Said Banking Chairman Alfonse M. D'Amato, R-N.Y., of Kasich's bid to raise flood insurance premiums: "It will not see the light of day."

Energy Chairman Frank H. Murkowski, R-Alaska, just as breezily dismissed a House proposal to sell several regional power marketing administrations. "Obviously there's not enough support in the committee," Murkowski said.

A top GOP aide said Domenici anticipated those responses and wanted to impress upon Lott the difficulty of moving beyond the Senate's stand-pat budget resolution. Lott has promised conservatives that the final budget resolution will tilt significantly toward the House plan, but it may not be a promise he can deliver.

With two to three weeks remaining before Congress' August recess and about a month left after members return in September, time is running short for Republicans to agree among themselves and negotiate with Clinton. So far there have been no serious talks with Clinton about a deal that could give both sides a victory. Any such effort would be likely to follow the model that worked last year, which allowed Clinton higher domestic spending in exchange for GOP-supported tax cuts.

But Republicans have yet to show interest in dealing with the White House. To the contrary, most of them view sticking with stringent "caps" on appropriations as sacrosanct. House Republicans have rejected efforts by appropriators to get around the caps by designating certain programs -- such as fixing the federal government's year 2000 computer woes -- as emergency spending not suoutcome that some Republicans privately acknowledge would suit them. "The caps are too tight," said a top Republican aide to the House Appropriations Committee.

Also driving the debate is election year politics. Many Republicans want to appeal to their core voters and view concessions to Clinton as likely to cause consternation among an already restless conservative base.

Clinton's February budget called for an ambitious set of spending initiatives in areas such as child care, education, scientific research and Medicare. But Clinton also proposed financing his budget plans largely with revenues gleaned from tobacco legislation (S1415), an effort that died in the Senate in June. The Republican-crafted fiscal 1999 spending bills that are moving through the House and Senate reject most of Clinton's initiatives. (Tobacco, CQ Weekly, p. 1760; Clinton budget, p. 287)

THE NUMBERS

CBO has come under heavy fire from Republicans for its conservative surplus and economic forecasts. Only six months ago, CBO forecast a small budget deficit for fiscal 1998. But unexpectedly strong tax revenues in the first nine months of fiscal 1998 have brightened the budget picture well beyond lawmakers' dreams when they passed last year's balanced-budget and tax laws (PL 105-33, PL 105-34). (CBO, CQ Weekly, p. 1675)

Even more important than the fiscal 1998 surplus are projections for future years -- those covered by any potential tax legislation. CBO's predicted surplus of $80 billion for fiscal 1999 is more than double its prediction of only two months ago. Similar figures are forecast for fiscal 2000 and 2001.

By 2002, when 1997's budget agreement was originally expected to achieve balance, the surplus would rise to $139 billion. Total surpluses from fiscal 1998 through 2008 would add up to $1.6 trillion.

Still, until fiscal 2005, the surplus would accumulate because the surplus in the "off-budget" portion of the budget -- mainly Social Security revenues in excess of benefits -- would run well in excess of $100 billion a year. This is a delicate area for lawmakers. Democrats have made the politically potent argument that any tax cut financed by the Social Security surplus would weaken the system and threaten beneficiaries. Republican budget hawks such as Rep. Mark W. Neumann of Wisconsin agree.

But in fiscal 2006, CBO predicts the government would run an operating surplus of $44 billion, money that Republicans would like to give back to the voters.

"With a whopping $1.5 trillion surplus over 10 years, we can preserve, protect and strengthen Social Security while also passing significant tax relief for hard-working Americans," Gingrich said.

Labor-HHS Bill Is Loaded With Hot-Button Issues

Appropriations

Health/Education/Welfare

(S1415; WR 07/18/98 p. 1938; 253 lines)

Item Key: 3454

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APPROPRIATIONS

Labor-HHS Bill Is Loaded With Hot-Button Issues

>> Democrats rage against cuts in summer jobs, home energy assistance and education, but budget caps limit options

By Sue Kirchhoff, CQ Staff Writer

As congressional Republicans and the White House head toward a another fall showdown over federal spending, the fiscal 1999 Labor, Health and Human Services, and Education appropriations bill is shaping up as a political flashpoint.

The House Appropriations Committee approved its version of the measure, 32-23, on July 14, after adding amendments that would overturn a Clinton administration directive requiring states to cover the impotence drug Viagra under Medicaid; give women in managed-care plans easier access to gynecologists; and require clinics receiving federal family planning funds to notify parents before providing contraceptives to minors.

Democrats spent much of the markup session railing against provisions in the Republican-drafted bill that would eliminate summer jobs for poor youths, end the Low-Income Home Energy Assistance Program (LIHEAP) and reduce spending for President Clinton's education priorities.

Clinton himself stepped up the rhetoric, announcing in a strongly worded statement on July 14 that he would veto the bill -- which would provide $81.9 billion in discretionary spending and $214.5 billion in mandatory funds -- because it would deny education and training opportunities to students across the country.

"By turning their backs on America's young in this bill, the House Republicans are taking a step backward," Clinton said in a statement.

The White House Office of Management and Budget sent the committee a nine-page letter outlining specific objections, ranging from the measure's two-year time limit on federal bilingual education aid to provisions that it said would weaken federal labor law.

Despite the tough talk, however, Democrats made few moves to restore education and social service spending cuts during the more than four-hour committee session.

The truth is that Democrats face the same constraints that, in part, forced Republicans to make the cuts: tight spending caps imposed under the 1997 balanced-budget law (PL 105-33). (1997 CQ Weekly, p. 2992)

To get around the caps and increase education and health programs, Clinton's fiscal 1999 budget relied on expected revenues from comprehensive tobacco legislation (S1415) that would have raised $516 billion over 25 years. The bill was killed by Senate Republicans. (CQ Weekly, p. 1669)

Without additional tobacco revenues, Democrats must find offsetting spending cuts in order to increase aid for White House priorities.

"The Democrats' argument is not with us, their argument is with what their own leadership and the president of the United States agreed to last year," said Appropriations Committee Chairman Robert L. Livingston, R-La.

"What they really want is more money. If you're going to follow last year's balanced-budget act, there isn't any more," he said.

While some House Republican moderates have threatened to oppose the bill, Livingston said he believed it would pass. The legislation is tentatively scheduled for House floor debate before the end of the month.

A Senate Appropriations Committee aide said that chamber's panel might not mark up a companion bill until September.

VIAGRA FOR THE POOR

Instead of focusing on provisions in the underlying bill, lawmakers spent most of the markup debating a series of policy riders.

Panel members, like the rest of American society, had sharp opinions about Viagra, the anti-impotence drug approved by the Food and Drug Administration earlier this year.

The administration on July 2 announced that state-run Medicaid programs, which provide health coverage for the poor, elderly and disabled, would cover Viagra when medically necessary. The directive was in keeping with overall policy requiring state Medicaid programs to cover FDA-approved medicines.

State governors, who jointly fund the Medicaid program, objected to the decision, citing lack of medical consensus on the need for the drug and the high cost, as much as $10 per dose.

David R. Obey, D-Wis., offered an amendment, approved by voice vote, that would bar use of federal funds to reimburse states for providing Viagra. The savings the amendment would generate -- as much as $100 million -- would instead be spent on mental health services to youth at risk of violent behavior.

"Given the mixed results so far with the drug in question, and given the fact that there are so many other health maladies that are not covered, there is no need at this time to use scarce Medicaid dollars for Viagra," Obey said.

The committee by voice vote later adopted an amendment by Mark W. Neumann, R-Wis., drafted with the aid of the National Governors' Association, that would bar use of federal funds to punish states that chose not to offer Viagra. States could still use their own funds to provide the drug.

Finally, the panel approved a third amendment by Randy "Duke" Cunningham, R-Calif., that would allow federal funds for Viagra in post-surgical treatment, such as in cases of prostate cancer.

MANAGED CARE

By a 29-25 vote, the committee approved an amendment by Nita M. Lowey, D-N.Y., that would allow women to designate obstetrician-gynecologists as their primary care physicians in both private and federal managed care plans. It would also ensure that women who did not choose their gynecologist as their main doctor would have direct access to routine ob-gyn services without first having to get authorization.

Approval of Lowey's amendment reflected the sensitivity of both parties to voter concerns about the quality of care in managed-care plans, which is emerging as a top political issue. Both Republicans and Democrats have introduced broader proposals to expand patients' rights that include provisions similar to Lowey's. (Health plans, p. 1933)

"If we can't deliver on a patients' bill of rights, let's simply deliver on this," Lowey said.

By voice vote, the committee adopted an amendment by Carrie P. Meek, D-Fla., to add a new label to cigarettes warning of the particular health risks of smoking for African- Americans. Two studies released this month found that African-Americans absorb more nicotine than other smokers, which may be one reason they are more likely to develop lung cancer.

The Meek amendment would add a fifth warning label to the four warning labels that now rotate on cigarette packages. It would read, "Surgeon General's Warning: African-Americans suffer the highest death rates from several diseases caused by smoking."

The committee approved, 32-24, an amendment by Ernest Istook, R-Okla., that would require clinics receiving Title X family planning funds to notify parents in writing at least five business days before dispensing contraceptives to minors. A second provision, adopted 56-0, would require clinics to comply with state laws requiring notification of sexual abuse, rape, incest or other crimes.

On a 26-26 vote, the committee defeated an effort by Todd Tiahrt, R-Kan., that would have required family planning groups receiving Title X funds to physically separate abortion and family planning activities.

The Istook and Tiahrt amendments were supported by Christian conservatives, who have criticized the House Republican leadership for paying too little attention to their core issues. House Majority Whip Tom DeLay, R-Texas, a member of the committee who was absent for most of the proceedings, showed up for the family planning votes.

MINE SAFETY

The committee defeated, 19-33, an amendment by Rosa DeLauro, D-Conn., that would have eliminated a rider that has been attached to the bill every year since 1979 barring the Labor Department's Office of Mine Safety and Health Administration from enforcing training requirements in sand and gravel pits.

The ban was originally based on concern that safety standards developed for coal mines were not applicable to open-pit quarries. But DeLauro said that 600 workers have died in quarries since the safety agency was first barred from enforcing training rules.

"It is time to take the preventive measure of eliminating this rider," DeLauro said.

Labor-HHS Subcommittee Chairman John Edward Porter, R-Ill., and Anne M. Northup, R-Ky., argued against removing the rider, saying the industry and administration were meeting to try to reach a compromise. They said that if the rider was removed, there would be no incentive for the two sides to reach an agreement.

"We all want the same thing, and that is to have safety in the workplace," Northup argued.

In one of the few efforts to alter the spending priorities in the underlying bill, Steny H. Hoyer, D-Md., offered an amendment to eliminate a provision that would allow states to roll Clinton's Goals 2000 education improvement program, as well as the Eisenhower grants program for teacher training, into an existing block grant and use the funding for other purposes. It failed, 24-29.

SPENDING REDUCTIONS

The bill would eliminate the $1.1 billion LIHEAP program and would not include any funds for summer jobs for low-income youths in fiscal 1999, a savings of $871 million. Those reductions would help pay for a $1.2 billion increase for the National Institutes of Health.

Republicans included no funding for Clinton's proposal to hire 100,000 new teachers and reduce average class size in early grades, which was to be funded partly through tobacco revenues.

The bill would bar the administration from implementing voluntary national math and reading tests, limit student participation in federally funded bilingual education programs to two years and deny federal funds to schools unless they install software on their computers to block students from accessing pornography on the Internet.

It would bar the Health and Human Services Department from implementing pending rules to transform the way organs are distributed for transplantation, from a system based regionally to one based on medical need. (CQ Weekly, p. 1691)

However, the bill would increase funding for some education programs, including aid to disabled students. It raises the maximum Pell Grant for disadvantaged college students by $150 to $3,150 per year, above the administration request.

The bill also would increase funding for the Centers for Disease

Control and Prevention, the Head Start preschool program, and breast and cervical cancer screening, among other programs.

OMB said that, overall, the bill was $2 billion below Clinton's request for education spending. Acting OMB Director Jacob J. Lew said the administration was willing to work with Republicans to find either spending offsets or user fees to increase funding. Democrats have offered few proposals.

"Your side has had an opportunity for the last four hours to shape the bill in a different way. . . . The difficulty is that you can't bring yourselves to say 'no' to anything," said Porter.

He added that the Democrats' lack of spending restraint was a big reason that Republicans now control Congress.

BOXSCORE

Bill: Unnumbered House bill -- Fiscal 1999 appropriations for the departments of Labor, Health and Human Services, and Education.

Latest action: House Appropriations Committee approved June 14, 32-23.

Next likely action: House floor consideration.

Reference: Subcommittee approval, CQ Weekly, p. 1758.

House Votes 283, 284, 285, 286, 287, 288, 289, 290

Inside Congress/Lobbies

House Vote Charts

(HR4104, HRES498, HR4194; WR 07/18/98 p. 1970; 628 lines)

Item Key: 3450

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House Votes 283, 284, 285, 286, 287, 288, 289, 290

By CQ Staff

283. HR4104. Fiscal 1999 Treasury, Postal Service Appropriations/Previous Question. Goss, R-Fla., motion to order the previous question (thus ending the possibility of amendment) on adoption of the rule (HRES498) to provide for House floor consideration of the bill to provide $29.2 billion in fiscal 1999 for the Treasury Department, U.S. Postal Service, various offices of the Executive Office of the President and certain independent agencies. Motion agreed to 231-185: R 222-0; D 9-184 (ND 5-136, SD 4-48); I 0-1. July 15, 1998. (Subsequently, the rule was adopted.) (Story, p. 1949)

284. HR4104. Fiscal 1999 Treasury, Postal Service Appropriations/Rule. Adoption of the rule (HRES498) to provide for House floor consideration of the bill to provide $29.2 billion in fiscal 1999 for the Treasury Department, U.S. Postal Service, various offices of the Executive Office of the President and certain independent agencies. Adopted 218-201: R 198-23; D 20-177 (ND 14-130, SD 6-47); I 0-1. July 15, 1998. (Story, p. 1949)

285. HR4194. Fiscal 1999 VA-HUD Appropriations/Rule. Adoption of the rule to provide for House floor consideration of the bill to provide $94.4 billion in fiscal 1999 for programs and activities of the Veterans Affairs and Housing and Urban Development departments and for independent agencies including the Environmental Protection Agency, National Science Foundation and the National Aeronautics and Space Administration. Adopted 227-195: R 222-1; D 5-193 (ND 4-141, SD 1-52); I 0-1. July 16, 1998. (Story, p. 1947)

286. HR4104. Fiscal 1999 Treasury, Postal Service Appropriations/Funds for New Bureau of Alcohol, Tobacco and Firearms Agents. Schumer, D-N.Y., amendment to transfer to the Bureau of Alcohol, Tobacco and Firearms $2 million earmarked in the bill to compensate importers of certain assault-type weapons that were in transit when the administration extended the assault weapons ban. The amendment directs the agency to use the funds to hire additional agents. Rejected 122-301: R 3-221; D 119-79 (ND 98-47, SD 21-32); I 0-1. July 16, 1998. (Story, p. 1949)

287. HR4104. Fiscal 1999 Treasury, Postal Service Appropriations/Increase Federal Election Commission Funding. Maloney, D-N.Y., amendment to increase funding for the Federal Election Commission by $2.8 million. Adopted 214-210: R 27-196; D 186-14 (ND 139-8, SD 47-6); I 1-0. July 16, 1998. (Story, p. 1949)

288. HR4104. Fiscal 1999 Treasury, Postal Service Appropriations/Federal Employee Health Plan Abortion Coverage. DeLauro, D-Conn., amendment to eliminate provisions banning the use of funds to pay for abortions under the Federal Employees Health Benefits Program. Rejected 183-239: R 29-196; D 153-43 (ND 114-33, SD 39-10); I 1-0. (Story, p. 1949)

289. HR4104. Fiscal 1999 Treasury, Postal Service Appropriations/Annual Congressional Cost of Living Adjustment. Hefner, D-N.C., amendment to delete the provision that blocks members of Congress from receiving an annual cost of living adjustment. Rejected 79-342: R 29-195; D 50-146 (ND 41-106, SD 9-40); I 0-1. (Story, p. 1949)

290. HR4104. Fiscal 1999 Treasury, Postal Service Appropriations/Insurance Coverage of Contraceptives. Lowey, D-N.Y., amendment to prohibit the Office of Personnel Management from accepting a contract that provides coverage for prescription drugs unless the plan also provides equivalent coverage for prescription contraception drugs. Adopted 224-198: R 48-177; D 175-21 (ND 130-17, SD 45-4); I 1-0. (Story, p. 1949)

CQ	2 2 2 2 2 2 2 2
Vote	8 8 8 8 8 8 8 9
Number:	3 4 5 6 7 8 9 0

Alabama

1 Callahan S (R)	Y Y Y N N N N N
2 Everett T (R)	Y Y Y N N N N N
3 Riley B (R)	Y Y Y N N N N N
4 Aderho 6 Bachus S (R)	Y N Y N N N N N
7 Hilliard E (D)	N N N N Y Y Y Y

Alaska

AL Young D (R)	Y Y Y N N N N N

Arizona

1 Salmon M (R)	Y Y Y N N N N N
2 Pastor E (D)	N N N Y Y Y N Y
3 Stump B (R)	Y Y Y N N N N N
4 Shadegg J (R)	Y Y Y N N N N N
5 Kolbe J (R)	Y P Y N N Y Y Y
6 Hayworth J (R)	Y Y Y N N N N N

Arkansas

1 Berry M (D)	N N N Y Y N N Y

2 Snyder V (D)	N N N N Y Y N Y
3 Hutchinson A (R)	Y Y Y N N N N N
4 Dickey J (R)	Y Y Y N N N N N

California

1 Riggs F (R)	Y Y Y N N N Y Y
2 Herger W (R)	Y Y Y N N N N N
3 Fazio V (D)	N N N N Y Y Y Y
4 Doolittle J (R)	Y Y Y N N N Y N
5 Matsui R (D)	N N N Y Y Y N Y
6 Woolsey L (D)	N N N Y Y Y N Y
7 Miller G (D)	N N N Y Y Y Y Y
8 Pelosi N (D)	N N N Y Y Y Y Y
9 Lee B (D)	N N N Y Y Y Y Y
10 Tauscher E (D)	N N N Y Y Y N Y
11 Pombo R (R)	Y Y Y N N N N N
12 Lantos T (D)	N N N Y Y Y N Y
13 Stark P (D)	N N N Y Y Y Y Y
14 Eshoo A (D)	N N N Y Y Y N Y
15 Campbell T (R)	Y Y Y N Y Y Y Y
16 Lofgren Z (D)	N N N Y Y Y N Y
17 Farr S (D)	N N N Y Y Y N Y
18 Condit G (D)	N N N N Y Y N Y
19 Radanovich G (R)	Y Y Y N N N N N
20 Dooley C (D)	N N N Y Y Y N Y
21 Thomas B (R)	Y Y Y N N Y Y Y
22 Capps L (D)	N N Y Y Y Y N Y

23 Gallegly E (R)	Y Y Y N N N N Y
24 Sherman B (D)	N N N Y Y Y N Y
25 McKeon H (R)	Y Y Y N N N Y N
26 Berman H (D)	N N N Y Y Y Y Y
27 Rogan J (R)	Y Y Y N N N N N
28 Dreier D (R)	Y Y Y N N N N N
29 Waxman H (D)	N N N Y Y Y Y Y
30 Becerra X (D)	N N N Y Y Y N Y
31 Martinez M (D)	N N N N N Y Y Y
32 Dixon J (D)	N N N Y Y Y Y Y
33 Roybal-Allard L (D)	? ? ? ? ? ? ? ?
34 Torres E (D)	N N N Y Y Y N Y
35 Waters M (D)	N N N Y Y Y Y Y
36 Harman J (D)	N N N N Y Y Y Y
37 Millender-McDonald J (D)	N N N Y Y Y N Y
38 Horn S (R)	Y N Y N Y Y N Y
39 Royce E (R)	Y Y Y N N N N N
40 Lewis J (R)	Y Y Y N N N Y N
41 Kim J (R)	Y Y Y N N N Y N
42 Brown G (D)	N N N N Y Y N Y
43 Calvert K (R)	Y Y Y N N N N Y
44 Bono M (R)	Y Y Y N N N N Y
45 Rohrabacher D (R)	Y Y Y N N N N N
46 Sanchez L (D)	N N N N Y Y N Y
47 Cox C (R)	Y Y Y N N N N N
48 Packard R (R)	Y Y Y N N N Y N
49 Bilbray B (R)	Y N Y Y N N N Y

50 Filner B (D) N N N Y Y ? ? ?

51 Cunningham R (R) Y Y Y N N N N N

52 Hunter D (R) Y Y Y N N N Y N

Colorado

1 DeGette D (D) N N N Y Y Y N Y

2 Skaggs D (D) N N N N Y Y Y Y

3 McInnis S (R) Y Y Y N N N N N

4 Schaffer B (R) Y Y Y N N N N N

5 Hefley J (R) Y Y Y N N N N N

6 Schaefer D (R) Y Y Y N N N Y N

Connecticut

1 Kennelly B (D) ? ? ? ? ? ? ? ?

2 Gejdenson S (D) N N N Y Y Y N Y

3 DeLauro R (D) N N N Y Y Y N Y

4 Shays C (R) Y N Y N Y Y N Y

5 Maloney J (D) N Y N Y Y Y N Y

6 Johnson N (R) Y N Y N N Y N Y

Delaware

AL Castle M (R) Y N Y N Y Y N Y

Florida

1 Scarborough J (R) Y Y Y N N N N N

2 Boyd A (D) N N N N Y N N Y

3 Brown C (D) N N N Y Y Y N Y

4 Fowler T (R)	Y Y Y N N N Y Y
5 Thurman K (D)	N N N N Y Y N Y
6 Stearns C (R)	Y Y Y N N N N N
7 Mica J (R)	Y Y Y N N N N N
8 McCollum B (R)	Y Y Y N N N Y N
9 Bilirakis M (R)	Y Y Y N Y N N N
10 Young C (R)	Y Y Y N N N N N
11 Davis J (D)	N N N N Y Y N Y
12 Canady C (R)	Y Y Y N N N N N
13 Miller D (R)	Y Y Y N N Y N N
14 Goss P (R)	Y Y Y N N N N N
15 Weldon D (R)	Y Y Y N N N N N
16 Foley M (R)	Y Y Y N N Y N Y
17 Meek C (D)	N N N Y Y Y Y Y
18 Ros-Lehtinen I (R)	Y Y Y N N N Y N
19 Wexler R (D)	N N N Y Y Y Y Y
20 Deutsch P (D)	N N N Y Y Y N Y
21 Diaz-Balart L (R)	Y Y Y N Y N N N
22 Shaw E (R)	Y Y Y N N N N Y
23 Hastings A (D)	N N N Y Y Y Y Y

Georgia

1 Kingston J (R)	Y Y Y N N N N N
2 Bishop S (D)	N N N N Y Y N Y
3 Collins M (R)	Y Y Y N N N N N
4 McKinney C (D)	N N N Y Y Y N Y
5 Lewis J (D)	N N N Y Y ? ? ?

6 Gingrich N (R)	S S S S S S S S
7 Barr B (R)	Y Y Y N N N N N
8 Chambliss S (R)	Y Y Y N N N N N
9 Deal N (R)	Y Y Y N N N N N
10 Norwood C (R)	Y Y ? N N N N N
11 Linder J (R)	Y Y Y N N N N N

Hawaii

1 Abercrombie N (D)	N Y N Y Y Y N Y
2 Mink P (D)	N N N Y Y Y N Y

Idaho

1 Chenoweth H (R)	Y Y Y N N N N N
2 Crapo M (R)	Y Y ? N N N N N

Illinois

1 Rush B (D)	N N N Y Y Y N Y
2 Jackson J (D)	N N N Y Y Y Y Y
3 Lipinski W (D)	N Y N Y Y N N N
4 Gutierrez L (D)	N N N Y Y Y N Y
5 Blagojevich R (D)	N N N N Y Y N Y
6 Hyde H (R)	Y Y Y N N N Y N
7 Davis D (D)	N N N Y Y Y N Y
8 Crane P (R)	Y Y Y N N N N N
9 Yates S (D)	? ? N N Y Y Y Y
10 Porter J (R)	Y N Y N Y Y Y Y
11 Weller J (R)	Y Y Y N Y N N N

12 Costello J (D)	N Y N N Y N N N
13 Fawell H (R)	Y Y Y N Y Y Y Y
14 Hastert D (R)	Y Y Y N N N N N
15 Ewing T (R)	Y Y Y N N N N N
16 Manzullo D (R)	Y Y Y N N N N N
17 Evans L (D)	N N N Y Y Y N Y
18 LaHood R (R)	Y Y Y N N N N N
19 Poshard G (D)	N N N Y Y N N Y
20 Shimkus J (R)	Y Y Y N N N N N

Indiana

1 Visclosky P (D)	N N N N Y Y N Y
2 McIntosh D (R)	Y Y Y N N N N N
3 Roemer T (D)	N N N N Y N N Y
4 Souder M (R)	Y Y Y N N N N N
5 Buyer S (R)	Y Y Y N N N N N
6 Burton D (R)	Y Y Y N N N Y N
7 Pease E (R)	Y Y Y N N N N N
8 Hostettler J (R)	Y Y Y N N N N N
9 Hamilton L (D)	N N N N Y N N Y
10 Carson J (D)	N N N Y Y Y N Y

Iowa

1 Leach J (R)	Y N Y N Y N N Y
2 Nussle J (R)	Y Y Y N N N N N
3 Boswell L (D)	N N N N Y Y N Y
4 Ganske G (R)	Y N Y N Y N N Y

5 Latham T (R) Y Y Y N N N N N

Kansas

1 Moran J (R) Y Y Y N N N N N

2 Ryun J (R) Y Y Y N N N N N

3 Snowbarger V (R) Y Y Y N Y N N N

4 Tiahrt T (R) Y Y Y N N N N N

Kentucky

1 Whitfield E (R) Y ? Y N N N N N

2 Lewis R (R) Y Y Y N N N N N

3 Northup A (R) Y Y Y N N N N N

4 Bunning J (R) Y Y Y N N N N N

5 Rogers H (R) Y Y Y N N N N N

6 Baesler S (D) N N N N Y Y N Y

Louisiana

1 Livingston R (R) Y Y Y N N N Y N

2 Jefferson W (D) N N N Y Y Y N Y

3 Tauzin W (R) Y Y Y N N N N N

4 McCrery J (R) Y Y Y N N N Y N

5 Cooksey J (R) Y Y Y N N N N N

6 Baker R (R) Y Y Y N N N N N

7 John C (D) N Y N N N ? ? ?

Maine

1 Allen T (D) ? N N Y Y Y N Y

2 Baldacci J (D) N N N Y Y Y N Y

Maryland

1 Gilchrest W (R) Y N Y N N Y N Y

2 Ehrlich R (R) Y Y Y N N Y N Y

3 Cardin B (D) N N N Y Y Y N Y

4 Wynn A (D) N N N Y N Y Y Y

5 Hoyer S (D) N N N N Y Y N Y

6 Bartlett R (R) Y Y Y N N N N N

7 Cummings E (D) N N N Y Y Y N Y

8 Morella C (R) Y N Y Y Y Y N Y

Massachusetts

1 Olver J (D) N N N Y Y Y N Y

2 Neal R (D) N N N Y Y N N Y

3 McGovern J (D) N N N Y Y Y N Y

4 Frank B (D) N N N Y Y Y Y Y

5 Meehan M (D) N N N Y Y Y N Y

6 Tierney J (D) N N N Y Y Y N Y

7 Markey E (D) N N N Y Y Y N Y

8 Kennedy J (D) N N N Y Y Y Y Y

9 Moakley J (D) N N ? Y Y N N Y

10 Delahunt B (D) N N N Y Y Y Y Y

Michigan

1 Stupak B (D) N Y N N Y N N N

2 Hoekstra P (R) Y Y Y N N N N N

3 Ehlers V (R)	Y Y Y N N N N N
4 Camp D (R)	Y Y Y N Y N N N
5 Barcia J (D)	Y Y N N Y N N N
6 Upton F (R)	Y N Y N Y N N Y
7 Smith N (R)	Y Y Y N Y N N N
8 Stabenow D (D)	N N N Y Y Y N Y
9 Kildee D (D)	Y Y N Y Y N N N
10 Bonior D (D)	N N N Y Y N N Y
11 Knollenberg J (R)	Y Y Y N N N Y N
12 Levin S (D)	N N N Y Y Y N Y
13 Rivers L (D)	N N N N Y Y N Y
14 Conyers J (D)	N N N Y Y Y Y Y
15 Kilpatrick C (D)	N N N Y Y Y N Y
16 Dingell J (D)	? ? N N Y Y Y Y

Minnesota

1 Gutknecht G (R)	Y Y Y N N N N N
2 Minge D (D)	N N N N Y Y N Y
3 Ramstad J (R)	Y N Y N Y Y N Y
4 Vento B (D)	N N N Y Y Y N Y
5 Sabo M (D)	N N N Y Y Y Y Y
6 Luther W (D)	N N N Y Y Y N Y
7 Peterson C (D)	Y Y N N Y N N N
8 Oberstar J (D)	N N N N N N N Y

Mississippi

1 Wicker R (R)	Y Y Y N N N N N

2 Thompson B (D)	N N N Y Y Y N Y
3 Pickering C (R)	Y Y Y - N N N N
4 Parker M (R)	Y Y Y N N ? ? ?
5 Taylor G (D)	N Y N N Y N N N

Missouri

1 Clay W (D)	N N N Y Y Y Y Y
2 Talent J (R)	Y Y Y N N N N N
3 Gephardt R (D)	N N N N Y Y N Y
4 Skelton I (D)	Y Y N N Y N N N
5 McCarthy K (D)	N N N Y Y Y N Y
6 Danner P (D)	N Y N N Y N N Y
7 Blunt R (R)	Y Y ? N N N N N
8 Emerson J (R)	Y Y Y N N N N N
9 Hulshof K (R)	Y Y Y N Y N N N

Montana

AL Hill R (R)	? ? ? ? ? ? ? ?

Nebraska

1 Bereuter D (R)	Y Y Y N N N N Y
2 Christensen J (R)	Y Y Y N N N N N
3 Barrett B (R)	Y Y Y N N N N N

Nevada

1 Ensign J (R)	Y Y Y N N N N Y
2 Gibbons J (R)	Y Y Y N N N N Y

New Hampshire

1 Sununu J (R) ? Y Y N N N N N

2 Bass C (R) Y N Y N N Y N Y

New Jersey

1 Andrews R (D) N N N Y Y Y N Y

2 LoBiondo F (R) Y Y Y N Y N N N

3 Saxton J (R) Y Y Y N N N N N

4 Smith C (R) Y Y Y N N N N N

5 Roukema M (R) Y N Y N Y Y N Y

6 Pallone F (D) N N N Y Y Y N Y

7 Franks B (R) Y N Y N Y Y N Y

8 Pascrell B (D) N N N Y Y Y N Y

9 Rothman S (D) N N N Y Y Y N Y

10 Payne D (D) N N N Y Y Y Y Y

11 Frelinghuysen R (R) Y N Y N N Y N Y

12 Pappas M (R) Y Y Y N Y N N N

13 Menendez R (D) N N N Y Y Y N Y

New Mexico

1 Wilson H (R) Y Y Y N N N N Y

2 Skeen J (R) Y Y Y N N N N N

3 Redmond B (R) Y Y Y N N N N N

New York

1 Forbes M (R) Y Y Y N N N N N

2 Lazio R (R)	Y Y Y N Y Y N Y
3 King P (R)	Y Y Y N N N Y N
4 McCarthy C (D)	N N Y Y Y Y N Y
5 Ackerman G (D)	N N N Y Y Y Y Y
7 Manton T (D)	N N N Y N N Y Y
8 Nadler J (D)	N N N Y Y Y Y Y
9 Schumer C (D)	? ? N Y Y Y N Y
10 Towns E (D)	N N Y Y Y Y Y Y
11 Owens M (D)	N N N Y Y Y Y Y
12 Velazquez N (D)	N N N Y Y Y N Y
13 Fossella V (R)	Y Y Y N N N N N
14 Maloney C (D)	N N N Y Y Y N Y
15 Rangel C (D)	N N ? Y Y Y Y Y
16 Serrano J (D)	N N N Y Y Y Y Y
17 Engel E (D)	N N N Y Y Y Y Y
18 Lowey N (D)	N N N Y Y Y N Y
19 Kelly S (R)	Y N Y N N Y N Y
20 Gilman B (R)	Y N Y N Y Y N Y
21 McNulty M (D)	? ? ? ? ? ? ? ?
22 Solomon G (R)	Y Y Y N N N N N
23 Boehlert S (R)	Y N Y N Y Y Y Y
24 McHugh J (R)	Y Y Y N Y N N N
25 Walsh J (R)	Y Y Y N N N N N
26 Hinchey M (D)	N N N N Y Y N Y
27 Paxon B (R)	Y Y Y N N N Y N
28 Slaughter L (D)	- - - + + Y N Y
29 LaFalce J (D)	N N N Y Y N N N

30 Quinn J (R) Y Y Y N N N N N

31 Houghton A (R) Y Y Y N N Y N Y

North Carolina

1 Clayton E (D) N N N Y Y ? ? ?

2 Etheridge B (D) N N N N Y Y N Y

3 Jones W (R) Y Y Y N N N N N

4 Price D (D) N N N Y Y Y N Y

5 Burr R (R) Y Y Y N N N N N

6 Coble H (R) Y Y Y N N N N N

7 McIntyre M (D) Y Y N N Y N N Y

8 Hefner W (D) N N N ? Y Y Y Y

9 Myrick S (R) Y Y Y N N N ? N

10 Ballenger C (R) Y Y Y N N N N N

11 Taylor C (R) Y Y Y N N N N N

12 Watt M (D) N N N Y Y Y Y Y

North Dakota

AL Pomeroy E (D) N N N N Y Y N Y

Ohio

1 Chabot S (R) Y Y Y N N N N N

2 Portman R (R) Y Y Y N N N N N

3 Hall T (D) N N N Y Y N N N

4 Oxley M (R) Y Y Y N N N N Y

5 Gillmor P (R) Y Y Y N N N N N

6 Strickland T (D) N N N N Y Y N Y

7 Hobson D (R)	Y Y Y N N N N Y
8 Boehner J (R)	Y Y Y N N N N N
9 Kaptur M (D)	N N N N Y N N Y
10 Kucinich D (D)	N N N Y Y N N N
11 Stokes L (D)	N N N Y Y Y Y Y
12 Kasich J (R)	Y Y Y N N N N N
13 Brown S (D)	N N N Y Y Y N Y
14 Sawyer T (D)	N N N N Y Y N Y
15 Pryce D (R)	Y Y Y N N Y N Y
16 Regula R (R)	Y Y Y N N N N N
17 Traficant J (D)	Y Y Y N N N N N
18 Ney B (R)	Y Y Y N N N N N
19 LaTourette S (R)	Y Y Y Y N N N N

Oklahoma

1 Largent S (R)	Y Y Y N N N N N
2 Coburn T (R)	Y Y Y N N N N N
3 Watkins W (R)	Y Y Y N N N N N
4 Watts J (R)	Y Y Y N N N N N
5 Istook E (R)	Y Y Y N N N N N
6 Lucas F (R)	Y Y Y N N N N N

Oregon

1 Furse E (D)	N N N Y Y Y Y Y
2 Smith B (R)	? ? Y N N N N N
3 Blumenauer E (D)	N N N Y Y Y N Y
4 DeFazio P (D)	N N N N N Y N Y

5 Hooley D (D) N N N Y Y Y N Y

Pennsylvania

1 Brady R (D) N N N Y Y Y N Y

2 Fattah C (D) N N N Y Y Y Y Y

3 Borski R (D) N N N Y Y N N 8 Greenwood J (R) Y N Y N Y Y N Y

9 Shuster B (R) ? ? Y N N N N N

10 McDade J (R) ? ? Y ? ? N Y N

11 Kanjorski P (D) N N N N Y N Y Y

12 Murtha J (D) N N N N Y N Y Y

13 Fox J (R) Y N Y N N N N Y

14 Coyne W (D) N N N Y Y Y N Y

15 McHale P (D) N N N Y Y N Y Y

16 Pitts J (R) Y Y Y N N N N N

17 Gekas G (R) Y Y Y N N N N N

18 Doyle M (D) N N N N Y N N N

19 Goodling B (R) Y Y Y N N N N N

20 Mascara F (D) N N N N Y N N N

21 English P (R) Y Y Y N N N N N

Rhode Island

1 Kennedy P (D) N N N + Y Y N Y

2 Weygand B (D) N N N Y Y N N Y

South Carolina

1 Sanford M (R) Y Y Y N N N N N

2 Spence F (R) Y Y Y N N N N N

3 Graham L (R)	Y Y Y N N N N N
4 Inglis B (R)	Y Y Y N N N N N
5 Spratt J (D)	N N N N Y Y N Y
6 Clyburn J (D)	N N N Y Y Y N Y

South Dakota

AL Thune J (R)	Y Y Y N N N N N

Tennessee

1 Jenkins B (R)	Y Y Y N ? N N N
2 Duncan J (R)	Y Y Y N N N N N
3 Wamp Z (R)	Y Y Y N N N N N
4 Hilleary V (R)	Y Y Y N N N N N
5 Clement B (D)	- - N N Y Y N Y
6 Gordon B (D)	N N N N Y Y N Y
7 Bryant E (R)	Y Y Y N N N N N
8 Tanner J (D)	N N N N Y Y N Y
9 Ford H (D)	N N N N Y ? ? ?

Texas

1 Sandlin M (D)	N N N N N Y N Y
2 Turner J (D)	N N N N Y N N Y
3 Johnson S (R)	Y Y Y N N N Y N
4 Hall R (D)	Y Y N N N N N N
5 Sessions P (R)	Y Y Y N N N N N
6 Barton J (R)	Y Y Y N ? N N N
7 Archer B (R)	Y Y Y N N N N N

8 Brady K (R)	Y Y Y N N N N N
9 Lampson N (D)	N N N N Y N N Y
10 Doggett L (D)	N N N Y Y Y N Y
11 Edwards C (D)	N N N N Y N N Y
12 Granger K (R)	Y Y Y N N N N Y
13 Thornberry W (R)	Y Y Y N N N N N
14 Paul R (R)	Y Y Y N N N N N
15 Hinojosa R (D)	N N N Y Y Y N Y
16 Reyes S (D)	N N N Y Y Y N Y
17 Stenholm C (D)	Y Y N N Y N N N
18 Jackson-Lee S (D)	N N N Y Y Y N Y
19 Combest L (R)	Y Y Y N N N N N
20 Gonzalez H (D)	? ? ? ? ? ? ? ?
21 Smith L (R)	Y Y Y N N N N N
22 DeLay T (R)	Y Y Y N N N Y N
23 Bonilla H (R)	Y Y Y N N Y N N
24 Frost M (D)	N N N N Y Y N Y
25 Bentsen K (D)	N N N N Y Y N Y
26 Armey D (R)	Y Y Y N N N N N
27 Ortiz S (D)	N N N N Y ? ? ?
28 Rodriguez C (D)	N N - Y Y Y N Y
29 Green G (D)	N N N N Y Y N Y
30 Johnson E (D)	N N N N Y Y Y Y

Utah

1 Hansen J (R)	Y Y Y N N N N N
2 Cook M (R)	Y Y Y N N N N Y

3 Cannon C (R) Y Y Y N N N Y N

Vermont

AL Sanders B (I) N N N N Y Y N Y

Virginia

1 Bateman H (R) Y Y Y N N N N N

2 Pickett O (D) N N N N N Y N Y

3 Scott R (D) N N N Y Y Y Y Y

4 Sisisky N (D) N N N N ? Y N Y

5 Goode V (D) Y Y Y N N N N N

6 Goodlatte R (R) Y Y Y N N N N N

7 Bliley T (R) Y Y Y N N N N N

8 Moran J (D) ? N N Y Y Y Y Y

9 Boucher R (D) N N N N N Y N Y

10 Wolf F (R) Y Y Y N N N N N

11 Davis T (R) Y Y Y N N Y N Y

Washington

1 White R (R) Y Y Y N N Y N N

2 Metcalf J (R) Y Y Y N N N N N

3 Smith L (R) Y Y N N N N N N

4 Hastings R (R) Y Y Y N N N N N

5 Nethercutt G (R) Y Y Y N N N N Y

6 Dicks N (D) N N N N Y Y N Y

7 McDermott J (D) N N N Y Y Y Y Y

8 Dunn J (R) Y Y Y N N N N Y

9 Smith A (D) N N N N Y Y N Y

West Virginia

1 Mollohan A (D) N Y N N Y N Y N

2 Wise B (D) N N N N Y Y N Y

3 Rahall N (D) N Y N N N N Y N

Wisconsin

1 Neumann M (R) Y Y Y N N N N N

2 Klug S (R) Y N Y N N N N Y

3 Kind R (D) ? N N N Y Y N Y

4 Kleczka J (D) N N N N Y N N Y

5 Barrett T (D) N N N Y Y Y N Y

6 Petri T (R) Y Y Y N N N N N

7 Obey D (D) N N N N Y Y N Y

8 Johnson J (D) N N N N Y Y N Y

9 Sensenbrenner F (R) Y Y Y N N N N N

Wyoming

AL Cubin B (R) Y Y Y N N N Y N

New York

6 Meeks G (D) ? N N ? Y Y Y Y

KEY --

Y YEA

N NAY

PAIRED FOR

X PAIRED AGAINST

+ ANNOUNCED FOR

- ANNOUNCED AGAINST

P VOTED PRESENT

C VOTED PRESENT TO AVOID

POSSIBLE CONFLICT OF INTEREST

S SPEAKER EXERCISED DISCRETION NOT TO VOTE

? DID NOT VOTE OR MAKE POSITION KNOWN

I NOT ELIGIBLE MEMBER

Senate Moves Swiftly on VA-HUD; House Gets Caught Up in Debate Over

Housing Overhaul

Housing/Community Development

Appropriations

(HR2, HR4194, S2168, HRES501, S1890; WR 07/18/98 p. 1947; 245

238 lines)

Item Key: 3464

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VETERANS AFFAIRS

Senate Moves Swiftly on VA-HUD; House Gets Caught Up in Debate Over Housing Overhaul

By Lori Nitschke, CQ Staff Writer

Long-simmering disputes between top Republican housing authorizers and appropriators boiled over the week of July 13 as the House and Senate considered $93.3 billion measures to fund fiscal 1999 housing, veterans, space and science programs.

In the House, appropriators fumed as authorizers successfully attached a voluminous public housing overhaul bill (HR2) to the spending measure (HR4194). Appropriators believed inclusion of the languishing and controversial housing legislation would delay enactment of their spending bill.

Meanwhile, Connie Mack, R-Fla., chairman of the Senate Banking Subcommittee on Housing, figured prominently in an unsuccessful effort to scale back a proposal in the Senate bill (S2168) that would allow the Federal Housing Administration (FHA) to insure mortgages on higher-cost homes. The Senate tabled (killed) the effort July 17. It then passed the spending measure by voice vote.

Both the House and Senate housing efforts resulted from differences, and often a lack of consultation, between authorizers, who set policy, and appropriators, who set funding levels. Though the Senate issue was addressed far more politely, it was clear in both chambers that the crux of the problem was authorizers' inability, after three years of debate, to shepherd a major overhaul of public housing to enactment. (Authorizers and appropriators, CQ Weekly, p. 1453)

Congress has not reauthorized the Department of Housing and Urban Development (HUD) since 1992, and year after year, appropriators have included in their bills changes to housing programs -- policy decisions that are supposed to be left to authorizers.

Since Republicans took control of Congress in 1995, authorizers have attempted to enact a major overhaul of public housing programs, generally aiming to give block grants and more programming leeway to the local officials who run public housing projects. The House and the Senate passed overhaul bills in 1996 and again in 1997. (Overview, CQ Weekly, p. 423)

But in both cases the House bill has taken a more aggressive stance in seeking to bring the working poor into public housing and in making other changes. Mack and his House counterpart, Housing Subcommittee Chairman Rick A. Lazio, R-N.Y., have never achieved a compromise.

Both have decried what they say is the Clinton administration's lack of interest in working with them to craft a final bill.

With both spending bills including a provision the administration dearly wants -- an increase in FHA mortgage loan limits -- Lazio and House Banking and Financial Services Committee Chairman Jim Leach, R-Iowa, believed the best chance for enacting their housing measure would be to attach it to a must-pass bill with a provision the administration and HUD Secretary Andrew M. Cuomo could not ignore.

But that effort did not sit well with leaders of the Appropriations Subcommittee for the departments of Veterans Affairs (VA) and HUD. The panel's ranking Democrat, the generally soft-spoken Louis Stokes of Ohio, charged that "virtually every significant housing legislation provision passed during the last three-and-a-half years" has been in an appropriations bill. The Banking Committee has "not been able to do their job," Stokes said. "This year, they seem to be admitting defeat earlier than usual."

Democrats in general opposed attaching the housing overhaul bill, although more than one-third of them had voted for it in May 1997. (1997 CQ Weekly, p. 1139)

In addition, many members opposed the rule (HRES501) structuring debate on the VA-HUD measure because it would have left the provision increasing the FHA's loan limits subject to a motion to strike it for violating House rules against legislating on a spending bill. After it became clear July 16 that enough members opposed the rule because of housing matters and other issues, House leaders took the unusual step of amending the rule on the floor to protect the FHA loan limits. The rule subsequently passed, 227-195. (Vote 285, p. 1970)

The House then began consideration of the VA-HUD measure, but did not finish before adjourning July 17 for the week. The chamber is expected to continue debate July 21.

The Senate resumed consideration of its bill late July 16 and passed the measure the next morning. Action became possible when Minority Leader Tom Daschle, D-S.D., withdrew an amendment that would have attached the Democrats' controversial health care plan (S1890) to the bill. Daschle had offered it July 7, prompting Majority Leader Trent Lott, R-Miss., to pull the bill from the floor. (Health care, p. 1933)

On July 16, Daschle said he believed "the prospects are greater than they've been in some time" to reach a separate agreement on health care legislation and he withdrew the amendment, enabling the Senate to quickly move the VA-HUD measure.

SENATE CONSIDERATION

The Senate spent most of its time debating the amendment pushed by Mack and sponsored by Majority Whip Don Nickles, R-Okla., to scale back a provision that would increase the worth of mortgages the FHA could insure.

The FHA has helped more than 24 million Americans purchase homes since its inception in 1934. It stimulates mortgage lending by guaranteeing loans for those who cannot afford to make the once-customary 20 percent down payment. It charges borrowers fees for that service, then uses those fees -- and the proceeds from the resale of foreclosed properties -- to insure mortgages. If the fund should run dry, however, the federal Treasury would be responsible for meeting its obligations.

Cuomo has strongly supported increasing the FHA loan limits, saying it will further stimulate home ownership, especially for minorities and others who may not be well served by private lenders. He proposed a $227,150 across-the-country limit, instead of numerous existing limits.

The Senate agreed to increase the limits, but not to the level the administration wanted. The bill would increase the limits from $86,317 to $109,032 in most areas, and from $170,362 to $197,620 in high-cost areas such as parts of New York and California. The House bill was amended by the Appropriations Committee to include the same provision.

But Nickles, Mack, Herb Kohl, D-Wis., and others said the increase, particularly for high-cost areas, was unnecessary and would move the program away from its mission of fostering home ownership for those with low and moderate incomes. Their amendment would have removed the increase for high-cost areas, leaving the FHA loan limits at $170,362 in cities such as Seattle, New York and Los Angeles. It also would have attempted to dissuade private lenders from steering potential homeowners into the FHA program by reducing by 12 basis points (.12 percent) the fees they receive when selling an FHA-guaranteed mortgage to the Government National Mortgage Association (Ginnie Mae).

Nickles said the high-income limit was not needed because "you have to have a pretty good income to be able to afford a $200,000 mortgage" and such buyers could obtain mortgages privately.

Mack argued that the provision should not stand because his Housing Subcommittee had chronicled many cases of mismanagement in the FHA program, information he said appropriators had not taken to heart.

"I am concerned that the Appropriations Committee did not consider the views of the authorizing committee," he said.

But ranking Banking Committee Democrat Paul S. Sarbanes of Maryland said that high housing costs in many areas keep firefighters, teachers and others from buying a home in the communities where they work. And VA-HUD Subcommittee Chairman Christopher S. Bond, R-Mo., said that "many families would be unable to purchase their homes without the benefit of FHA mortgage insurance."

The Senate voted 69-27 to table (kill) the amendment.

Senators also voted July 17 to table an amendment by Jeff Sessions, R-Ala., that would have shifted funds from the AmeriCorps national service program to NASA programs. The vote was 58-37.

An amendment by Paul Wellstone, D-Minn., to restore medical benefits to veterans affected by smoking-related illnesses was killed when it fell six votes short of the 60 needed to waive a point of order against it. Congress had voted to repeal the medical benefits to pay for a massive transportation measure (PL 105-178). (Transportation, CQ Weekly, p. 1701)

PUBLIC HOUSING MEASURE

The House spent most of its time debating the authorizers' bill to overhaul the public housing system.

Lazio and Leach had offered the public housing measure as an amendment to the spending bill to ensure it would not die in another Congress.

Though Democrats and some Republicans, including VA-HUD Subcommittee Chairman Jerry Lewis, R-Calif, charged that attaching such a massive authorizing measure to an appropriations bill made a mockery of House rules, Leach and Lazio said the action was warranted because the House had already fully debated the measure and passed it.

The bill would give local authorities block grants and greater leeway over choosing tenants and setting rents. It also aims to create a greater income mix in public housing by attracting the working poor and others able to pay more rent. The Senate's version of the measure (S 462) would retain more spots in public housing and in housing voucher programs for the very poor.

While Leach and Lazio argued that voting against attaching the amendment would be a vote against the bill, their Democratic counterparts, ranking Banking Committee Democrat John J. LaFalce of New York and ranking Housing Subcommittee Democrat Joseph P. Kennedy II of Massachusetts vociferously opposed attaching the amendment.

Both oppose the income targeting provisions in HR2. LaFalce said the House should have officially appointed conferees to work out differences on the housing bill instead of attaching it to a spending measure. LaFalce said Leach and Lazio had refused to agree to such a conference to keep House Democrats from joining with both parties in the Senate to adopt the Senate's less strident provisions.

Kennedy charged that the move to attach the bill was simply an attempt to "jam it down the throat of the administration." In a statement, Cuomo called HR2 "repugnant." LaFalce said President Clinton would be likely to veto the VA-HUD bill should HR2 remain intact in it.

It is highly unlikely the bill would survive verbatim, however. Leach said GOP leaders intended to convene a "subconference" to work out differences between the two chambers' overhaul bills at the same time conferees work out differences between the VA-HUD spending bills.

The House voted 230-181 to attach HR2 to the spending measure.

It defeated, 201-215, a Stokes amendment that would have increased by 17,200 the number of housing vouchers available to welfare recipients looking for work.

When the House returns to the bill July 21, it is expected to consider amendments to kill the international space station and to temper the bill's language opposing the Kyoto climate control treaty.

BOXSCORE

Bills: HR4194 (H Rept 105-610), S2168 (S Rept 105-216) -- Fiscal 1999 VA-HUD appropriations.

Latest action: On July 17, the House debated HR4194 and the Senate passed S2168 by voice vote.

Next likely action: House debate continues July 21.

Reference: Senate debate, CQ Weekly, p. 1878; FHA mortgages, p. 1833; House panel, p. 1767; Senate panel, p. 1612.

Disaster Aid Legislation Hits Trouble

Trade/Transportation/Commerce

(HR219; WR 07/18/98 p. 1952; 82 linCOMMERCE

Disaster Aid Legislation Hits Trouble

By Lori Nitschke, CQ Staff Writer

The House Banking Committee approved a bill July 15 on federal aid to states in the event of natural disasters. But the legislation (HR 219) may not go further this year, largely because several members question whether it will help enough states.

"I think we're just setting the stage for 1999," said the panel's ranking Democrat, John J. LaFalce of New York. Bill sponsor Rick A. Lazio, R-N.Y., said, "We need to do more brainstorming."

Under the bill the committee took up, the federal government would step in when a state is hit by a catastrophic hurricane, earthquake or volcanic eruption that prompts insurance claims worth more than $2 billion. It would pay 50 cents of every $1 of remaining claims, using dues paid by participating states and private insurance companies -- although general federal funds might also have to be used. Federal annual payments would be capped at $25 billion.

The measure is meant to encourage insurance companies to continue writing policies protecting homeowners against disasters even in areas where catastrophic events have occurred. A Banking subcommittee approved HR219 in February.

But barring a disaster on the level of 1992's Hurricane Andrew, Congress seems unlikely to take further action this year on a bill that may not hold great benefits for many states.

THE RELATIVE COSTS OF DISASTER

The committee began the markup June 25 and adopted several major changes, including a provision to require the federal government to pay only 50 cents of every $1 of eligible state and private losses. The original bill would have required 85 cents of every $1 the first year, scaling back payments after that.

At both meetings, Ken Bentsen, D-Texas, objected to provisions stipulating that federal assistance would not be triggered until a disaster had already cost state and private insurers $2 billion. All but three states -- California, Florida and Hawaii -- would be excluded from the program, he said, because most disasters do not cost that much. Texas, for example, estimates that a major disaster -- one occurring once every 100 years -- would generate $1.7 billion in losses. "Your state is not getting the full benefit," Bentsen said, "but your state and your constituents are getting the full liability potentially."

The committee adopted by voice vote a Bentsen amendment that would allow the Treasury secretary to admit states into the program and provide assistance when disaster costs exceed the estimate in that state for a hypothetical once-in-100-years event.

The panel adopted by voice vote an amendment by LaFalce and Bill McCollum, R-Fla., that would allow states with insurance pools of at least $2 billion to enter into the federal program even if the pool were not capitalized enough to pay for a 100-year event in that state, as the bill requires. States would have up to seven years to increase their pool's capital. The amendment aims to allow Florida to join the program.

The committee defeated, 18-30, an amendment by Joseph P. Kennedy II, D-Mass., that aimed to dissuade insurers from discriminating against certain low-income areas when selling policies. And it defeated, 6-25, an amendment by Rick Hill, R-Mont., and Maurice D. Hinchey, D-N.Y., to trigger the federal program when insurance companies have used up 7 percent of their surplus and capital on a disaster.

BOXSCORE

Bill: HR219 -- Disaster insurance. The bill would provide federal backing for state disaster insurance plans.

Latest action: House Banking and Financial Services Committee approved the bill, 33-12, on July 15.

Next likely action: None expected.

Reference: Subcommittee approval, CQ Weekly, p. 315.

Clinton Gives Up On Line-Item Veto Fight

Appropriations

(WR 07/18/98 p. 1956; 30 lines)

Item Key: 3426

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Clinton Gives Up On Line-Item Veto Fight

By CQ Staff

President Clinton has officially given up on the line-item veto.

The Office of Management and Budget (OMB) announced July 17 that the 43 line-item vetoes that were not part of a successful challenge to the 1996 Line Item Veto Act (PL 104-130) were rendered void by the Supreme Court's June 25 decision to overturn the law. (Ruling, CQ Weekly, pp. 1817, 1747)

The budget agency will now release the funding for projects such as a $900,000 biocontrol and insect-rearing laboratory in Mississippi.

It was widely assumed that money for projects not covered by the Supreme Court case (Clinton v. New York) would be restored, but administration lawyers took three weeks to conclude the funds would be released.

The town of Arab, Ala., which lost a $450,000 storm readiness center to a line-item veto in 1997 but had the money restored in this year's supplemental appropriations bill (PL 105-174), will not get its money twice, said OMB spokesman Linda Ricci. (1997 CQ Weekly, p. 2757)

At the same time, Clinton is proposing to rescind language in the fiscal 1998 Interior spending bill (PL 105-83) that blocks the federal government from retaining $10 million in federal mineral rights to land that it transferred to Montana. Congress can ignore the request.

11 of 20 items CQ's WASHINGTON ALERT 07/20/98

Ex-Minority Gadfly Supports GOP Turnabout

Inside Congress/Lobbies

(WR 07/18/98 p. 1913; 52 lines)

Item Key: 3445

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LESSONS IN DEMOCRACY

Ex-Minority Gadfly Supports GOP Turnabout

By Jeffrey L. Katz, CQ Staff Writer

As a parliamentary strategist for the minority party, former Rep. Robert S. Walker, R-Pa., (1977-97) had few peers.

Walker seemed to use every trick in the book to block, change or at least delay Democratic initiatives. Nothing goaded him into action more than Democrats' use of rules and procedures to limit dissent, such as when they brought bills to the floor under terms that prohibited amendments.

But as Republicans round the corner of their fourth year in the majority, Walker's perspective has changed. He doesn't recant his support for the minority's arsenal of parliamentary tactics; he simply thinks Republicans, since they are now the majority party, should not support them.

The issue is relevant because of a letter drafted by Rep. Robert L. Ehrlich Jr., R-Md., and signed by about 125 House Republicans that calls on all GOP members -- particularly committee and subcommittee chairmen and party leaders -- to follow the dictates of the House Republican Conference on key parliamentary questions. Those who refuse to abide by the party line, the memo says, should risk losing coveted committee assignments.

The effort gained steam after 12 Republicans signed a discharge petition on campaign finance legislation that would have cost GOP leaders control of the floor. The signature that drew the most attention was that of Banking Committee Chairman Jim Leach, R-Iowa.

While in the minority, Republicans often used discharge petitions to push their own agenda. The discharge petition "is the one tactic that the minority has to take powers away from committee chairmen," said Walker, now president of The Wexler Group, a government affairs firm.

Yet even though that approach was appropriate for Republicans in the minority, he added, "when you're in the majority, you have a very different role to play."

The need to hew to the party line on key parliamentary matters is magnified for committee chairmen, said Walker, who chaired the Science Committee during his last term. "I assumed a leadership role carried some obligation," he said.

While top Republicans can take whatever action they wish, he said, "the conference has a right to call them on the carpet."

Prospects Brighten for IMF Funds As GOP Looks To Boost Trade

Trade/Transportation/Commerce

Foreign Policy

(WR 07/18/98 p. 1958; 224 lines)

Item Key: 3440

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FOREIGN POLICY

Prospects Brighten for IMF Funds As GOP Looks To Boost Trade

>> But administration threatens a veto because of substantial cuts in president's foreign aid request

By Miles A. Pomper, CQ Staff Writer

Supporters of the International Monetary Fund are gaining ground in their campaign to step up U.S. contributions to the lending institution.

For almost a year, Republican lawmakers led by House Majority Leader Dick Armey of Texas, have stymied the Clinton administration's bid for an additional $18 billion in credit for the IMF, which critics say only helps countries avoid making the tough economic choices they need to attract private funds.

Armey, Majority Whip Tom DeLay, R-Texas, and Joint Economic Committee Chairman H. James Saxton, R-N.J., have repeatedly argued that even if the aid is granted, it should be tied to a list of reforms they say would make the IMF more accountable and transparent.

But Republicans have come under pressure to grant the credit, because bolstering faltering economies in Asia and Russia would increase demand for U.S. farm products. House Speaker Newt Gingrich, R-Ga., last month promised a renewed effort for the IMF funds. (CQ Weekly, p. 1787)

The House Appropriations Foreign Operations Subcommittee took a first step July 15, approving $3.4 billion in credit to the IMF as part of its fiscal 1999 foreign aid spending bill. The money would fund the "new arrangements to borrow," a credit line for developing countries.

It would carry a series of restrictions on IMF practices, including directing the organization to press recipient countries to comply with international trade agreements, end subsidized government loans or grants to favored industries, and give foreign creditors equal status with domestic lenders in bankruptcies.

The measure also would call for the IMF to release edited versions of its board minutes and major documents and end subsidized interest rates for regular borrowers.

WORKING ON COMPROMISE

Subcommittee members beat back an attempt by ranking Democrat Nancy Pelosi of California to chip in another $14.5 billion to the IMF's regular lending pool, as President Clinton asked.

Appropriations Committee Chairman Robert L. Livingston, R-La., urged panel members to hold off voting for the additional funds until GOP leaders can work out a compromise. He pledged that the issue would be taken up at a later stage in the legislative process -- most likely at a full committee markup the week of July 20. In the meantime, lawmakers said GOP leaders will try to agree on how to deal with anti-abortion restrictions on family planning aid that have dogged previous foreign aid bills.

In a July 15 speech to the U.S. Chamber of Commerce, Armey conceded he was losing his battle against the IMF funds.

"In the end, I suppose they will pretty much get as much money as they are looking for with as little accountability as they desire," Armey said.

Funding for the IMF is a highlight of a foreign aid bill that cuts Clinton's budget request by so much that Secretary of State Madeleine K. Albright and a top House Democrat are threatening to try to scuttle the measure.

The panel approved spending $12.5 billion on new and continuing programs, $316 million below current spending and $1.1 billion under the amount that Clinton requested.

The subcommittee also approved only $352 million of the half-billion dollars Clinton requested to repay debts to international financial institutions such as regional development banks and the Global Environmental Facility.

Subcommittee Chairman Sonny Callahan, R-Ala., said that in a telephone conversation on July 14, Albright told him she would recommend that Clinton veto the bill because of the low funding levels.

But Callahan said the administration could not expect appropriators to grant more money than last year. "The allocation we have is the allocation we have to live with," Callahan said.

THREATENING INTERESTS

The reduced spending prompted David R. Obey of Wisconsin, ranking Democrat on the Appropriations Committee, to say that he would vote against the bill. "This is more threatening to American interests than in defense of them," Obey said.

With Russia facing a financial crisis, Obey criticized the bill for cutting funding to Russia and the other successor states of the Soviet Union to $590 million, $335 million below Clinton's request and $180 million below current spending.

Not only was the funding too low, Obey said, but what remained was boxed in by far too many restrictions.

"The funding for the former Soviet Union is probably worse than providing no funding at all," said Obey. "It's so tied up, there are so many earmarks, that we have no ability to influence policy."

The measure renews a restriction in recent spending bills tying half of Russia's aid to ending Moscow's nuclear and missile cooperation with Iran, although this sanction could be waived by the president.

The bill also would prevent any individual former Soviet republic from obtaining more than $147.5 million in aid. The administration had requested about $225 million each for Russia and Ukraine.

And the bill would reserve $195 million of the aid for the Southern Caucasus region, including $78 million set aside to encourage Armenia and neighboring Azerbaijan to resolve their longstanding conflict. (CQ Weekly, p. 1783)

Democrats quarreled with Callahan's decision to slash money for the Global Environmental Facility, a relatively new organization that lends money for environmental and energy projects in developing countries.

The administration had requested nearly $300 million for the facility -- $107.5 million in new funding and $192.5 million to pay off

U.S. debts. Callahan followed the recent GOP practice of slashing funds for the organization, providing only $43 million in current funds.

Pelosi sought to add $50 million toward U.S. debts to the organization, arguing that without the extra money, the facility could run dry by next spring. But Joe Knollenberg, R-Mich., argued that the money was a back-door way to implement the Kyoto protocol on global warming and other environmental pacts pushed by the administration and not endorsed by the Senate. (CQ Weekly, p. 1537)

Pelosi's amendment was defeated largely along party lines, 8-7.

KOREAN ENERGY

Callahan's bill also takes a crack at another international organization favored by the Clinton administration -- the Korean Peninsula Energy Development Organization.

The organization was set up under the 1994 agreement between the United States and North Korea that sought to freeze and dismantle Pyongyang's budding nuclear weapons program and the graphite-moderated nuclear reactors that fed it.

The development organization directs money from international donors toward the construction of two light-water nuclear reactors and deliveries of heavy fuel oil to meet North Korea's energy needs.

But at a hearing of the Senate Foreign Relations Subcommittee on East Asian and Pacific Affairs July 14, administration officials acknowledged that the organization has plunged $38 million into debt, slowing the oil deliveries, because contributions from foreign donors, particularly Japan and South Korea, have been well below expectations.

Administration officials said they would ask Congress for an additional $15 million this year, beyond the $35 million already requested, and would request extra money in the future to pay off the debts, arguing that the expense was justified by the program's success in halting Pyongyang's nuclear program.

The claims were undercut by a July 7 General Accounting Office report that North Korea has refused full access to its nuclear sites, making it difficult to determine if the country has hidden enough plutonium to build nuclear bombs.

The report is likely to fuel the skepticism of Republican lawmakers who have long seen the program as nuclear blackmail. Callahan's bill calls for $30 million in funds for the deal, $5 million below Clinton's request.

To obtain the funds, Clinton would have to certify that North Korea has terminated its nuclear weapons program and stopped transferring ballistic missile technology to terrorist states such as Iran.

The cuts in the program passed without debate at the July 15 markup.

ISRAEL AND EGYPT

But panel members vigorously debated a historic change: a multi-year phaseout of economic assistance to Israel and Egypt that would save about $100 million in fiscal 1999.

Following an Israeli pledge to wean itself from $1.2 billion in annual U.S. economic assistance over 10 years, the panel agreed to cut Israel's economic aid to slightly below $1.1 billion next year. At the same time, it agreed to raise Israel's military assistance from $1.8 billion to $1.86 billion.

Egypt, which is usually given about two-thirds as much aid as Israel, escaped a similar reduction. The subcommittee approved by voice vote an amendment by Knollenberg and Nita M. Lowey, D-N.Y., leaving Egypt's military assistance at $1.3 billion, but cutting its economic assistance by $40 million instead of $80 million. Lowey said that Egypt needed economic assistance more than military aid.

Obey voted for the measure, but expressed his reluctance to grant Israel additional military funds, noting that the Israeli government has yet to make good on its commitment last year to transfer some of its aid to Jordan.

Excluding off-budget credits to the IMF, the bill nearly matches last year's $12.8 billion legislation. Some highlights: $100 million less for Israel and Egypt; Aid to former Soviet states would be $180 million less than last year; $30 million in energy aid to North Korea is $5 million less than requested.

BOXSCORE

Bill: Unnumbered House bill -- Fiscal 1999 foreign operations appropriations.

Latest action: The House Appropriations Foreign Operations Subcommittee approved the bill July 15 by voice vote.

Next likely action: House Appropriations Committee markup the week of July 20.

Reference: Abortion, IMF disputes, CQ Weekly, p. 401; Fiscal 1998 bill, 1997 CQ Weekly, pp. 2861, 2781, 2698, 2089, 1879, 1800.

House Votes 291, 292, 293, 294

Inside Congress/Lobbies

House Vote Charts

(HR4104, HR3731; WR 07/18/98 p. 1972; 591 lines)

Item Key: 3451

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House Votes 291, 292, 293, 294

By CQ Staff

291. HR4104. Fiscal 1999 Treasury, Postal Service Appropriations/Exchange Stabilization Fund Restriction. Sanders, I-Vt., amendment to prohibit the use of funds in the bill to make any loan or credit in excess of $250 million to a foreign entity or government through the Exchange Stabilization Fund without congressional approval. Rejected 195-226: R 143-82; D 51-144 (ND 41-105, SD 10-39); I 1-0. (Story, p. 1949)

292. HR4104. Fiscal 1999 Treasury, Postal Service Appropriations/Federal Employee Health Plan Abortion Coverage Ban. Smith, R-N.J., amendment to prohibit federal employee health plans from providing insurance coverage for drugs that induce abortion. Rejected 198-222: R 172-51; D 26-170 (ND 21-126, SD 5-44); I 0-1. (Story, p. 1949)

293. HR4104. Fiscal 1999 Treasury, Postal Service Appropriations/Passage. Passage of the bill to provide funds for the Treasury Department, U.S. Postal Service, various offices of the Executive Office of the President and certain independent agencies. Passed 218-203: R 192-33; D 26-169 (ND 14-132, SD 12-37); I 0-1. (Story, p. 1949)

294. HR3731. Steve Schiff Auditorium Designation/Passage. Passage of the bill to designate an auditorium within the Sandia Technology Transfer Center in Albuquerque, N.M., as the "Steve Schiff Auditorium." Passed 409-0: R 218-0; D 190-0 (ND 141-0, SD 49-0); I 1-0.

CQ	2 2 2 2
Vote	9 9 9 9
Number:	1 2 3 4

Alabama

1 Callahan S (R)	N Y Y Y
2 Everett T (R)	Y Y Y Y
3 Riley B (R)	Y Y Y Y
4 Aderholt R (R)	Y Y N Y
5 Cramer R (D)	Y N N Y
6 Bachus S (R)	Y Y Y Y
7 Hilliard E (D)	Y N N Y

Alaska

AL Young D (R)	Y Y Y Y

Arizona

1 Salmon M (R)	Y Y Y ?
2 Pastor E (D)	N N Y Y

3 Stump B (R)	N Y N Y
4 Shadegg J (R)	Y Y Y Y
5 Kolbe J (R)	N Y Y Y
6 Hayworth J (R)	Y N N Y

Arkansas

1 Berry M (D)	N Y N Y
2 Snyder V (D)	N N N Y
3 Hutchinson A (R)	Y Y Y Y
4 Dickey J (R)	N Y Y Y

California

1 Riggs F (R)	N Y Y Y
2 Herger W (R)	Y Y N Y
3 Fazio V (D)	N N N Y
4 Doolittle J (R)	Y Y Y Y
5 Matsui R (D)	N N N Y
6 Woolsey L (D)	Y N N Y
7 Miller G (D)	Y N N Y
8 Pelosi N (D)	N N N Y
9 Lee B (D)	Y N N Y
10 Tauscher E (D)	N N N Y
11 Pombo R (R)	Y Y Y Y
12 Lantos T (D)	N N N Y
13 Stark P (D)	Y N N Y
14 Eshoo A (D)	N N N Y
15 Campbell T (R)	Y N N Y

16 Lofgren Z (D)	N N N Y
17 Farr S (D)	N N N Y
18 Condit G (D)	Y N Y Y
19 Radanovich G (R)	Y Y Y Y
20 Dooley C (D)	N N Y ?
21 Thomas B (R)	N N Y Y
22 Capps L (D)	N N N Y
23 Gallegly E (R)	N N Y Y
24 Sherman B (D)	N N N Y
25 McKeon H (R)	N Y Y Y
26 Berman H (D)	N N N ?
27 Rogan J (R)	Y Y Y Y
28 Dreier D (R)	N Y Y Y
29 Waxman H (D)	N N N Y
30 Becerra X (D)	N N N Y
31 Martinez M (D)	N N N ?
32 Dixon J (D)	N N N Y
33 Roybal-Allard L (D)	? ? ? ?
34 Torres E (D)	N N N Y
35 Waters M (D)	? N N Y
36 Harman J (D)	N N Y ?
37 Millender-McDonald J (D)	N N N Y
38 Horn S (R)	N N Y Y
39 Royce E (R)	Y Y Y Y
40 Lewis J (R)	N Y Y Y
41 Kim J (R)	N N Y Y
42 Brown G (D)	N N N Y

43 Calvert K (R)	N N Y Y
44 Bono M (R)	Y N Y Y
45 Rohrabacher D (R)	Y Y Y Y
46 Sanchez L (D)	N N N Y
47 Cox C (R)	Y Y Y Y
48 Packard R (R)	N Y Y Y
49 Bilbray B (R)	Y N Y Y
50 Filner B (D)	? ? ? ?
51 Cunningham R (R)	Y Y Y Y
52 Hunter D (R)	Y Y Y Y

Colorado

1 DeGette D (D)	N N N Y
2 Skaggs D (D)	N N N Y
3 McInnis S (R)	N N N Y
4 Schaffer B (R)	Y Y N Y
5 Hefley J (R)	Y Y N Y
6 Schaefer D (R)	Y Y Y Y

Connecticut

1 Kennelly B (D)	? ? ? ?
2 Gejdenson S (D)	N N N Y
3 DeLauro R (D)	N N N Y
4 Shays C (R)	N N Y Y
5 Maloney J (D)	N N N Y
6 Johnson N (R)	N N Y ?

Delaware

AL Castle M (R)	N N Y Y

Florida

1 Scarborough J (R)	Y Y Y Y
2 Boyd A (D)	N N N Y
3 Brown C (D)	N N N Y
4 Fowler T (R)	Y N Y Y
5 Thurman K (D)	N N N Y
6 Stearns C (R)	Y Y Y Y
7 Mica J (R)	Y Y Y Y
8 McCollum B (R)	Y Y Y Y
9 Bilirakis M (R)	Y Y Y Y
10 Young C (R)	Y Y Y Y
11 Davis J (D)	N N Y Y
12 Canady C (R)	Y Y Y Y
13 Miller D (R)	N N Y Y
14 Goss P (R)	Y N Y Y
15 Weldon D (R)	Y Y Y Y
16 Foley M (R)	Y N Y Y
17 Meek C (D)	N N N Y
18 Ros-Lehtinen I (R)	Y Y Y Y
19 Wexler R (D)	N N N Y
20 Deutsch P (D)	N N N Y
21 Diaz-Balart L (R)	Y Y Y Y
22 Shaw E (R)	N N Y Y
23 Hastings A (D)	N N N Y

Georgia

1 Kingston J (R)	Y Y Y Y
2 Bishop S (D)	Y N N Y
3 Collins M (R)	Y Y Y Y
4 McKinney C (D)	Y N N Y
5 Lewis J (D)	? ? ? ?
6 Gingrich N (R)	S S Y Y
7 Barr B (R)	Y Y N Y
8 Chambliss S (R)	Y Y Y Y
9 Deal N (R)	Y Y Y Y
10 Norwood C (R)	Y Y Y Y
11 Linder J (R)	N Y Y Y

Hawaii

1 Abercrombie N (D)	N N N Y
2 Mink P (D)	Y N N Y

Idaho

1 Chenoweth H (R)	Y Y Y Y
2 Crapo M (R)	Y Y Y Y

Illinois

1 Rush B (D)	Y N N Y
2 Jackson J (D)	N N N Y
3 Lipinski W (D)	Y N N Y
4 Gutierrez L (D)	Y N N Y

5 Blagojevich R (D)	N N N Y
6 Hyde H (R)	N Y Y Y
7 Davis D (D)	Y N N Y
8 Crane P (R)	Y Y N Y
9 Yates S (D)	N N ? ?
10 Porter J (R)	N N Y Y
11 Weller J (R)	Y N Y Y
12 Costello J (D)	Y Y N Y
13 Fawell H (R)	N N Y Y
14 Hastert D (R)	Y Y Y Y
15 Ewing T (R)	N N Y Y
16 Manzullo D (R)	Y Y Y Y
17 Evans L (D)	Y N N Y
18 LaHood R (R)	Y Y Y Y
19 Poshard G (D)	Y N N Y
20 Shimkus J (R)	Y Y Y Y

Indiana

1 Visclosky P (D)	Y N Y Y
2 McIntosh D (R)	Y ? Y Y
3 Roemer T (D)	N Y N Y
4 Souder M (R)	Y Y Y Y
5 Buyer S (R)	N Y Y Y
6 Burton D (R)	Y Y Y Y
7 Pease E (R)	Y Y Y Y
8 Hostettler J (R)	Y Y N Y
9 Hamilton L (D)	N Y N Y

10 Carson J (D)	Y N N Y

Iowa

1 Leach J (R)	N N Y Y
2 Nussle J (R)	N Y Y Y
3 Boswell L (D)	N N Y Y
4 Ganske G (R)	Y N Y Y
5 Latham T (R)	N Y Y Y

Kansas

1 Moran J (R)	Y Y N Y
2 Ryun J (R)	Y Y Y Y
3 Snowbarger V (R)	Y Y Y Y
4 Tiahrt T (R)	Y Y N Y

Kentucky

1 Whitfield E (R)	Y Y Y Y
2 Lewis R (R)	Y Y Y Y
3 Northup A (R)	N Y Y Y
4 Bunning J (R)	Y Y N Y
5 Rogers H (R)	Y Y Y Y
6 Baesler S (D)	Y N Y Y

Louisiana

1 Livingston R (R)	Y Y Y Y
2 Jefferson W (D)	N N N Y
3 Tauzin W (R)	Y Y Y Y

4 McCrery J (R)	N Y Y Y
5 Cooksey J (R)	Y N Y Y
6 Baker R (R)	N Y N Y
7 John C (D)	? ? ? ?

Maine

1 Allen T (D)	N N N Y
2 Baldacci J (D)	N N N Y

Maryland

1 Gilchrest W (R)	N N Y Y
2 Ehrlich R (R)	N N Y Y
3 Cardin B (D)	N N N Y
4 Wynn A (D)	N N N Y
5 Hoyer S (D)	N N Y Y
6 Bartlett R (R)	Y Y Y Y
7 Cummings E (D)	Y N N Y
8 Morella C (R)	N N Y Y

Massachusetts

1 Olver J (D)	N N N Y
2 Neal R (D)	N N N Y
3 McGovern J (D)	Y N N Y
4 Frank B (D)	N N N Y
5 Meehan M (D)	N N N Y
6 Tierney J (D)	N N N Y
7 Markey E (D)	N N N Y

8 Kennedy J (D)	N N N Y
9 Moakley J (D)	N N N Y
10 Delahunt B (D)	Y N N Y

Michigan

1 Stupak B (D)	Y Y N Y
2 Hoekstra P (R)	Y Y Y Y
3 Ehlers V (R)	N Y Y Y
4 Camp D (R)	N Y Y Y
5 Barcia J (D)	Y Y N Y
6 Upton F (R)	Y N Y Y
7 Smith N (R)	Y Y Y Y
8 Stabenow D (D)	N N N Y
9 Kildee D (D)	N Y N Y
10 Bonior D (D)	N N N Y
11 Knollenberg J (R)	N Y Y Y
12 Levin S (D)	N N N Y
13 Rivers L (D)	N N N Y
14 Conyers J (D)	Y N N Y
15 Kilpatrick C (D)	N N N Y
16 Dingell J (D)	N N N Y

Minnesota

1 Gutknecht G (R)	Y Y N Y
2 Minge D (D)	N N N Y
3 Ramstad J (R)	N N N Y
4 Vento B (D)	N N N Y

5 Sabo M (D)	N N N Y
6 Luther W (D)	N N N Y
7 Peterson C (D)	N Y N Y
8 Oberstar J (D)	N Y N Y

Mississippi

1 Wicker R (R)	N Y Y Y
2 Thompson B (D)	N N N Y
3 Pickering C (R)	Y Y Y Y
4 Parker M (R)	? ? ? ?
5 Taylor G (D)	Y Y N Y

Missouri

1 Clay W (D)	N N N Y
2 Talent J (R)	Y Y Y Y
3 Gephardt R (D)	N N N Y
4 Skelton I (D)	N Y N Y
5 McCarthy K (D)	N N N Y
6 Danner P (D)	Y Y Y Y
7 Blunt R (R)	Y Y Y Y
8 Emerson J (R)	Y Y Y Y
9 Hulshof K (R)	Y Y Y Y

Montana

AL Hill R (R)	? ? ? ?

Nebraska

1 Bereuter D (R)	N Y Y Y
2 Christensen J (R)	Y Y Y Y
3 Barrett B (R)	N Y Y Y

Nevada

1 Ensign J (R)	Y Y Y Y
2 Gibbons J (R)	Y N Y Y

New Hampshire

1 Sununu J (R)	Y Y Y Y
2 Bass C (R)	Y N Y Y

New Jersey

1 Andrews R (D)	Y N N Y
2 LoBiondo F (R)	Y Y Y Y
3 Saxton J (R)	Y Y Y Y
4 Smith C (R)	Y Y N ?
5 Roukema M (R)	N N Y Y
6 Pallone F (D)	N N N Y
7 Franks B (R)	N N Y Y
8 Pascrell B (D)	Y N N Y
9 Rothman S (D)	N N N Y
10 Payne D (D)	N N N Y
11 Frelinghuysen R (R)	N N Y Y
12 Pappas M (R)	Y Y N Y
13 Menendez R (D)	N N N Y

New Mexico

1 Wilson H (R)	N Y Y Y
2 Skeen J (R)	N Y Y Y
3 Redmond B (R)	N Y Y Y

New York

1 Forbes M (R)	Y Y Y Y
2 Lazio R (R)	N N Y Y
3 King P (R)	N Y Y Y
4 McCarthy C (D)	N N N Y
5 Ackerman G (D)	N N N Y
7 Manton T (D)	N N N Y
8 Nadler J (D)	Y N N Y
9 Schumer C (D)	N N Y Y
10 Towns E (D)	N N N Y
11 Owens M (D)	Y N N Y
12 Velazquez N (D)	Y N N Y
13 Fossella V (R)	Y Y Y Y
14 Maloney C (D)	N N Y Y
15 Rangel C (D)	Y N N Y
16 Serrano J (D)	Y N N Y
17 Engel E (D)	N N N Y
18 Lowey N (D)	N N Y Y
19 Kelly S (R)	N N Y Y
20 Gilman B (R)	N N Y Y
21 McNulty M (D)	? ? ? ?
22 Solomon G (R)	Y Y Y Y

23 Boehlert S (R)	N N Y Y
24 McHugh J (R)	N Y Y Y
25 Walsh J (R)	N Y Y Y
26 Hinchey M (D)	N N N Y
27 Paxon B (R)	Y Y Y Y
28 Slaughter L (D)	N N N Y
29 LaFalce J (D)	N Y N Y
30 Quinn J (R)	Y Y Y Y
31 Houghton A (R)	N N Y Y

North Carolina

1 Clayton E (D)	? ? ? ?
2 Etheridge B (D)	N N Y Y
3 Jones W (R)	Y Y N Y
4 Price D (D)	N N Y Y
5 Burr R (R)	Y Y Y Y
6 Coble H (R)	Y Y Y Y
7 McIntyre M (D)	Y N N Y
8 Hefner W (D)	N N N Y
9 Myrick S (R)	Y Y Y Y
10 Ballenger C (R)	N Y Y Y
11 Taylor C (R)	N Y Y Y
12 Watt M (D)	N N N Y

North Dakota

AL Pomeroy E (D)	N N N Y

Ohio

1 Chabot S (R)	Y Y Y Y
2 Portman R (R)	Y Y Y Y
3 Hall T (D)	N Y N Y
4 Oxley M (R)	N N Y Y
5 Gillmor P (R)	Y Y Y Y
6 Strickland T (D)	Y N N Y
7 Hobson D (R)	Y N Y Y
8 Boehner J (R)	N Y Y Y
9 Kaptur M (D)	Y N N Y
10 Kucinich D (D)	Y Y N Y
11 Stokes L (D)	N N N Y
12 Kasich J (R)	N N Y Y
13 Brown S (D)	Y N N Y
14 Sawyer T (D)	N N N Y
15 Pryce D (R)	N N Y Y
16 Regula R (R)	Y N Y ?
17 Traficant J (D)	Y Y N Y
18 Ney B (R)	Y Y N Y
19 LaTourette S (R)	N Y N Y

Oklahoma

1 Largent S (R)	Y Y Y Y
2 Coburn T (R)	N Y Y Y
3 Watkins W (R)	Y Y Y Y
4 Watts J (R)	Y Y Y Y
5 Istook E (R)	Y Y Y Y

6 Lucas F (R)	Y Y Y Y

Oregon

1 Furse E (D)	N N N Y
2 Smith B (R)	N Y Y ?
3 Blumenauer E (D)	N N N Y
4 DeFazio P (D)	Y N N Y
5 Hooley D (D)	N N Y Y

Pennsylvania

1 Brady R (D)	N N N Y
2 Fattah C (D)	N N N Y
3 Borski R (D)	N N N Y
4 Klink R (D)	Y Y N ?
5 Peterson J (R)	Y Y Y Y
6 Holden T (D)	Y Y N Y
7 Weldon C (R)	Y Y Y Y
8 Greenwood J (R)	N N Y Y
9 Shuster B (R)	Y Y Y ?
10 McDade J (R)	N ? ? ?
11 Kanjorski P (D)	N N N Y
12 Murtha J (D)	N N N Y
13 Fox J (R)	Y N Y Y
14 Coyne W (D)	N N N Y
15 McHale P (D)	N Y Y Y
16 Pitts J (R)	Y Y Y Y
17 Gekas G (R)	Y Y Y Y

18 Doyle M (D)	Y Y N Y
19 Goodling B (R)	Y Y Y Y
20 Mascara F (D)	Y Y N Y
21 English P (R)	Y Y Y Y

Rhode Island

1 Kennedy P (D)	Y N N Y
2 Weygand B (D)	N N N Y

South Carolina

1 Sanford M (R)	Y Y N Y
2 Spence F (R)	Y Y Y Y
3 Graham L (R)	Y Y Y Y
4 Inglis B (R)	Y Y N Y
5 Spratt J (D)	N N N Y
6 Clyburn J (D)	N N N Y

South Dakota

AL Thune J (R)	N Y Y Y

Tennessee

1 Jenkins B (R)	N Y Y Y
2 Duncan J (R)	Y Y N Y
3 Wamp Z (R)	Y Y Y Y
4 Hilleary V (R)	Y Y N Y
5 Clement B (D)	N N N Y
6 Gordon B (D)	N N N Y

7 Bryant E (R)	Y Y Y Y
8 Tanner J (D)	N N N Y
9 Ford H (D)	? ? ? ?

Texas

1 Sandlin M (D)	N N Y Y	
2 Turner J (D)	Y N N Y	
3 Johnson S (R)	Y Y Y Y	
4 Hall R (D)	Y Y Y Y	
5 Sessions P (R)	Y13 Thornberry W (R)	Y Y Y Y
14 Paul R (R)	Y Y N Y	
15 Hinojosa R (D)	N N N Y	
16 Reyes S (D)	N N N Y	
17 Stenholm C (D)	N Y N Y	
18 Jackson-Lee S (D)	N N N Y	
19 Combest L (R)	N Y Y Y	
20 Gonzalez H (D)	? ? ? ?	
21 Smith L (R)	Y Y Y Y	
22 DeLay T (R)	N Y Y Y	
23 Bonilla H (R)	N Y Y Y	
24 Frost M (D)	N N N Y	
25 Bentsen K (D)	N N Y Y	
26 Armey D (R)	Y Y Y Y	
27 Ortiz S (D)	? ? ? ?	
28 Rodriguez C (D)	N N N Y	
29 Green G (D)	N N N Y	
30 Johnson E (D)	N N N Y	

Utah

1 Hansen J (R)	N Y Y Y
2 Cook M (R)	Y N Y Y
3 Cannon C (R)	Y Y Y Y

Vermont

AL Sanders B (I)	Y N N Y

Virginia

1 Bateman H (R)	N Y Y ?
2 Pickett O (D)	N N Y Y
3 Scott R (D)	N N N Y
4 Sisisky N (D)	N N Y Y
5 Goode V (D)	Y Y N Y
6 Goodlatte R (R)	Y Y N Y
7 Bliley T (R)	N Y Y Y
8 Moran J (D)	N N N Y
9 Boucher R (D)	N N Y Y
10 Wolf F (R)	Y Y Y Y
11 Davis T (R)	N N Y Y

Washington

1 White R (R)	N Y Y Y
2 Metcalf J (R)	Y Y Y Y
3 Smith L (R)	Y Y N Y
4 Hastings R (R)	Y Y Y Y

5 Nethercutt G (R) Y Y Y Y

6 Dicks N (D) N N Y Y

7 McDermott J (D) N N N Y

8 Dunn J (R) N Y Y Y

9 Smith A (D) N N N Y

West Virginia

1 Mollohan A (D) Y Y N Y

2 Wise B (D) N N N Y

3 Rahall N (D) N Y N Y

Wisconsin

1 Neumann M (R) Y Y N Y

2 Klug S (R) Y N Y Y

3 Kind R (D) N N N Y

4 Kleczka J (D) N N N Y

5 Barrett T (D) N N N Y

6 Petri T (R) Y Y N Y

7 Obey D (D) N N N Y

8 Johnson J (D) N N N Y

9 Sensenbrenner F (R) Y Y N Y

Wyoming

AL Cubin B (R) Y Y Y Y

New York

6 Meeks G (D) N N N Y

KEY --

Y YEA

N NAY

PAIRED FOR

X PAIRED AGAINST

+ ANNOUNCED FOR

- ANNOUNCED AGAINST

P VOTED PRESENT

C VOTED PRESENT TO AVOID

POSSIBLE CONFLICT OF INTEREST

S SPEAKER EXERCISED DISCRETION NOT TO VOTE

? DID NOT VOTE OR MAKE POSITION KNOWN

I NOT ELIGIBLE MEMBER

GOP Refuses To Tone Down Bill That Would Criminalize Abortion Aid to Minors

Law/Judiciary/Supreme Court

(HR3682, S1645, HR1122; WR 07/18/98 p. 1951; 127 lines)

Item Key: 3422

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ABORTION

GOP Refuses To Tone Down Bill That Would Criminalize Abortion Aid to Minors

By Bob Gravely, CQ Staff Writer

President Clinton will be called upon to veto at least one abortion bill before the November election. The first likely target: A measure that would make it a federal crime to transport a girl across state lines to obtain an abortion in circumvention of parental consent and notification laws in her home state.

The House passed its version of the bill (HR3682) on July 15 by a vote of 276-150. The Senate Judiciary Committee approved its companion measure (S1645) the next day, 10-6. The committee approved a substitute that conformed to the House bill. (House vote 280, p. 1968)

But in the House and in the Senate committee, GOP lawmakers rejected amendments that the White House says are a condition for President Clinton to sign such a bill.

The House tally fell eight votes short of the two-thirds majority needed to override a veto.

One amendment offered in the Senate committee would have exempted members of a girl's family -- such as grandmothers -- from prosecution. It was rejected, 7-9. Another, rejected 6-9, would have required the attorney general to certify that a case involved a significant federal public interest before prosecution could occur.

California Sen. Dianne Feinstein and other Democrats said they would have considered voting for the bill had the amendments been adopted. But the lawmakers said they could not support it now, particularly without protection for family members.

"If this is about family values, then this amendment should be accepted without controversy," argued Sen. Richard J. Durbin, D-Ill.

"Federal laws do not create family ties," said ranking Democrat Patrick J. Leahy of Vermont. "Only families can do that."

Republicans countered that girls who fear telling their parents can try to persuade a judge to exempt them from the state law.

"We are only trying to enforce laws that states have," said sponsor Spencer Abraham, R-Mich. "This legislation doesn't attempt to go beyond that, nor do we impose regulations on states that do not have these laws."

Senate Majority Leader Trent Lott, R-Miss., said the bill "is high on our list of must-pass legislation" and will be brought to the floor shortly.

FINES AND WHITE HOUSE APPROVAL

The bill would subject those convicted of the proposed new crime to a prison sentence of up to one year, as much as $100,000 in fines and civil liability. An exception in the bill would allow an out-of-state abortion without parental notification if the pregnancy is life-threatening.

The Office of Management and Budget issued a statement before the House vote saying the White House would support a "properly crafted" bill, but that the president's advisers would recommend a veto of the bill in its current form.

Among the changes the White House wants is an exemption for grandparents and other close family members from criminal and civil liability. Another change would be to protect from liability individuals who provide information, counseling, referral or medical services.

House Democrats wanted to offer the White House-backed provisions as amendments, but, on a 247-173 vote, the House adopted a rule that prevented those amendments from being offered. (Vote 278, p. 1968)

On passage, 14 Republicans voted against the bill, while 67

Democrats voted for it.

During the House debate, the legislation's backers cited the need to ensure parents' rights are protected.

"This bill seeks to reinforce the primacy of parents," said Judiciary Chairman Henry J. Hyde, R-Ill.

Opponents countered that the bill would make it harder to get a legal abortion, and would isolate minors and drive them to seek abortions alone.

"We do not need a bill that isolates teenagers and puts them at risk," said Nita M. Lowey, D-N.Y.

Neither the minor nor her parents could be penalized under the bill, even if both parents did not agree to an abortion.

The bill also would establish a defense to the bill's prohibitions for individuals who can prove that they "reasonably believed" that parental consent was given before they transported the minor across state lines.

'PARTIAL-BIRTH' OVERRIDE LIKELY

The next target for anti-abortion Republicans is Clinton's veto of a bill (HR1122) to ban a controversial procedure that critics call "partial birth" abortion. A House override vote is scheduled for July 23.

Doctors who perform that form of abortion could face jail and fines. Clinton vetoed the bill Oct. 10. (1997 CQ Weekly, p. 3012)

BOXSCORE

Bills: S1645, HR3682 (H Rept 105-605) -- Criminalizing abortion aid to minors.

Latest action: Senate Judiciary Committee approved S1645, 10-6, on July 16. House passed HR3682, 276-150, on July 15.

Next likely action: Senate floor debate.

Reference: Senate committee debate, CQ Weekly, p. 1884; House committee action, pp. 1774, 1619; background, p. 1394.

15 of 20 items CQ's WASHINGTON ALERT 07/20/98

Lots of Inertia, Little Lawmaking As Election '98 Approaches

Politics/Elections

Inside Congress/Lobbies

(HR2646, HR2223, S2168, HR1371, S617, HJRES54, SJRES40, HR1122,

S2271, HR1151, HR3736, S1723, S1415; WR 07/18/98 p. 1925; 259

251 lines)

Item Key: 3424

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CONGRESSIONAL AFFAIRS

Lots of Inertia, Little Lawmaking As Election '98 Approaches

>> Patients' rights are creating a buzz, but things are slow on the Hill compared with the busy election year summer of two years ago

By Carroll J. Doherty, CQ Staff Writer

Two summers ago, after an impressive burst of pre-election legislating, Senate Majority Leader Trent Lott was inspired to deliver a homespun civics lesson.

"That's the way Congress works," said Lott, R-Miss. "You work for two years and finally you get to the end and either it all collapses in a puddle or you get a breakthrough."

As the 105th Congress heads into its final weeks, that puddle in Lott's mixed metaphor is looking bigger all the time. Legislative breakthroughs of the sort that occurred in the summer of 1996 -- when Congress cleared major bills to overhaul the welfare system, raise the minimum wage, liberalize health insurance rules and revise safe drinking water law -- seem to be increasingly out of reach. (1996 Almanac, p. 1-3)

That was apparent during the week of July 13, as Democrats and Republicans intensified their battle over how to curb abuses by health maintenance organizations (HMOs), which has emerged as this election year's burning political topic. Public demand could ultimately force the two sides to compromise, but for now lawmakers seem more intent on honing their campaign rhetoric than making a law.

Republicans remain uncertain and divided over how to fashion a budget that provides tax cuts, which GOP leaders have enshrined as their top legislative priority. And at least a handful of the 13 annual appropriations bills, virtually the year's only must-pass legislation, will probably remain unfinished until Oct. 9, when Congress is scheduled to adjourn.

By then, the Republican-led Congress might well have failed to enact legislation on such popular issues as taxes, crime, teenage smoking and "patient rights" -- politicians' shorthand for tougher HMO regulations.

On education, which polls indicate is the leading concern of Americans, the House and Senate passed legislation permitting tax-preferred savings accounts for educational expenses, but President

Clinton has vowed to veto the bill (HR2646). (CQ Weekly, p. 1766)

Congress, which was compelled to nail down significant legislative achievements in 1996, is far less motivated today. Even Republicans in tough re-election races are not clamoring for more accomplishments to run on. "In terms of what's must-do for the rest of this session, it's a short list," said Georgia Republican Sen. Paul Coverdell, who is facing a stiff challenge from millionaire Democrat Michael Coles. Coverdell's list begins and ends with tax reductions.

It does not take a political scientist to identify the differences between this summer of inertia and the productive season of two years ago. Then, a president running for re-election was willing to cut deals with the GOP-led Congress. Today, Clinton is under a cloud of scandal and struggling to establish his legacy -- a source of motivation for sure, but nothing like the mind-grabbing prospect of electoral defeat.

But perhaps more important, the mood on Capitol Hill has changed dramatically.

"In 1996, Republicans were scared and needed something to run on," said Rep. Robert L. Ehrlich Jr., R-Md. Clinging to an 11-seat majority in the House, Republicans can hardly afford to be complacent this year. But with the economy humming and the electorate seemingly disengaged, they are feeling less pressure to show tangible results.

"Unlike 1996, I don't see a single big issue out there where the people are expecting action," said Republican Rep. Phil English, who represents a swing district in northwestern Pennsylvania.

"We are operating on a far different paradigm than in either 1994 or 1996," said Ehrlich, like English an alumnus of the GOP's huge class of 1994. "This is not an election about national issues. It's not about the Contract with America [the House GOP's 1994 campaign agenda] or the AFL-CIO dumping in millions of dollars to defeat Republicans."

ON THE FRONT LINES

The priorities and concerns identified by Republicans on the front lines in this year's battles demonstrate how times have changed. GOP leaders are betting that on the one issue that has caught the public's attention this summer -- patients' rights -- they have limited their political liability by coming forward with bills they say can curb HMO abuses without creating new federal bureaucracies. (GOP proposals, p. 1933)

"This is the one issue that does have legs in the political world," said Georgia Republican Rep. John Linder, who chairs the National Republican Congressional Committee.

"But we now have a health care bill, and it will be one that Charlie Norwood can support," Linder said. Norwood's imprimatur is considered essential because the congressman, a dentist and Linder's fellow Georgia Republican, has been prodding the GOP leadership for months to write a tough health care bill.

Linder and other Republicans believe they can blunt Democratic attacks on this issue, regardless of whether the legislation recently crafted by House and Senate GOP health care task forces ever passes.

"With the task force bill, we will largely deal with the political problem of health care," said Arizona Republican Rep. John Shadegg. "We may not solve the public policy problem, but it will move us in the right direction and give us political cover."

But a minority of Republicans, who have signed on to Democratic health care proposals, fear that the party is leaving itself dangerously exposed to Democratic attacks and is at risk of squandering its paper-thin House majority. "If we do a wink and a nod to the [health care] industry, we're going to get our butts kicked," said Rep. Lindsey Graham, R-S.C.

Democrats, who have charged that the GOP proposals cover too few people and offer too little enforcement, plan to push the GOP into significant concessions or make them pay dearly at the polls. During the week of July 13, the president and party leaders appeared at made-for-TV forums dramatizing claims that Americans have been victimized by health insurers.

But senior Republicans are confident that this fight will not turn out to be a replay of the 1996 minimum wage debacle, when the GOP caved in on legislation that was anathema to its business allies. "That was a case of either you do something or nothing," said one senior GOP aide. "This time we have an alternative."

Republicans in competitive races are clearly relieved that they will have the chance to cast a vote this summer on GOP-crafted legislation aimed at reining in dubious practices by HMOs. But they are not yet convinced that a patients' rights bill -- or much else -- needs to become law to ensure their political survival.

Indeed, when asked what they would like to see accomplished in the remaining weeks of the 105th Congress, many Republicans in competitive races identified interests of parochial concern. Like Ehrlich, they believe that this is an election where at least most politics are local.

"Tax cuts are key, but I'd also like to see some action on my Education Land Grant Act," said Republican Rep. J.D. Hayworth of Arizona, who is facing Democrat Steve Owens, the man he defeated by less than 2,500 votes in 1996. That bill (HR2223), currently before the Resources Committee, would permit transfers of federal lands to local educational districts so schools could be built there.

According to Sen. Christopher S. Bond, R-Mo., who is being challenged by Democratic State Attorney General Jay Nixon, the leading priority is completing action on appropriations, particularly the bill he manages, which funds the departments of Veterans' Affairs and Housing and Urban Development and several other agencies (S2168).

Bond caught flak from local veterans' groups this year for failing to oppose a plan to trim benefits for veterans who suffer from smoking-related illnesses.

And Rep. Helen Chenoweth, a fiercely combative conservative Republican from Idaho, is promoting legislation (HR1371), currently before the Agriculture Committee, requiring that imported meat bear a label showing its country of origin. Ironically, Senate Minority Leader Tom Daschle, D-S.D., is pushing a similar initiative (S617) in the Senate.

DEFINING DIFFERENCES

As they gear up for the election, Republicans and Democrats are operating on the premise that turnout will be low and the outcome will be determined by partisan activists. Consequently, GOP leaders, intent on revving up the party's conservative base, are about to serve up as much red meat as a Kansas City steak house.

They have planned a Senate vote on a constitutional amendment banning flag desecration (HJRES54, SJRES40), votes to override Clinton's veto of legislation outlawing certain kinds of late-term abortions (HR1122) and a House vote repealing Clinton's executive order outlawing discrimination against homosexuals. (Flag amendment, CQ Weekly, p.1775; homosexuals, p.1946; abortion, p. 1952)

That is a traditional election year strategy, and Democrats are playing to their base as well. But Republicans, who set the congressional agenda, are using much of this session's dwindling floor time for debates and votes on bills that they acknowledge stand no chance of becoming law.

In April, Lott said a bill (S2271) giving property owners greater clout in their dealings with local governments -- a key priority of some building and construction groups -- fell into that category.

"On some of these so-called red meat issues, like private property rights, which I'm for, we probably couldn't get 50 Republicans," Lott said in an interview. "That creates a problem."

That did not cause enough of a problem to keep the measure from coming to the floor, however. Lott brought it up July 13, but it garnered only 52 votes, eight short of the 60 needed to close off debate on the measure. (Senate debate, p. 1945)
mostly interested in taxes and budget." But despite economic forecasts indicating a larger-than-anticipated budget surplus, Congress has yet to finalize a budget blueprint for fiscal 1999. (Budget, p. 1928)

"If we can't deliver on tax cuts, our base will wonder what they sent us here for," Shadegg said.

The final weeks of this session will probably yield some legislative accomplishments. Prospects for a major assistance package for the

International Monetary Fund (IMF) brightened July 15 when House Majority Leader Dick Armey, R-Texas -- an implacable foe of the IMF bailout -- appeared to concede that the aid will go through. (IMF, p. 1958)

Many Republicans regard passage of the IMF package as an important political accomplishment. With parts of the farm economy reeling and agricultural exports to Asia declining, the GOP has been under pressure to take action. (CQ Weekly, p. 1461)

Other, fairly modest bills also could become law before Congress closes up for the year, including a measure permitting credit unions to expand (HR1151), a proposal to increase the number of visas for high-technology workers (HR3736, S1723) and several bills dealing with the Internet. (Credit unions, CQ Weekly, p. 1158; visas, p. 1388; Internet, p. 1774)

House leaders have scheduled a vote on scaled-back legislation to reduce teenage smoking, but that measure stands to go nowhere in the Senate, where Republicans killed a sweeping anti-smoking initiative (S1415) in June. (Latest developments, p. 1954)

But as always, the waning days of this Congress will be dominated by battles over appropriations. And that worries many Republicans, who recall how Clinton outmaneuvered them in spending showdowns in 1995 and 1996. "At this point, the appropriations process is driving everything," said Larry E. Craig of Idaho, a member of the Senate Republican leadership.

As in recent years, the Appropriations committees are being whipsawed by conservatives intent on using the spending bills for ideological causes, and by the administration, which is demanding more money for favored programs. With each week that passes, the administration gains more leverage because Congress is eager to get home to campaign.

"Certainly, that's a concern," said Rep. Vince Snowbarger, R-Kan., who is locked in a tough re-election battle. "One person makes the decision on a government shutdown and that person is from the other party," he said. "And then the rest of us get blamed for it."

Lott Intensifies Criticism Of China Policy as Democrats Denounce 'Political' Motives

Foreign Policy

Defense

(WR 07/18/98 p. 1962; 137 lines)

Item Key: 3433

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FOREIGN OPERATIONS

Lott Intensifies Criticism Of China Policy as Democrats Denounce 'Political' Motives

By Miles A. Pomper, CQ Staff Writer

Senate Majority Leader Trent Lott, R-Miss., has turned up the heat on the Clinton administration's policy that allows U.S. companies to launch satellites on Chinese rockets.

Issuing what he called an "interim report" on July 14, Lott said 13 Senate hearings in less than two months had demonstrated that controls to prevent China from learning military secrets from the satellite launches are "wholly inadequate" and that "national security concerns are regularly downplayed and even ignored." (CQ Weekly, p. 1886)

Speaking on the Senate floor, Lott again called on Attorney General Janet Reno to appoint an independent counsel to investigate allegations of illegal Chinese contributions to U.S. political campaigns, saying that "new information has come to light" on these ties. He did not specify what the information was.

Lott said the administration's failure to cooperate with the Senate investigation would force him to delay Senate confirmation of any nominees from "non-cooperating agencies" that have been slow to respond to requests. He named the departments of State, Defense, Commerce and

Justice, as well as the White House and Customs Service.

The Senate, Lott said, is "actively examining our subpoena options."

White House spokesman Mike McCurry said it was "ludicrous" of Lott to accuse the administration of not cooperating. "We've given hundreds, if not thousands, of pages of documentation to them," McCurry said.

He denounced Lott's "Alice in Wonderland" interim report "as a political argument made by a politician for political benefit."

"Sen. Lott today tried to connect a lot of dots that frankly don't connect," McCurry said. "And our judgment here is that that was not a serious statement by a serious person."

Senate Minority Leader Tom Daschle, D-S.D., joined the fight, calling Lott's comments "partisanship at its worst" and accusing him of recklessness.

And Sen. Bob Kerrey, D-Neb., vice-chairman of the Intelligence Committee, which has played the lead role in the investigations, said Lott's comments "threaten national security by pre-empting our ability to produce bipartisan conclusions."

CLASSIFIED REMARKS

Kerrey said the investigative committees have yet to reach any conclusions. GOP aides acknowledged that Lott's report was based on discussions with committee chairmen who are carrying out various aspects of the probe, rather than on committee reports.

Kerrey particularly criticized Lott for saying that he had new information that should prompt the appointment of an independent counsel, then refusing to release the information on the grounds that it was classified.

Calling Lott's remarks a misuse of classified information, Kerrey said, "The implication is that the [Intelligence] committee has reached some kind of conclusion. It most assuredly has not."

In the report, Lott drew five preliminary conclusions on the China satellite investigation:

* Transferring primary licensing authority for the export of U.S.-made satellites from the State Department to the Commerce Department had harmed U.S. export control efforts.

* In helping to improve the reliability of Chinese rockets after some failed launches, U.S. satellite companies had indirectly improved Beijing's ballistic missiles. Most experts say that missiles and booster rockets are virtually identical.

* Since China is using U.S. satellites for some of its military communications, the People's Liberation Army has clearly benefited from

the export of American-made satellites.

* The Clinton administration has ignored Chinese transfers of missile and nuclear technology to other countries and adopted a policy to insulate China from potential sanctions under U.S. anti-proliferation laws.

* New information "should remove all resistance" to naming an independent counsel. Lott did not elaborate on this information in his speech or subsequent remarks to the press.

But at a July 15 Senate Judiciary Committee hearing, Fred Thompson, R-Tenn., implied that the new material was a copy of a memo that FBI Director Louis J. Freeh sent Reno in November recommending the appointment of an independent counsel to investigate campaign finance allegations.

Congressional investigators were briefed on the report last month. According to Thompson, Freeh said the independent counsel law not only allows but even requires appointment of an independent counsel because the investigation could involve President Clinton, Vice President Al Gore and other administration officials.

"It is difficult to imagine a more compelling situation for appointing an independent counsel," Thompson quoted Freeh as writing.

Committee Chairman Orrin G. Hatch, R-Utah, said, "It is more clear than ever in my mind that the attorney general was and is required to seek an independent counsel in this area."

CONSPICUOUS TARGETS

Hatch complained that the Justice Department has "been unable to do more than secure indictments against the most conspicuous targets, those who gave illegal donations to the DNC [Democratic National Committee] or re-election campaign. . . . The department appears to have come up empty on the complicity of others within the administration or the Democratic National Committee."

That result, Hatch said, should come as no surprise because "the [Justice] department has applied a different standard with respect to investigating possible violations of federal campaign fundraising laws involving senior administration officials than the standard that typically governs the commencement of ordinary criminal investigations."

Reno demurred, saying, "We've indicted 11 people in this investigation, and we're going to continue it wherever it takes us, no matter where it goes."

And she blasted Thompson for releasing a confidential memo: "I'm the one that you confirmed as attorney general. I've got to make the legal decisions. . . . If the Independent Counsel Act is triggered by any development, I'm going to do it."

This Week in Congress

Inside Congress/Lobbies

(S1890, S2137, S2260, HR3605, HR4193, HR4194, HR1122, HJRES121;

WR 07/18/98 p. 1913; 33 lines)

Item Key: 3443

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This Week in Congress

By CQ Staff

Congress' attempts to give doctors and patients more power in managed care plans may take center stage in both chambers during the week of July 20.

Senate Republicans have introduced legislation that would impose standards on health care plans, and floor debate on the bill was expected to begin promptly. Democrats will try to push their own plan (S1890).

Otherwise, the Senate is planning to take up more fiscal 1999 appropriations bills -- namely the legislative branch (S2137) and Commerce, Justice, State (S2260).

House Republicans, meanwhile, have introduced a managed care bill to bring to the floor as soon as possible -- perhaps as early as the week of July 20. Democrats have their own bill, HR3605.

The House also is planning to debate three spending bills -- Commerce, Justice, State (unnumbered bill), Interior (HR4193), and VA-HUD (HR4194).

Also on the schedule in the House is a vote to override President Clinton's veto of a bill (HR1122) that would ban an abortion technique known by its opponents as a "partial-birth" abortion. And the House is expected to vote on a resolution (HJRES121) that would reverse Clinton's decision to extend China's most-favored-nation trade status.

18 of 20 items CQ's WASHINGTON ALERT 07/20/98

Property Rights Proponents Concede Defeat This Year But Say Victory Is in Sight

Trade/Transportation/Commerce

Law/Judiciary/Supreme Court

(S2271; WR 07/18/98 p. 1945; 80 lines)

Item Key: 3457

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Property Rights Proponents Concede Defeat This Year But Say Victory Is in Sight

By Allan Freedman, CQ Staff Writer

The Senate handed a big defeat to proponents of legislation that would provide new legal rights to property owners and big developers in disputes with local governments.

The key vote came July 13 on a procedural motion on whether to officially start debate on the bill. The 52-42 tally to invoke cloture, or cut off debate, on the motion fell short of the two-thirds required. (Vote 197, p. 1966)

With a packed legislative schedule ahead, Republican leaders said they had no plans to bring the bill (S2271) back to the floor this year.

But proponents of the measure contended that their cause had reached a high-water mark in Congress, and vowed to return next year and push for enactment of the legislation.

"We moved the ball down the field further than it's ever been moved before," said Jerry Howard, senior staff vice president for the 190,000-member National Association of Homebuilders, which lobbied vigorously for the bill. "NAHB will not stop pushing this issue until the American people's rights are protected."

Proponents of the legislation, including Senate Majority Leader Trent Lott, R-Miss., and Judiciary Chairman Orrin G. Hatch, R-Utah, contend that federal courts often stomp on the legal rights of property owners.

They say that developers and small landowners alike cannot get adequate legal redress when local planning boards unjustly delay projects. The measure would seek to correct this problem by allowing builders to seek a speedy hearing in federal court, bypassing a time-consuming state appeals process on which federal courts insist.

"Many citizens who attempt to protect their property rights guaranteed by the Fifth Amendment of the Constitution are barred from the doors of the federal courthouse," said Hatch.

But the opponents, including most Democrats and many governors and mayors, countered that the bill would provide rich developers the legal club they need to pressure planning boards to approve their projects.

"This bill would federalize local zoning decisions," said Sen. Patrick J. Leahy of Vermont, the ranking Democrat on the Judiciary

Committee. "Its unabashed purpose is to give wealthy developers increased power to short-circuit communities' decisions, those decisions made through the public processes of local government."

The bill was also strongly opposed by the Clinton administration, which threatened a veto, contending it would shift too much power away from local governments.

But even in defeat, the vote represented a step forward for the homebuilders and other proponents of property rights legislation. During the 104th Congress, Lott did not bring up property rights legislation for a vote on the floor, citing scheduling problems.

But this Congress, the homebuilders made the bill a top legislative priority and mounted a high-profile lobbying blitz to get a floor vote.

"We would do everything within the bounds of legality, ethics and morality to get this done," said Howard.

BOXSCORE

Bill: S2271 -- Federal court jurisdiction over property cases.

Latest action: Cloture vote failed, 52-42, July 13.

Next likely action: None expected.

Reference: CQ Weekly, p. 488; 1997 CQ Weekly, p. 2591.

House Clears Mortgage Insurance Bill

Banking/Economics/Labor

(S318, HR607; WR 07/18/98 p. 1952; 43 lines)

Item Key: 3456

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BANKING

House Clears Mortgage Insurance Bill

By Lori Nitschke, CQ Staff Writer

A measure designed to ease the financial burden of homeownership by making it easier to cancel mortgage insurance was headed to the president's desk after the House cleared it by voice vote July 16.

The Senate first passed the bill (S318 -- S Rept 105-129) in November, but the House did not take it up before adjournment. The House had passed its own version of the measure (HR607 -- H Rept 105-55) in

April 1997. (1997 CQ Weekly, pp. 2832, 900)

The House passed a compromise version of S318 by voice vote July 14. The Senate took it up July 15 and passed it by voice vote with minor changes. That sent it back to the House for final action. President Clinton is expected to sign it.

Lenders often require potential homeowners to purchase private mortgage insurance if they cannot make a 20 percent down payment on the purchase price of the house. The insurance guarantees that the lender, or subsequent purchasers of the mortgage, will be paid if the homeowner defaults. But many homeowners, including James V. Hansen, R-Utah, who sponsored HR607, complain that they cannot cancel the insurance policy once their equity in the home reaches 20 percent.

The bill the House passed July 14 would require lenders and insurance companies to notify homeowners about the process for canceling such policies. Once equity reaches 20 percent, homeowners could petition to cancel the policy. The bill would require insurance companies to automatically cancel the policy for most conventional mortgages if the homeowner's equity reaches 22 percent. Homeowners with high-risk mortgages generally could not cancel the insurance until midway through their loan -- after 15 years, for example, on a 30-year mortgage.

In a compromise, the bill effectively would allow eight states to keep their stronger mortgage insurance laws.The states are California, Connecticut, Maryland, Massachusetts, Minnesota, Missouri, New York and

Texas.

Congress Tries To Find a Remedy For the Common Cause

Health/Education/Welfare

(HR4250, S2330, S1890, HR3605; WR 07/18/98 p. 1933; 241 lines)

Item Key: 3447

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HEALTH

Congress Tries To Find a Remedy For the Common Cause

>> As House and Senate try to resolve differences over patients' 'bills of rights,' compromise on managed care could be the only hope for legislation this year

By Mary Agnes Carey, CQ Staff Writer

As President Clinton and congressional Democrats prepare for a showdown with Republicans over managed care legislation, both sides are trying to portray the issue as one that is so important it rises above politics.

"This should be a bipartisan issue," House Speaker Newt Gingrich, R-Ga., said at a July 16 rally at which House Republicans used the backdrop of a local emergency room to push their health care plan.

The same day, Clinton told a Democratic rally in a packed congressional hearing room that the managed care debate was a partisan issue only in Washington. "When you show up in an emergency room or when you test positive for a biopsy, no one asks you which political party you belong to," the president said.

Both Republicans and Democrats say there is ample room to put aside politics and compromise on legislation to provide patients with more protection from their managed care plans. In the Senate, both sides have even named their bill the "Patients' Bill of Rights," a fact sure to blur the lines in voters' minds about who is sponsoring what.

But as the proposals are compared and debated, differences between the two philosophies will become more apparent. Still unclear is whether the parties will find common ground on the issue or allow their differences to define them in the fall elections. Republicans will also have to resolve some intra-party differences over the issue before they can agree with Democrats.

An indication of the bill's prospects will become evident the week of July 20, when the House is scheduled to take action on a GOP bill (HR4250) that Gingrich introduced July 16. The Senate also is likely to take action on its measure (S2330) before Congress adjourns for the August recess.

Enactment before the break would likely mean that both chambers would sidestep the committee hearing process. But pressure is growing to act this year. The AFL-CIO July 16 kicked off a nationwide effort to push for action on patients' rights and announced an advertising campaign to prod lawmakers to enact the Democratic bill.

While there appear to be some areas of compromise -- for example, both Democrats and Republicans would improve coverage of emergency medical care and force insurers to detail the type of medical treatments they cover -- other issues have vast potential to sink any agreement. They include the dispute over whether patients should have the right to sue their health plans for damages and what restrictions, if any, should be placed on medical savings accounts, tax-exempt accounts to pay for qualified medical expenses.

At his appearance on Capitol Hill, Clinton said that, in the end, both sides will have to put "progress ahead of partisanship" in order to pass legislation this year. But Democrats have shown little willingness to give ground, insisting that their bill (S1890; HR3605) is the best way to remedy problems patients have with their health plans.

Dissent within Republican ranks caused Ways and Means Health Subcommittee Chairman Bill Thomas, R-Calif., to withdraw his support after the House GOP bill was changed at the last minute. Thomas declined to say why he dropped his support, but Republican aides said Thomas felt the changes made the bill too heavy with government regulation.

And pressure from Thomas and others caused Rep. Greg Ganske, R-Iowa, a former plastic surgeon who has adamantly backed the Democrats' managed care bill for months, to resign July 15 from a coveted spot on the bipartisan commission Congress created last year to help strengthen the long-term future of the Medicare program. House Republican leaders also may face opposition from members of the Conservative Action Team, known as CAT, who favor provisions in the House GOP plan that allow small businesses to pool resources and make health insurance coverage more affordable.

"Dropping or gutting these market-oriented provisions would tip this finely balanced package in favor of more mandates and government control," the group wrote in a letter to Gingrich.

Differences in the plans proposed by Senate and House Republicans underscore just how tough it will be for GOP leaders to develop a consensus within their own party on the managed care issue, as well as win support from both voters and the party's traditional business allies.

To be sure, some elements of both Republican proposals will be cast aside should the plans pass their respective chambers and reach a House-Senate conference committee. House Republicans will probably have to part with their proposal to cap non-economic damages in medical malpractice lawsuits at $250,000.

The liability issue is shaping up as a pivotal one. At his appearance on Capitol Hill, Clinton said that individual state laws could not solve the problems of managed care and that consumers should have the right to sue their health plans.

"It's not true that you can leave this issue up to the states. We've got to have comprehensive federal legislation," Clinton said. Many Republicans, including Gingrich and Senate Majority Leader Trent Lott, R-Miss., disagree with Clinton's assessment.

SENATE GOP PLAN

Senate Assistant Majority Leader Don Nickles, R-Okla., unveiled the broad outlines of the GOP plan on July 15, taking the same tack as House Republicans when they released their proposal June 24 -- more choices without more government regulation. The bill was formally introduced July 17.

At first glance, many of the provisions of the Senate GOP bill appeared to be the same as its House counterpart. Emergency medical care would be covered when a "prudent layperson" deemed it necessary; women would have direct access to a gynecologist and be able to bypass a traditional managed care "gatekeeper"; and so-called gag clauses that restrict communications between insurers and patients would be abolished. Senate Republicans also would offer a "point of service" plan, requiring employers with 50 or more workers to permit employees to choose a health care provider from outside a pre-approved list, but the employee would have to bear the additional cost. (Comparison, p. 1935)

Under the House GOP plan, however, those and other provisions apply only to the 48 million Americans covered by self-insured health plans that fall under the Employee Retirement Income Security Act (ERISA), a 1974 law (PL 93-406) governing pension and health plans. Self-insured plans, in which an employer rather than an insurance company bears the financial risk, are exempt from state regulations.

Some parts of the Senate GOP plan would apply to all 125 million Americans whose health plans are governed by ERISA but are not self-insured plans, and are therefore subject to state regulation. (ERISA, CQ Weekly, p. 441)

The Senate bill would force all ERISA plans to have expedited internal and external review processes to appeal an insurer's decision on coverage. External appeals, however, would be granted only if the disputed coverage totalled $1,000 or more, or if the procedure in question was medically experimental, such as cancer treatment. The insurer would get to select the independent reviewer who would decide the appeal. Unlike the House GOP plan, the Senate proposal would require that the reviewer's decision be binding on the insurer.

But other provisions of the Senate bill, such as a requirement that health plans do not discriminate against healthy people based on genetics, apply to the approximately 160 million Americans who receive health coverage from employers. Other elements of the Senate GOP plan include a requirement that physicians and patients -- not insurance companies -- decide the length of a hospital stay after a mastectomy, and if plans cover mastectomies, they must also cover breast reconstruction.

Senate GOP aides said the bill's authors wanted to steer clear of interfering with state laws that apply to health plans and avoid an unnecessary layer of federal regulation. The aides also said that since so many states have enacted patients' rights laws, more will follow. A report released July 16 by the consumers group Families USA, however, found that no state offers the range of protections included in the Democrats' legislation.

Neither the House Republican managed care proposal nor the Democrats' proposals would make distinctions between ERISA plans. Both would set federal standards for health plans, but in dramatically different ways, with Democrats taking a far broader approach.

The Senate Republican plan would not amend ERISA to permit patients to sue their health plans for damages, while under the House plan patients could collect as much as $100,000 for denied treatment. The Senate plan also would include a variety of provisions backers say would expand medical research into women's illnesses, such as osteoporosis and breast and ovarian cancer. The Senate GOP plan faces scrutiny not only from House GOP members and Democrats, but also from Republican senators who fear it may not go far enough. Moderate Republican John H. Chafee of Rhode Island said he wants to review the bill's language before deciding if he will push his own alternative.

The Senate GOP plan is expected to draw fire from Democrats because of its provision to lift current federal restrictions governing medical savings accounts, which are tax-deductible accounts for medical expenses.

"They draw back from it like a vampire from a cross," Sen. Phil Gramm, R-Texas, said of Democrats' reaction to medical savings accounts, a Republican priority.

HOUSE GOP PLAN

To promote their bill as a real-world alternative, members of the House GOP task force staged a news conference July 16 near the entrance to George Washington University Medical Center's emergency room, which is named for President Ronald Reagan, whose life was saved there after an assassination attempt in 1981.

In blistering heat, task force members stood with Gingrich to proclaim the merits of their approach. It should not matter, Gingrich said, that the GOP plan would not allow consumers to sue their health plans. Rather, he said, the focus is on getting patients medical care when they need it, rather than emphasizing litigation.

"We would like you to get the care faster than you can make an appointment with a lawyer," he said.

Although Thomas did not attend the event, other members of the task force supported Chairman Dennis Hastert of Illinois, as he praised the measure. In his prepared statement, Hastert also asked Democrats and other opponents of the bill not to "bog down the process now that it is within reach. I also must remind those who may want to demagogue this debate, kill it and make it a fall campaign issue, please think twice."

DEMOCRATS' RESPONSE

As Republicans released their proposals, Democrats continued to ride herd on the issue with press events that included a hearing in which witnesses' voices and pictures were garbled.

"Case Manager Y" told how his view of managed care changed from one of optimism to one of horror when he witnessed one HMO's medical director try to pressure a family into taking their loved one off a ventilator. While the family finally agreed, the hospital refused, citing a standard 24-hour waiting period. Within hours, the patient regained consciousness and survived.

Registered Nurse Carol Bragg told similar horror stories and said that the cost pressures of managed care were negatively affecting patient care. "It is heart-wrenching for all of us in the profession," she said.

Senate Minority Leader Tom Daschle, D-S.D., said the "clear message" garnered from the testimony was that "we need to hold HMOs accountable" for their decisions.

Democrats received a boost July 16 when the Congressional Budget Office said their bill would result in a 4 percent increase in premiums for employer-sponsored health insurance, an increase of about $7 per month per person. Democrats can use that analysis as a shield against charges that their plan will sharply increase premiums.

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