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SUBJECT: Nitealert Report - Nassif

TO: Robert J. Nassif (Robert J. Nassif@EOP [UNKNOWN])

READ:UNKNOWN

TEXT:

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! Nite-Alert Created for Rob Nassif - Office of Mgmt & Budget

! 25-SEP-1998 03:01:49

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! Searching the BILLTRACK database

! For New Legislative Action on bills with your search terms

! in the title or summary of the bill

!

! Using the word list NASSIF

!

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CQ's WASHINGTON ALERT 09/25/98

*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR3616

SPONSOR: Spence (R-SC)

BRIEF TITLE: National Defense Authorization Act for Fiscal Year
1999.

OFFICIAL TITLE: A bill to authorize appropriations for fiscal year 1999
for military activities of the Department of Defense,
for military construction, and for defense activities of
the Department of Energy, to prescribe personnel strengths
for such fiscal year for the armed forces, and for other
purposes.

INTRODUCED: 04/01/98

COSPONSORS: 1 (Dems: 1 Reps: 0 Ind: 0)

COMMITTEES: House National Security
House Rules

RELATED BILLS: See S1812, HRes435, HRes441, HRes549
See also S2057

LEGISLATIVE ACTION:

09/23/98 Hearing held by the House Committee on Rules. (CR p.
D1028)

09/23/98 House Rules Committee granted a rule waiving all points

of order against the conference report to accompany the
bill, and against its consideration; the rule also
provides that the conference report shall be considered
as read. (CR p. D1028)

09/23/98 Rules Committee Resolution HRes549 reported to the House.
(CR p. H8527)

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*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR4103

SPONSOR: Young (R-FL)

OFFICIAL TITLE: An original bill making appropriations for the Department
of Defense for the fiscal year ending Sept. 30, 1999,
and for other purposes.

INTRODUCED: 06/22/98

COSPONSORS: 0 (Dems: 0 Reps: 0 Ind: 0)

COMMITTEES: House Appropriations

House Rules

RELATED BILLS: See HRes484

LEGISLATIVE ACTION:

09/23/98 Conferees agreed to file a conference report. (CR p.
D1028)

09/23/98 WEYGAND, D-R.I., House speech: Supports the
continuation of the C-130 program. (CR p. E1781)

09/25/98 ** Scheduled action ** House floor: Conference report on:
may begin consideration

09/25/98 ** Scheduled action ** Senate floor: Conference report on:
may begin consideration

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*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR1200

SPONSOR: McDermott (D-WA)

BRIEF TITLE: American Health Security Act of 1997.

OFFICIAL TITLE: A bill to provide for health care for every American and
to control the cost and enhance the quality of the health
care system.

INTRODUCED: 03/20/97

COSPONSORS: 27 (Dems: 26 Reps: 0 Ind: 1)

COMMITTEES: House National Security

House Ways and Means

House Government Reform and Oversight

House Commerce

LEGISLATIVE ACTION:

09/23/98 Cosponsor(s) added: 1

Bonior (D-MI)

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*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: S2132

SPONSOR: Stevens (R-AK)

OFFICIAL TITLE: An original bill making appropriations for the Department
of Defense for fiscal year ending Sept. 30, 1999, and
for other purposes.

INTRODUCED: 06/04/98

COSPONSORS: 0 (Dems: 0 Reps: 0 Ind: 0)

COMMITTEES: Senate Appropriations

LEGISLATIVE ACTION:

09/23/98 REID, D-Nev., Senate speech: Urges colleagues to
increase funding for the Department of Defense's
prostate cancer research program. (CR p. S10854-S10855)

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*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: S7

SPONSOR: Lott (R-MS)

BRIEF TITLE: National Missile Defense Act of 1997.

OFFICIAL TITLE: A bill to establish a U.S. policy for the deployment of a
national missile defense system, and for other
purposes.

INTRODUCED: 01/21/97

COSPONSORS: 28 (Dems: 0 Reps: 28 Ind: 0)

COMMITTEES: Senate Armed Services

RELATED BILLS: See S64, HR4402

LEGISLATIVE ACTION:

09/23/98 DODD, D-Conn., Senate speech: Opposes the National
Missile Defense Bill. (CR p. S10855-S10856)

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*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR2708

SPONSOR: Hamilton (D-IN)

BRIEF TITLE: Enhancement of Trade, Security, and Human Rights through
Sanctions Reform Act.

OFFICIAL TITLE: A bill to provide a framework for consideration by the
legislative and executive branches of unilateral economic
sanctions.

INTRODUCED: 10/23/97

COSPONSORS: 85 (Dems: 37 Reps: 48 Ind: 0)

COMMITTEES: House Banking and Financial Services
House International Relations
House Ways and Means

RELATED BILLS: See S1413

LEGISLATIVE ACTION:

09/23/98 Cosponsor(s) added: 6

Boucher (D-VA)	Hastings, D. (R-WA)	Pallone (D-NJ)
Davis, Thomas (R-VA)	Lampson (D-TX)	Royce (R-CA)

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*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR3795

SPONSOR: Smith (R-NJ)

BRIEF TITLE: Lyme Disease Initiative Act of 1998.

OFFICIAL TITLE: A bill to establish a program to provide for a reduction
in the incidence and prevalence of Lyme disease.

INTRODUCED: 05/05/98

COSPONSORS: 28 (Dems: 15 Reps: 13 Ind: 0)

COMMITTEES: House National Security
House Commerce

RELATED BILLS: See S2034

LEGISLATIVE ACTION:

09/23/98 Cosponsor(s) added: 1

Snowbarger (R-KS)

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*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR2281

SPONSOR: Coble (R-NC)

BRIEF TITLE: WIPO Copyright Treaties Implementation Act.

OFFICIAL TITLE: A bill to amend title 17, U.S. Code, to implement the
World Intellectual Property Organization Copyright Treaty
and Performances and Phonograms Treaty.

INTRODUCED: 07/29/97

COSPONSORS: 9 (Dems: 3 Reps: 6 Ind: 0)

COMMITTEES: House Judiciary

House Ways and Means

House Commerce

RELATED BILLS: See S1121

LEGISLATIVE ACTION:

09/23/98 COBLE, R-N.C., motion that the House disagree to the
Senate amendments and agree to a conference with the
Senate. (CR p. H8507)

09/23/98 House conferees named: HYDE, R-Ill.; COBLE, R-N.C.;
GOODLATTE, R-Va.; CONYERS, D-Mich.; BERMAN, D-Calif.;
BLILEY, R-Va.; TAUZIN, R-La.; DINGELL, D-Mich. (CR p.
H8057)

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*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: S2284

SPONSOR: Johnson (D-SD)

BRIEF TITLE: Minuteman Missile National Historic Site Act of 1998.

OFFICIAL TITLE: A bill to establish the Minuteman Missile National
Historic Site in the state of South Dakota, and for other

purposes.

INTRODUCED: 07/09/98

COSPONSORS: 1 (Dems: 1 Reps: 0 Ind: 0)

COMMITTEES: Senate Energy and Natural Resources

LEGISLATIVE ACTION:

09/23/98 Committee consideration and markup session held by the

Senate Energy & Natural Resources Committee. (CR p.

D1023-D1024)

09/23/98 ** COMMITTEE VOTE ** S2284. Minuteman Missile Historic

Site/Substitute Amendment. Johnson, D-S.D., substitute

amendment that would delete the definitions section;

specify the borders of the proposed site; require the

secretary of Interior to consult with the secretaries of

defense and state to ensure that administration of the

site is in compliance with applicable treaties; specify

that the secretary is authorized to acquire lands and

interests in the state of South Dakota by donation or

exchange only; specify that the secretary would be

prohibited from acquiring lands determined to be

contaminated with hazardous substances unless all

remedial action necessary to protect human health and the

environment has been taken; require the management plan to include an evaluation of an appropriate location for a visitor facility and administrative site; specify that the secretary, in developing the plan, would consider coordinating or consolidating appropriate administrative, management and personnel functions with Badlands National Park. Adopted by voice vote September 23, 1998.

09/23/98 ** COMMITTEE VOTE ** S2284. Minuteman Missile Historic

Site/Vote to Report. Establish the Minuteman Missile National Historic Site as a unit of the National Park System. Specify the boundaries as those included in the map numbered 406/80,008. Authorize the secretary of the Interior to make minor adjustments to the border of the site. Require the secretary of Interior to consult with the secretaries of Defense and State to ensure that administration of the site is in compliance with applicable treaties. Specify that the Interior secretary is authorized to acquire lands and interests in the state of South Dakota by donation or exchange only. Specify that the secretary would be prohibited from acquiring lands determined to be contaminated with hazardous substances unless all remedial action necessary to protect human health and the environment has been taken. Require the secretary, within three years of when funds are made available, to prepare a general management plan for the site. Require the management plan to include an

evaluation of an appropriate location for a visitor facility and administrative site. Specify that the secretary, in developing the plan, would consider coordinating or consolidating appropriate administrative, management and personnel functions with Badlands National Park. Authorize such sums as are necessary. Direct the secretary of the Air Force to transfer to the secretary any funds specifically appropriated to the Air Force for maintenance, protection or preservation of the facilities, to be used for establishing, operating and maintaining the site. Specify that the bill would not affect the use of any funds available for the Legacy Resource Management Program being carried out by the Air Force. As amended in the nature of a substitute. Reported favorably to the full Senate en bloc with other bills by voice vote September 23, 1998.

09/23/98 Ordered to be reported by the Senate Energy & Natural Resources Committee with an amendment in the nature of a substitute. (CR p. D1023-D1024)

MEASURE: S1890

SPONSOR: Daschle (D-SD)

BRIEF TITLE: Patients' Bill of Rights Act of 1998.

OFFICIAL TITLE: A bill to amend the Public Health Service Act and the
Employee Retirement Income Security Act of 1974 to
protect consumers in managed care plans and other health
coverage.

INTRODUCED: 03/31/98

COSPONSORS: 31 (Dems: 31 Reps: 0 Ind: 0)

COMMITTEES: Senate Labor and Human Resources

RELATED BILLS: See HR4250

LEGISLATIVE ACTION:

09/23/98 DORGAN, D-N.D., Senate speech: On the Internet Tax

Freedom Bill and the Patients' Bill of Rights.

(Colloquy with WYDEN, R-Ore., and MCCAIN, R-Ariz.) (CR

p. S10795-S10796)

*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR3150

SPONSOR: Gekas (R-PA)

BRIEF TITLE: Bankruptcy Reform Act of 1998.

OFFICIAL TITLE: A bill to amend title 11 of the U.S. Code, and for other
purposes.

INTRODUCED: 02/03/98

COSPONSORS: 75 (Dems: 20 Reps: 55 Ind: 0)

COMMITTEES: House Judiciary
House Rules

RELATED BILLS: See HRes462

LEGISLATIVE ACTION:

09/23/98 Considered and amended by the Senate. (CR p.
S10767-S10789)

09/23/98 LOTT, R-Miss., motion that the Senate struck all after
the enacting clause of HR3150 and insert in lieu thereof
the text of S1301, as amended, by the Senate. (see CR
p.S10767) (CR p. S10767-S10789)

09/23/98 Measure, as amended, passed Senate by yea-nay vote: 97-1.

(Text of bill, as passed in the Senate, appears on pgs.
S10767-S10786 of the Sept. 23, 1998, Congressional
Record.) (Senate Vote 284) (CR p. S10767)

09/23/98 LOTT, R-Miss., motion that the Senate insist on its
amendments and request a conference with the House,
agreed to by unanimous consent. (CR p. S10787)

09/23/98 Senate conferees named: HATCH, R-Utah; GRASSLEY, R-Iowa;
SESSIONS, R-Ala.; LEAHY, D-Vt.; DURBIN, D-Ill. (CR p.
S10787)

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*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: S1301

SPONSOR: Grassley (R-IA)

BRIEF TITLE: Consumer Bankruptcy Reform Act of 1997.

OFFICIAL TITLE: A bill to amend title 11, U.S. Code, to provide for
consumer bankruptcy protection, and for other purposes.

INTRODUCED: 10/21/97

COSPONSORS: 3 (Dems: 1 Reps: 2 Ind: 0)

COMMITTEES: Senate Judiciary

LEGISLATIVE ACTION:

09/23/98 DODD, D-Conn., amendment introduced in Senate: number
3614 (text) (CR p. S10843)

09/23/98 FEINSTEIN, D-Calif., amendment introduced in Senate:
number 3615 (text) (CR p. S10843-S10844)

09/23/98 HARKIN, D-Iowa, amendment introduced in Senate: number
3616 (text) (CR p. S10844)

09/23/98 GRASSLEY, R-Iowa, amendment introduced in Senate: number
3617 (text) (CR p. S10844)

09/23/98 Considered and amended by the Senate. (CR p.

S10739-S10789)

09/23/98 JUDICIARY COMMITTEE substitute amendment, agreed to by
voice vote. (see CR p.S10767) (CR p. S10739-S10789)

09/23/98 LOTT, R-Miss. (for GRASSLEY, R-Iowa, and HATCH, R-Utah),
substitute amendment no. 3559, to the JUDICIARY COMMITTEE
substitute amendment, agreed to by voice vote. (see CR
p.S10767) (CR p. S10739-S10767)

09/23/98 DODD, D-Conn., amendment no. 3614, to the LOTT, R-Miss.
(for GRASSLEY, R-Iowa, and HATCH, R-Utah), substitute
amendment no. 3559, to the JUDICIARY COMMITTEE substitute
amendment, to improve certain bankruptcy procedures
relating to the protection of savings earmarked for the
postsecondary education of children, agreed to by voice
vote. (see CR p.S10742) (CR p. S10740-S10742)

09/23/98 KOHL, D-Wis., amendment no. 3599, to the LOTT, R-Miss.
(for GRASSLEY, R-Iowa, and HATCH, R-Utah), substitute
amendment no. 3559, to the JUDICIARY COMMITTEE substitute
amendment, to express the sense of the Senate regarding
misuse of homestead exemption to the bankruptcy laws,
agreed to by voice vote. (see CR p.S10743) (CR p.
S10742-S10743)

09/23/98 FEINSTEIN, D-Calif., DURBIN, D-Ill., and JEFFORDS, R-Vt., amendment no. 3615, to the LOTT, R-Miss. (for GRASSLEY, R-Iowa, and HATCH, R-Utah), substitute amendment no. 3559, to the JUDICIARY COMMITTEE substitute amendment, to provide for a study and report by the Board of Governors of the Federal Reserve System regarding credit industry practices, agreed to by voice vote. (see CR p.S10746) (CR p. S10743-S10746)

09/23/98 HARKIN, D-Iowa, amendment no. 3616, to the LOTT, R-Miss. (for GRASSLEY, R-Iowa, and HATCH, R-Utah), substitute amendment no. 3559, to the JUDICIARY COMMITTEE substitute amendment, to express the sense of the Congress regarding the reduction of the Federal Funds rate by the Federal Open Market Committee, tabled by yea-nay vote: 71-27. (see CR p.S10754) (Subsequently, the amendment failed.) (Senate Vote 283) (CR p. S10749-S10754)

09/23/98 GRASSLEY, R-Iowa, amendment no. 3617, to the LOTT, R-Miss. (for GRASSLEY, R-Iowa, and HATCH, R-Utah), substitute amendment no. 3559, to the JUDICIARY COMMITTEE substitute amendment, to require a study regarding the adequacy of information received by consumers regarding the creation of security interests under open end credit plans, to amend provisions relating to a warehouseman's lien for handling goods, to amend provisions relating to trustee compensation, and to further modify GRASSLEY,

R-Iowa, and DURBIN, D-Ill., modified amendment no. 3595,
as previously agreed to, agreed to by voice vote. (see CR
p.S10763) (CR p. S10762-S10763)

09/23/98 LOTT, R-Miss., motion that the Senate struck all after
the enacting clause of HR3150 and insert in lieu thereof
the text of S1301, as amended, by the Senate. (CR p.
S10767)

09/23/98 Other measure HR3150, as amended by the Senate, passed
the Senate in lieu. (CR p. S10767)

09/23/98 Measure indefinitely postponed by Senate by unanimous
consent. (CR p. S10767)

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*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: S991

SPONSOR: Murkowski (R-AK)

OFFICIAL TITLE: A bill to make technical corrections to the Omnibus Parks
and Public Lands Management Act of 1996, and for other

purposes.

INTRODUCED: 07/08/97

COSPONSORS: 0 (Dems: 0 Reps: 0 Ind: 0)

COMMITTEES: Senate Energy and Natural Resources

LEGISLATIVE ACTION:

09/23/98 Committee consideration and markup session held by the

Senate Energy & Natural Resources Committee. (CR p.

D1023-D1024)

09/23/98 Ordered to be reported by the Senate Energy & Natural

Resources Committee. (CR p. D1023-D1024)

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*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HConRes284

SPONSOR: Kasich (R-OH)

OFFICIAL TITLE: An original concurrent resolution revising the congressional budget for the U.S. government for fiscal year 1998, establishing the congressional budget for the U.S. government for fiscal year 1999, and setting forth appropriate budgetary levels for fiscal years 2000, 2001, 2002 and 2003.

INTRODUCED: 05/27/98

COSPONSORS: 0 (Dems: 0 Reps: 0 Ind: 0)

COMMITTEES: House Budget
House Rules

RELATED BILLS: See SConRes86, HRes455

LEGISLATIVE ACTION:

09/23/98 MINGE, D-Minn., House speech: On the need for Congress to pass a budget resolution. (CR p. H8508-H8509)

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CQ's WASHINGTON ALERT 09/25/98

*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR2000

SPONSOR: Young (R-AK)

OFFICIAL TITLE: A bill to amend the Alaska Native Claims Settlement Act to
make certain clarifications to the land bank protection
provisions, and for other purposes.

INTRODUCED: 06/19/97

COSPONSORS: 0 (Dems: 0 Reps: 0 Ind: 0)

COMMITTEES: House Resources

LEGISLATIVE ACTION:

09/23/98 YOUNG, R-Alaska, motion to suspend the rules and pass the
bill, as amended. (CR p. H8477-H8488)

09/23/98 Measure, as amended, passed in House by voice vote, under
suspension of the rules (two-thirds vote required). (see
CR p.H8487) (Text of bill, as passed in the House,
appears on pgs. H8478-H8479 of the Sept. 23, 1998,
Congressional Record.)
(CR p. H8477-H8488)

*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR306

SPONSOR: Slaughter (D-NY)

BRIEF TITLE: Genetic Information Nondiscrimination in Health Insurance
Act of 1997.

OFFICIAL TITLE: A bill to prohibit discrimination against individuals and
their family members on the basis of genetic information,
or a request for genetic services.

INTRODUCED: 01/07/97

COSPONSORS: 212 (Dems: 184 Reps: 27 Ind: 1)

COMMITTEES: House Ways and Means

House Commerce

House Education and the Workforce

RELATED BILLS: See S89, S1045, HR328

LEGISLATIVE ACTION:

09/23/98 Cosponsor(s) added: 1

Owens, M. (D-NY)

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*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HJRes125

SPONSOR: Gingrich (R-GA)

OFFICIAL TITLE: A joint resolution finding the government of Iraq in
material and unacceptable breach of its international
obligations.

INTRODUCED: 06/25/98

COSPONSORS: 3 (Dems: 0 Reps: 3 Ind: 0)

COMMITTEES: House International Relations

RELATED BILLS: See SJRes54

LEGISLATIVE ACTION:

09/23/98 Cosponsor(s) added: 1

Bachus, S. (R-AL)

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*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR3081

SPONSOR: Schumer (D-NY)

BRIEF TITLE: Hate Crimes Prevention Act of 1997.

OFFICIAL TITLE: A bill to enhance federal enforcement of hate crimes, and
for other purposes.

INTRODUCED: 11/13/97

COSPONSORS: 127 (Dems: 116 Reps: 11 Ind: 0)

COMMITTEES: House Judiciary

House Education and the Workforce

RELATED BILLS: See S1529

LEGISLATIVE ACTION:

09/23/98 Cosponsor(s) added: 3

Cardin (D-MD)

Farr (D-CA)

Kucinich (D-OH)

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*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: S2330

SPONSOR: Nickles (R-OK)

BRIEF TITLE: Patients' Bill of Rights Act.

OFFICIAL TITLE: A bill to improve the access and choice of patients to
quality, affordable health care.

INTRODUCED: 07/17/98

COSPONSORS: 48 (Dems: 0 Reps: 48 Ind: 0)

LEGISLATIVE ACTION:

09/23/98 KENNEDY, D-Mass., Senate speech: Supports the Patients'

Bill of Rights. (CR p. S10819-S10823)

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*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR3865

SPONSOR: Watts (R-OK)

BRIEF TITLE: American Community Renewal Act of 1998.

OFFICIAL TITLE: A bill to amend the Internal Revenue Code of 1986 to allow
the designation of renewal communities, and for other
purposes.

INTRODUCED: 05/14/98

COSPONSORS: 143 (Dems: 18 Reps: 125 Ind: 0)

COMMITTEES: House Banking and Financial Services

House Ways and Means

House Commerce

RELATED BILLS: See S432, S1995, HR1031

LEGISLATIVE ACTION:

09/23/98 Cosponsor(s) added: 1

Weller (R-IL)

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*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR1481

SPONSOR: LaTourette (R-OH)

BRIEF TITLE: Great Lakes Fish and Wildlife Restoration Act of 1997.

OFFICIAL TITLE: A bill to amend the Great Lakes Fish and Wildlife
Restoration Act of 1990 to provide for implementation of
recommendations of the U.S. Fish and Wildlife Service
contained in the Great Lakes Fishery Restoration Study
Report.

INTRODUCED: 04/29/97

COSPONSORS: 27 (Dems: 17 Reps: 10 Ind: 0)

COMMITTEES: House Resources

RELATED BILLS: See S659

LEGISLATIVE ACTION:

09/23/98 GILCHREST, R-Md., motion to suspend the rules and pass
the bill, as amended. (CR p. H8465-H8469)

09/23/98 Measure, as amended, passed in House by voice vote, under
suspension of the rules (two-thirds vote required). (see
CR p.H8469) (Text of bill, as passed in the House,
appears on pgs. H8465-H8466 of the Sept. 23, 1998,
Congressional Record.) (CR p. H8465-H8469)

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*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR1748

SPONSOR: Smith (R-NJ)

BRIEF TITLE: Netizens Protection Act of 1997.

OFFICIAL TITLE: A bill to amend the Communications Act of 1934 to ban the
transmission of unsolicited advertisements by electronic
mail, and to require that sender identification
information be included with electronic mail messages.

INTRODUCED: 05/22/97

COSPONSORS: 28 (Dems: 21 Reps: 6 Ind: 1)

COMMITTEES: House Commerce

RELATED BILLS: See S771, S875

LEGISLATIVE ACTION:

09/23/98 Cosponsor(s) added: 1

Blagojevich (D-IL)

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CQ's WASHINGTON ALERT 09/25/98

*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: S777

SPONSOR: Johnson (D-SD)

BRIEF TITLE: Lewis and Clark Rural Water System Act of 1997.

OFFICIAL TITLE: A bill to authorize the construction of the Lewis and Clark Rural Water System and to authorize assistance to the Lewis and Clark Rural Water System, Inc., a non-profit corporation, for planning and construction of the water supply system, and for other purposes.

INTRODUCED: 05/21/97

COSPONSORS: 5 (Dems: 3 Reps: 2 Ind: 0)

COMMITTEES: Senate Energy and Natural Resources

RELATED BILLS: See HR1688

LEGISLATIVE ACTION:

09/23/98 Committee consideration and markup session held by the Senate Energy & Natural Resources Committee. (CR p. D1023-D1024)

09/23/98 ** COMMITTEE VOTE ** S777. Lewis and Clark Rural Water System/Funding Agencies. Murkowski, R-Alaska, amendment

that would specify that system funding agencies include the Environmental Protection Agency and the department of Agriculture. Adopted by voice vote September 23, 1998.

09/23/98 ** COMMITTEE VOTE ** S777. Lewis and Clark Rural Water

System/Vote to Report. Require the secretary of Interior to make grants to the Lewis and Clark Rural Water System, Inc. for the planning and construction of the water supply system. Prohibit the secretary from obligating funds for construction until the requirements of the National Environmental Policy Act are met; the final engineering report is prepared and submitted to Congress not less than 90 days before construction begins; and a water conservation program is developed. Require the secretary to make grants for the initial development of the environmental enhancement component. Specify the requirements of the water conservation programs, including leak detection and repair programs, education programs and coordinated operation among each rural water system. Specify that mitigation for fish and wildlife losses would be on an acre-for-acre basis. Specify the conditions for future irrigation and drainage pumping for the Pick-Sloan Missouri Basin program. Specify that nothing in the bill invalidates or preempts state water law or alters the rights of any state to water. Require the secretary to provide 80 percent of the mount allocated in the total construction budget, amounts

necessary to defray increases in the budget for planning and construction and such amounts necessary to defray increases in development costs. Authorize \$226.3 million, of which not less than \$8.5 million would be used for initial development of the environmental enhancement program. As amended. Reported favorably to the full Senate en bloc with other bills by voice vote September 23, 1998.

09/23/98 Ordered to be reported by the Senate Energy & Natural Resources Committee amended. (CR p. D1023-D1024)

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CQ's WASHINGTON ALERT 09/25/98

*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: S1960

SPONSOR: Warner (R-VA)

OFFICIAL TITLE: A bill to allow the National Park Service to acquire certain land for addition to the Wilderness Battlefield, as previously authorized by law, by purchase or exchange as well as by donation.

INTRODUCED: 04/21/98

COSPONSORS: 7 (Dems: 3 Reps: 4 Ind: 0)

COMMITTEES: Senate Energy and Natural Resources

RELATED BILLS: See S1735

LEGISLATIVE ACTION:

09/23/98 Committee consideration and markup session held by the

Senate Energy & Natural Resources Committee. (CR p.

D1023-D1024)

09/23/98 Ordered to be reported by the Senate Energy & Natural

Resources Committee amended. (CR p. D1023-D1024)

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CQ's WASHINGTON ALERT 09/25/98

*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR3766

SPONSOR: Canady (R-FL)

BRIEF TITLE: Plant Protection Act.

OFFICIAL TITLE: A bill to streamline, modernize and enhance the authority
of the secretary of Agriculture relating to plant
protection and quarantine, and for other purposes.

INTRODUCED: 04/30/98

COSPONSORS: 7 (Dems: 3 Reps: 4 Ind: 0)

COMMITTEES: House Judiciary

House Resources

House Ways and Means

House Agriculture

RELATED BILLS: See S83

LEGISLATIVE ACTION:

09/23/98 Cosponsor(s) added: 3

Ehrlich (R-MD)

Ewing (R-IL)

Radanovich (R-CA)

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CQ's WASHINGTON ALERT 09/25/98

*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR3783

SPONSOR: Oxley (R-OH)

BRIEF TITLE: Child Online Protection Act.

OFFICIAL TITLE: A bill to amend section 223 of the Communications Act of 1934 to require persons who are engaged in the business of selling or transferring, by means of the World Wide Web, material that is harmful to minors to restrict access to such material by minors, and for other purposes.

INTRODUCED: 04/30/98

COSPONSORS: 61 (Dems: 7 Reps: 54 Ind: 0)

COMMITTEES: House Commerce

RELATED BILLS: See S1482

LEGISLATIVE ACTION:

09/23/98 Cosponsor(s) added: 1

Weller (R-IL)

*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR3342

SPONSOR: Foley (R-FL)

BRIEF TITLE: Patient Safety and Health Care Whistleblower Protection
Act of 1998.

OFFICIAL TITLE: A bill to prohibit discrimination or retaliation against
health care workers who report unsafe conditions and
practices which impact on patient care.

INTRODUCED: 03/05/98

COSPONSORS: 69 (Dems: 64 Reps: 4 Ind: 1)

COMMITTEES: House Judiciary
House Commerce

LEGISLATIVE ACTION:

09/23/98 Cosponsor(s) added: 1

Brown, C. (D-FL)

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CQ's WASHINGTON ALERT 09/25/98

*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR3248

SPONSOR: Pitts (R-PA)

BRIEF TITLE: Dollars to the Classroom Act.

OFFICIAL TITLE: A bill to provide dollars to the classroom.

INTRODUCED: 02/24/98

COSPONSORS: 110 (Dems: 3 Reps: 107 Ind: 0)

COMMITTEES: House Rules

House Education and the Workforce

RELATED BILLS: See HRes543

LEGISLATIVE ACTION:

09/18/98 SMITH, D-Wash., House speech: Supports the Dollars to

the Classroom Act.

(CR p. E1783-E1784)

09/23/98 BURTON, R-Ind., House speech: Personal explanation of
roll call vote nos. 450-452. (CR p. E1776)

09/23/98 SANCHEZ, D-Calif., House speech: Personal explanation
of roll call vote nos. 450-452. (CR p. E1776)

09/23/98 UNDERWOOD, D-Guam, House speech: Opposes the Dollars to
Classroom Act. (CR p. E1780)

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CQ's WASHINGTON ALERT 09/25/98

*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: S555

SPONSOR: Allard (R-CO)

BRIEF TITLE: Leaking Underground Storage Tank Trust Fund Amendments Act
of 1997.

OFFICIAL TITLE: A bill to amend the Solid Waste Disposal Act to require
that at least 85 percent of funds appropriated to the

Environmental Protection Agency from the Leaking
Underground Storage Tank Trust Fund be distributed to
states to carry out cooperative agreements for undertaking
corrective action and for enforcement of subtitle I of
that act.

INTRODUCED: 04/10/97

COSPONSORS: 7 (Dems: 2 Reps: 5 Ind: 0)

COMMITTEES: Senate Environment and Public Works

RELATED BILLS: See HR688

LEGISLATIVE ACTION:

09/23/98 Committee consideration and markup session held by the
Senate Environment & Public Works Committee. (CR p.
D1024-D1025)

09/23/98 Ordered to be reported by the Senate Environment & Public
Works Committee with an amendment in the nature of a
substitute. (CR p. D1024-D1025)

*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR1173

SPONSOR: Kildee (D-MI)

BRIEF TITLE: Public Safety Employer-Employee Cooperation Act of 1997.

OFFICIAL TITLE: A bill to provide collective bargaining rights for public
safety officers employed by the states or their political
subdivisions.

INTRODUCED: 03/20/97

COSPONSORS: 204 (Dems: 165 Reps: 38 Ind: 1)

COMMITTEES: House Education and the Workforce

LEGISLATIVE ACTION:

09/23/98 Cosponsor(s) added: 1

Brown, C. (D-FL)

*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR4019

SPONSOR: Canady (R-FL)

OFFICIAL TITLE: A bill to protect religious liberty.

INTRODUCED: 06/09/98

COSPONSORS: 42 (Dems: 17 Reps: 25 Ind: 0)

COMMITTEES: House Judiciary

RELATED BILLS: See S2148

LEGISLATIVE ACTION:

09/23/98 Cosponsor(s) added: 2

McIntosh (R-IN) Solomon (R-NY)

MEASURE: HR4071

SPONSOR: Hinchey (D-NY)

OFFICIAL TITLE: A bill to authorize the secretary of Agriculture to make
grants to establish 33 additional rural enterprise
communities, and for other purposes.

INTRODUCED: 06/17/98

COSPONSORS: 50 (Dems: 38 Reps: 11 Ind: 1)

COMMITTEES: House Ways and Means
House Agriculture

LEGISLATIVE ACTION:

09/23/98 Cosponsor(s) added: 3

John, C. (D-LA) LaFalce (D-NY) Olver (D-MA)

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*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR1154

SPONSOR: Faleomavaega (D-AS)

OFFICIAL TITLE: A bill to provide for administrative procedures to extend
federal recognition to certain Indian groups, and for
other purposes.

INTRODUCED: 03/20/97

COSPONSORS: 7 (Dems: 7 Reps: 0 Ind: 0)

COMMITTEES: House Resources

LEGISLATIVE ACTION:

09/23/98 Reported to the House amended by the House Committee on
Resources and placed on the Union Calendar by unanimous
consent. HRpt 105-737 (CR p. H8527)

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CQ's WASHINGTON ALERT 09/25/98

*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: S1307

SPONSOR: Daschle (D-SD)

BRIEF TITLE: Retiree Health Benefits Protection Act.

OFFICIAL TITLE: A bill to amend the Employee Retirement Income Security

Act of 1974 with respect to rules governing litigation

contesting termination or reduction of retiree health

benefits and to extend continuation coverage to retirees

and their dependents.

INTRODUCED: 10/22/97

COSPONSORS: 4 (Dems: 4 Reps: 0 Ind: 0)

COMMITTEES: Senate Labor and Human Resources

LEGISLATIVE ACTION:

09/23/98 Cosponsor(s) added: 1

Harkin (D-IA)

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CQ's WASHINGTON ALERT 09/25/98

*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: S442

SPONSOR: Wyden (D-OR)

BRIEF TITLE: Internet Tax Freedom Act.

OFFICIAL TITLE: A bill to establish a national policy against state and local government interference with interstate commerce on the Internet or interactive computer services, and to exercise congressional jurisdiction over interstate commerce by establishing a moratorium on the imposition of exactions that would interfere with the free flow of commerce via the Internet, and for other purposes.

INTRODUCED: 03/13/97

COSPONSORS: 10 (Dems: 4 Reps: 6 Ind: 0)

COMMITTEES: Senate Commerce, Science and Transportation
Senate Finance

RELATED BILLS: See HR1054, HR3529, HR4105

LEGISLATIVE ACTION:

09/23/98 Objection was heard to the MCCAIN, R-Ariz., unanimous

consent request to proceed to the consideration of the bill, and it be considered under the following limitations: the COMMERCE COMMITTEE amendment be agreed to; and the FINANCE COMMITTEE substitute amendment then agreed to; and the substitute then be considered as original text for the purpose of further amendment; and that the only other amendments in order on the bill be the following: a managers amendment; MCCAIN, R-Ariz., and WYDEN, D-Ore., amendment extending the length of moratorium; COATS, R-Ind., amendment regarding Internet porn; 1 hour equally divided; BENNETT, R-Utah relevant amendment; HUTCHISON, R-Texas, relevant amendment; BOND, R-Mo., relevant amendment; BUMPERS, D-Ark., amendment regarding mail order; three ENZI, R-Wyo., relevant amendments; DOMINICI, R-N.M., amendment on interest rates; GRAHAM, D-Fla., relevant amendment; ABRAHAM, R-Mich., amendment regarding government paperwork; and BUMPERS, D-Ark., commission amendment; and that relevant second-degree amendments be in order to all amendments other than the COATS, R-Ind., amendment; and that there be 2 hours of general debate equally divided and that following the disposition of the above listed amendments and the expiration of time, the bill be read a third time and the Senate proceed to a vote on the passage of the bill with no other intervening action or debate. (CR p. S10789)

09/23/98 DORGAN, D-N.D., Senate speech: On the Internet Tax

Freedon Bill and the Patients' Bill of Rights.

(Colloquy with WYDEN, D-Ore., and MCCAIN, R-Ariz.) (CR
p. S10795-S10796)

09/25/98 ** Scheduled action ** Senate floor: may begin
consideration

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*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: S2326

SPONSOR: Bryan (D-NV)

BRIEF TITLE: Children's Online Privacy Protection Act of 1998.

OFFICIAL TITLE: A bill to require the Federal Trade Commission to
prescribe regulations to protect the privacy of personal
information collected from and about children on the
Internet, to provide greater parental control over the
collection and use of that information, and for other
purposes.

INTRODUCED: 07/17/98

COSPONSORS: 1 (Dems: 0 Reps: 1 Ind: 0)

COMMITTEES: Senate Commerce, Science and Transportation

LEGISLATIVE ACTION:

09/23/98 Subcommittee hearings completed by the Senate Commerce,
Science, & Transportation, Subcommittee on
Communications. (CR p. D1023)

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CQ's WASHINGTON ALERT 09/25/98

*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR2733

SPONSOR: Tauzin (R-LA)

BRIEF TITLE: Superfund Recycling Equity Act of 1997.

OFFICIAL TITLE: A bill to amend the Comprehensive Environmental Response,
Compensation, and Liability Act of 1980 to clarify
liability under that Act for certain recycling

transactions.

INTRODUCED: 10/24/97

COSPONSORS: 303 (Dems: 151 Reps: 152 Ind: 0)

COMMITTEES: House Transportation and Infrastructure
House Commerce

RELATED BILLS: See S2062

LEGISLATIVE ACTION:

09/23/98 Cosponsor(s) added: 7

Burton, D. (R-IN)	Jefferson (D-LA)	Wilson (R-NM)
Cox, C. (R-CA)	Quinn (R-NY)	
Hill, R. (R-MT)	Scott (D-VA)	

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CQ's WASHINGTON ALERT 09/25/98

*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HRes519

SPONSOR: Pappas (R-NJ)

OFFICIAL TITLE: A resolution concerning Iraqi development of weapons of
mass destruction.

INTRODUCED: 08/06/98

COSPONSORS: 16 (Dems: 1 Reps: 15 Ind: 0)

LEGISLATIVE ACTION:

09/23/98 Cosponsor(s) added: 3

Bateman (R-VA) Cannon (R-UT) Doolittle (R-CA)

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*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HR4569

SPONSOR: Callahan (R-AL)

OFFICIAL TITLE: An original bill making appropriations for foreign
operations, export financing, and related programs for the
fiscal year ending Sept. 30, 1999, and for other purposes.

INTRODUCED: 09/15/98

COSPONSORS: 0 (Dems: 0 Reps: 0 Ind: 0)

COMMITTEES: House Rules

RELATED BILLS: See S955, S2334, HR2159, HRes542

LEGISLATIVE ACTION:

09/17/98 BURTON, R-Ind., House speech: On the Foreign
Operations, Export Financing, and Related Programs
Appropriations Act, 1999. (CR p. E1782)

09/17/98 SCHUMER, D-N.Y., House speech: Supports maintaining
section 907 of the Freedom Support Act in the Foreign
Operations Appropriations for fiscal year 1999. (CR p.
E1788)

09/23/98 MYRICK, R-N.C., House speech: Personal explanation of
roll call vote nos. 457-459. (CR p. E1779)

MEASURE: HR4574

SPONSOR: Snowbarger (R-KS)

OFFICIAL TITLE: A bill to amend the Railroad Retirement Act of 1974 to

assure that merchant marine service during World War II
that the secretary of Veterans' Affairs deems to be active
military duty by reason of a determination by the
secretary of Defense is considered to be creditable
service in the computation of retirement benefits to the
same degree as other active duty service, and for other
purposes.

INTRODUCED: 09/15/98

COSPONSORS: 4 (Dems: 2 Reps: 2 Ind: 0)

COMMITTEES: House Transportation and Infrastructure

LEGISLATIVE ACTION:

09/23/98 Cosponsor(s) added: 1

Traficant (D-OH)

*** HISTORY REPORT -- ALL LEGISLATIVE ACTION, COSPONSORS, SPEECHES ***

MEASURE: HRes549

SPONSOR: Solomon (R-NY)

OFFICIAL TITLE: A resolution waiving points of order against the conference report to accompany the bill (HR3616) to authorize appropriations for fiscal year 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1999, and for other purposes.

INTRODUCED: 09/23/98

COSPONSORS: 0 (Dems: 0 Reps: 0 Ind: 0)

COMMITTEES: House Rules

RELATED BILLS: See also HR3616

LEGISLATIVE ACTION:

09/23/98 Committee consideration and markup session held by the House Rules Committee. (CR p. D1028)

09/23/98 Reported to the House by the House Committee on Rules and

placed on the House Calendar by unanimous consent. HRpt

105-740 (CR p. H8527)

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1 HR3150 Gekas (R-PA) 09/23/98 (4693 lines)

Engrossed Amendment Senate

A bill to amend title 11 of the U.S. Code, and for other
purposes.

Item Key: 13291

2 HR4579 Archer (R-TX) 09/23/98 (3061 lines)

Reported in House

To provide tax relief for individuals, families, and farming and

other small businesses, to provide tax incentives for education,
to extend certain expiring provisions, and for other purposes.

Item Key: 13296

3 HR1154 Faleomavaega (D-AS) 09/23/98 (923 lines)

Reported in House

To provide for administrative procedures to extend Federal
recognition to certain Indian groups, and for other purposes.

Item Key: 13286

4 HR2000 Young D. (R-AK) 09/23/98 (434 lines)

Engrossed (passed) in House

To amend the Alaska Native Claims Settlement Act to make certain
clarifications to the land bank protection provisions, and for
other purposes.

Item Key: 13289

5 HRES549 Solomon (R-NY) 09/23/98 (45 lines)

Reported in House

Waiving points of order against the conference report to accompany
the bill (H.R. 3616) to authorize appropriations for fiscal year
1999 for military activities of the Department of Defense, to
prescribe military personnel strengths for fiscal year 1999, and
for other purposes.

Item Key: 13302

6 HR1481 LaTourette (R-OH) 09/23/98 (239 lines)

Engrossed (passed) in House

To amend the Great Lakes Fish and Wildlife Restoration Act of 1990
to provide for implementation of recommendations of the United
States Fish and Wildlife Service contained in the Great Lakes
Fishery Resources Restoration Study.

Item Key: 13287

7 HR4558 Shaw (R-FL) 09/23/98 (242 lines)

Engrossed (passed) in House

To make technical amendments to clarify the provision of benefits
for noncitizens, and to improve the provision of unemployment
insurance, child support, and supplemental security income
benefits.

Item Key: 13294

8 HR3381 Hill R. (R-MT) 09/23/98 (359 lines)

Engrossed (passed) in House

To direct the Secretary of Agriculture and the Secretary of the
Interior to exchange land and other assets with Big Sky Lumber Co.
and other entities.

Item Key: 13292

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1 of 9 items

CQ's WASHINGTON ALERT 09/25/98

FOREIGN AFFAIRS: BILL CALLS FOR RELEASE OF HUMAN RIGHTS ABUSE DATA

Scheduled Events

(NEWS 09/25/98; 30 lines)

Item Key: 15507

FOREIGN AFFAIRS: BILL CALLS FOR RELEASE OF HUMAN RIGHTS ABUSE DATA

By CQ Staff

A House Government Reform and Oversight subcommittee today will mark up a bill, sponsored by Tom Lantos, D-Calif., that would release U.S. intelligence and agency assessments of human rights abuses in Guatemala and Honduras.

Both countries have repeatedly asked the U.S. government for information about the human rights violations and abuses that occurred during their civil wars.

The measure is intended to "dramatically improve the current declassification procedures of human rights documents pertaining to gross human rights violations in Guatemala and Honduras," said Lantos, co-chairman of the Congressional Human Rights Caucus.

"Only full consideration and investigation of human rights abuses in these two countries can achieve the full accountability needed to rebuild a peaceful and reconciled civil society in those areas," he added.

The bill allows exceptions for information that might jeopardize U.S. military defense, intelligence operations and foreign policy.

It also protects intelligence agents, sources and methods. Lantos called the exceptions an "appropriate balance between the need for speedy and comprehensive declassification and the need to protect legitimate U.S. national security interests."

Hill News Highlights

(NEWS 09/25/98; 102 lines)

Item Key: 15531

STATUS OF APPROPRIATIONS

By CQ Staff

AGRICULTURE (HR4101): House subcommittee markup completed June 10; Senate subcommittee markup completed June 9; Senate full committee markup completed June 11 (SRept105-212); House full committee markup completed June 16 (HRept105-588); PASSED House June 24; PASSED Senate July 16; Senate conferees appointed July 16; House conferees appointed Sept. 15; Conference scheduled Sept. 25

COMMERCE, JUSTICE, STATE & THE JUDICIARY (HR4276): House subcommittee markup completed June 24; Senate subcommittee markup June completed 23; Senate full committee markup completed June 25 (SRept105-235); House full committee markup completed July 15 (HRept105-636); PASSED Senate July 23; PASSED House August 6; Senate conferees appointed August 31

DISTRICT OF COLUMBIA (S2333, HR4380): Senate full committee markup completed July 21 (SRept105-254); House subcommittee markup completed July 24; House full committee markup completed July 30 (HRept105-670); PASSED House August 6

ENERGY & WATER DEVELOPMENT (HR4060): Senate subcommittee markup completed June 2; Senate full committee markup completed June 4 (SRept105-206); House subcommittee markup completed June 10; House full committee markup completed June 16 (HRept105-581); PASSED Senate June 18; PASSED House June 22; Senate conferees appointed July 23; House conferees appointed July 29; Conference began Sept. 24

FOREIGN OPERATIONS (HR4569, S2334): House subcommittee markup completed July 15; Senate full committee markup completed July 2 (SRept105-255); PASSED Senate Sept. 2; House full committee markup completed Sept. 10 (HRept105-719); PASSED House Sept. 17

INTERIOR: (S2237, HR4193) House subcommittee markup completed June 18; House full committee markup completed June 25 (HRept105-609); Senate subcommittee markup completed June 23; Senate full committee markup completed June 25 (SRept105-227); PASSED House July 23; Senate floor debate began Sept. 8; Senate floor debate suspended Sept. 16

LABOR/HHS/EDUCATION (HR4274, S2440): House subcommittee markup completed June 23; House full committee markup completed July 14 (HRept105-635); Senate subcommittee markup completed Sept. 1; Senate full committee markup completed Sept. 3 (SRept105-300)

LEGISLATIVE BRANCH (HR4112): Senate full committee markup completed June 4 (SRept105-204); House subcommittee markup completed June 10; House full committee markup completed June 18 (HRept105-595);

PASSED House June 25; PASSED Senate July 21; Senate conferees appointed July 21; House conferees appointed Sept. 15; Conference completed Sept. 18 (HRept105-734); Conference report ADOPTED by House Sept. 24

MILITARY CONSTRUCTION (HR4059): House subcommittee markup completed June 10; Senate full committee markup completed June 11 (SRept105-213); House full committee markup completed June 16 (HRept105-578); PASSED House June 22; PASSED by Senate June 25; Senate conferees appointed July 23; House conferees appointed July 23; Conference completed July 23; Conference report ADOPTED by House July 29 (HRept105-647); Conference report ADOPTED by Senate Sept. 1; SIGNED by president Sept. 20 (PL105-237)

NATIONAL SECURITY/DEFENSE (HR4103): House subcommittee markup completed June 4; Senate subcommittee markup completed June 2; Senate full committee markup completed June 4 (SRept105-200); House full committee markup completed June 17 (HRept105-591); PASSED House June 24; PASSED Senate July 30; House conferees appointed Sept. 15; Conference completed Sept. 23

TRANSPORTATION: (HR4328) Senate subcommittee markup completed July 8; Senate full committee markup completed July 14 (SRept105-249); House subcommittee markup completed July 16; House full committee markup completed July 22 (HRept105-648); PASSED Senate July 24; PASSED House July 30; Senate conferees appointed July 30; House conferees appointed Sept. 15

TREASURY/POSTAL SERVICE: (HR4104) House subcommittee markup completed June 11; House full committee markup completed June 17 (HRept105-592); Senate full committee markup completed July 14 (SRept105-251); PASSED House July 16; PASSED Senate Sept. 3; Senate conferees appointed Sept. 3; House conferees appointed Sept. 16; Conference scheduled Sept. 28

VA, HUD, & INDEPENDENT AGENCIES (HR4194): Senate subcommittee markup completed June 9; Senate full committee markup completed June 11 (SRept105-216); House subcommittee markup completed June 18; House full committee markup completed June 25 (HRept105-610); PASSED Senate July 30; PASSED House July 29; Senate conferees appointed July 30; House conferees appointed Sept. 15

FY98 SUPPLEMENTAL (HR3579): Senate full committee markup completed March 17 (SRept105-168); House full committee markup completed March 24 (HRept105-469); S1768/S1769 DEBATE COMPLETED by Senate March 26; HR3579 PASSED by House March 31; HR3579 PASSED by Senate March 31 (Senate amended HR3579 to contain the text of S1768); Senate conferees named March 31; House conferees named April 23; Conference completed April 30 (HRept105-504); PASSED House April 30; PASSED Senate April 30; SIGNED by president May 1 (Public Law: PL105-174)

FY99 CONTINUING RESOLUTION (Sept. 30 to Oct. 9) -- HJRes128: PASSED House Sept. 17; CLEARED Senate Sept. 17

HOUSE FLOOR: CONFERENCE REPORT ADOPTED ON DEFENSE AUTHORIZATION

Hill News Highlights

(NEWS 09/25/98; 50 lines)

Item Key: 15513

HOUSE FLOOR: CONFERENCE REPORT ADOPTED ON DEFENSE AUTHORIZATION

By CQ Staff

The House voted 373-50 yesterday to adopt the conference report on the \$270.5 billion fiscal 1999 defense authorization bill, which contains compromises concerning satellite exports to China and gender-integrated training in the armed forces.

The measure (HR3616) is \$2.6 billion below 1998 levels when adjusted for inflation. It now goes to the Senate.

Reacting to recent reports that U.S. satellite exports to China have helped Beijing develop its ballistic missile capability, conferees agreed to several policy changes.

The legislation would shift jurisdiction for licensing U.S. satellites from the Commerce Department back to the State Department,

where it had been until President Clinton changed the policy in 1996. Earlier proposals to do this drew veto threats, but congressional Democrats expect Clinton to sign the bill.

It also would force the president to get congressional approval before granting satellite export waivers to American companies, and it would ban exports of missile equipment or technology to China unless the president pledges that they will not undermine the U.S. space launch industry or bolster China's weapons capabilities.

On military training, conferees agreed to house male and female recruits separately but effectively left to the service chiefs the question of whether to train them separately. Conferees also agreed on non-binding sense of the House language that the sexes should be separated during training.

The legislation authorizes the full \$1.9 billion that President Clinton requested for keeping U.S. troops in Bosnia in the fiscal year that begins Oct. 1. It also authorizes the president to waive spending limits should he certify to Congress that to do so would be in the national interest.

The bill includes \$50 million to buy parts for a \$1.5 billion helicopter carrier, which the Navy did not request but is expected to be built at a shipyard in Senate Majority Leader Trent Lott's hometown, Pascagoula, Miss.

A companion appropriations bill to provide money for the programs is moving through Congress, with approval expected in both chambers within a few days. House-Senate negotiators wrapped up work on yesterday but put off a decision about how to pay for the \$1.9 billion Bosnia operation.

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CQ's WASHINGTON ALERT 09/25/98

A LOOK AHEAD TO NEXT WEEK'S SCHEDULE

Afternoon News Highlights

(NEWS 09/25/98; 39 lines)

Item Key: 15532

A LOOK AHEAD TO NEXT WEEK'S SCHEDULE

By CQ Staff

Senate Majority Leader Trent Lott, R-Miss., intends to act on any appropriations conference reports that become available from the House, saying that he may suspend work on other bills to make time for must-pass spending legislation.

Democrats are looking for an opportunity to force debate on their managed care legislation and may slow work on other bills if no

agreement is reached with Lott.

Members will vote Monday night on invoking cloture on legislation (S2176) that would establish strict limits on the amount of time an administration official could serve without Senate confirmation.

Senate GOP leaders are expected to try again to call up legislation (S442) establishing a moratorium on taxes on Internet-based commerce. Efforts to do so have been thwarted by the unrelated dispute about managed care. The Senate also is expected to act on the conference report to the \$270.5 billion defense authorization bill (HR3616). As the session draws to a close, leaders also are expected to try to act on more executive branch nominations, including judicial nominations.

THE HOUSE: To allow Jewish lawmakers to observe Yom Kippur, which begins Tuesday at sundown, the House will not be in session from noon Tuesday through Wednesday. The chamber will, however, be in session Monday and Tuesday morning, as well as Thursday and Friday, according to Majority Leader Dick Armey's office. A Saturday session is not expected next week. No votes will occur on Monday before noon and no votes will occur Thursday before 5 p.m.

Armey's office also said that Monday will be devoted primarily to conference reports. Among those expected to be ready for action are the defense appropriations bill (HR4103) and the Energy and Water spending measure (HR4060). The conference report on the reauthorization of higher education programs (HR6) and the Treasury-Postal appropriations bill

(HR4104) are other possibilities.

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CQ's WASHINGTON ALERT 09/25/98

CORRECTION

Afternoon News Highlights

(NEWS 09/25/98; 9 lines)

Item Key: 15501

CORRECTION

By CQ Staff

DEFENSE: Yesterday's CQ NewsAlert incorrectly characterized non-binding language in the conference report on the fiscal 1999 defense authorization bill (HR3616) about separating training units by gender. That language expresses only the sense of the House.

6 of 9 items

CQ's WASHINGTON ALERT 09/25/98

MIDDAY UPDATE

Afternoon News Highlights

(NEWS 09/24/98; 166 lines)

Item Key: 15499

MIDDAY UPDATE

By CQ Staff

HYDE SETS DATE FOR IMPEACHMENT INQUIRY VOTE:

The House Judiciary Committee will decide in less than two weeks whether to recommend a formal impeachment inquiry, Chairman Henry J. Hyde, R-Ill, announced this afternoon. On Oct. 5 or 6, he said, the committee will consider a resolution that would, if approved by the House, set in motion a fullscale inquiry into whether President Clinton has committed impeachable offenses. The House would take up the panel's recommendation Oct. 8 or 9, just prior to its planned adjournment. Hyde called the schedule "the most expeditious timetable we can follow."

Committee Republicans, Hyde said, have not made up their minds whether an inquiry is warranted. But the chairman said GOP panel members are united in rejecting suggestions that the House consider some punishment of President Clinton short of impeachment. There is "no precedent for censuring a president ... the Constitution does not provide for it," he said.

HOUSE TAX BILL IMPERILED AS GOP BUDGET HAWKS SPURN IT:

Passage of the House tax bill (HR4579) appeared in peril today, as Republican deficit hawks began joining an unusually unified Democratic caucus in opposition. The GOP fiscal conservatives said they oppose the bill because it would tap surpluses in the Social Security trust fund to compensate for most of the \$80.1 billion in lost revenue over five years. They insist that tax cuts be delayed until the general revenue portion of the budget is in balance, unless the cuts are offset with spending reductions. "It will take Democratic votes to pass the tax-cut package," Mark W. Neumann, R-Wis., warned today. But Charles W. Stenholm, D-Texas, predicted that as few as 10 Democrats may defect and vote "yes." Narrow passage -- a vote is set for Saturday -- would only lengthen the already long odds against the bill becoming law. It appears to have far less than the necessary 60-vote support in the Senate, and faces an ironclad veto threat from President Clinton.

LEGISLATIVE SPENDING GAINS, HOUSE TURNS TO DEFENSE AUTHORIZATION:

By 356-65, the House today adopted the conference report on the \$2.35 billion fiscal 1999 legislative branch appropriations bill (HR4112), which would boost Capitol Police spending by 12 percent and overall provide 2.7 percent more than current funding. Debate then began on the conference report on the \$270.5 billion defense authorization bill (HR3616), but that may be the last item on today's House floor agenda. House Majority Leader Dick Armey's office is saying that the bill (HR2621) to renew the president's fast-track trade authority is scheduled for floor debate tomorrow.

COMPROMISE PUTS HIGH-TECH VISA BILL ON PATH TO ENACTMENT:

One bill set for House debate today (HR3736) would increase the number of visas allotted to high-tech workers. GOP aides said it might be delayed to allow for review of the compromise struck last night between the White House and Spencer Abraham, R-Mich., author of the companion Senate bill (S1723). It would boost the annual allocation of H1-B visas to 115,000 next year and in 2000, and to 107,500 in 2001, then return it to the current 65,000. The measure would impose a \$500 fee on employers for every visa application and renewal, raising about \$75 million a year that would go to college scholarships and job training for low-income students pursuing math, engineering or computer sciences training. Companies that draw 15 percent or more of their workforce from H-1B visa holders would have to attest they have not laid off Americans for those jobs.

BILL TO LIMIT PRESIDENT'S APPOINTMENT POWER WINS SHORT-TERM VICTORY:

The Senate voted 96-1 today to call up legislation (S2176) that would limit to 150 days the tenure of "acting" presidential appointees, after which they would be forced from office unless their nominations had been formally submitted to the Senate. The bill was drafted after President Clinton got around Senate GOP opposition by naming Bill Lann Lee acting assistant attorney general for civil rights; he subsequently submitted the nomination, which the Senate has ignored. But the bill's fate remains in doubt, because Democrats want to use it as a vehicle for their managed care legislation (S1890). Majority Leader Trent Lott,

Miss., filed a cloture petition to cut off debate and restrict non-germane amendments. The cloture vote, which requires 60 votes, could occur Monday. This afternoon, senators are debating the Federal Aviation Administration reauthorization bill (S2279).

PANEL VOTES TO CRACK DOWN ON SLAMMING, SPAMMING AND IDENTITY THEFT:

Locking arms to combat unscrupulous telecommunications companies, the House Commerce Committee today approved, by voice vote, a bill (HR3888) to better protect consumers from having their long-distance service changed without their knowledge. The practice, known as slamming, has become an increasing concern as competition for customers intensifies. The bill requires the Federal Communications Commission and the Federal Trade Commission to develop rules to prevent slamming if companies fail to impose effective rules of their own. The bill also includes provisions to protect Internet users from excessive, unrequested e-mail, a practice known as spamming. The panel also approved, by voice vote, legislation (HR4321) to toughen penalties against those who steal or misuse an individual's private financial information.

EPA ORDERS CUTS IN SMOG-CAUSING POLLUTANT:

The Environmental Protection Agency (EPA) today ordered 22 Eastern states to reduce nitrogen oxide emissions that cause smog downwind. Most affected will be utilities in the Midwest and Ohio Valley. While the largest sources of the pollution are coal-burning power plants, the EPA

said it will give states flexibility in deciding how to make the reductions. Factory and automobile emissions could also be targeted, although the EPA said curbs on power plants would be far more economical. If states focus on utilities, the reductions will cost utility customers about \$1 per month, the EPA said.

PACE OF ECONOMIC GROWTH SLOWED SHARPLY IN 2d QUARTER:

Growth in the U.S. economy slowed sharply in the spring. The gross domestic product -- the sum of all goods and services produced within U.S. borders -- advanced at a 1.8 percent annual rate in the second quarter, after shooting up at a 5.5 percent rate in the first quarter, the Commerce Department said today.

POLITICAL CLIPPINGS:

The MANCHESTER UNION LEADER reported former Vice President Dan Quayle's proposal that President Clinton resign and that the Republican-controlled Congress adopt a resolution calling on the new president, Al Gore, to issue Clinton a pardon protecting him from prosecution. "It's a way to get it behind us," Quayle said. "There's no reason to go through a criminal trial."

The ASBURY PARK PRESS quotes former Sen. Bill Bradley, D-N.J. (1979-97) as saying, "The president's behavior disgusts me. I think the president's actions are indefensible." But Bradley said the White House sex scandal will have no bearing on whether he seeks the presidential

nomination.

The FRONTRUNNER reported a Mason-Dixon Political/Media Research Inc. poll showing Sen. Lauch Faircloth, R-N.C., holding a lead of 10 percentage points over Democratic challenger John Edwards. The poll conducted Sept. 20-22 had a margin of error of plus or minus 3.5 points.

The BRISTOL PRESS reported that Rep. Nancy L. Johnson, R-Conn., has won an endorsement from the National Education Association. The teacher's union backed Johnson's Democratic challenger, Charlotte Koskoff, in 1994 and 1996.

THE LATEST SCHEDULE CHANGES:

TODAY: At 3 p.m. in S 128 of the Capitol conferees will convene on the energy and water appropriations bill (HR4060).

TOMORROW: The Senate Rules and Administration Committee has rescheduled -- time and place to be announced -- markup of a bill (HR2888) to overhaul legislative oversight of the government printing process. Today's hearing on Capitol security issues will continue tomorrow, time to be announced.

NOTED & QUOTED:

No. 1: Rep. Henry B. Gonzalez, D-Texas, cast his first vote and appeared on the House floor today for the first time since July 1997,

when he took ill with an infection and went home to San Antonio.

Gonzalez, 82, is retiring this year after 18 full terms.

No. 2: "Every time I give advice to Newt, he nods his head affirmatively."

-- Judiciary Chairman Henry J. HYDE, R-Ill., asked who is in charge of the House's impeachment inquiry.

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CQ's WASHINGTON ALERT 09/25/98

ILLINOIS: BAKER TRIES TO SOW DISSENT AGAINST EVANS

Hill News Highlights

(NEWS 09/25/98; 47 lines)

Item Key: 15525

ILLINOIS: BAKER TRIES TO SOW DISSENT AGAINST EVANS

By Karen Foerstel, CQ Staff Writer

Mark Baker, the Republican challenger to Illinois Democratic Rep. Lane Evans, launched a television ad this week in the largely agrarian 17th District that accuses the eight-term incumbent of ignoring agriculture issues.

The ads criticize Evans for leaving the House Agriculture Committee in 1988 and for voting against international trade initiatives largely supported by farm exporters, such the 1993 North American Free Trade Agreement (NAFTA) and the current proposal to restore the president's fast-track authority to negotiate trade deals.

"Lane Evans abandoned our farmers and our communities," the ad says. "Isn't it about time we had a congressman who cares about agriculture and understands our economy?" The ad ends by saying: "Mark Baker grew up on a family farm. In Congress, Mark Baker wants to work on the Agriculture Committee to fight for our family farms and our jobs."

The district has many farmers and is home to Deere & Co., the manufacturer of John Deere tractors. Baker's campaign says free-trade deals would boost the local economy by allowing farmers to export their products around the world.

But the district also has a large organized labor constituency -- centered in industrial cities such as Rock Island and Moline -- which makes up much of Evans' base. Evans, who has been running his own series of ads since Labor Day on his work to help the local economy, asserts that NAFTA and fast track will do nothing to boost crop prices in the immediate future and have more potential to hurt, rather than help, area workers.

The contest is a rematch of the 1996 race, in which Baker, a

television newscaster, came within 5 percentage points of ousting the incumbent. Evans, who previously had won re-election by wide margins, says he was taken by surprise last time but is now better prepared.

Evans, a liberal populist, is getting big help from the AFL-CIO, which ran issue ads supporting him in July. The Sierra Club also ran issue ads supporting Evans in April and August.

An unquantifiable factor in the race is Evans' announcement that he has Parkinson's disease. The revelation could hurt Evans -- if voters think he will not be able to carry out his duties effectively -- or help him if it promotes a sympathy vote.

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CQ's WASHINGTON ALERT 09/25/98

HOUSE GOP READY TO GAMBLE ON TAXES AND TRADE

Hill News Highlights

(NEWS 09/25/98; 144 lines)

Item Key: 15509

HOUSE GOP READY TO GAMBLE ON TAXES AND TRADE

By Bob Gravely, David Hosansky and Andrew Taylor, CQ Staff Writers

House Republicans seem ready to roll the dice on two of the biggest economic policy questions left in the 105th Congress, even though they plainly lack the votes to pass their trade bill and are also struggling to guarantee a majority for their tax package.

A vote is scheduled this afternoon on a proposal to revive fast-track trade procedures, under which Congress has three months to endorse or reject trade accords negotiated by the president, with no amendments allowed. But most vote-counters say the legislation (HR2621) is several dozen votes short of a majority.

No firm vote count was being circulated for the tax bill (HR4579) late last night, but it appeared to face opposition from most Democrats and a handful of Republicans as well. Despite the apparent closeness of the vote, however, the GOP leadership reaffirmed its plans to hold the House in session tomorrow and dedicate the day almost exclusively to debating that legislation.

Apparently to make way for these two debates, the GOP leadership had to delay a spurt of expected progress on an agenda of appropriations bills that is already woefully behind schedule. At least two conference reports on fiscal 1999 spending bills -- defense (HR4103) and energy and water (HR4060) -- were dropped from the GOP agenda for the next two days. Instead, a quick vote was scheduled for this weekend on a measure (HR4618) to deliver \$4 billion in emergency farm spending that was sought by farm-state lawmakers who were wavering on the trade vote. But that measure was inexplicably scrapped by the GOP leaders within minutes

of the Rules Committee rushing it toward the floor.

The rollicking rash of scheduling decisions by the Republicans all came in the face of one salient political fact: the Democrats, who feel especially under fire because of the scandal engulfing President Clinton, suddenly are closing ranks and creating an increasingly partisan end to the session.

FAST-TRACK REDUX

The fast-track bill is one of the most important on which President Clinton and GOP leaders agree. But the measure has never seemed better off than it was 10 months ago, when Democrats and their allies in organized labor stopped it in the last days of the session -- also the last time either legislative chamber was open on the weekend.

As a result, Clinton has shown no eagerness for this vote, while GOP leaders have maintained that a benchmark ballot was strategically important -- and might lead to a surprise victory. That was the same rationale they pressed last year until the last minute, when it proved outright wrong.

Going into today's debate, trade advocates worry that the impending defeat would be much worse than dropping the bill from consideration.

"This is going to make it much more difficult when it's taken seriously next year because members who vote 'no' will have a hard time

changing to a 'yes' later on," said Robert T. Matsui, Calif., a leading Democratic free-trader. Defeat, he added "can have some international repercussions in terms of how fragile the ... markets are," because it likely would be interpreted as a firm statement of a new U.S. opposition to expanded trade.

Congress has granted fast-track authority to every president since Gerald R. Ford. The current authority lapsed in 1994.

The proposed rules resolution to cover today's debate adopts a substitute amendment that gives the Agriculture Committee more time to review trade agreements and changes the bill's spending offsets. The substitute also requires the president to report on violations of child labor laws and includes other agriculture protections. But Collin C. Peterson, D-Minn., said that would not be enough to win over the farm-state votes seen as crucial to an upset victory for the bill.

SUDDEN UNCERTAINTY ON TAXES

The legislation would cut taxes \$80.1 billion in the next five years to the benefit of married couples, farmers, senior citizens, owners of small businesses and holders of savings accounts. It was written with bipartisan appeal as its goal but has drawn opposition not only from Democrats but also from perhaps a half-dozen GOP budget hawks. They insist that tax cuts be delayed until the general revenue portion of the budget is in balance, unless the cuts are offset with spending reductions.

"It will take Democratic votes to pass the tax-cut package," Mark W. Neumann, R-Wis., warned.

But Charles W. Stenholm, D-Texas, an opponent of the bill, predicted that as few as 10 Democrats may defect and vote "yes." Narrow passage would only lengthen the already long odds against the bill becoming law. It appears to have far less than the necessary 60-vote support in the Senate, and faces an ironclad veto threat from Clinton.

Democrats have united against the bill because it would use surpluses that flow from excess Social Security taxes, and they have adopted the president's "Save Social Security First" mantra -- first articulated in his State of the Union speech in January -- as their strategy to stop a tax cut within weeks of Election Day.

"He's got the pen ready. He's got the ink ready," Vice President Al Gore said of the president at a rally on the Capitol steps with a friendly crowd of labor union members and senior citizen activists -- a dozen in wheelchairs arrayed closet to the cameras.

The GOP retort is that it is hypocritical to oppose surplus-driven tax cuts at the same time they press for more than \$10 billion in additional "emergency" spending financed by the surplus. "The president and his party can't have it both ways," said House Ways and Means Chairman Bill Archer, R-Texas. "The Democrats shouldn't oppose using the surplus for tax cuts if they support using it for more spending."

The Democrats' drive on Social Security has helped keep Democratic defections to a minimum. And a handful of Republicans agree. Hoping to blunt that criticism, the GOP has crafted a measure (HR4578) that would place 90 percent of the coming budget surplus into a reserve account until Congress enacts plans to shore up the Social Security trust fund, which faces insolvency once the Baby Boomers hit retirement age. A vote on that bill is set for this morning.

When the tax bill comes up tomorrow, top Ways and Means Committee Democrat Charles B. Rangel, N.Y., will be allowed a vote on his proposal to delay most of the tax cuts until Social Security's solvency is ensured.

SLOW GOING ON SPENDING

A familiar dance between House leaders, budget hawks and appropriators about supplemental spending is delaying many endgame decisions. A band of conservatives and moderates led by David M. McIntosh, R-Ind., and Rick A. Lazio, R-N.Y., are pushing to fully pay for emergency spending for the Bosnia peacekeeping mission, federal Year 2000 computer problems and farm aid with offsetting cuts elsewhere. Even they privately admit they are almost surely going to lose in the end.

A key test comes this morning, as negotiators finally meet formally on the agriculture bill (HR4101), which has been ready for conference since the middle of July. Tentative plans called for adding \$4 billion

or more in farm disaster aid to the measure. Negotiators on the Treasury-Postal Service bill (HR4104) will meet on Monday, though fights over family planning and an effort by Appropriations Chairman Robert L. Livingston, R-La., to force out the top lawyer at the Federal Election Commission have yet to be resolved.

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CQ's WASHINGTON ALERT 09/25/98

APPROPRIATIONS: FINAL ENERGY AND WATER SPENDING BILL MAY BE READY

Scheduled Events

(NEWS 09/25/98; 44 lines)

Item Key: 15503

APPROPRIATIONS: FINAL ENERGY AND WATER SPENDING BILL MAY BE READY

By CQ Staff

After difficult final negotiations late last night, the conference report on the fiscal 1999 energy and water spending bill (HR4060) likely will be filed today.

The House is expected to take up the conference report Monday, said Elizabeth Mora, spokeswoman for the House Appropriations Committee.

Energy and Water Appropriations conferees outlined yesterday the contentious issues that they hoped to resolve by today's informal meeting. The major stumbling block is government subsidies for regional power administrations. Some lawmakers would like to continue funding the administrations, while others argue they should be dismantled in the wake of deregulation and competition in the electricity markets. Currently, four publicly funded power administrations collect revenues and deposit them in the Treasury.

Opponents of the Tennessee Valley Authority (TVA) seemed to have won the battle to stop funding the agency. The House version of the bill zeroed TVA accounts, while the Senate bill allocated \$70 million for the agency.

Another sticking point is funding for the Department of Energy program that maintains and refurbishes the nation's nuclear arsenal. The Senate bill included \$4.4 billion, compared with the House's \$4.1 billion. Other funding disputes involve dams, levees and other water projects.

Conferees decided to supply more money than the administration requested for the Army Corps of Engineers. The spending comes at the expense of other programs, particularly non-defense environmental cleanup and Energy Department laboratories. President Clinton is unlikely to veto the bill, but the White House has voiced concern about the Corps' funding levels.

The House bill included \$1.46 billion for the Corps construction account, while the Senate version included \$1.25 billion. Both levels are well above the \$784 million requested.

The House passed its \$21.1 billion spending bill on a 405-4 vote June 22; the Senate passed its \$21.4 billion version on June 18.

There are no more items to read.

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1 of 19 items CQ's WASHINGTON ALERT 09/25/98

FOREIGN AFFAIRS: BILL CALLS FOR RELEASE OF HUMAN RIGHTS ABUSE DATA

Schedule highlights

(SCHEDULE 09/25/98)

Item Key: 6

FOREIGN AFFAIRS: BILL CALLS FOR RELEASE OF HUMAN RIGHTS ABUSE DATA

By CQ Staff

A House Government Reform and Oversight subcommittee today will mark up a bill, sponsored by Tom Lantos, D-Calif., that would release U.S. intelligence and agency assessments of human rights abuses in Guatemala and Honduras.

Both countries have repeatedly asked the U.S. government for information about the human rights violations and abuses that occurred during their civil wars.

The measure is intended to "dramatically improve the current declassification procedures of human rights documents pertaining to gross human rights violations in Guatemala and Honduras," said Lantos, co-chairman of the Congressional Human Rights Caucus.

"Only full consideration and investigation of human rights abuses in these two countries can achieve the full accountability needed to rebuild a peaceful and reconciled civil society in those areas," he added.

The bill allows exceptions for information that might jeopardize U.S. military defense, intelligence operations and foreign policy.

It also protects intelligence agents, sources and methods. Lantos called the exceptions an "appropriate balance between the need for speedy and comprehensive declassification and the need to protect legitimate U.S. national security interests."

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CQ's WASHINGTON ALERT 09/25/98

ANTI-TERRORISM PROGRAMS

Future House committees

(SCHEDULE 10/02/98; Government Reform & Oversight -- Subcommittee on National Security, International Affairs and Criminal Justice)

Item Key: 62

ANTI-TERRORISM PROGRAMS

National Security, International Affairs and Criminal Justice Subcommittee (Chairman Hastert, R-Ill.) of House Government Reform and Oversight Committee will hold a hearing on the status of the Defense Department's domestic preparedness programs in response to the recent attacks on U.S. embassies in East Africa.

Oct. 2 10:00 am 2154 Rayburn Bldg.

Note: This hearing was originally scheduled for Sept. 23.

Information verified as of 06:53pm 09/24/98

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CQ's WASHINGTON ALERT 09/25/98

DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Future Senate committees

(SCHEDULE 10/01/98; Armed Services)

Item Key: 27

DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Senate Armed Services Committee (Chairman Thurmond, R-S.C.) will hold a hearing on current plans for Department of Energy national security programs.

Oct. 1 9:30 pm SR-222 Russell Bldg.

Witnesses scheduled:

Ambassador Bill Richardson - secretary of Energy

Information verified as of 06:53pm 09/24/98

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CQ's WASHINGTON ALERT 09/25/98

MILITARY READINESS ISSUES

Joint Hearing

House Committees

(SCHEDULE 09/25/98; National Security -- Subcommittee on Military
Readiness)

Item Key: 15

MILITARY READINESS ISSUES

Joint Hearing

Military Readiness Subcommittee (Chairman Bateman, R-Va.), Military
Installations & Facilities Subcommittee (Chairman Hefley, R-Colo.), and
Military Personnel Subcommittee (Chairman Buyer, R-Ind.) of House
National Security Committee will hold a joint hearing on the current
state of military readiness.

Sept. 25 9:30 am 2118 Rayburn Bldg.

Witnesses scheduled:

Gen. David A. Bramlett - former commander, U.S. Army
Forces Command; Vice Adm. Herbert A. Browne Jr. II -
commander, Third Fleet, U.S. Navy Pacific Fleet; Gen.
Richard E. Hawley - commander, Air Combat Command, U.S. Air
Force; Lt. Gen. Peter Pace - commander, Marine Corps Forces
Atlantic Commanding General, Fleet Marine Force Atlantic
Marine Expeditionary Force

Information verified as of 06:49pm 09/24/98

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CQ's WASHINGTON ALERT 09/25/98

ENERGY AND NATURAL RESOURCES NOMINATIONS

Confirmation Hearing

Future Senate committees

* Revised *

(SCHEDULE 10/01/98; Energy & Natural Resources)

Item Key: 33

ENERGY AND NATURAL RESOURCES NOMINATIONS * Revised *

Confirmation Hearing

Senate Energy and Natural Resources Committee (Chairman Murkowski, R-Alaska) will hold a confirmation hearing on any last-minute nominees submitted by the Administration.

Oct. 1 9:30 am SD-366 Dirksen Bldg.

Nominations:

Eljay B. Bowron to be inspector general, Department of the Interior

Rose Eilene Gottemoeller to be assistant secretary of Energy for non-proliferation and national security

David Michaels to be assistant secretary of Energy for environment, safety and health

Information verified as of 06:53pm 09/24/98

6 of 19 items

CQ's WASHINGTON ALERT 09/25/98

FOREIGN RELATIONS LEGISLATION

Full Committee Markup

Future Senate committees

(SCHEDULE date TBA; Foreign Relations)

Item Key: 39

FOREIGN RELATIONS LEGISLATION

Full Committee Markup

Senate Foreign Relations Committee (Chairman Helms, R-N.C.) will mark up pending legislation and vote on pending nominations.

Date TBA Time TBA SD-419 Dirksen Bldg.

Agenda:

S1868 - A bill to express U.S. foreign policy with respect to, and to strengthen U.S. advocacy on behalf of, individuals persecuted for their faith worldwide; to authorize U.S. actions in response to religious persecution worldwide; to establish an ambassador at large on international religious freedom within the Department of State, a Commission on International Religious Persecution, and a special adviser on international religious freedom within the National Security Council; and for other purposes.

NOTE: This was originally on the agenda for July 23. It is uncertain whether the bill will be considered before Congress adjourns.

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CQ's WASHINGTON ALERT 09/25/98

GRAHAM BREAKFAST

Future other news events

(SCHEDULE 09/29/98)

Item Key: 121

GRAHAM BREAKFAST

American League of Lobbyists will sponsor a breakfast meeting with Rep. Lindsey Graham, R-S.C., who serves on the House Education and the Workforce, Judiciary, International Relations and National Security committees.

Sept. 29 Time and room TBA

Contact: Patti Jo Baber at 703-960-3011

Information verified as of 06:53pm 09/24/98

U.S. SPACE POWER IN 21ST CENTURY

Joint Hearing

Future House committees

(SCHEDULE 09/29/98; Science -- Subcommittee on Space and Aeronautics)

Item Key: 94

U.S. SPACE POWER IN 21ST CENTURY

Joint Hearing

Space and Aeronautics Subcommittee (Chairman Rohrabacher, R-Calif.) of House Science Committee and Military Readiness Subcommittee (Chairman Bateman, R-Va.) and Military Research and Development Subcommittee (Chairman Weldon, R-Pa.) of House National Security Committee will hold a joint hearing on U.S. space power in the 21st century.

Sept. 29 9:30 am 2318 Rayburn Bldg.

Information verified as of 06:53pm 09/24/98

U.S. SPACE POWER IN 21ST CENTURY

Joint Hearing

Future House committees

* Revised *

(SCHEDULE 09/29/98; National Security -- Subcommittee on Military

Procurement)

Item Key: 79

U.S. SPACE POWER IN 21ST CENTURY * Revised *

Joint Hearing

Military Procurement Subcommittee (Chairman Hunter, R-Calif.) and

Military Research and Development Subcommittee (Chairman Weldon, R-Pa.)

of House National Security Committee, and Space and Aeronautics

Subcommittee (Chairman Rohrabacher, R-Calif.) of House Science Committee

will hold a joint hearing on U.S. space power in the 21st century.

Sept. 29 9:30 2318 Rayburn Bldg.

Information verified as of 06:53pm 09/24/98

POW, MIA OVERSIGHT

Future House committees

(SCHEDULE 10/02/98; National Security -- Subcommittee on Military Personnel)

Item Key: 78

POW, MIA OVERSIGHT

Military Personnel Subcommittee (Chairman Buyer, R-Ind.) of House National Security Committee will hold a hearing on oversight of prisoner-of-war (POW) and missing-in-action (MIA) policies.

Oct. 2 9:00 am 2118 Rayburn Bldg.

Information verified as of 06:53pm 09/24/98

MEDAL OF HONOR AWARD TO THEODORE ROOSEVELT

Future House committees

(SCHEDULE 09/28/98; National Security -- Subcommittee on Military
Personnel)

Item Key: 77

MEDAL OF HONOR AWARD TO THEODORE ROOSEVELT

Military Personnel Subcommittee (Chairman Buyer, R-Ind.) of House
National Security Committee will hold a hearing on awarding a medal of
honor to former U.S. President Theodore Roosevelt.

Sept. 28 2:00 pm 2212 Rayburn Bldg.

Witnesses scheduled:

PANEL:

Rep. Paul McHale, D-Pa.; Rep. Rick A. Lazio, R-N.Y.

PANEL:

John A. Gable - executive director, Theodore Roosevelt
Association; John Milius - producer, director and writer,
Warner Brothers; Nathan Miller - author and historian

Information verified as of 06:53pm 09/24/98

INTELLIGENCE AUTHORIZATION

Future conference committees

(SCHEDULE date TBA)

Item Key: 112

INTELLIGENCE AUTHORIZATION

Conferees will meet on legislation authorizing intelligence activities.

Date TBA Time and room TBA

Agenda:

HR3694 - A bill to authorize appropriations for fiscal year 1999 for intelligence and intelligence-related activities of the U.S. government, the Community Management Account and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

Senate Conferees:

SHELBY, R-Ala.; CHAFEE, R-R.I.; LUGAR, R-Ind.; DEWINE, R-Ohio; KYL, R-Ariz.; INHOFE, R-Okla.; HATCH, R-Utah;

ROBERTS, R-Kan.; ALLARD, R-Colo.; COATS, R-Ind.; KERREY,
D-Neb.; GLENN, D-Ohio; BYRAN, D-Nev.; GRAHAM, D-Fla.;
KERRY, D-Mass.; BAUCUS, D-Mont.; ROBB, D-Va.; LAUTENBERG,
D-N.J.; LEVIN, D-Mich.

Information verified as of 06:53pm 09/24/98

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CQ's WASHINGTON ALERT 09/25/98

FINANCIAL CONTROLS IN THE DEPARTMENT OF DEFENSE

Future Senate committees

(SCHEDULE 09/28/98; Judiciary -- Subcommittee on Administrative
Oversight and the Courts)

Item Key: 47

FINANCIAL CONTROLS IN THE DEPARTMENT OF DEFENSE

Administrative Oversight and the Courts Subcommittee (Chairman Grassley,
R-Iowa) of Senate Judiciary Committee will hold a hearing on the
effectiveness of financial controls in place within the Department of
Defense in light of several recent internal fraud cases.

Sept. 28 1:00 pm SD-226 Dirksen Bldg.

Witnesses scheduled:

PANEL:

Sharon A. Brown - systems accountant, Air Force Material
Command; Wendell L. Jones - auditor, Air Force Audit Agency;
Joseph A. Wise - systems accountant, Air Force Material
Command; Otas J. Horn - systems accountant, Air Force
Material Command

PANEL:

Jeffrey Steinhoff - director, Planning and Accounting,
Accounting and Information Management Division, General
Accounting Office; Gayle L. Fischer - assistant director of
defense audits, Accounting and Information Management
Division, General Accounting Office

PANEL:

John S. Nabil - director, Defense Finance and Accounting
Service; A. Ernest Fitzgerald - management systems deputy,
Office of Assistant Secretary of the Air Force

Information verified as of 06:53pm 09/24/98

INTELLIGENCE MATTERS

Future Senate committees

* New *

(SCHEDULE 10/01/98; Select Intelligence)

Item Key: 48

INTELLIGENCE MATTERS * New *

Senate Select Intelligence Committee (Chairman Shelby, R-Ala.) will hold a closed hearing on pending intelligence matters.

Oct. 1 2:30 pm SH-219 Hart Bldg. CLOSED

Information verified as of 06:53pm 09/24/98

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CQ's WASHINGTON ALERT 09/25/98

FREE ASSOCIATION COMPACTS

Joint Hearing

Future House committees

(SCHEDULE 10/01/98; Resources)

Item Key: 87

FREE ASSOCIATION COMPACTS

Joint Hearing

House Resources Committee (Chairman Young, R-Alaska) and Asia and Pacific Subcommittee (Chairman Bereuter, R-Neb.) of House International Relations Committee will hold a joint oversight hearing on compacts of free association with the Marshall Islands, Federated States of Micronesia, and Palau.

Oct. 1 2:00 pm 1324 Longworth Bldg.

Witnesses scheduled:

PANEL:

Stanley Roth - assistant secretary of State for east Asian and Pacific affairs; John Berry - assistant secretary of Interior for policy, management and budget; Kurt M. Campbell - deputy assistant secretary of Defense for Asia

PANEL:

Hersey Kyota - ambassador to the United States, Republic of Palau; Jesse B. Marehalau - ambassador to the United States, Federated States of Micronesia; Banny DeBrum - ambassador to the United States, Republic of the Marshall Islands

Note: This hearing was previously scheduled for Sept. 22.

Information verified as of 06:53pm 09/24/98

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CQ's WASHINGTON ALERT 09/25/98

FREE ASSOCIATION COMPACTS

Joint Hearing

Future House committees

(SCHEDULE 10/01/98; International Relations -- Subcommittee on Asia and the Pacific)

Item Key: 67

FREE ASSOCIATION COMPACTS

Joint Hearing

Asia and the Pacific Subcommittee (Chairman Bereuter, R-Neb.) of House International Relations Committee and House Resources Committee (Chairman Young, R-Alaska) will hold a joint oversight hearing on compacts of free association with the Marshall Islands, Federated States of Micronesia, and Palau.

Oct. 1 2:00 pm 1324 Longworth Bldg.

Witnesses scheduled:

PANEL:

Stanley Roth - assistant secretary of State for east Asian
and Pacific affairs; John Berry - assistant secretary of
Interior for policy, management and budget; Kurt M. Campbell
- deputy assistant secretary of Defense for Asia

PANEL:

Hersey Kyota - ambassador to the United States, Republic of
Palau; Jesse B. Marehalau - ambassador to the United States,
Federated States of Micronesia; Banny DeBrum - ambassador to
the United States, Republic of the Marshall Islands

Note: This hearing was previously scheduled for Sept. 22.

Information verified as of 06:53pm 09/24/98

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CQ's WASHINGTON ALERT 09/25/98

APPROPRIATIONS: FINAL ENERGY AND WATER SPENDING BILL MAY BE READY

Schedule highlights

(SCHEDULE 09/25/98)

Item Key: 2

APPROPRIATIONS: FINAL ENERGY AND WATER SPENDING BILL MAY BE READY

By CQ Staff

After difficult final negotiations late last night, the conference report on the fiscal 1999 energy and water spending bill (HR4060) likely will be filed today.

The House is expected to take up the conference report Monday, said Elizabeth Mora, spokeswoman for the House Appropriations Committee.

Energy and Water Appropriations conferees outlined yesterday the contentious issues that they hoped to resolve by today's informal meeting. The major stumbling block is government subsidies for regional power administrations. Some lawmakers would like to continue funding the administrations, while others argue they should be dismantled in the wake of deregulation and competition in the electricity markets. Currently, four publicly funded power administrations collect revenues and deposit them in the Treasury.

Opponents of the Tennessee Valley Authority (TVA) seemed to have won the battle to stop funding the agency. The House version of the bill zeroed TVA accounts, while the Senate bill allocated \$70 million for the agency.

Another sticking point is funding for the Department of Energy program that maintains and refurbishes the nation's nuclear arsenal. The Senate bill included \$4.4 billion, compared with the House's \$4.1 billion. Other funding disputes involve dams, levees and other water projects.

Conferees decided to supply more money than the administration requested for the Army Corps of Engineers. The spending comes at the expense of other programs, particularly non-defense environmental cleanup and Energy Department laboratories. President Clinton is unlikely to veto the bill, but the White House has voiced concern about the Corps' funding levels.

The House bill included \$1.46 billion for the Corps construction account, while the Senate version included \$1.25 billion. Both levels are well above the \$784 million requested.

The House passed its \$21.1 billion spending bill on a 405-4 vote June 22; the Senate passed its \$21.4 billion version on June 18.

(SCHEDULE 09/25/98; House Floor)

Item Key: 130

HOUSE FLOOR * Tentative *

Sept. 25

CONVENES AT 9AM.

HR4578 A bill to amend the Social Security Act to establish the Protect Social Security Account into which the secretary of the Treasury shall deposit budget surpluses until a reform measure is enacted to ensure the long-term solvency of the OASDI trust funds. -- BEGIN CONSIDERATION.

HR2621 A bill to extend trade authorities procedures with respect to reciprocal trade agreements, and for other purposes. -- BEGIN CONSIDERATION.

HR4579 A bill to provide tax relief for individuals, families and farming and other small businesses, to provide tax incentives for education, to extend certain expiring provisions, and for other purposes. -- BEGIN CONSIDERATION.

Conference report on:

HR6 A bill to extend the authorization of programs under the
Higher Education Act of 1965, and for other purposes. -- MAY
BEGIN CONSIDERATION.

HR4103 An original bill making appropriations for the Department of
Defense for the fiscal year ending Sept. 30, 1999, and for
other purposes. -- MAY BEGIN CONSIDERATION.

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CQ's WASHINGTON ALERT 09/25/98

SENATE FLOOR Sept. 25

Senate/House floor

* Tentative *

(SCHEDULE 09/25/98; Senate Floor)

Item Key: 132

SENATE FLOOR * Tentative *

Sept. 25

CONVENES AT 9:30AM.

S2279 A bill to amend title 49, U.S. Code, to authorize the

programs of the Federal Aviation Administration for fiscal years 1999, 2000, 2001, and 2002, and for other purposes. --

CONTINUE CONSIDERATION.

S442 A bill to establish a national policy against state and local government interference with interstate commerce on the Internet or interactive computer services, and to exercise congressional jurisdiction over interstate commerce by establishing a moratorium on the imposition of exactions that would interfere with the free flow of commerce via the Internet, and for other purposes. -- MAY BEGIN CONSIDERATION.

Conference report on:

HR4103 An original bill making appropriations for the Department of Defense for the fiscal year ending Sept. 30, 1999, and for other purposes. -- MAY BEGIN CONSIDERATION.

HR4112 An original bill making appropriations for the legislative branch for the fiscal year ending Sept. 30, 1999, and for other purposes. -- BEGIN CONSIDERATION.

There are no more items to read.

You are in SCHEDULE

Enter number(s), a command, or MENU

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! Searching the FLOORWATCH database for CQ's HOUSE ACTION REPORTS

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1 of 2 items

CQ's WASHINGTON ALERT 09/25/98

An Old Law With New Clout

Health/Education/Welfare

(HR3523; WR 09/26/98 p. 2560; 136 lines)

Item Key: 3808

An Old Law With New Clout

By Sue Kirchhoff, CQ Staff Writer

A Civil War-era statute has become one of the federal government's most effective tools for combating modern-day medical fraud, to the increasing ire of the health care industry.

The False Claims Act, originally signed by President Abraham Lincoln to combat Union army procurement scandals, was used to recover more than \$100 million in health care payments in fiscal 1997.

The act provides for penalties against firms or individuals that intentionally bilk the government or, through "reckless disregard," submit incorrect bills. It also encourages whistleblowers by letting informers collect as much as 30 percent of any penalty imposed as a result of the knowledge they share with prosecutors.

Recently, however, prosecutors have invoked the act not only to attack overbilling, but to go after health care providers charged with providing too little care.

In the past three years, the federal government and consumer advocates have used the act in negligence suits against nursing homes. The suits are based on the idea that shoddy care is as much a government rip-off as financial graft.

David R. Hoffman, assistant U.S. attorney in Philadelphia, in 1996 led the way against the long-term care industry. Hoffman's office has settled three cases against nursing homes, including the Aug. 13 announcement of a consent agreement with the Philadelphia Nursing Home,

run by the city and a subcontractor.

Pointing out that the act had been used to sue the defense industry for parts that did not meet contract specifications, he said: "It didn't seem like such a stretch to go from defective parts to defective care."

Hoffman's cases included charges of gross neglect such as a scalding death and untreated bedsores.

The agreements resulted in more than financial penalties on the health providers. They also spelled out standards for care that are monitored by the courts. One suit, brought on behalf of three patients in a single facility, resulted in new standards for an 18-home chain.

Hoffman estimates he gets three to four calls a week from other states seeking advice on the act. Consumer advocates are hoping the False Claims law will turn out to be a potent weapon to combat substandard care and outright negligence.

"We're very interested," said Lori Smetanka, law and policy specialist at the National Citizens' Coalition for Nursing Home Reform. "Aside from [an inadequate regulatory process], the only other method left to residents is private lawsuits."

The nursing home industry contends that complaints about quality are not the same as intentional fraud. It says nursing homes that receive federal payments are already stringently regulated under a 1987 law (PL

100-203) requiring better personnel training and the presence of a licensed nurse on duty around the clock. Medicare and Medicaid pay about half of U.S. nursing home bills. (1987 Almanac, p. 540)

"There were already inspectors going into the homes each year and surveying for hundreds of different things. That's really where those problems should be caught and corrected," said Robert L. Greenwood, associate director of communications and public affairs for the American Association of Homes and Services for the Aging, which represents nonprofit nursing homes.

A NEW ENVIRONMENT

Nursing homes are not the only segment of the health care industry concerned about the law.

Use of the False Claims Act has been increasing since a 1986 congressional rewrite (PL 99-562) designed to make it easier to go after modern-day military fraud. Instead, health care has outpaced defense and is now a major area of litigation. (1986 Almanac, p. 86)

Overall, the government has recouped more than \$4 billion from the health, defense and other industries since the 1986 changes, which eased the standards of proof and provided higher fines.

The law provides penalties of \$5,000 to \$10,000 for each false claim and damages of up to three times the improper payments.

The American Hospital Association (AHA), a hospital lobbying group, mounted a full-court press after the Justice Department last year used the act as the basis for a nationwide effort to recover funds from hospitals it alleged had overbilled Medicare for lab tests and other services.

The AHA complained bitterly that the department had fired off harsh letters to hospitals despite little evidence of wrongdoing and that it threatened double or triple damages unless the hospitals refunded disputed payments within weeks.

Some of the disputes involved less than \$100. Hospital officials said many overpayments were due to innocent billing errors that in the past would have been easily worked out.

"The environment has changed from zero tolerance for fraud to zero tolerance for errors. It's been a dramatic sea change, and this wide net has been cast with these indiscriminate letters to hospitals," said Mary Grealey, counsel for the AHA.

The Justice Department defended its actions. As of April 1998, it had recovered about \$58 million from 2,400 hospitals. The campaign was initiated only after several federal audits showed hospitals were not complying with billing procedures.

"We don't use the False Claims Act to address innocent billing

mistakes," said John Bentivoglio, Department of Justice special counsel for health care fraud.

In March, Rep. Bill McCollum, R-Fla., introduced a bill (HR3523) to amend the act. The bill, which has more than 200 cosponsors, would require that a false claim be as much as 10 percent of a provider's Medicare billings to be considered material and would bar actions if a provider had relied on erroneous information from an official agency.

McCollum said the act focused on paperwork errors rather than real fraud: "The reality is that [hospitals] make mistakes every single day."

Opponents of the McCollum bill contended it would gut the act by giving the health industry a free pass on the first 10 percent of fraud. Because the changes would be retroactive, the health care giant Columbia/HCA Healthcare Corp., the subject of a wide-ranging Justice Department probe, could be exempt from some serious charges.

Under pressure, the administration in June issued more stringent guidelines for implementing the act, including setting minimum monetary thresholds or percentage error rates for fraud. Industry officials remain uneasy, however.

Purse Strings and Heartstrings: The Home Health Dilemma

Health/Education/Welfare

(HR4567, S2323; WR 09/26/98 p. 2556; 527 lines)

Item Key: 3807

HEALTH

Purse Strings and Heartstrings: The Home Health Dilemma

>> Anti-fraud efforts have caused unexpected problems, and Congress is changing course

By Sue Kirchhoff and Mary Agnes Carey, CQ Staff Writers

ANACONDA, Mont. -- In this down-on-its luck town, full of ghosts instead of promise, James T. Mills is running short of choices. An expert skier who was on the slopes just last winter, the 80-year-old is now wheelchair-bound after a debilitating stroke.

Mills' challenge these days is to remain in his tidy house in this once-bustling community. He has made it, so far, with around-the-clock care by a devoted family and visits from home health nurses.

"A lot of the healing is [in] being able to be here," said his wife, Jean Mills, 77, who has had to learn how to run the dizzying array of

medical machinery that has replaced the mundane appliances on her kitchen counter.

Across town, Jane Anderson, administrator of the nonprofit home health agency treating Mills, has her own set of worries. She is afraid that Medicare changes approved by Congress in the 1997 balanced-budget law (PL 105-33) to save money and attack widespread fraud and abuse in the fast-growing industry will instead force her and other reputable providers to curtail services. For many seniors, the alternative to home health services is more expensive nursing home care. (1997 CQ Almanac, p. 6-3)

Similar concerns are being voiced across the nation by the approximately 10,000 home health agencies that contract with Medicare -- nearly double the number in 1990.

In an effort to save money and reduce incentives for agencies to overbill Medicare -- a problem so rampant that a Senate committee last year held a hearing called "Jackpot: Gaming the Home Health Care System" -- the budget law made a host of alterations.

Lawmakers placed an overall cap on reimbursement to individual agencies and froze payments per visit at 1994 levels. The cap was just an interim step while the Clinton administration designed a new, permanent system that would pay agencies a set amount per ailment, rather than per visit.

The changes have not worked out as planned. Industry officials said the law cut average payments by nearly a third -- and slashed reimbursements to some agencies by as much as 81 percent.

Lawmakers were barraged with questions about the issue at town hall meetings during the August recess. Faced with worried senior citizens and an all-out industry lobbying blitz, including a Sept. 10 march on the Capitol, Congress is scrambling to partially roll back the changes.

"Something has to be done or we're going to lose home health care in this country," said Sen. Christopher S. Bond, R-Mo.

The abrupt about-face on home health care illustrates the political dilemma facing Congress as it tries to tame the fraud, waste and abuse that is estimated to eat up 11 percent, or about \$20 billion, of annual spending on Medicare's fee-for-service program.

Lawmakers hope that targeted anti-fraud efforts will produce billions of dollars in savings, forestalling some of the politically painful spending cuts needed to ensure the long-term solvency of Medicare.

But as the home health imbroglio demonstrates, there is a catch: Going after waste and abuse requires Congress to make basic changes in how the program sets payment levels and reimburses care givers for the services Medicare provides to 38 million Americans. Those are precisely the kinds of difficult choices lawmakers had hoped to avoid.

"The biggest fraud in Medicare is the program design," said Thomas A. Scully, president and CEO of the Federation of American Health Systems, which represents private hospitals and health systems.

Scully and other experts argue that an irresistible invitation for abuse is embedded in the antiquated design of Medicare. Under the program, providers generally earn more by increasing the number of procedures, tests or home health visits they perform. Because of loose program controls, they are also able to boost profits by "upbilling" -- charging Medicare for more expensive services or products than are warranted.

Lack of competitive bidding means that Medicare pays millions of dollars more than warranted for wheelchairs, hospital beds and other supplies. In one instance, Medicare paid \$6 million to durable medical equipment companies that provided no services and whose false address was in the middle of a Miami airport runway.

The Health Care Financing Administration (HCFA), which oversees Medicare and Medicaid, is the world's largest purchaser of health care. More than 900 million Medicare claims are processed each year, and only about 10 percent are closely examined, according to HCFA.

In her 1997 annual audit of Medicare, June Gibbs Brown, inspector general for the Department of Health and Human Services (HHS), said waste, fraud and abuse totaled \$20.3 billion of Medicare payments.

The estimate, extrapolated from a smaller audit of 8,048 claims, does not prove that the health industry intentionally bilked Medicare of more than \$20 billion. Rather, Brown said, many claims were filled out incorrectly, did not include proper documentation, were medically unnecessary or were upbilled. She said it was impossible to pinpoint exactly how much came from intentional fraud.

AN INEXACT SCIENCE

Congress has tried to fix the system, with some success, by instituting more aggressive audits and investigations and tougher fines for those convicted of defrauding the system.

But that is only a partial answer that treats the symptoms, not the cause.

After stepping up enforcement, the government recovered about \$1 billion in wrongful Medicare payments in fiscal 1997. That figure shows an improvement over recent years, but represents only a fraction of estimated waste and abuse. The fact that Congress was forced to cut projected Medicare spending by \$112 billion over five years just to keep the program solvent through 2007 shows that more aggressive enforcement, so far, is no substitute for policy changes.

To prevent waste and abuse, and save big dollars, lawmakers have increasingly turned to managed care and the politically perilous tactic

of up-front cost controls. (CQ Weekly, p. 2079)

As the home health care fight shows, it is no easy task to clamp down on the powerful health industry, which already complains bitterly about budget cuts and the millions of dollars it spends each year to comply with complex federal laws. Further, lawmakers must weather the angst of seniors who worry that tighter rules mean reductions in care.

"Everybody is against fraud and abuse in general, but not when it involves someone they know," said Bruce Vladeck, a former HCFA administrator in the Clinton administration who is now professor of health policy at the Mt. Sinai School of Medicine in New York.

In fact, Congress and the Clinton administration have spent much of 1998 battling an industry backlash against recent investigations and legislation designed to crack down on fraud. Lawmakers have blocked proposed Clinton administration regulations to implement anti-fraud provisions of the 1997 budget law, debated a measure to weaken the Civil War-era False Claims Act that is one of the federal government's main prosecution tools, and are now grappling with the home health issue. (False Claims Act, p. 2560)

Health care analysts warn that the home health flap is just the beginning of a concerted industry effort to amend the budget law. Going far beyond the question of fraud, that law made a number of changes to reduce spending and keep the program solvent for 10 years. Hospitals are already complaining about cuts in reimbursement. Health maintenance

organizations are unhappy with reduced payments and regulations they call confusing.

HOME HEALTH CONUNDRUM

Home health care agencies, either private or nonprofit, provide nursing, physical therapy and other services to the homebound.

For example, another Anaconda resident, Margaret Baumgardner, 85, was able to remain independent with the help of home nursing visits provided by Medicare.

Baumgardner, who has a heart condition and suffered a recent bout of internal bleeding that landed her in the hospital, remained in her home until earlier this month when her daughters persuaded her to move to Great Falls, Mont., to be near them.

Home health care, which cost the federal government about \$2.5 billion in fiscal 1989, zoomed to \$18.1 billion in fiscal 1996 -- about 10 percent of Medicare spending. Much of that growth was attributable to an increase in the number of visits per user, to 76 from 27. Unlike other Medicare outpatient services, recipients are not required to make copayments.

The industry's rapid expansion was fueled by an aging population and a change made in 1983 in the way Medicare reimbursed hospitals. The 1983 law (PL 98-21) ended the practice of paying hospitals, within limits,

whatever it cost to treat Medicare patients. It moved instead to a system that provided a set amount per diagnosis -- a flat fee for an appendectomy, for example. (1983 Almanac, p. 391)

Home health was championed by lawmakers as a way to enable seniors to remain independent while at the same time providing a less costly alternative to nursing home care. While lawmakers have cracked down on home health, they still subscribe to the idea that it is beneficial to seniors.

Analysts said the tighter payment system gave hospitals a financial incentive to discharge patients earlier. It was also pushed along by unscrupulous providers who took full advantage of Medicare program flaws.

An individual is not required to have a health care background to become a Medicare-certified provider, leading cab drivers, bartenders and convicted felons to open their own agencies. At a recent House Ways and Means Committee hearing, Bill Thomas, R-Calif., chairman of the Health Subcommittee, held up a copy of Entrepreneur magazine that contained an article telling how to strike it rich in home health.

One recent California case involved a home health care agency founded by a former nightclub owner. He and his administrator pleaded guilty to submitting false claims worth \$2.5 million over a 17-month period and paying kickbacks for Medicare referrals.

Home health care agencies have low startup costs -- many are family-run businesses -- and can receive periodic, up-front Medicare payments that are only later reconciled with actual bills. That practice has resulted in overpayments to agencies that have later declared bankruptcy or simply vanished.

A 1988 decision by the U.S. District Court in Washington, D.C., overturned an HCFA effort to make it more difficult for individuals with chronic health conditions to qualify for home care. (1988 Almanac, p. 279)

OUT OF CONTROL

George F. Grob, deputy inspector general for evaluation and inspections in HHS' Office of Inspector General, told the Senate Special Committee on Aging last year that home health care "is out of control, and very badly so."

One part of the problem, said Grob, is that the number of Medicare home health claims audited dropped significantly since 1988, when intermediaries were reviewing 50 percent of such billings. Only 2 to 3 percent are now audited, mostly because the number of claims processed has jumped significantly since 1988. In 1990, for example, beneficiaries received 70 million home health visits. By 1995, that figure was 250 million.

Two July 1997 reports by the HHS inspector general also detailed

abuse.

One review of a randomly selected sample of home health agencies in California, Illinois, New York and Texas found that 40 percent of the total services provided did not meet Medicare payment rules. A second found that 25 percent of home health care agencies in five states were categorized as "problem providers," meaning their owners had questionable backgrounds or submitted multiple service claims.

To eliminate structural incentives for abuse, HCFA last year imposed a temporary moratorium on approving providers to participate in Medicare's home health care program.

The 1997 budget law required that agencies take out a surety bond, a financial instrument used to guarantee that individuals have a financial stake in a business and partially reimburse Medicare in the event of problems. Florida has used a similar system to weed out fly-by-night operators.

HCFA proposed that agencies take out a bond equal to 15 percent of their previous year's Medicare reimbursement. Officials estimate the average cost of such a bond at about \$4,000. Due to pressure from Congress, which said the proposal was too onerous, the requirement is on hold pending a report from the General Accounting Office (GAO).

To limit incentives for overbilling, the law instituted the new, temporary payment system Oct. 1, 1997. The system bases payments on a

blend of what Medicare paid for services in 1994 and agency-specific costs.

Agencies complained that the interim payment system rewarded inefficient agencies, which had high costs in 1994, while penalizing those who were more stringent. According to the National Association for Home Care, 1,240, or about 8 percent, of Medicare's 10,027 certified home health care agencies have either closed or withdrawn from the program due to the new system. A report released Sept. 9 by the GAO, however, found that despite such closures, there were still more agencies to treat Medicare beneficiaries in August 1998 than in October 1996. Critics said the report was flawed because it focused on just seven states.

Complaints against the interim payment system got even louder when the Clinton administration announced in July that, because of a year 2000 computer problem, it could not complete the permanent payment plan on time. The Congressional Budget Office now estimates that home health care savings will be greater than the approximately \$16 billion originally forecast over five years.

Anderson, administrator of Montana's Area V Home Health Agency, the 20-year-old Anaconda nonprofit treating Mills, said her agency is having trouble maintaining services under the interim payment scheme. She has been working with Sen. Max Baucus, D-Mont., on a solution.

Anaconda has been in decline since the 1980 closure of a huge

smelter that processed copper from the mines of Butte. Driving past the town's Jack Nicklaus-designed golf course -- actually a reclamation project built on a former superfund site (the sand traps are filled with cleaned-up smelter slag) -- Anderson said she did not know how she would care for chronically ill patients under the tighter cap. Her agency receives \$40.50 per visit, a figure on the low end of the national scale.

"There isn't any way that any agency can win or come out ahead in a place like Montana" under the interim system, said Jane Hron, president of the Montana Association of Home Health Agencies. "If an agency goes out of business, it will definitely affect care."

Montana has about 60 agencies for a 145,000-square-mile area, Hron said. To operate, an agency must get a state certificate of need and be audited annually. States that institute such controls generally see fewer abuses.

FIX IT OR LOSE IT?

Penny Thompson, director of HCFA's program integrity office, said that while officials in Washington understand agencies are upset about the new requirements, the changes are critical to preserving Medicare's home health benefits.

"If we don't do this, we won't have a benefit to protect. Manage it or you're not going to have it," she said.

Others point out that the intent of the budget changes was to close inefficient agencies. The question is whether Congress, in aiming at unscrupulous providers, hit some innocents as well.

With home health care agencies in every state, and intensive lobbying under way, Congress is now trying to figure out the exact impact of the budget law and some type of fix -- within limits.

At a Sept. 18 markup, Thomas, Ways and Means Committee Chairman Bill Archer, R-Texas, and other members of the panel criticized Medicare administrators for not offering specific solutions. Archer said the agency "didn't want the responsibility for making the tough decisions."

Nancy L. Johnson, R-Conn., said HCFA was unable to deal with the problem as a result of "bureaucratic bungling" that plagues the agency. Several Democrats on the panel, however, said it was Congress' responsibility to come up with solutions.

Lawmakers may try to increase reimbursements to lower-cost providers or allow higher payments for more cost-intensive services. The House Ways and Means Committee on Sept. 18 approved a bill (HR4567) to boost payments, but did not provide spending offsets. Archer and Thomas said the measure would go to the House Commerce Committee for consideration and assistance in identifying offsets. (CQ Weekly, p. 2489)

At both an Aug. 6 hearing and the Sept. 18 markup, HCFA deputy

administrator Michael Hash offered no alternatives to the current interim system but said the agency was willing to work with Congress to develop solutions. Hash said that while HCFA could implement the legislation, the agency had concerns about the proposal's \$1.4 billion cost.

The White House has said it will accept only a budget-neutral bill, which would put Congress in the unhappy position of redistributing funds to create a new set of winners and losers.

In the Senate, the chairman of the Select Committee on Aging, Iowa Republican Charles E. Grassley, has offered his own bill (S2323) to modify the interim system. He said he had "mixed feelings" about the Ways and Means plan because it "would not do much to address the reimbursement rates of high-cost agencies, and it also wouldn't eliminate the disparate treatment of older and newer agencies." Grassley said he also had "serious misgivings" about the price tag.

Finance Committee Chairman William V. Roth Jr., R-Del., and Daniel Patrick Moynihan, D-N.Y., circulated a "Dear Colleague" letter Sept. 17 referring to the GAO's findings and noting that "neither agency closures nor the interim payment system has significantly affected beneficiary access to care."

AN EASY TARGET

William J. Mahon, executive director of the National Health Care

Anti-Fraud Association, a group of private health insurers and government law enforcement officials, said Medicare has long been an easy target.

"Congress should know when it passes things, some people are going to scream," said Mahon. "Medicare has been perceived by some as the Mint."

Current HCFA administrator Nancy-Ann DeParle said her agency is making significant inroads against fraud and she does not anticipate pressure from Congress to curtail those efforts. "I haven't had any pushback from Congress with what we're trying to do here," she said in an interview.

The government recovered about \$1 billion in wrongful Medicare payments in fiscal 1997, while HHS excluded more than 2,700 individuals and entities from doing business with Medicare, Medicaid and other federal and state programs for fraud or other professional misconduct. Also in fiscal 1997, federal prosecutors filed 282 criminal indictments in health care fraud cases, a 15 percent increase over the previous year, according to a 1997 report on the Health Care Fraud and Abuse Control Program, created by a 1996 law (PL 104-191) dealing with insurance portability. (1996 Almanac, p. 6-28)

Last year's budget bill gave HHS and HCFA more power to exclude providers convicted of felonies or health-related crimes and levy civil monetary penalties on providers who take kickbacks.

HHS says that a separate initiative that began in 1995 called Operation Restore Trust has found \$23 in Medicare overpayments for every \$1 spent on the effort. The program, originally conducted in five states, focused in on the fastest-growing areas of Medicare, including home health care, skilled nursing facilities and durable medical equipment providers. Due to its success, Operation Restore Trust has been expanded to 24 states.

The sweeping Justice Department investigation of health giant Columbia/HCA further illustrates the government's more aggressive approach. The company has been charged with misbilling Medicare, and the probe is continuing. As a result of the investigation, the company has made widespread management changes and beefed up compliance and auditing programs. A planned October trial of four Columbia/HCA officials was recently rescheduled until May 1999.

William J. Scanlon, director of health financing and systems issues for the GAO, said that HCFA still has significant obstacles ahead.

In testimony delivered Aug. 10 before the Medicare commission, Scanlon said HCFA's ability to avoid "inappropriate payments" was "still hampered" for several reasons, including the fact that even with increased resources, Medicare reviews less than 4 percent of claims. HCFA said the figure is about 10 percent.

Scanlon also said that Medicare's information systems do not allow

easy profiling of claims to detect suspicious patterns of services. Even when inappropriate claims are found, there is almost no deterrent since most are simply returned unpaid with no fine.

"In the end, we are still going to be left with a loss of dollars to inappropriate payments," Scanlon said.

As home health illustrates, Congress has tried to get at fraud through policy changes, as well as tougher enforcement.

After intense, behind-the-scenes negotiations, Congress as part of the portability law gave HCFA and other agencies more enforcement tools.

The law moved money for anti-fraud efforts from the category of discretionary to mandatory spending, giving federal agencies new power to find and punish wrongdoers.

The 1997 budget law also included several pilot programs to test Medicare competitive bidding, changed the payment systems for skilled nursing care, and revamped Medicare payments for teaching hospitals and hospice care -- two areas where the HHS inspector general had identified potential abuse.

The changes are a good start, but not enough for some. In a 1996 report, Sen. Tom Harkin, D-Iowa, who has made Medicare fraud a personal crusade, estimated that Medicare could save \$236 million a year just by moving to a bidding system for medical supplies similar to one the

Veterans Administration uses.

INDUSTRY IN THE MIDDLE

The push by HCFA, the Justice Department and the HHS inspector general to attack fraud has some industry groups complaining bitterly that they are being unfairly targeted by investigators more interested in winning convictions and fines than in distinguishing intentional fraud from honest mistakes.

The American Hospital Association recently led an attack against the agencies' aggressive use of the 1863 False Claims Act for what it called innocent billing errors. That action forced the Justice Department and the HHS in June to issue new guidelines under which the agencies would pursue fraud cases.

In an Aug. 5 letter to the American Academy of Family Physicians, Gibbs Brown said health providers, practitioners and suppliers would not be subject to civil monetary penalties or the False Claims Act for "billing errors, honest mistakes or negligence. . . . Our law enforcement efforts are focused on improper claims that are made intentionally, or with reckless disregard for the truth, or with deliberate ignorance of the truth," she wrote.

While the guidelines were a good step, congressional oversight is still necessary to make sure they are followed, said Robert R. Waller, president and CEO of the Mayo Foundation and chairman-elect of the

Healthcare Leadership Council, a group of about 50 health insurers, drug manufacturers and other health companies.

"The government is having a hard time distinguishing between real fraud . . . and these differences in interpretation and honest clerical mistakes," Waller said.

With no one wanting to become the next Columbia/HCA, the health care industry has begun to put more effort into sophisticated up-front compliance and ethics programs to weed out billing errors and fraud. Compliance programs in place before an alleged illegal act are a contract with Medicare and set up compliance systems.

As Congress imposes tighter spending caps, officials are beginning to look at fraud differently. Managed care companies must guard against sanctions for providing too few, rather than too many, services to increase profits.

DeParle said she understands that some members of the health industry are unhappy.

"This is a whole new world for them," she said. But she added that they are not under siege. "This is not Armageddon here for health care providers."

Vladeck said HCFA's fraud recovery efforts will continue to improve, and the claims error rate for Medicare will drop to the mid-to-low double digits within five to 10 years. Still, that is billions of

dollars a year in fraud.

"But I don't think we're prepared to live in the kind of policy state that you would need to get below," that figure, Vladeck said.

DeParle wants to make substantial progress each year in cutting the rate, with the goal of reducing it to 5 percent by fiscal 2000, but she conceded that "that's probably too ambitious."

The reality that fraud will remain, at some level, within the Medicare program will continue to fuel the debate on Capitol Hill, said Mahon of the private anti-fraud group. "As long as the amount of money and the economic pressures of the system remain what they are, it will still be a fairly high-profile topic up there."

There are no more items to read.

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25 Sep 1998 03:10:05 EDT

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25 Sep 1998 03:09:59 -0400 (EDT)

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ARMS Email System

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

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CREATION DATE/TIME: 2-OCT-1998 04:02:00.00

SUBJECT: Nitealert Report - Nassif

TO: Robert J. Nassif (Robert J. Nassif@EOP [UNKNOWN])

READ:UNKNOWN

TEXT:

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! Nite-Alert Created for Rob Nassif - Office of Mgmt & Budget

! 2-OCT-1998 02:57:17

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CQ's WASHINGTON ALERT 10/02/98

How Two Fervent Free-Traders Helped Set Back 'Fast Track'

Trade/Transportation/Commerce

(HR2621; WR 10/03/98 p. 2675; 210 lines)

Item Key: 3855

TRADE

How Two Fervent Free-Traders Helped Set Back 'Fast Track'

>> Reps. Gingrich and Matsui put aside personal beliefs to promote their parties' interests in a vote that may resonate for years

By David Hosansky, CQ Staff Writer

There was nothing gentle about House Speaker Newt Gingrich, R-Ga., when he took to the floor Sept. 25 to blast Democrats for opposing fast-track trade legislation.

In a remarkably biting speech even for the combative conservative, Gingrich implied that Democrats were willing to let the world sink into an economic recession to appease their supporters in the labor movement.

"It is sad to see the partisan politics of the unions and the Democratic Party, and, yes, this [measure] may go down," he said. "But if this goes down and we end up in a steep worldwide recession, some of us will have had the comfort of knowing we cast the right vote."

Blunt as his words were, Gingrich, a longtime advocate of free trade, found himself playing anything but a straightforward role on that Sept. 25 vote. By allowing the House to take up a fast-track bill (HR2621) that had little chance to pass, Gingrich may have damaged prospects that lawmakers would give the president expanded trade negotiating authority in the next few years. (Fast track, CQ Weekly, p.

As expected, the House decisively defeated the proposal, 180-243, minutes after Gingrich's speech. Business leaders lobbied hard for the bill, contending they needed more access to overseas markets, but they could not overcome the combined forces of labor opposition and bitter partisan bickering. (Vote 466, p. 2688)

Gingrich was not the only free-trader who would compromise his own policy beliefs that day. The leading Democratic advocate of expanding international commerce, Robert T. Matsui of California, found himself leading the opposition to a proposal he had strongly supported as recently as 1997.

As different as they are in temperament and background, the two veteran lawmakers -- the caustic Georgian and the cerebral Californian -- found themselves under irresistible pressure to advance the interests of their own political parties, rather than adhere to their free-trade instincts.

The story of how the two men would temporarily bury the very thing they believed in illustrates how partisan and self-destructive the legislative process has become in this election year. Furthermore, the overwhelming bipartisan margin by which the House rejected the proposal (just 151 Republicans and 29 Democrats voted aye) indicates that fast-track supporters face a tough battle if they try to revive the measure in 1999.

"It's a very sad day for America, and it's a sad day for economies around the world," said a dejected Ways and Means Chairman Bill Archer, R-Texas, minutes after the vote.

Trying to salvage the measure, however, Archer wrote a letter to President Clinton on Sept. 29 asking him to set a "date certain" for a fast-track vote in 1999. "We can begin today by working together toward passing fast-track legislation in the 106th Congress," he wrote.

'VITAL TO NATIONAL SECURITY'

It would be hard to overstate the importance that GOP leaders and their business allies place on giving the president fast-track negotiating authority. The preamble to HR2621, written by Archer, declares: "The expansion of international trade is vital to the national security of the United States. . . . Trade agreements today serve the same purposes that security pacts played during the Cold War, binding nations together through a series of mutual rights and obligations."

Fast-track trade authority, granted to every president since Gerald R. Ford, means Congress must take up proposed trade agreements within 90 days in an up-or-down vote without amendments. Since a 1988 fast-track measure (PL 100-418) expired in 1994, economically growing countries such as Chile have refused to wrap up major trade deals with the United States because Congress could amend them.

"Chile . . . has a trade deal with every major economy in this hemisphere except us, giving each of our competitors an 11 percent tariff advantage, costing our citizens extra taxes on imported goods and costing our American workers jobs," said Jennifer Dunn, R-Wash., in the Sept. 25 debate. "The world is not waiting for the United States."

Even though the nation is losing business overseas, House GOP leaders have been stymied in their efforts to pass fast-track legislation. They pulled the measure from the floor in November 1997 when they appeared to lack at least 10 votes, and have been unsuccessful since in picking up additional support. (1997 Almanac, p. 2-85)

The reasons are many: opposition by labor and environmental groups, protectionist sentiment among many conservatives, a reluctance among some Republicans to give any more power to Clinton, and mixed feelings about the 1993 North American Free Trade Agreement. (NAFTA, 1993 Almanac, p. 171)

Matsui and other Democrats warn that fast track may remain in limbo indefinitely unless Republicans add compromise language encouraging trade negotiations to focus more on overseas labor and environmental issues.

In contrast, the Senate, with a more internationalist outlook, likely has the votes for passage. (Senate votes, 1997 Almanac, p. 2-85)

AN AWKWARD POSITION

Frustrated by the continued liberal opposition and sensing a chance to score political points weeks before Election Day, Gingrich announced in July that the House would vote on the measure in late September. He suspected the issue would put many Democrats in the uncomfortable position of trying to stand by labor unions -- a vital source of campaign contributions and volunteers -- without casting a vote against well-heeled businesses. Indeed, he even baited the Democrats in his floor speech: "The real issue is: Your union will not let you vote for free trade."

The conflicting political currents left Clinton, who made fast-track passage a priority in his January State of the Union address, in the awkward position of asking GOP leaders to put off the vote until early 1999. The alternative would have been to break with a majority of congressional Democrats just a few weeks before elections.

The decision to go to the floor also alienated Democratic free-traders -- especially when Republican campaign officials said the vote would be used to target some Democratic fast-track opponents in the fall elections.

"If they were using the issue of free trade to defeat my Democratic colleagues, I wasn't going to let myself be used as an agent in that process, and I resent it," Matsui said.

Free-trade Democrats, including Matsui, Steny H. Hoyer of Maryland

and Vic Fazio of California, pleaded with Gingrich to postpone the vote until 1999. Otherwise, they said, many members recorded as voting no before November could not easily change their positions in the future.

Republicans acknowledged the danger. Before the vote, GOP Conference Chairman John A. Boehner of Ohio said that if members voted it down, the House likely would not take up fast-track legislation again until 2001.

Although leaders hardly ever schedule a floor debate on a bill that lacks a majority, Gingrich decided to forge ahead. If Democrats such as Matsui voted against the bill, then they -- not GOP leaders -- would be seen as the ones playing politics with vital trade issues, he reasoned.

"In the middle of this level of instability, you yell partisan politics, and then you vote partisan against your own rhetoric?" Gingrich said on the floor as a grim and weary Matsui sat silently.

For the Speaker, seeking to bolster the slender 11-member House Republican majority, the fast-track vote may pay political dividends. That is because business organizations, frustrated all year by Republican inattention to their issues, are now training their fire on Democrats. "American business will hold fast-track opponents accountable for their actions," warned U.S. Chamber of Commerce Executive Vice President Bruce Josten in a written statement.

But infuriated Democrats accused the Speaker of selling out the nation's long-term economic interest.

Matsui said before the vote that next year he may give up his position as the ranking member on the Ways and Means Trade Subcommittee because the once-bipartisan consensus on trade has become so poisoned by political intrigue. Then the 20-year congressional veteran, widely lauded for taking a thoughtful approach to trade and tax issues, managed the opposition to fast track in the floor debate and assailed Republicans with unusually harsh rhetoric.

"Today's exercise in this legislation soils our national trade policy with the mud of partisan politics," he said. "It shows a disdain for the legislative process and it threatens to disrupt international markets and quite possibly our national economy."

Matsui's opposition could serve two purposes. It may help shield more junior Democrats in tough races who voted against the bill, while also giving Matsui more leverage with the party if he wants to drum up support for fast track in 1999.

The effect of the Sept. 25 vote is uncertain. Predictions that it would unsettle world markets proved unfounded, perhaps because the business community did not take the vote seriously. "The thing was dead as a doornail and everybody knew that," said I.M. Destler, a professor and trade expert at the University of Maryland's School of Public Affairs.

Furthermore, Destler and other economists said they doubted the lack

of fast track would have much effect on U.S. trade in the next year, in part because negotiators can do some preliminary work even without that authority. However, if Clinton still lacks fast-track authority by the time of World Trade Organization negotiations in late 1999 on boosting trade, that would begin to undermine the 50-year global trend toward free trade, they warned.

Disappointing as the partisan meltdown was to fast-track supporters, it did give them a consolation prize. The more lawmakers used trade to grapple for partisan advantage, the more they were forced to concede the wisdom of the bill's central tenet: limiting the congressional role on trade agreements.

"I believe that our president, as other presidents, should have the right to negotiate trade contracts, and it should not be the House or the Senate that is going to dot every 'i' or cross every 't,' " said Rep. Charles B. Rangel of New York. But Rangel, a loyal Democrat, criticized the bill for failing to protect workers or the environment. He voted against it.

There are no more items to read.

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02 Oct 1998 03:03:57 -0400 (EDT)

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! 13-OCT-1998 02:31:00

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1 HR2431 Wolf (R-VA) 09/08/97

Freedom From Religious Persecution Act of 1997.

(BILLTRACK; BillWatch 05/22/98; CRS 06/17/98 -- digest 189 lines)

Item Key: 4275

2 HR2708 Hamilton (D-IN) 10/23/97

Enhancement of Trade, Security, and Human Rights through
Sanctions Reform Act.

(BILLTRACK; BillWatch 10/30/97; CRS 07/28/98 -- digest 94 lines)

Item Key: 4821

3 HR4101 Skeen (R-NM) 06/19/98

An original bill making appropriations for Agriculture, Rural
Development, Food and Drug Administration, and related agencies
programs, for the fiscal year ending Sept. 30, 1999, and for
other purposes.

(BILLTRACK; BillWatch 10/09/98; CRS 07/09/98 -- digest 71 lines)

Item Key: 7624

4 HR3529 Chabot (R-OH) 03/23/98

Internet Tax Freedom Act.

(BILLTRACK; BillWatch 05/08/98; CRS 04/08/98 -- digest 29 lines)

Item Key: 6453

5 HR3694 Goss (R-FL) 04/21/98

Intelligence Authorization Act for Fiscal Year 1999.

(BILLTRACK; BillWatch 10/08/98; CRS 06/19/98 -- digest 94 lines)

Item Key: 6807

6 HConRes258 Lowey (D-NY) 04/01/98

A concurrent resolution encouraging international resolution of the political status of East Timor.

(BILLTRACK; BillWatch 04/14/98; CRS 05/27/98 -- digest 5 lines)

Item Key: 6734

7 HR4655 Gilman (R-NY) 09/29/98

A bill to establish a program to support a transition to democracy in Iraq.

(BILLTRACK; BillWatch 10/07/98; no CRS information available)

Item Key: 8689

8 HR4506 Smith (R-NJ) 08/06/98

A bill to provide for U.S. support for developmental alternatives for underage child workers.

(BILLTRACK; BillWatch 10/05/98; no CRS information available)

Item Key: 8355

9 HRes557 Lantos (D-CA) 09/28/98

A resolution expressing support for U.S. government efforts to identify Holocaust-era assets, urging the restitution of individual and communal property, and for other purposes.

(BILLTRACK; BillWatch 10/05/98; no CRS information available)

Item Key: 8678

10 HR3514 Conyers (D-MI) 03/19/98

Violence Against Women Act of 1998.

(BILLTRACK; CRS 06/16/98 -- digest 780 lines)

Item Key: 6420

11 HR3150 Gekas (R-PA) 02/03/98

Bankruptcy Reform Act of 1998.

(BILLTRACK; BillWatch 06/11/98; CRS 07/28/98 -- digest 740 lines)

Item Key: 5713

12 HR4569 Callahan (R-AL) 09/15/98

An original bill making appropriations for foreign operations,
export financing, and related programs for the fiscal year
ending Sept. 30, 1999, and for other purposes.

(BILLTRACK; BillWatch 09/18/98; no CRS information available)

Item Key: 8506

13 HR4579 Archer (R-TX) 09/16/98

Taxpayer Relief Act of 1998.

(BILLTRACK; BillWatch 09/17/98; no CRS information available)

Item Key: 8534

14 HR4309 Smith (R-NJ) 07/22/98

Torture Victims Relief Act of 1998.

(BILLTRACK; BillWatch 10/09/98; no CRS information available)

Item Key: 8032

15 HR4353 Bliley (R-VA) 07/30/98

International Anti-Bribery and Fair Competition Act of 1998.

(BILLTRACK; BillWatch 09/25/98; no CRS information available)

Item Key: 8123

16 HConRes295 Levin (D-MI) 06/24/98

A concurrent resolution expressing the sense of the Congress that the 65th anniversary of the Ukrainian Famine of 1932-1933 should serve as a reminder of the brutality of the government of the former Soviet Union's repressive policies toward the Ukrainian people.

(BILLTRACK; BillWatch 10/05/98; CRS 07/28/98 -- digest 5 lines)

Item Key: 7693

17 S231 Bingaman (D-NM) 01/29/97

National Cave and Karst Research Institute Act of 1997.

(BILLTRACK; BillWatch 08/01/97; CRS 04/29/98 -- digest 7 lines)

Item Key: 857

18 HConRes126 Lipinski (D-IL) 07/25/97

Concurrent resolution expressing the sense of the Congress concerning the war crimes committed by the Japanese military during World War II.

(BILLTRACK; BillWatch 09/29/97; CRS 09/12/97 -- digest 3 lines)

Item Key: 3948

19 HR2886 Doolittle (R-CA) 11/07/97

Granite Watershed Enhancement and Protection Act of 1998.

(BILLTRACK; BillWatch 10/05/98; CRS 05/22/98 -- digest 13 lines)

Item Key: 5248

20 HConRes254 Franks (R-NJ) 03/30/98

A concurrent resolution calling on the government of Cuba to extradite to the United States convicted felon Joanne Chesimard and all other individuals who have fled the United States to avoid prosecution or confinement for criminal offenses and who are currently living freely in Cuba.

(BILLTRACK; BillWatch 09/15/98; CRS 06/11/98 -- digest 6 lines)

Item Key: 6608

21 HRes519 Pappas (R-NJ) 08/06/98

A resolution concerning Iraqi development of weapons of mass destruction.

(BILLTRACK; BillWatch 09/08/98; no CRS information available)

Item Key: 8376

22 S1921 Jeffords (R-VT) 04/02/98

Health Care Personal Information Nondisclosure Act of 1998 or the Health Care PIN Act.

(BILLTRACK; BillWatch 04/09/98; CRS 04/14/98 -- digest 21 lines)

Item Key: 6754

23 HR2346 Lowey (D-NY) 07/31/97

Veterans' Memorials Protection Act of 1997.

(BILLTRACK; BillWatch 09/03/97; CRS 12/24/97 -- digest 5 lines)

Item Key: 4063

24 S2618 McCain (R-AZ) 10/10/98

Fair Competition in Foreign Commerce Act.

(BILLTRACK; no CRS information available)

Item Key: 8981

25 HConRes348 Smith (R-MI) 10/10/98

A concurrent resolution urging the president and Chile to engage in negotiations to conclude a free trade agreement between the United States and Chile, in the absence of fast track authority.

(BILLTRACK; no CRS information available)

Item Key: 9010

Enter one or more numbers or ALL, a command, or MENU

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1 of 1 items

CQ's WASHINGTON ALERT 10/13/98

HOUSE MAY TAKE UP CHEMICAL WEAPONS TREATY

Schedule highlights

(SCHEDULE 10/13/98)

Item Key: 1

HOUSE MAY TAKE UP CHEMICAL WEAPONS TREATY

By CQ Staff

The House today may take up a long-stalled bill to implement the Chemical Weapons Convention Treaty but the legislation likely will include provisions of the State Department reauthorization that has been held up for months.

Since the Senate ratified the chemical weapons pact in April 1997, the administration has sought implementing legislation (S610) for the treaty banning poison gas. The agreement outlaws the development, use or

stockpiling of chemical weapons and establishes an international agency to collect data and conduct inspections to verify compliance.

Republican leaders are poised to move the Senate-passed legislation, but only after adding portions of the State Department reauthorization (HR1757) that would merge two foreign affairs agencies into the department.

REMAINING ISSUES: Congressional leaders also are looking for ways to move other, more controversial portions of the State Department bill including payment of back U.S. dues to the United Nations. The Senate cleared the bill in April, but Foreign Relations Committee Chairman Jesse Helms, R-N.C., and Majority Leader Trent Lott, R-Miss., have yet to send it to President Clinton, who has threatened to veto the measure because of abortion-related restrictions it would impose on international family planning aid.

Helms and Minority Leader Tom Daschle, D-S.D., are attempting to include the bill, minus the abortion restrictions, in the omnibus spending bill Congress is expected to consider this week.

However, there is little support among House GOP leaders for providing money for overdue U.N. payments without the abortion restrictions. Republican leaders have assured Rep. Christopher Smith, R-N.J., chief backer of the abortion provision, that any attempt to resolve the U.N. arrears will include his provisions. "If the president wants the money to resolve the dispute over arrearages, we've given him

a way to do it," a Republican aide said.

The linkage has provoked ire among Republicans as well as Democrats. "They have married the two issues and some of us are fighting to divorce them," said House International Relations Chairman Benjamin A. Gilman, N.Y.

On the U.N. dues issue, unless at least \$347 million of the U.S. debt is paid -- a little more than one-third of the nearly \$1 billion owed -- the United States could lose its seat in the U.N. General Assembly. "They have to pay that," said an aide to ranking Senate Foreign Relations Democrat Joseph R. Biden Jr., Del. "It's like the minimum on your credit card."

OVERSEAS TRAVEL: The House will also consider as a separate bill (HR4805) a provision of the State Department authorization that would require the executive branch to submit annual reports to Congress on the cost of overseas travel to international conventions. The administration currently lists only contributions to conventions in its budget.

There are no more items to read.

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Re-enter your command or enter MENU or HELP

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1 of 2 items CQ's WASHINGTON ALERT 10/13/98

LEGISLATIVE WEEK -- WEEK OF OCTOBER 12

House Legislative Week

(FLOORWATCH 10/12/98; 2075 lines)

Item Key: 1288

House amendments to S610 also contain most of the conference report on HR1757, Foreign Affairs Reform and Restructuring Act. That agreement implemented a previously negotiated reorganization of U.S. foreign policy agencies (including merging the Arms Control and Disarmament

Agency (ACDA), the United States Information Agency (USIA), and certain functions of the Agency for International Development (AID)) into the State Department. The measure passed Congress last March, but because

This bill, as amended by the House, however, does not contain the "Mexico City" restrictions, nor does it contain HR 1757's provisions authorizing U.S. payment of late dues to the United Nations.

SUMMARY: This bill -- as amended by the House amendments offered by the floor manager -- implements the Chemical Weapons Convention, directs

a major reorganization of U.S. foreign policy agencies, earmarks \$100 million to move the U.S. Embassy in Israel from Tel Aviv to Jerusalem and strengthens existing U.S. sanctions against Cuba.

Chemical Weapons Convention Implementation

(The Chemical Weapons Convention, to which the United States is a

certain chemicals to report on their production. However, it also specifies sanctions against persons or business entities who disclose unauthorized or confidential business information, including arms export prohibitions; controlled goods or technology export prohibitions; opposition to financial or technical assistance by international financial institutions; denial of Export-Import Bank guarantees; prohibition of private U.S. bank credit; blocking of assets under U.S.

or air carriers owned by such a person or entity; and exclusion from the United States of any OPCW employee who discloses unauthorized information. The measure requires similar sanctions against foreign governments assisting or encouraging unauthorized disclosure of confidential business information.

Presidential Reports

Foreign Affairs Agencies Reorganization

The House Amendments direct a major reorganization of U.S. foreign policy agencies -- including abolishing the Arms Control and Disarmament Agency (ACDA), the U.S. Information Agency (USIA), and certain functions of the Agency for International Development (AID) -- and consolidates them into the State Department.

The measure requires the president to submit to Congress a plan that details the transfer of the agencies to the State Department, and mandates the abolition of ACDA and certain functions of AID.

ACDA, founded in 1961, provides advice on nuclear weapons agreements, verification, implementation, compliance and other arms

control and nonproliferation issues. The measure requires the president to abolish the agency and merge its functions into the State Department

within one year of submission of his plan, or the date of this legislation's enactment, whichever is later.

The measure requires the president to abolish USIA and merge its functions into the State Department within two years of submission of

almost 8,000 employees.)

The amended bill also contains general outlines for transferring functions from AID to the State Department, and ensures the continuation of certain international broadcasting activities.

Finally, the bill gives the president discretion in determining the

transfer of functions and personnel within the new structure.

State Department Authorization

The House amendments to the bill authorize \$1.69 BILLION in FY 1999 for State Department diplomatic and consular functions, and \$367 million in FY 1999 for the department's salaries and operations, including \$2

Counterdrug Strategy

The bill requires the State Department to develop and submit to Congress a comprehensive, long-term strategic plan to carry out the

counterdrug responsibilities of the State Department in a manner consistent with the National Drug Control Strategy.

Specifically, the measure requires the secretary of State to report to Congress every three months on enforcement of a provision in the Cuban Liberty and Democratic Solidarity Act (PL 104-114), which requires the State Department to deny entry into the United States those persons "trafficking" in property confiscated from U.S. nationals in Cuba.

The measure requires the State Department to report to Congress

contributions to the International Atomic Energy Agency (IAEA) by the amount the agency plans to spend in Cuba -- unless Cuba takes a number of steps, including ratifying the Treaty on Non-Proliferation of Nuclear Weapons and accepting internationally accepted safeguards at its nuclear facilities.

Finally, the amended bill withholds U.S. assistance to any country

that provides nuclear fuel to Cuba by an amount equal to the value of the fuel and related assistance. The withholding could be waived if Cuba ratifies the Treaty on Non-Proliferation of Nuclear Weapons, complies fully with International Atomic Energy Agency safeguards, and is in compliance with internationally accepted safety standards.

NATO Expansion

The measure expresses the sense of Congress that any revisions to the Treaty on Conventional Armed Forces in Europe be approved by the Senate. (The House version directed that such revisions be voted on according to procedures contained in the Arms Control and Disarmament Act, which effectively grants both houses of Congress a vote on the changes.) The agreement also declares that Congress would not approve any nation's (in effect, Russian) demands to restrict the construction

* Taiwan / WTO -- Declares congressional support for the accession of Taiwan to the World Trade Organization (WTO).

* Vietnam -- Directs the State Department to report to Congress on the development of U.S.-Vietnamese relations, including progress made in the areas of POW/MIAs, human rights, political prisoners, and refugees.

* Laos -- Requires the State Department to report to Congress on allegations of persecution and abuse of the Hmong and Laotian refugees who have returned to Laos.

* Serbia -- Expresses the sense of Congress that the U.S. should support the development of democracy in Serbia.

* Japan-U.S. Commission -- Changes the name of the "Japan-United States Friendship Commission" to the "United States-Japan Commission."

* Diplomatic Immunity -- Directs the State Department to report to Congress on the possibility of revising current guidelines on diplomatic immunity.

foreign corporation that derives its income from banking, finance or insurance. Estimated cost: \$495 million over nine years.

Generalized System of Preferences

The measure extends through Dec. 31, 1999 a provision which grants authority to the president to provide duty-free treatment on imports

from certain developing countries. To qualify for the so-called generalized system of preferences, each beneficiary country is subject to various mandatory and discretionary eligibility criteria. Estimated cost: \$477 million over nine years.

Private Activity Bond Cap

(H Rept 105-767). The Senate passed its version of the bill by voice vote June 11 (S Rept 105-202).

The 376-unit National Park Service (NPS) provides stewardship for a variety of natural and historical resources, including parks, historic sites, memorials, monuments, seashores, battlefields, parkways and

trails.

practices to enhance competition in the bidding process.

(Roughly 640 concessioners currently operate in 133 units of the National Park System. They vary in size from small, family-owned businesses, to those operated by subsidiaries of large multi-national corporations. The services that the concessioners provide range from year-round hotels and restaurants to seasonal canoe or boat rentals.

2 of 2 items

CQ's WASHINGTON ALERT 10/13/98

SENATE FLOOR FORECAST FOR OCT. 13, 1998

SenateWatch

(FLOORWATCH 10/13/98; 73 lines)

Item Key: 1289

Lott said yesterday.

Negotiators also are haggling over if and when the United States should pay its dues to the United Nations. Republicans are seeking reforms at the world body, particularly in budgeting issues.

Democrats and President Clinton are pounding the Republicans to fund

to be lumped together in the omnibus bill: the interior bill (S2237, HR4193); the District of Columbia spending bill (S2333, HR4380); the foreign operations bill (S2334, HR4569); the bill to fund the Commerce, Justice and State departments (HR4276); the Labor and Health and Human Services bill (S2440, HR4274); the Treasury Department and Postal Service bill (HR4104); and the bulk of the vetoed agriculture spending bill (HR4101).

There are no more items to excerpt.

You are in FLOORWATCH

Enter number(s), a command, or MENU

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! ----- Searching the COMMITTEES database -----

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! For New Markups or other Committee Action on Bills You Are Tracking

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! ----- CQ WEEKLY REPORT articles -----

! --- on Foreign Policy or Trade ---

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Approximate Connect Time: 0 Hour(s) 6 Minute(s)

===== ATTACHMENT 1 =====

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13 Oct 1998 02:40:12 EDT

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Received: from veeger.CQ.COM via Pony Express VMS Mail FPI (v9.5.0-moe002)

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X-VMS-To: WINS%"rooney_a@a1.eop.gov"

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ARMS Email System

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CREATOR: Sylvia_Bolivar (Sylvia_Bolivar@leahy.senate.gov@INET@LNGTWY [UNKNOWN])

CREATION DATE/TIME:28-OCT-1998 15:22:00.00

SUBJECT: fyi, David Gramm's profile of P.J.L. jll

TO: Sara M. Latham (Sara M. Latham@eop [UNKNOWN])

READ:UNKNOWN

TEXT:

6 AP 10-26-98 14:26 EST 133 Lines. Copyright 1998. All rights reserved.

AM-VT--Leahy Record,1160<

Land mines, technology, bringing home bacon top Leahy's concerns<

By DAVID GRAM Associated Press Writer

MONTPELIER, Vt. (AP) Banning land mines, preserving civil liberties in cyberspace, expanding the Green Mountain National Forest and cleaning up Lake Champlain all have been high on Sen. Patrick Leahy's agenda the past six years.

Leahy, 58, is not having his record tested this year as he runs walks, really to a fifth term in the U.S. Senate. His token opponent, retired dairy farmer Fred Tuttle, has endorsed him.

Running for re-election usually shines a spotlight on a public official's record, and gives voters a chance to assess

that record.

Without a genuine campaign this year, though, voters interested in examining Leahy's record may wish to get the "Voter's Self-Defense Manual," put out by Project Vote Smart, a national, nonpartisan group whose aim is to clear the air of political balderdash.

Clues on Leahy's record can be gleaned from the grades various advocacy groups give him the manual lists them.

The liberal Americans for Democratic Action said Leahy rated a grade of 80 percent in 1997; on the other side of the spectrum, the American Conservative Union last week gave Leahy a 12 percent grade.

The National Taxpayers' Union gave Leahy a grade of 26 percent, while the National Education Association teachers' union gave him a 100.

The scores clearly qualify Leahy as a liberal, but he's not the most liberal member of the Senate by any means. In fact, the ACU rated 30 Democrats a majority of their party in the Senate as more liberal than Leahy.

The most widely noted instances of Leahy going against his party and against his president were two votes by him to override President Clinton's veto of a ban on late-term "partial-birth" abortions. The override failed both times.

"I feel if the fetus is viable, then abortion should be the last resort, to save the life of the mother," Leahy explained in an interview this weekend.

On other abortion-related issues, Leahy has sided with

abortion rights supporters. He voted against prohibiting aid to organizations in other countries that use their own money to perform abortions.

And on most issues, Leahy has been reliably allied with the Clinton administration and the Senate Democratic leadership. He's a milder critic of the International Monetary Fund than Rep. Bernard Sanders, I-Vt. Leahy has backed support for the IMF and supported ``fast-track" authority for the president, designed to make trade agreements easier to achieve.

He has voted to support affirmative action in federal highway contracting; he supported the McCain-Feingold campaign finance reform bill, which failed; he's voted to impose economic sanctions on foreign companies that sell missile technology to Iran.

But to hear Leahy and those close to him tell it, the story of his work in the Senate is less well told by individual votes than by longer-term commitments to issues.

The effort to win an international ban on land mines is a good example. Leahy has spoken out often on the issue, trying unsuccessfully so far to get the Clinton administration to sign on to an international treaty to rid the world of the devices.

He got fired up about the issue after meeting a boy who had lost his leg to a land mine in Honduras in the 1980s, and has been the Senate's leader in the effort to eradicate land mines since then.

John Podesta, a White House aide whom Clinton appointed chief

of staff last week, worked for Leahy as a staffer on the Senate Judiciary and Agriculture committees in the 1980s.

``He's my best friend in the Congress," Podesta said. ``He's been to my kids' baptisms." But when the friends have been opposing negotiators on the land mine issue, Leahy has been formidable, Podesta added.

The United States no longer exports land mines, under a 1992 law authored by Leahy. He led the effort to get funding beefed up for land mine removal around the world, and he has pushed the administration to put more effort into researching technological alternatives to land mines.

Podesta said, ``I think there's a commitment (from the White House) both from an R-and-D perspective and a diplomatic perspective" to move toward Leahy's position on land mines.

Leahy will be the sixth most senior Democrat in the Senate as he begins his fifth term in January, holding the ranking, or senior Democratic, position on the Judiciary Committee. He often jokes that he likes the Senate's seniority system better with each passing year.

But Leahy said seniority's real benefit is ``the personal relationships you develop over time." He counts Republicans Orrin Hatch of Utah and Richard Lugar of Indiana as among his closest friends in the Senate, and credits Lugar with crucial help in winning approval in 1996 of the Northeast Dairy Compact.

Leahy wins high marks from those who advocate freedom from regulation on the Internet. He has battled with the Clinton

administration over its bid to make Internet wiretapping easier, and was a leader in the successful fight against the Communications Decency Act.

He says the law would have barred online services geared to victims of breast cancer because of such sites' frequent use of the word ``breast." And he notes with some irony that had the law passed, it would have barred online publication of independent counsel Kenneth Starr's report on the Clinton-Lewinsky affair.

One area where Leahy comes in for some criticism even from supporters is in agriculture. He was chairman of the Senate Agriculture Committee in the 1980s, a time when Vermont continued to lose dairy farms year after year. And there were complaints when the dairy compact was pending that Leahy wasn't working hard enough to get it passed.

The Vermont House, controlled by Leahy's fellow Democrats, went so far as to pass a resolution in February 1996 implicitly criticizing Leahy's failure to get the compact passed up until then.

``He needed a wake-up call," recalled Rep. Robert Starr, D-Troy, the sponsor of the resolution.

But Leahy, true to his reputation as a tough negotiator, wasn't giving an inch on that one in a weekend interview.

He said that the Agriculture Committee actually didn't have jurisdiction over the multi-state pact, but he was trying to use the committee and the farm bill it was working on as the vehicle anyway.

"I was working to try quietly to attach it to the farm bill.

To do that I had to act like I really wasn't all that
interested in it."

Publicity surrounding the Vermont House's resolution nearly
killed the deal, Leahy said. "People started asking, 'Where is
it?'" The resolution was "probably as dumb a move as I have
ever seen. It took two or three weeks of very careful and quiet
work to repair the damage."

ATTACHMENT 1

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CREATION DATE/TIME:13-NOV-1998 10:31:00.00

SUBJECT: Weekly Monitor for 11/13/98

TO: Jonathan Orszag (Jonathan.Orszag@eop [UNKNOWN])

READ:UNKNOWN

TEXT:

MEDLEY GLOBAL ADVISORS

WEEKLY MONITOR

November 13, 1998

PART I - CORE POSITIONS:

G-7

UNITED STATES

-- Nothing to lose and a lot to gain with further eases. The return of market liquidity is still fragile and the real economy still faces strong prospects of below trend growth. Stock market a question mark, but our odds for a quarter point cut next week still at 60% and better.

-- Republicans still dead, but selection of pallbearers at least providing political theater. Ascendency of Livingston as Newt successor points to pragmatic GOP battle line in 106th Congress and marginalization of the Far Right. House Majority Whip Arney may hang on, but Dunn or surprise eleventh hour bid by Dreier may shove him aside. Lucky Lott and Senate leadership likely to survive purge. Now if they could just come up with a coherent

message, but George W's compassionate conservatism and success with Hispanic and African-American vote points the way.

-- Dem victory likely to mean harder road for Fast Track Authority and a surge in protectionist sentiment as unions call in election chits for getting out the vote. First test of strength looming over steel fight.

-- Washington buzz continues about graceful Bob Rubin adieu. Fannie Mae rivals Frank and Jim aside, White House is reportedly conducting stealth vote count to see whether Summers gets through the Senate now that Enemy Number One D'Amato is Schumerized. If Rubin is going to go, the clock is ticking before the onset of Typhoon Depression.

-- Memo to Saddam: duck! We said that when the UN start clearing out personnel, you should cancel your Baghdad Hilton reservations. Call now before it's too late.

EUROPE

-- A Fed cut would pave way for pre-year-end cut by Banque de Buba. Tietmeyer pointing markets in that direction by doing a John Donne this week, publicly stressing "we (in Euro-land) do not live on an island of the fortunate few, [and] naturally we examine the appropriateness of our interest rate cuts at every council meeting and sound out potential leeway for rate cuts. "We continue to agree: Our previous 50% odds of a pre-year-end rate cut lifted to 75% if the Fed cooperates with a rate cut next week .

-- Big Irish easing last Friday puts Italy on deck again, with Duisenberg applying pressure, but Fazio kicking back. Italian cuts all that remain to prod last of Portuguese, Spanish, Finnish and Irish convergence into line by end of November to make room for Christmas core cut gift to Wim.

- UK still on for rate cuts 25 basis points minimum, goofy inflation report notwithstanding.
- 1999 ECB rate cuts remain on course, with rates at 2.75% by June 1999, and likely to be even lower.
- Stability Pact still under attack. D'Alema -- surprise! -- delivered exactly that on Wednesday, and German State Secretary Heiner Flassbeck's open repudiation of the Stability Pact met with little comment and no rebukes from other EU governments.

JAPAN

- Profound pessimism permeates Tokyo as policymakers rush to kickstart the moribund economy with massive stimulus and liquidity provisions. One senior policymaker laments, "There is no light at the end of the tunnel. Not even a glimmer." Of course, this is exactly the moment US advisors get bullish on the place and start upping stock recommendations.
- Reports abound that growth prospects in FY1999 look like 0% at best and a new wave of real estate price cutting and capital spending slashing is underway.
- Stimulus package looks set to come in exactly at the 20 trillion yen level expected for weeks now. There could be a bit higher spending that brings it to the low 20s, but remember, this is for 15 months so watch the claims that it's the largest package in history. Still, it's an impressive number on the surface, but can it counteract the aggressive downturn in private spending and investment?
- Liberal Party leader Ozawa has offered to cut the consumption tax from 5% to 0% for two years. The entire ruling LDP hierarchy stacked against it and the idea is currently stalled politically. The only hope is if

political panic sets in later this year. Still, the trouble is it is

Ozawa's idea and that makes it a non-starter.

-- Spending caps that have prevented local officials from disbursing their share of the stimulus pie are about to be lifted.

-- No cuts in BOJ's overnight or ODR imminent, but no strong opposition either. The majority at the BOJ could slide toward favoring such a move quite easily. While the real economic impact would be, of course, negligible, it wouldn't hurt.

-- The main mission of the BOJ will be aggressive liquification of the private sector through microeconomic and targeted purchases of corporate paper and JDB guaranteed paper for smaller sector. BOJ officials will also continue debate on how to monetize government debt.

-- The Japan Development Bank will join new lending programs for smaller and medium-sized businesses with a 5 trillion yen guarantee program and a direct loan window of 20 trillion yen. These loans will be good for normal operating expenses as well as for capital investments. Welcome to Socialism and that is not a criticism.

-- \$/yen happy-zone trading range is 115-125; still comfortable inside 110 to 130, and intolerable outer range is below 110 and above 140.

EMERGING MARKETS

BRAZIL

-- A Letter of Intent has been agreed for an IMF-led international package of over \$40 billion, and IMF Board approval is expected on November 20. Both sides of the negotiation agree that implementing the fiscal elements of the program is essential for maintaining the exchange regime.

-- The budget program is making progress through Congress, but there will be compromises and bumps along the way. A prime candidate for compromise is the level of the contentious CPMF tax. Big bumps will arise at the state level as well, with the politically motivated suspension of the R 4 bn Rio waterworks privatization an early harbinger. The fiscal impact will not be measurable until 1999, so the performance targets discussed with the IMF have concentrated on 1999 Q1.

-- The package may have stabilized markets, but a severe recession is expected next year and a key question remains what the real impact on the government budget will be. The interest rate cut this week, although it took place before an IMF agreement was announced, did not meet the government's original goals. Production dropped 2.4% in September and tax receipts were down 5.6% in October. More cuts are needed fast. The government's goal of holding recession to only a 1% drop next year is in danger.

-- Cardoso will do his best to keep the foreign bank accounts and wiretappings from becoming an issue in Congress and continue to press his reform program. Cardoso's NY accounts are a matter of public record, but according to a private investigation's report, there are Cayman accounts under Cardoso's name. The legal implications are unknown at this point. He has assured US and IFI officials there is nothing ultimately embarrassing in the charges. Moving the investigation to the Federal Police was designed to eliminate any perceived bias, but the situation still has the potential to cause embarrassment.

APEC

-- Post-crisis financial relief for Asia will push APEC's traditional trade

liberalization discussions down the agenda. Efforts to nail down the details of the Miyazawa Plan and associated debt relief initiatives in time to produce a big positive announcement for the summit have been largely completed. Expect Japanese aid to be linked to trade credits and World Bank debt guarantees.

-- Trade liberalization among floundering economies will be more dream than reality. So far, three unscheduled, frustrating, and inconclusive meetings among senior officials at APEC have taken place over the Early Voluntary Sectoral Liberalization) EVSL. The smaller countries will be more interested in market opening by the industrial members than further opening of their own shattered markets.

-- Expect a lot of carping about CARP (Concerted Asian Recovery Program - we are not making this up), a proposed coordinated fiscal and monetary stimulus to revive domestic and import demand. Good sound bite for the communique; not much else.

MALAYSIA

-- Prime Minister Mahathir will try to juxtapose APEC's responsibility to help the SE Asian region recover with his own approach to economic recovery, including capital controls, revamping the global financial system (especially concerning currency trading), and domestic expansion. So even while its capital markets remain restricted, Malaysia will be looking for others to open their goods markets.

-- The trial of former deputy prime minister Anwar will be put on hold for the duration, but will not disappear from the scene. Mahathir has already admitted that he expects pro-Anwar supporters to take to the streets and put on a show for the visiting media. He will put more police on the

streets, and have his own PR campaign in place to send the message, "This is who we are, like it or not. Respect me and I will respect you."

SOUTH KOREA

-- The Empire Strikes Back -- the top five chaebol have yet to undertake any major restructuring and continue to prop up virtually bankrupt subsidiaries. This ensures overcapacity and corporate debt levels will continue to be a problem.

-- Hyundai's opening up of North Korea is also a threat to the government's desire for chaebol restructuring and reduction of debt levels. Already Hyundai has added \$1 bn to its massive debt load for the race to tap the North's market. Samsung, which is nearly on its knees from carrying its existing operations, has just ponied up \$1 bn of its own for the North. The race is on, and the loser will be any hope of restructuring of these bloated beasts.

-- The ruling coalition of Kim Dae-jung and Kim Jong-pil continues to fray. A recent reconciliation between DJ Kim and the leading opposition figure, Lee Hoi-chang, has rattled JP Kim, as he worries about being pushed out. Instability within the ruling coalition threatens to be a further distraction in the reform process.

INDONESIA

-- Accommodation by leading opposition figures and the Habibie-Wiranto ruling coalition has failed to lessen the anger of the now leaderless revolting masses. The MPR's agreement to phase out the military's dual role and fully investigate Suharto and his family did not result in sufficient concrete and immediate action to impress the rioters.

- The army (ABRI) is likely to display low tolerance levels for chaos on the streets, since they believe that maintaining stability is their most basic and sacred mandate.
- The big winners of this most recent wave of unrest are pro-reform opposition leaders, who have been comfortably riding the wave of unrest to accelerate the democratization schedule. Expect efforts on the part of the opposition to quiet things down to secure their gains and prevent things from getting out of control.

RUSSIA

- The current government is likely to pay Eurobond coupon payments for 1998. CBR head Gerashenko, the point man on foreign debt, has high willingness to pay Eurobonds this year, but London/Paris Club debt are lower priorities. Payment of London Club debt will be linked to revenue from sale of a 2.5% stake in Gazprom planned for before year end. Next year's payments are not assured, and Maslyukov has raised issue of rescheduling foreign debt in 1999.
- Draft 1999 budget likely to be austere. No significant wage and pension arrears likely to be paid any time soon, although government pledges to pay future obligations. Communist support for a tough budget may be achieved through granting partial control of media to Communists.
- Transfer of executive power to Primakov upsets political balance. Yavlinski, supported by some oligarchs, has begun a campaign to remove the current government. Primakov's response is a tough, "liberal" budget that steals Yavlinski's thunder.

GREATER CHINA

-- The calculus of the yuan level for Chinese decision makers remain based on the size of China's foreign currency reserves and the international balance of payment position. October's 17.3% plunge in exports will stimulate talk about the heavy price China has paid for not devaluing, but with the reserves at over \$140 bn and a trade surplus of \$38.4 bn, there is no red flag flying (except the one with five yellow stars). -- Of course, part of the reason the yuan is still stable is that protectionist tendencies and the "stealth" devaluation continue to be implemented with great efficiency. The government goal is to boost exports without deep corporate restructuring. If October's trend is not reversed, China's 1998 export growth will be flat or negative. Measures to increase exports will add to international trade friction.

-- At the same time, the government will increase its emphasis on domestic demand as an engine of growth. This could mean more infrastructure investment and government debt to finance it. But corporate restructuring that might increase unemployment remains anathema.

-- Consolidation of the financial sector continues, with an emphasis on central control. However, recent protests by citizens who lost their savings in closed financial institutions highlight the government's bind: financial overhauls, which are meant to bring stability by resolving long-term structural problems, can actually be destabilizing in the short run. Mixed and confusing policy signals will stem from the government's attempts to maintain social stability while attempting long-term reforms. The decision to have CITIC (the largest of all ITICs) issue bonds is the latest confirmation that the government intends to clean up, rather than to shut down, the ITICs sector.

HONG KONG

-- Intervention and regulation remain part of the local market picture. The Hang Seng is over 3000 points above its August levels, yet the government still refuses to rule out, even rhetorically, the possibility of another intervention. Indeed, as the government crafts a securities and futures bill, its battle with the securities industry continues over how tightly the government should regulate the market. Strong opposition from the industry has not resulted in any major change in the government measures first formulated in August.

-- The issue of the HK dollar peg nowhere near the table in any high-level policy discussion. There has been discussion about the financial interdependence between HK and the mainland, but policy makers are still firm on the "dual policy," no yuan deval, no repegging.

TAIWAN

-- With elections coming up in December, the government is even more reactive and interventionist than usual. Corporate woes and the record export slump have exercised the government, and because many corporate loans in Taiwan are collateralized with company stocks, further slides of the stock market will aggravate corporate problems. The government has responded by calling on people to buy stocks to support the market. The upcoming elections will also make China testy. So alongside Taiwanese government intervention in the economy, you can expect mainland scare tactics aimed at keeping voters from favoring candidates who advocate independence.

PART II -- MEDIUM-TERM VIEW:

THE BUYER OF LAST RESORT NO MORE

Export-led Asian recovery must be reconciled with US protectionist pressures

Everyone piles on Japan about policymakers in denial, but there is nothing unique about Japan on that score. Take the current push for Miyazawa Bucks intended to kickstart trade credit lines in Asia and move Japan into the center of praise for Asia's eventual recovery. Of course, now that the idea has been adopted and accepted by everyone from Mahathir to Wolfensohn, US Treasury officials claim that it was all their idea in the first place and that they were clever enough to hang around with it until the Japanese agreed to pony up the bucks. Leaving aside the problems with a country in robust growth with surplus budgets begging at the door of a country in depression with staggering deficits, the claim by US officials to have invented this concept is as absurd as the decade earlier claim by America that they invented Brady Bonds. By the way, those were also invented by Miyazawa in his last incarnation as finance minister.

But that is only surface, and easily understood, hypocrisy and denial. The problem is that kickstarting trade in Asia depends on having somewhere to export those goods to and that somewhere is America. And the simple fact is that American labor and business leaders are not ready to accept import competition from Asia. An early draft of the IMF funding legislation by the Republican Congress, for instance, specifically banned any money from going

to any source that would directly or indirectly aid Korean companies. The steel VRAs and dumping suits now being pursued vigorously by the administration are aimed at Brazil, Korea, and Russia -- all countries that we are trying to save with IMF funding, but which cannot recover without importing to the US.

That is the fundamental problem with the now popular assumptions in the media that Asian recoveries are ready to blossom. If anyone can tell us how Asia recovers without exporting significant new amounts to the United States (no fair cheating by saying exporting to Europe, you know that won't happen) we will nominate him for the Nobel Prizes in both Economics and Peace. If anyone can tell us how significant waves of new exports from Asia can come to our ports without triggering a massive political and protectionist backlash, we will nominate him for the Nobel Prize in Chemistry. We doubt we'll need postage.

In fact, unless President Clinton abandons his trip to APEC to bomb the Iraqis back into semi-compliance, his trip to Malaysia will deliver a fundamental lesson to Asian countries: you can't count on the US forever, and with growing evidence that the US is heading for a significant slowdown next year, exporting your way out of depression in Asia may be politically and economically impossible.

In fact, the most likely outcome of the plan to kickstart Asian growth is that protectionism will rise to the top of the American political agenda and trade deficits will rise to the top of currency market thinking.

The signs so far point very clearly to this outcome. We are still in a relatively solid economic space in the US, growth is positive, unemployment is well below 5% and there is no political pressure from voters about job losses. In fact, although consumer confidence has dropped, it is hardly plummeting. But despite the strong economic backdrop, American officials have launched a serious round of trade battles over steel, fish and agriculture products, the president of the AFL-CIO addressed the Chamber of Commerce about the need to band together, and President Clinton has already launched USTR Charlene Barshefsky on a ballistic path to Japan. And that is with the economy humming along.

Now consider what it will look like next year if Fed officials are right and growth slows to 1.9% while unemployment crosses the 5% level, just as the race for the White House in 2000 gets well under way. The presidential race starts earlier than ever next year since California moved its primary date forward and made it necessary for candidates to raise money and define their positions by mid-July next year at the latest. Since Labor and African-American voters were the margin of victory for Clinton and the Democrats, and since Republican presumptive candidate George W. Bush did well with both these groups, you can expect them to be in play from start to finish. And both parties know one simple fact about American politics: if the Republican candidate for President gets 20% or more of the African-American vote, no Democrat can take the White House. George W. took 24% in his race for the state house last week.

With the presidential race as the backdrop, the administration's likely

decision to push for "fast track" trade legislation this spring could serve as the flashpoint for protectionist pressure to emerge in Congress. That will do two things right away. First it will put trade and the record trade deficits on the front burner of American politics, and second, it will put it on the front page of the Washington Post and New York Times. And once it becomes part of the American political debate in the presidential year, it will move back into the minds of traders as a factor in their dollar bets. For two years now no one has traded currencies with trade flows in mind, but that will all change. Doing the arithmetic will be simple. By next spring this factor will emerge as a serious weight on the dollar and is likely to force the hands of policymakers who are currently determined to hold the 110 dollar-yen line.

Then it will be up to the US Treasury to decide what it wants to do about the dollar. For the first two years of the Clinton Administration, they followed a weak dollar policy. This was particularly the case against the yen, which was designed to punish the Japanese and push them into stimulating their economy. Instead, it pushed them into depression, but what the hell. Since Rubin took office in 1995, that policy shifted toward a strong dollar and only lately has the rhetoric shifted with such carefully crafted nuance from "strong dollar" toward "unchanged, absolutely unchanged" dollar policy.

The question is whether that strong dollar line can hold once trade becomes a central theme of the political debate next year. In all previous moments when protectionist pressures rose to threatening levels, American Treasury officials opted for a weaker dollar policy as the only means to heading off

permanent protectionist legislation. That was true in the 1970s under President Carter (and it is still, of course, true of his Assistant Treasury Secretary Fred Bergsten who has never forgotten the one line he learned during that period) when he created the "Carter Bonds," and it was true in the 1980s under Reagan's Jim Baker and Dick Darman when they created the Plaza Accord to depress the dollar. And as we said, it was also true in the 1990s under Lloyd Bentsen. Is there a reason Treasury officials would now change course? Not likely.

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From: mail@mail2.cloakroom.com at INTERNET
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National Journal's GREENWIRE
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Tuesday, January 19, 1999

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===== SPOTLIGHT =====

WORLDWATCH PREDICTS DOOM, ECONOMIC BOOM

The DC-based Worldwatch Institute's new report on the state of
the world predicts both disaster and opportunity.

The report says that heavy resource use and the rapid growth in
world population is taking a heavy toll on biodiversity. It also
draws a link between rising greenhouse gas emissions and global
climate change.

However, the report notes that governments and companies that
commit to head off social and environmental collapse could see
economic opportunities. (#1)

===== TOP NEWS =====

SKI SQUABBLE

Enviros declare "open season" on ski area expansions into
national forests. (#2)

SAVING NW SALMON

WA Gov. Gary Locke (D) will unveil a \$201M salmon recovery proposal; Sen. Slade Gorton (R-WA) unveils a separate plan. (#7)

SPECIES ROUNDUP

Report raises questions about habitat conservation plans; endangered species breeding programs under fire. (#8)

ANYTHING FOR A PRICE

Indonesian financial crisis boosts trade in endangered species. (#15)

READ ALL ABOUT IT

The DC-based United Nations Foundation and National Journal Group Inc. announce the launch of UN Wire at www.unfoundation.org.

===== QUOTE OF THE DAY =====

"Satisfying the projected needs of 8 billion or more people with the economy we now have simply is not possible."

-- Worldwatch Pres. Lester Brown. (#1)

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===== FACT OF THE DAY =====

About 25% of the US's 525 ski areas operate on about 190,000 acres of leased US Forest Service land. (#4)

===== SPOTLIGHT STORY =====

*1 TRENDS: WORLDWATCH REPORT FORESEES DISASTER, OPPORTUNITY

"Disaster looms on several fronts," according to the millennial edition of the State of the World report issued by the DC-based Worldwatch Institute, but "researchers see a possible economic boom for governments and companies that commit to head off social and environmental collapse" (AP/Baltimore Sun, 1/17).

The report notes that during the past century, the world population tripled while the use of energy and raw materials grew more than ten times (Worldwatch release, 1/16). Materials use in the US has grown 18-fold over the same period, with the average American requiring at least 222 pounds of material every day. Sustaining the whole world at this level of resource use "would require the land area of three Earths" (Mexico City News, 1/17).

Such heavy resource use is "taking a growing toll" on the planet's biodiversity, the report says. For example, 70% of the world's major fish species are now fully or over-exploited. And of the 242,000 plants species surveyed by the World Conservation Union, some 14% are threatened with extinction -- "mainly as a result of massive land clearing for housing, roads and industries," the institute says (Worldwatch release). The report also draws a link between rising greenhouse-gas emissions, warmer global temperatures and more extreme weather (AP/Baltimore Sun).

REPORT ALSO SEES OPPORTUNITIES

Worldwatch Pres. Lester Brown: "Satisfying the projected needs of 8 billion or more people with the economy we now have simply is not possible. ... The fossil-fuel-based, automobile-centered, throwaway economy that so dramatically raised living standards in this century -- is in trouble."

Replacing that economy "will create some of the new century's largest investment opportunities," the institute says. "A sustainable economy will be a solar-powered, bicycle/rail-based, reuse/recycle economy, one that uses energy, water, land and materials much more efficiently and wisely than we do."

For example, Denmark, Germany, and Spain are pioneering the use of renewable energy (Worldwatch release). Developing countries like China and India could become "dominant powers in the world" because of their "huge potential for alternative energy forms such as solar energy," notes the Bombay Indian Express in its coverage of the Worldwatch report (1/17).

Leasing products instead of selling them could be another way of reducing materials use and saving money, the report says.

For example, the Xerox Corp. leases its copiers and takes them back at the end of their useful lives for recycling or remanufacture (Mexico City News).

The report also applauds the German government's tax reform plan, under which it would reduce income taxes and raise energy taxes (Worldwatch release).

Syndicated columnist Carl Rowan writes, "It's easy to dismiss these forecasters as alarmists." But reviewing the growing list of recent weather-related disasters, Rowan says, "I wonder" (Baltimore Sun, 1/17).

===== SOCIETY AND POLITICS =====

*2 RECREATION: ENVIRONMENTALISTS TARGET SKI AREA EXPANSIONS

Environmentalists have declared "open season this winter on ski areas," as their expansion of ski areas into public lands is "now being fought by groups ... angry over growing real estate development on adjacent private land."

As the number of lift tickets "stagnates" nationwide, ski areas are "turning to mountain real estate as a source for big profits." Jonathan Staufer, of the Ski Area Citizens Coalition: "It is not about skiing, it is about real estate development. Industrial tourism is the posing the next major threat to wild places in Colorado and America."

Environmental groups are lobbying federal agencies to block ski area expansions at Keystone Resort and Breckenridge Ski Resort in Colorado, Snowbasin in Utah, and a new ski area, Pelican Butte, in Southern Oregon. Earlier this month, developers abandoned plans for a new ski area near Steamboat Springs, CO, which would have included 3,700 new homes and 1,000 hotel rooms. These efforts follow the highly-publicized eco-terrorist fire at Vail, CO, by activists who said the resort's 2,000-acre expansion would harm wildlife (Greenwire, 11/12/98).
<http://www.cloakroom.com/pubs/greenwire/db2/1998/11/g981112.16.html>

The ski industry "describes as minuscule" the 20,000 acres of planned expansion into public lands in national forests. About 25% of the US's 525 ski areas operate on US Forest Service land, leasing about 190,000 acres out of a total national forest holding of 190 million acres. Lyle Laverty, the top USFS official in Colorado, says that not all the growth in real estate development is tied to ski areas, but is tied to "being close to a national forest" regardless of proximity to ski areas (James Brooke, New York Times, 1/19).

*3 EPA: COMMUNITY PARTNERS PROGRAM FAILS -- BALTIMORE SUN

A US EPA pilot program in Baltimore to foster community-directed environmental action has become a "case study of the difficulties facing the Clinton administration's targeted 'empowerment'-style programs," reports the Baltimore Sun.

The three-year-old program established "environmental empowerment zones," or partnerships between local companies and residents, to share pollution data and strategies on cleanup and

enforcement (Greenwire, 6/11/97). But the Sun's review "shows a moribund program that exhausted its government funding."

The Sun reports that dissension among residents, "turf-conscious environmental groups" and some industry leaders created problems. And an independent review by the John Snow Institute, a Boston-based consulting firm, said the EPA never set clear goals for the program.

While "acknowledging the partnership failed," EPA officials say the program had "some victories," including giving residents data on air and water pollution and building support for a wildlife preserve. The agency has set up several other similar projects, including ones in St. Louis and Lawrence, MA (Joe Mathews, Baltimore Sun, 1/18).

*4 ECO-TERRORISM: ELF TAKES RESPONSIBILITY FOR OREGON FIRE

The activist group Earth Liberation Front has claimed responsibility for last month's fire at the US Forest Industries headquarters in Medford, OR, which caused about \$500,000 worth of damage (Greenwire, 1/5).

In a fax sent to the Associated Press on 1/16, the group said the fire on 12/26/98 was "in retribution for all the wild forests and animals lost to feed the wallets of greedy" corporations. Last fall, the ELF claimed responsibility for setting a fire in Vail, CO, to protect lynx habitat (Greenwire, 10/22/98) (AP/Baltimore Sun/others, 1/18).

===== WASTES AND HAZARDOUS SUBSTANCES =====

*5 SUPERFUND: PRIORITY LIST GETS 17 NEW SITES

The US EPA is adding 17 sites to the Superfund National Priorities List and proposing 11 more sites for future listing.

The sites added include one federal facility, the Middlesex Sampling Plant in Middlesex, NJ. A complete listing of the new sites and information about the Superfund program are available on the EPA's website at

<http://www.epa.gov/superfund/sites/index.htm#desnqry> (EPA release, 1/15).

RI LANDFILL OWNER TO PICK UP MOST OF SUPERFUND TAB

The owner of a Rhode Island Superfund site must pay 60% of the estimated \$55 million in cleanup costs, a federal judge has ruled. William Davis' Smithfield landfill has become "infamous" for its "millions" of discarded tires and "witches brew" of chemicals (Greenwire, 3/6/98) (AP/Boston Globe, 1/18).

*6 SOLID WASTE: NEW YORK, VIRGINIA CONTINUE TRASH TALK

"The trash war between the states churned anew" last week amidst reactions to New York City Mayor Rudolph Guiliani's (R) assertion that the rest of the nation is obligated to accept the city's trash in exchange for the economic and cultural benefits of the city (Greenwire, 1/14).

Virginia Gov. James Gilmore (R) on 1/15 faxed a "blunt rebuke" to Guiliani, suggesting that New York "find a solution to [its] problem within [its] region" (Stephen Dinan, Washington Times, 1/16). Gilmore: "Unlike most rivers, your garbage can

flow north as well as south" (Tyler Whitley, Richmond Times-Dispatch, 1/16).

Meanwhile, in a letter to today's Washington Post, Angela Logomasini, director of risk and environmental policy at the DC-based Competitive Enterprise Institute writes that attempts by Virginia lawmakers and "environmental activists" to limit out-of-state trash imports "won't do anything to promote constructive solutions to specific environmental problems" associated with landfills (1/19).

===== NATURAL RESOURCES =====

*7 SALMON: GORTON, LOCKE UNVEIL SALMON-RECOVERY PROPOSALS

Sen. Slade Gorton (R-WA) last week unveiled a \$310 million West Coast salmon recovery plan that would "skirt the federal Endangered Species Act" and allow state and local authorities in Washington, Oregon, Alaska and California to determine how best to restore the runs.

In a letter to Pres. Clinton, Gorton urged the administration to include the plan in his budget proposal for FY '00. Saying he wants "locally driven solutions" for salmon recovery, Gorton seeks to "short-circuit federal involvement" in the effort to protect the chinook salmon.

The National Marine Fisheries Service next month is expected to decide whether to list chinook under the ESA (Greenwire, 2/26). But Gorton suggested to Clinton that Congress will not fund any federal chinook protection plan (Les Blumenthal, Scripps-McClatchy Western Service/Anchorage Daily News, 1/15).

WASHINGTON GOV TO UNVEIL SALMON PLAN TODAY

Washington Gov. Gary Locke (D) today will unveil a \$201 million spending proposal to protect the state's wild salmon runs.

Locke is expected to offer an omnibus salmon bill that revises environmental and water laws to better protect the various salmon species. And restrictions on building and farming near salmon streams are possible (Greenwire, 10/22/98).

The state has been "scrambling" to put together a salmon-protection plan "to head off federal intervention (Hunter George, AP/Portland Oregonian online, 1/18).

COALITION MOVES TO PUT OR PLAN IN NEW STATE COMMISSION

A coalition of conservation and timber groups is proposing a bill to move oversight of the Oregon Salmon Plan from the governor's office to a new state commission (Greenwire, 1/5). The commission would oversee the \$45 million in state lottery funds authorized last fall by voters for salmon restoration and "create a vision for the plan's future" (Jeff Barnard, AP/Portland Oregonian, 1/19).

PORTLAND STEPS UP MUNICIPAL RECOVERY EFFORTS

Portland, OR, officials last week outlined measures to aid wild salmon and steelhead trout, nine months after Portland became the first large metropolitan region to face an ESA listing of an aquatic species (Greenwire, 3/16/98). The city plans to spend \$1.69 million this fiscal year to reduce pesticide use in city parks and review plans to build a greenway along the

Willamette River, and it is proposing spending \$2.8 million in FY '00 (Jonathan Brinckman, Portland Oregonian, 1/13).

***8 SPECIES: STUDY QUESTIONS HCPS; CAPTIVE BREEDING ANALYZED**

A new report on federal habitat conservation plans (HCPs) for endangered species raises questions about the way the plans are created, environmentalists say.

More than 100 scientists from eight universities examined 208 HCPs nationwide in the study, sponsored by the American Institute of Biological Sciences and the National Center for Ecological Analysis and Synthesis. They conclude that the HCPs lacked "adequate" species impact assessments and that mitigation measures lacked supportive data. They said provisions to monitor the success of HCPs were often nonexistent.

The report: "In many cases, we found that crucial, yet basic information on species is unavailable for the preparers of HCPs."

The American Lands Alliance and the Defenders of Wildlife said the new study bolsters their view that "policy deficiencies" allow "significant habitat degradation." The report is available online at <http://www.nceas.ucsb.edu> (ALA release, 1/16).

ENDANGERED SPECIES BREEDING PROGRAMS UNDER FIRE

The captive breeding and reintroduction of rare species is coming under fire "as a costly, often futile exercise" that fails to address key problems like habitat loss.

Despite some success stories, critics say the reintroduction programs are "wasteful of individual species," many of which die in the wild. They also say policymakers lack the space and resources to sustain the reintroduced species indefinitely. In a 1994 study of 145 documented reintroduction efforts worldwide, only 16 were found to have produced viable, self-sustaining populations in the wild (Mark Derr, New York Times, 1/19).

CALIFORNIA FISH PROPOSED FOR ESA LISTING

The US Fish and Wildlife Service has proposed listing the Santa Ana sucker fish as threatened, after environmentalists sued over a 1997 decision that a listing was "warranted but precluded," because other species were in "more immediate danger." The USFWS plans to publish its final decision by 1/00 (Earthjustice release, 1/15).

USFWS GRIZZLY PROTECTION PLAN NEARING COMPLETION

A draft proposal to manage grizzly bears after they are removed from the federal endangered species list will be completed within two months, USFWS officials said. The proposal to create the plan removes "a major hurdle" in taking the bears off the list (AP/Billings Gazette, 1/18).

***9 WOLVES: PREPARATIONS MADE FOR RELEASE OF NINE ANIMALS**

Federal biologists last week moved nine Mexican gray wolves into rural Arizona in preparation for their release into the wild.

The release is part of a \$9 million program to reintroduce about 100 wolves to the Apache and Gila national forests over five years. After adapting to the mountainous climate over about two months, the wolves will be released, said US Fish and

Wildlife Service spokesman Hans Stuart (Valerie Richardson, Washington Times, 1/19).

Federal officials are worried that new releases may suffer the same fate as five reintroduced wolves that have been killed since the program began last year (Greenwire, 11/30/98). However, biologists "are finding reasons for optimism" in the coming release (Baltimore Sun/others, 1/19). The wolves have been capable of thriving in the wild and if "human tolerance" increases and "illegal killings" are eliminated, the wolves will make a successful comeback, said David Parsons, Mexican Wolf Recovery Leader for the USFWS (Richardson, Washington Times).

===== BUSINESS AND THE ECONOMY =====

*10 AUTOS: INDUSTRY TOUTS DIESEL ENGINES, ENVIROS OPPOSE

Automakers are starting to preview new diesel vehicles that may provide better fuel efficiency and less pollution, but environmentalists charge that different emissions standards for "dirty diesel" may result in increased air pollution.

Diesel is more fuel efficient than gasoline, so government standards for diesel emissions are "less stringent" than gasoline standards. And while diesel emits less carbon monoxide than gas, diesel exhaust contains nitrogen oxide and soot particles that environmentalists point to as cancer agents.

The American Lung Assn. on 1/7 released a survey showing that 88% of the 1,000 people questioned said diesel vehicles should meet the same pollution standards as gasoline vehicles.

But automakers assert that a cleaner synthetic diesel, not yet in production, plus refinements to engine technologies could give new diesel engines "a significant future" in the industry (Earle Eldridge, USA Today, 1/19).

AUTOS "GOLDEN ERA" LOSING SOME OF ITS SHEEN?

Tighter emissions restrictions, increasing urban traffic, and mergers that "put the squeeze on profits" are all roadblocks that may put an end to the auto industry's current era of "style, innovation, affordability and ... choice," according to the Christian Science Monitor.

"Design resources could be diverted from meeting consumer demands to meeting government requirements" for cleaner auto emissions, while "bumper-to-bumper congestion dampens Americans' enthusiasm for driving." And multiple mergers may mean "less competition, less innovation, less choice, and higher prices for consumers" (Eric Evarts, Christian Science Monitor, 1/19).

===== ACROSS THE NATION =====

*11 NEW YORK: STATE CANCER MAPPING PROJECT DRAWS CRITICISM

An "audacious plan" by the state of New York to map possible links between cancer rates and pollution is being criticized for program delays and a lack of direction.

Last year the state legislature allocated \$1 million for the project to map neighborhoods and assemble data on cancer links to pollution, but Gov. George Pataki (R) vetoed it, saying the project could be accomplished by the state health department with

existing funds. The department intends to start the project on a county-by-county level, but is not sure whether the "first round of maps" will include information on possible contaminants.

Critics worry that maps "of any kind are years away," saying the county information is already available and that information on contaminants was "the whole point of the project."

But the administration "contends that it must proceed cautiously to produce the best possible data" and not "risk alarming or confusing the public" (Richard Perez-Pena, New York Times, 1/18).

*12 MARYLAND: ENVIROS TARGET DEREGULATION, NEW ROADS

Environmentalists from more than a dozen organizations in Maryland on 1/18 vowed to fight electricity restructuring legislation and a proposal to raise taxes to pay for new roads unless state lawmakers include "safeguards" to prevent further increases in air pollution.

Speaking at the fifth annual environmental legislative summit in Annapolis, Dan Pontious, executive director of the Maryland Public Interest Research Group, and others said the state's air-quality problems could get worse if more roads are built and power-plant restrictions are loosened. About 40% of the Baltimore area's smog comes from coal-burning power plants, while much of the rest is caused by cars.

Utility deregulation could add to pollution because coal is cheaper than other fuels and Maryland's aging coal-fired plants are exempt from taking costly steps to reduce their emissions under the Clean Air Act. And Dru Schmidt-Perkins said more roads will simply lead to more cars. Schmidt-Perkins: "It's a cycle we can't afford and it has to stop" (Heather Dewar, Baltimore Sun, 1/19).

*13 DC REGION: ENVIROS ASK FEDERAL PANEL TO BLOCK RESORT

Environmentalists are asking the National Capital Planning Commission for help in defeating a proposed \$1 billion resort in Prince Georges County, MD, along the Potomac River, south of Washington, DC (Greenwire, 2/26).

The commission, which coordinates planning activities that involve federal property in DC and nearby areas, will examine every aspect of the Prince George's County development, including environmental impact, view of the resort from across the river and the project's size, said Commissioner Arrington Dixon.

So far, NCPC members have "signaled support" for the development, but another hearing to address environmental issues will be held tomorrow, with a decision not expected until 4/99 (Jackie Spinner, Washington Post, 1/19).

===== WORLDVIEW =====

*14 OZONE LAYER: TOO EARLY TO STATE TREND ON ARCTIC THINNING

A team of researchers say that although the thinning of the ozone layer over the Arctic appears to be continuing, it is too early to declare a trend, according to scientific evidence published in the latest issue of the Journal of Geophysical

Research.

Ozone-depleting chemicals in the atmosphere such as chlorine and nitrogen-dioxide, which are considered among the culprits responsible for "significant" reductions in ozone levels over the Arctic, were detected during the winters of 1995-96 and 1996-97. Continued thinning might expose heavily populated areas of Europe and North America to harmful ultraviolet radiation.

Researchers Martyn Chipperfield of Cambridge U. and Georg Hansen of the Norwegian Institute for Air Research say that of particular concern is the very long-lived northern low-pressure zone of circular winds called a polar vortex, an atmospheric phenomenon that they say is a key factor in creating the conditions for ozone depletion.

Chipperfield says the winter polar vortex in the Arctic is variable, and that last winter's vortex was warm and weak and there was little ozone loss. But he adds that it is "too soon to detect a definite trend" (Randolph Schmid, AP/San Francisco Chronicle/Examiner online, 1/19).

***15 INDONESIA: \$\$ CRISIS BOOSTS SALE OF ENDANGERED SPECIES**

Financial crisis, coupled with the demand for exotic animal parts, is fueling trade in endangered species in Indonesia.

In the capital city of Jakarta, orangutans, cobras, gibbons and slow loris -- listed among the country's 546 protected species -- are being sold. In northern Sumatra, tigers are also offered for sale in markets. Asian demand for exotic dishes such as monkey brains and shark fins and for traditional medicines that contain tiger parts, is also driving the trade in the cash-strapped country. Some of the species' sales can fetch thousands of dollars.

Poor farmers who have survived years of drought now find themselves in the midst of an economic crisis trying to ensure their survival by selling rare and protected species. Willy Smits, head of the Indonesian Forestry Dept.'s effort to prevent endangered species trade: "All over Indonesia ... people are taking risks and going for whatever can bring them in some money" (Jenny Grant, South China Morning Post, 1/18).

***16 ATLANTIC SALMON: PESTICIDE LINKED TO DECLINING STOCKS**

A new study by two Canadian government agencies has found that pesticides used in Canada to combat the spruce budworm may be contributing to the decline of the Atlantic salmon.

The study, conducted by Environment Canada and the Department of Marine Fisheries and Oceans, indicates that exposure to hormone-disrupting pesticides may have made some Atlantic salmon unable to change themselves from freshwater to saltwater fish, an ability that is necessary to allow the fish to leave their spawning rivers. Some of the pesticides include the compound nonylphenol, which is from the same class of chemicals suspected of causing hormone disruption in other animals.

Wayne Fairchild, a New Brunswick fisheries scientist involved in the study, began to suspect a connection between the compound and dwindling salmon stocks after he heard about hormone disruption in British trout. Fairchild: "On one river, we saw

... a straight line [relationship] between how much was sprayed and how many fish came back" (Chris Morris, Toronto Globe & Mail, 1/13).

MAINE SALMON CONSERVATION PLAN PROGRESSING

Maine has made "substantial progress" toward protecting Atlantic salmon in seven of the state's rivers, according to a report submitted to federal fishing agencies last week by Maine officials.

The report, compiled by the State Planning Office, includes the results of the first year of a five-year plan aimed at conserving the species without listing it as threatened under the federal Endangered Species Act (Greenwire, 11/19/98). Among the state's accomplishments noted in the report is its \$1 million in funding for salmon conservation efforts in 1998.

An advisory committee is now developing recommendations for plans to protect salmon habitat and while meeting agricultural water needs. The committee's success may help determine whether the federal government decides to list the fish as a threatened species (Mary Anne Clancy, Bangor Daily News, 1/13).

*17 TRADE: CLINTON TO ADDRESS ENV'T IN STATE OF THE UNION

In his State of the Union address slated for tonight, Pres. Clinton is expected to call for a new round of global trade negotiations that would include discussions on environmental protection and a host of other issues.

Clinton is expected to tout the talks, which would be launched by year's end, as "critical for continued prosperity in the coming century." As part of his trade agenda, Clinton plans to call for greater openness on the part of the World Trade Organization, specifically to allow nongovernmental organizations to file legal briefs in cases that may impact environmental or labor standards (Greenwire, 7/15/98) (Bob Davis, Wall Street Journal, 1/19).

In recent weeks, the administration has also been testing rhetoric calling for "substantive inclusion" of environmental and labor protections in fast-track legislation that would allow unions and environmental groups to seek negotiations on matters other than tariffs (William Roberts, Journal of Commerce, 1/19).

Hoose lawmakers have twice rebuffed Clinton's bid to secure fast-track trade negotiating authority (Greenwire, 9/28/98). While the Clinton administration says it can begin a new round of global talks without fast-track authority, "such authority will be necessary to conclude a trade agreement" (Davis, Wall Street Journal).

NEW LIFE FOR FAST-TRACK?

House Ways and Means Committee Chair Rep. Bill Archer (R-TX) says he expects Congress to approve fast-track authority legislation before 4/1. His comments counter those of "most" trade analysts who say Clinton's impeachment trial will likely distract Congress from the issue this year (Journal of Commerce, 1/19).

*18 ANNOUNCING: UN WIRE LAUNCHED TO COVER GLOBAL AFFAIRS

In partnership with the DC-based United Nations Foundation,

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===== THE KICKER =====

PUTTING THE TRUCK BEFORE THE HORSE

Phoenix Mayor Skip Rimsza (R) has nixed plans to buy a truck for park rangers to traverse a preserve that doesn't exist. Currently, only 80 acres have been acquired for the planned 15,000-acre desert preserve, and officials haven't "talked" about how to pay the preserve's estimated \$225 million costs (Chris Fiscus, Arizona Republic, 1/14).

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