

Congressional Closeup by Carl Osgood

Continuing resolution voted up in House

On Sept. 29, the House voted 355-57 to pass a continuing resolution to keep the government open until Oct. 23 so that the Congress can finish work on all the appropriations bills. None of the 13 spending bills have yet been signed, although many are now in the late stages of the legislative process and could go to President Clinton for his signature in the next week or so.

Appropriations Committee Chairman Bob Livingston (R-La.), anxious to avoid a government shutdown, admitted that the reason why the 13 bills are late is because the House withheld action on them until the budget agreement was signed by Congress and the President. However, unlike some continuing resolutions from the recent past, this one did not change funding levels from the previous fiscal year, and it promises to cause no controversy. Livingston suggested that this is the way such things should be handled.

Shuster backs down on transportation bill

On Sept. 24, the House Transportation and Infrastructure Committee approved a six-month extension, to March 31, 1998, of the Intermodal Surface Transportation Efficiency Act (ISTEA), which was set to expire on Sept. 30. Committee Chairman Bud Shuster (R-Pa.) agreed to delay consideration of his Building Efficient Surface Transportation Equity Act (Bestea) by six months, after meetings with House Speaker Newt Gingrich (R-Ga.) and the House GOP leadership. Republican leaders were worried that Shuster's bill, which has broad bipartisan support, would break the budget deal by \$34 billion.

Shuster told the committee, "It seems that there is simply no way to adequately address the budget issues until early next year. The far more responsible way to proceed is to approve this extension and work within the budget process next year."

The committee also amended the Bestea from a three-year, \$103 billion bill, to a six-year \$218 billion bill. Shuster promised that during the next six months, "the committee will be engaged in an active campaign to have Bestea's six-year funding levels and principles included in the blueprint of a balanced budget."

Underlying the conflict over the transportation bill is a projection by the Congressional Budget Office that Federal revenues over the next five years will be \$135 billion more than is accounted for in the current budget agreement. While Shuster appears to have positioned himself well in the scramble over these so-far nonexistent funds, he's competing with a number of tax-cut and debt-reduction schemes being pushed by some of the more radical members of the Republican caucus, for allocation of those projected funds.

Feingold attempts to sabotage Jiang visit

On Sept. 25, Russell Feingold (D-Wisc.) introduced a sense of the Senate resolution which calls on President Clinton to refuse to host China's President Jiang Zemin for his state visit to Washington on Oct. 29. The resolution, co-sponsored by Spencer Abraham (R-Mich.), Jesse Helms (R-N.C.), and Paul Wellstone (D-Minn.), demands that China immediately pardon political prisoners, including Wei JingSheng, Wang Dan, and others, and

improve conditions on human rights as preconditions for hosting any state visit by the President of China.

On Sept. 11, Feingold and eight conservative Republicans, including Abraham, had introduced the China Policy Act, which escalated a high-profile attempt to disrupt positive U.S.-China relations.

In remarks on the resolution on the Senate floor, Feingold said, "By agreeing to this state visit without receiving any concession on human rights, the [Clinton] administration may be squandering perhaps its strongest source of leverage with Beijing." He said that a White House visit "will boost the prestige of President Jiang and help him to solidify his position as Deng Xiaoping's successor. In short, China needs this state visit more than the United States does."

Feingold accused the administration of rewarding the alleged lack of Chinese cooperation on issues such as weapons proliferation and intellectual property rights, in addition to human rights, by hosting high-level visits of Chinese officials. Feingold said his resolution "sends a clear message that if the United States is to treat China like a great power, then China must comply with international human rights standards."

More state prison construction funded

A number of attempts to increase funding for crime prevention programs failed during debate on the House Commerce, Justice, State and the Judiciary Appropriations bill on Sept. 24 and 25. The attempts, led by Bobby Scott (D-Va.) and Maxine Waters (D-Calif.), both targeted state prison construction programs, which are funded

at a level of \$722 million in the bill, an increase of \$52 million over fiscal year 1997.

Scott's amendment would have taken \$258 million out of state prison construction grants in order to increase funding of programs like the Boys and Girls Clubs, child abuse prevention, residential drug treatment, and drug courts. Waters's amendment would have taken \$30 million out of the state prison program to increase drug court funding.

The state prison construction grants are used to implement the so-called truth-in-sentencing act, passed in 1995 by the 104th Congress as part of the "Contract on America." Under the act, states are given money if they incarcerate convicts for 85% of their sentences. Scott argued that truth-in-sentencing has resulted in convicts being given shorter sentences, so that the average time in prison remains the same, but lower-risk prisoners are serving more time while the most dangerous serve less time. He said his amendment would assure "that at least some of the money will be used to encourage states to adopt crime reduction approaches that actually will reduce crime."

Opponents of Scott's amendment acknowledged that the truth-in-sentencing program results in exploding prison populations. However, this was precisely their justification for the funding level contained in the bill. Harold Rogers (R-Ky.) complained that Scott's amendment would be "cutting in half the resources to build and expand much-needed prison space." He and Crime Subcommittee Chairman Bill McCollum (R-Fla.) also argued that there was plenty of money already appropriated for crime prevention measures. Scott's amendment was defeated by a vote of 291-129, and Waters's by a vote 259-162.

Meanwhile, one of the more contentious issues wrapped up in the bill, is the year 2000 census. The Census Bureau, backed by the Clinton administration, says that it needs to use sampling methods to help ensure the accuracy of the count. However, the GOP is worried that the result might be fewer House seats for them after the 2002 elections. As a result, the bill contains restrictions on the Census Bureau's ability to use sampling, which opponents complain might prevent the Census from using such methods altogether.

Senate begins debate on campaign finance reform

On Sept. 26, the Senate began debate on a modified version of the McCain-Feingold campaign finance reform bill, after President Clinton sent a letter to the leaders of both houses informing them that if a debate did not take place before the end of the current session, he would call a special session just for that purpose.

Three days before the debate, Majority Leader Trent Lott (R-Miss.) brought back to the floor the same unanimous consent agreement that had been rejected by Minority Leader Tom Daschle (D-S.D.) the week before. Daschle accepted it this time, he said, because "I have now had the opportunity to consult with my [Democratic] colleagues." Lott, for his part, said he intended to work with the Democrats to fix a suitable time and rules for debate but, referring to the President's letter, said, "We do not intend to be threatened on this or any other issue."

The primary feature of the McCain-Feingold bill is a ban on so-called "soft money." John McCain (R-

Ariz.) said that this is necessary to "cause candidates to spend more time campaigning for small dollar donations from the people back home." The bill also places limitations on issue advocacy by independent groups during an election campaign.

Daschle argued that the problem in campaign financing is "the amount of money in politics has skyrocketed. It is no accident, no coincidence that voter turnout and public confidence in this institution [Congress] has plummeted." He pointed out that, on average, a senator has to raise \$14,000 a week, every week for six years, to run for reelection, and for the House, \$6,000 a week every week for two years.

Opponents of reform have always argued that restrictions on financing and on the activities of issue-oriented lobbying groups are restrictions on the First Amendment. Mitch McConnell (R-Ky.) said that, even though the biggest lobbying group now is the AFL-CIO, "and it is mostly targeting members of my party . . . no effort to restrict that through legislation in the Congress is going to change it." He also shrewdly pointed out that the only exemption to both current election law and the McCain-Feingold bill is the press, known for both endorsing candidates and advocating issues.

The one issue likely to torpedo the McCain-Feingold bill is restrictions on labor union political activity. McCain indicated that he supports stronger language against using compulsory union dues for political activity than is in the bill, but said, "I recognize that stronger language would invite a filibuster of this bill and would doom its final passage." However, on Sept. 29, Lott introduced amendments that will likely do just that.