

## Congressional Closeup by Carl Osgood

### Clinton sidesteps DOE reorganization

On Oct. 5, President Clinton ordered Secretary of Energy Bill Richardson to assume the duties of the Undersecretary for Nuclear Security, a position created by the fiscal 2000 Defense Authorization bill, which he signed into law that same day. In a statement, Clinton said that the Energy Department reorganization mandated by the bill, rather than strengthening national security, weakens it, by removing the Secretary of Energy from direct responsibility for nuclear weapons programs and establishing dual support functions, including a separate office of counterintelligence, thereby creating redundant lines of authority. Clinton specified that his order will remain in effect until legislative changes are passed by Congress.

Congressional Republicans vented their frustration during a hearing of the Senate Armed Services Committee on the Comprehensive Test Ban Treaty on Oct. 7, where Richardson was a witness. Committee chairman John Warner (R-Va.) said that he had "rarely been stunned by an event" in all his years in the Senate as he had with this situation, and said that Clinton's action "was a great personal disappointment to me."

Richardson explained that the reason for Clinton's order was concern about "some lack of clarity and some constitutional problems" with the language in the bill which need to be corrected. "Had we proceeded with a confusing interpretation of the law that came out" of the conference committee, he said, "we do believe there would have been some very, very confusing lines of authority; there would have been some lack of oversight in some key areas, such as counterintelligence, intelligence."

Sen. Pete Domenici (R-N.M.), who played a key role in crafting the reorganization, was not mollified.

"It's an absolute frontal attack to say, 'No matter what Congress said, we're not going to do it,'" Domenici said. "I don't want any comments from you. I'm telling you, we've been at it too long and I'm fed up."

### Foreign aid bill headed for veto

The conference report on the Foreign Operations Appropriations bill was narrowly passed by both the House and the Senate on Oct. 5 and Oct. 6, by votes of 214-211 and 51-49, respectively, but it faces a veto threat from President Clinton.

The Democrats' main objections to the bill related almost entirely to funding levels. The bill as a whole is \$2 billion below President Clinton's request, and it contains no funding for the Wye River Middle East peace agreement, forged last October under the personal supervision of the President. Republicans say that the \$1.2 billion for the Wye River agreement will be provided in separate legislation, a pledge considered dubious by Democrats. Democrats also warned, in the words of Rep. Nita Lowey (D-N.Y.), that the Mideast "conflict and problems that could be avoided with a modest allocation today, can turn into expensive crises down the road."

Republicans have continually explained away the low funding levels in the bill in the context of their budget orthodoxy. Sonny Callahan (R-Ala.), chairman of the House Foreign Operations Appropriations subcommittee, told the House that "we do not have any more money. We are not going to raise taxes; we are not going to take it out of national defense," other parts of the budget, or Social Security.

Such GOP reasoning was rejected by Pat Leahy (D-Vt.), who told the Senate that the bill "is part of a grand strategy to force the President to either

accept a large cut in funding for foreign policy or veto the bill and then be blamed for cutting Social Security to pay for foreign policy."

### Senate rejects nuclear test ban treaty

On Oct. 13, the Senate rejected the Comprehensive Test Ban Treaty, on a vote of 51-48, nineteen short of the 67 required for ratification. The vote followed three days of debate and more than a week of maneuvering to postpone the vote. Majority Leader Trent Lott (R-Miss.) surprised the White House and Senate Democrats by bringing the treaty to the floor after two years of inaction.

Once the process was in motion, Lott showed no interest in interrupting it, despite letters from President Clinton and from Senate Armed Services Committee Chairman John Warner (R-Va.), signed by 59 other Senators, asking him to do so. White House spokesman Joe Lockhart told reporters on Oct. 12, "It's not in our national security interest to go forward in this situation with a process that has not allowed for a full debate and examination of the issue."

On Oct. 5, Lott had offered to pull the treaty if Clinton would promise, in writing, not to ask the Senate to bring the treaty up again while he remains in office. "I think it is unwise," he told reporters, "for the administration to have pushed for this treaty as they have, when the timing is not right and where it's very dangerous for the future of our children and our grandchildren." Lott contended that the treaty is "dangerous" because it threatens the ability to maintain the U.S. nuclear stockpile. He also said that it is too difficult to ensure that other countries, particularly North Korea, Iran, Iraq, China, Russia, India, and Pakistan, "will live by such an arrangement."