

Congressional Closeup by Carl Osgood

Kosovo Policy Taken Up by House and Senate

Separate votes on U.S. military involvement in Kosovo on May 17 and 18 sent conflicting signals as to what U.S. policy in the Balkans ought to be, and ultimately failed to resolve the issue. The House voted 264-153 on May 17 to set a timetable for withdrawal of U.S. ground troops, if the rest of NATO doesn't meet its police and aid commitments to Kosovo, whereas the Senate voted 53-47 to remove a similar provision in the fiscal year 2001 Military Construction Appropriations bill.

The House vote came on an amendment to the 2001 Defense Authorization bill sponsored by John Kasich (R-Ohio), and based on a draft by Sen. John Warner (R-Va.). It requires that the President certify by April 1, 2001 that the European Commission, the European Union, and European NATO members are meeting their police, reconstruction, humanitarian, and budgetary commitments to the satisfaction of Congress. If the President doesn't make such a certification, then the amendment requires a pullout of U.S. troops.

The Senate debate began after the House had voted, and the Senate language in the Military Construction bill was stronger. It required an affirmative vote, in the form of a concurrent resolution, to continue a U.S. troop presence. Carl Levin (D-Mich.), who sponsored an amendment to strike the Kosovo language, which was introduced into the bill in the Appropriations Committee by Warner and Robert Byrd (D-W.V.), argued that imposing such a requirement would "create a year or a year and a half of dangerous uncertainty and dangerous instability in the Balkans."

Joe Biden (D-Del.) said that what the House voted for was only half as bad as the Senate provision. He

warned that the Byrd-Warner language "says we are going to announce that in the summer of 2001 we are out of there, unless we affirmatively vote to stay." Biden argued that a U.S. withdrawal would result in all of Europe ultimately abandoning Kosovo, allowing Serbian President Slobodan Milosevic to resume his genocide against the Albanian population, and that, in fact, the Europeans are currently meeting their aid and police commitments.

Budget Process Reform Rejected by House

On May 16, the House rejected legislation to reform the way the Federal budget is put together, even though both sides acknowledge that the current process doesn't work. The bill's main feature was a provision to send the annual budget resolution to the President for his signature, thereby "giving it the teeth of law," as Rep. John E. Sununu (R-N.H.) put it. Two other provisions, a two-year budget cycle, and a permanent continuing resolution, hobby horses of the Conservative Revolution, were both rejected on separate votes. The two-year budget-cycle amendment went down by a vote of 217-201, and the permanent continuing resolution was rejected 236-173. The vote on the bill itself was 250-166.

Opponents of the bill successfully argued that it's not the process so much that isn't working, but the GOP leadership. David Price (D-N.C.) said, "The challenge to us as members is to use the existing process responsibly, and yet in recent years that has just not been done." Instead, "for the past two years, the leadership has allowed Congress to approve budget resolutions that could not possibly be implemented, and then has facilitated waiv-

ing as many rules as necessary in order to break or circumvent or ignore those budget resolutions."

The bill also seemed to expose a power struggle between the Budget Committee, which was the source of the bill, and the Appropriations Committee. Sonny Callahan (R-Ala.), a senior member of the Appropriations Committee, told the House that the Budget Committee wants to appropriate and it wants to authorize, and the bill would tremendously increase the power of the Budget Committee by bringing the President into the process to sign the budget resolution. He warned that the bill "is causing us a greater problem for this Congress and leading us into dangerous territory when we delegate our Constitutional authority to the administrative branch of government."

Energy Bill Pushed by Majority Leader Lott

Senate Majority Leader Trent Lott (R-Miss.) introduced a bill on May 16 which aims to reduce U.S. dependence on imported oil from 56% currently to less than 50%. The bill requires the Secretary of Energy to report to Congress on progress toward reducing U.S. dependence on imported oil, and to develop legislative and administrative steps to meet that goal. The bill would open up the Alaska National Wildlife Refuge to oil exploration, a measure that has so far been successfully opposed by environmentalists, and includes tax credits for wind and solar energy production. Frank Murkowski (R-Ak.), an architect of the bill, said, "We do not want to pick and choose and decide that some do not fit our policy or our lifestyle."

The introduction of the bill coincided with reports that the price of

crude oil had gone back up above \$30 a barrel, despite the decision by the Organization of Petroleum Exporting Countries (OPEC) last March to boost production. Lott warned that that will have an effect on the prices of fuel oil and gasoline, and on the economy. "While we saw some levelling off or some general sliding back, we have done nothing to secure our country's economic future," he said. "What are we going to do about the future?"

While Lott was speaking, Energy Secretary Bill Richardson was meeting with President Clinton about the increase in crude oil prices. He told reporters afterwards that he might be asking the OPEC countries for another production increase. "It could be we may need increased production," he said, but the United States will not take a formal position until June.

Movement Grows To Ease Cuba Trade Sanctions

After three years of efforts, measures to ease trade restrictions against Cuba are now set for floor debate in both Houses. The measures would lift current restrictions on the export of food and medicines, and prohibit the imposition of any new such sanctions without the approval of Congress. Neither the House nor the Senate version names Cuba specifically, but it is widely seen as the main beneficiary. Cuba imports about \$700 million worth of food from Canada, Europe, and Ibero-America, and U.S. farm groups and agribusinesses are anxious to get a piece of that business.

The Appropriations committees passed the measures, sponsored by Rep. George Nethercutt (R-Wash.) and Sen. Byron Dorgan (D-N.D.), both from states with large farm sectors, on May 10. Dorgan told reporters

on May 16, "We're finally going to break the back of these sanctions on food and medicine. There are times in the Senate and the House when a fundamental shift occurs, and I think that's what has occurred with this issue." Supporters of easing the sanctions also argue that, after 40 years, they haven't worked anyway.

The legislation has always been opposed by Cuban-American groups, but some pundits have suggested that the custody battle over six-year-old Elian Gonzalez has cost the Cuban-American lobby some of its clout. "That silliness in Miami has really made people think," and turn against the embargo, Rep. Jose Serrano (D-N.Y.) said on May 19.

The fate of the sanctions reform is unclear. The White House hasn't threatened a veto, but neither has it given its endorsement. The measure is bitterly opposed by the House GOP leadership. Majority Whip Tom DeLay (R-Tex.) lost a bid in the Appropriations Committee to strike the language, but he has vowed to stop it on the floor. "I don't support the Cuba trade language because you're not dealing with the Cuban people, you're dealing with Fidel Castro," he told reporters on May 17. That morning he got the House GOP caucus to go along with a non-binding resolution to strip out legislative provisions from all appropriations bills, but it is not expected to have much effect on the House floor.

China Trade Bill Passes House

On May 24, the House voted 237 to 197 in favor of granting permanent normal trade relations (PNTR) to China. The vote came after often impassioned debate that followed weeks of intense lobbying by both sides. The

breakdown of the wider than expected margin showed 73 Democrats joining 164 Republicans in support of the bill with 138 Democrats, 57 Republicans, and 2 independents voting against it.

What shifted many undecided Democrats in favor of the bill was side legislation creating a Congressional-Executive commission to review, on an ongoing basis, human rights in China. The commission is to review freedom of expression, freedom of peaceful assembly, the rights of criminal defendants, freedom from imprisonment for being in opposition to the government, and so forth. The commission is required to produce annual reports, and the House International Relations Committee is required to hold at least one public hearing within 30 days after a report is released.

The side legislation also includes mechanisms for enforcing China's World Trade Organization commitments, monitoring of importation of prison-made goods into the United States, and calls on the U.S. to make the accession of Taiwan into the WTO the WTO's next order of business.

The side legislation was crafted by Doug Bereuter (R-Neb.) and Sander Levin (D-Mich.). Bereuter said that the bill "assures that China's compliance with their commitments and their human rights record will certainly not be ignored by the Congress or the Executive Branch after China receives PNTR." Both he and Levin argued that the commission will be a far more effective instrument for spotlighting China's record on human rights than the heretofore annual debate has been.

The Senate is expected to take action sometime in June, and while the bill is expected to pass easily, the Senate bill doesn't include the side legislation, and it remains to be seen what sort of compromise the two bodies will come to.