

Congressional Closeup by Carl Osgood

House rejects troop pullout from Bosnia

On March 18, the House voted 225-193 against a concurrent resolution that would have directed the President to withdraw U.S. troops from Bosnia under the War Powers Resolution. The language of the resolution would have required a court ruling on its constitutionality prior to its execution.

Supporters of the resolution, led by sponsor Tom Campbell (R-Calif.), said that their only purpose was to restore Congress's constitutional authority over overseas deployments of U.S. troops. Campbell avoided any discussion of the policy implications of his resolution, despite the fact that he is on record opposing the U.S. troop presence in Bosnia. He said that his resolution asserts "that it is the right and it is the obligation of the Congress of the United States to say yes or no before United States troops are engaged in hostilities overseas." He insisted that the situation in Bosnia is one in which there is a potential for "imminent hostilities," as defined by the War Powers Resolution.

Opponents based most of their arguments on policy considerations. International Relations Committee Chairman Ben Gilman (R-N.Y.) said that the resolution "would send an untimely signal that this House no longer supports the Dayton peace agreement for Bosnia, an agreement that is now just showing signs of succeeding." He said that the United States has spent \$7 billion to implement the Dayton agreement, and "withdrawal at this stage would place that considerable investment at risk, with no guarantee that we would not be called upon in the future to once again introduce our forces if the conflict re-ignites."

Gilman said that, rather than restoring Congress's authority to declare war, "this resolution would take the au-

thority and place it in the hands of the court." Sheila Jackson-Lee (D-Tex.) added, "The real question is whether or not we want the courts to run our foreign policy, or do we want the right kinds of decisions to be made on behalf of the people in the Balkans who need the peacekeeping troops who have been there to provide peace." She concluded that the resolution "makes no sense. . . . It adds to the disruptiveness of the process of a foreign policy of which our allies can count on."

Livingston dominates GOP leadership scramble

House Appropriations Committee Chairman Bob Livingston (R-La.), who had originally said that he would not challenge Majority Leader Dick Armey (R-Tex.) to succeed Newt Gingrich (R-Ga.) as Speaker of the House, has mounted a vigorous campaign for that post since early March, and claims that he already has more than 80 votes lined up. Included among that support is Lindsay Graham (R-S.C.), who leads the dissident grouping within the House GOP that plotted the failed coup attempt against Gingrich last year.

Livingston's campaign, which is based on the expectation that Gingrich will resign in 1999 to run for President, is causing friction within the House GOP. A letter from committee chairmen, led by Ways and Means Chairman Bill Archer (R-Tex.), Agriculture Committee Chairman Bob Smith (R-Ore.), and Judiciary Committee Chairman Henry Hyde (R-Ill.), to the Republican Caucus, called on their colleagues to "cool off some activities that seem to be rather premature." They fear that Livingston's campaign may split the GOP. For his part, Armey, on Washington, D.C.'s Fox

News Sunday broadcast on March 22, said that he didn't have time to "speculate" about what Gingrich will do, and that he is only interested in running for Majority Leader in 1999.

There is an added complication: When it took control of the Congress in 1995, the House GOP amended the House rules to term-limit committee chairmen to six years, which for many, expires in 2000. Many senior Republicans are jockeying to gain coveted committee chairmanships when they must leave the ones they now hold. For example, Resources Committee Chairman Don Young (R-Ak.) is angling for the Transportation and Infrastructure Committee, and the chairman of that committee, Bud Shuster (R-Pa.), has stated interest in the Intelligence Committee.

Anti-HMO bill threatens to split House GOP

Yet another source of tension in the House GOP is legislation to bring some accountability to health maintenance organizations (HMOs), specifically, a bill sponsored by Charlie Norwood (R-Ga.), which would allow patients to sue HMOs for wrongful injury or death. According to a spokesman for Norwood, the bill "goes to the heart of every horror story you ever hear about HMOs."

Norwood's bill has 225 co-sponsors and broad bipartisan support, but Harris Fawell (R-Ill.), chairman of the Employer-Employee Relations Subcommittee of the Education and Workforce Committee, is refusing to mark it up. Fawell is getting backup from House Majority Leader Dick Armey (R-Tex.). Insurance industry lobbying groups are trying to obfuscate the issue, lying that the bill allows

employees to sue employers who contract with negligent HMOs.

On the Senate side, the Senate Labor and Human Resources Committee held a hearing on March 19 on the implementation of the Health Insurance Portability and Accountability Act of 1996 (HIPAA), which allows employees who are laid off from their jobs to keep their employer-provided health insurance. Committee Chairman James Jeffords (R-Vt.) said that a Government Accounting Office report has found that in states which rely on the Federal language to implement the law, premiums for HIPAA-required policies were 140-600% higher than standard rates. Jeffords said, "From the report, it is clear that some insurance companies are using marketing practices to avoid enrolling those who need health care the most." Edward M. Kennedy (D-Mass.) has introduced legislation to correct the deficiencies in the original HIPAA.

Senate heads into gridlock again

The NATO expansion treaty became bogged down in the Senate on March 20, in a dispute over an education savings account bill championed by Paul Coverdell (R-Ga.). The Coverdell bill has been held up by Byzantine maneuvering by Democrats, who object to the fact that Majority Leader Trent Lott (R-Miss.) wanted to limit the number and type of amendments Democrats could bring to the floor. In retaliation, Lott postponed the NATO expansion treaty for at least a week. The Clinton administration is counting on rapid ratification of that treaty.

The Coverdell bill, the Education Savings Account Act, would allow tax-free withdrawals from individual

retirement accounts to pay for education expenses, including for private and religious schools. Passed in the House, the bill has been tied up in the Senate by Democratic filibusters since last October.

The NATO expansion treaty, however, is also not without its problems. John Warner (R-Va.), a key member of the Armed Services Committee, during debate on March 19, said, "Nations should be invited into NATO only if there is a compelling military need for additional members, and if those additional members will make a positive military contribution to the alliance." Such a case, he said, "has yet to be made persuasively with regard to Poland, Hungary, or the Czech Republic." He said that he has filed an amendment to the treaty which would impose a moratorium of three years on further expansion, if the treaty is ratified.

On the schedule, Lott said that getting back to debate on the treaty "depends on what we can get done on the supplemental appropriations (\$2 billion for disaster aid and military operations in Bosnia and Iraq) and on the education savings account." Lott scheduled the supplemental for March 23 and 24, but it is running into problems because of disagreements over where the additional money will come from. The White House wants the money to come out of the budget surplus, whereas House Republicans are demanding offsets from existing FY 1998 appropriations.

Budget is headed for another clash

On March 19, the Senate Budget Committee passed the budget resolution for fiscal years 1999 to 2003 in a straight party-line vote of 12-10. The Democrats had offered a substitute resolu-

tion based on President Clinton's budget, but that failed by a vote of 14-8.

The Republican plan calls for \$147 billion in surpluses over the next five years, and Budget Committee Chairman Pete Domenici (R-N.M.) has vowed that the surpluses will be used to save Medicare, placing him on collision course with the Democratic leadership and the White House. The Republican plan also includes a \$30 billion tax cut. Domenici complained that the Clinton budget, instead of saving the surplus to be used where needed, adds \$125 billion in new spending programs, which exceeds the caps set in last year's budget agreement by \$60 billion.

A House group of conservative Democrats, led by Charles Stenholm (Tex.), Gary Condit (Calif.), and David Minge (Minn.), proposed on March 19 that the entire surplus "should be maintained and allowed to grow, with the ultimate goal of balancing the budget without having to rely on the Social Security Trust Fund." Minge reported that the FY 1998 budget includes approximately \$100 billion in borrowings from the Social Security Trust Fund, putting the budget about \$90 billion in the red instead of \$8 billion in surplus.

Disputes have not only developed over how to spend the so-called surplus, but also on expected revenues from legislation to implement the tobacco settlement reached last year between cigarette makers and state attorneys general. Democrats want the tobacco money, including a \$1.50 tax on a pack of cigarettes, which the GOP has expressed opposition to, to go to health programs, such as Medicare, medical research, and anti-smoking campaigns targeted at children. However, the Republicans are suggesting that the tobacco legislation may not even be completed this year.