

Congressional Closeup by Carl Osgood

House, Senate pass 'ed-flex' bill

An agreement between Senate Majority Leader Trent Lott (R-Miss.) and Minority Leader Tom Daschle (D-S.D.) broke the logjam on the Education Flexibility Partnerships Act, and the Senate passed it by a vote of 98-1 on March 11. The agreement allowed Democratic amendments to come to the floor on funding for hiring 100,000 new teachers, funding for after-school activities, and establishing a national program for dropouts.

The amendment that caused the most frustration for Republicans was the teacher-hiring amendment sponsored by Patty Murray (D-Wash.) and Edward Kennedy (D-Mass.). Kennedy had made a motion to recommit the bill to the Senate Health, Education, Labor, and Pensions Committee, with instructions to the committee to report it back with the Murray-Kennedy amendment. Several cloture votes could not get past the motion to recommit, leading an exasperated Lott to complain that, despite broad bipartisan support for the bill, "We now see there is a raft of amendments developing that would undermine or stop or add to, explode this legislation." He pleaded with the Senate to "find a way to move this legislation." After the agreement, the Murray-Kennedy amendment was tabled on a party-line vote of 55-44.

The House passed its version also on March 11, but with less Democratic support. The vote was 333-90, after a series of Democratic amendments to increase accountability of the states participating in the waiver program was voted down. The most contentious of these was an amendment by George Miller (D-Calif.) that sought to require states to develop systems to measure student performance from one year to the next and establish achievement

standards as conditions for receiving waivers. It was defeated by a vote of 196-228.

Dems gird for battle on Patients' Bill of Rights

The Senate Health, Education, Labor, and Pensions Committee began marking up the Republican-sponsored Patients' Bill of Rights bill on March 17, setting the stage for a showdown on what the Democrats say is their number-one issue for 1999. The GOP bill, using the "prudent lay person" standard, requires group health plans to cover emergency services without prior authorization, and provides an appeals process should the patient disagree with a health plan's decision not to provide coverage. It also bars health plans from forbidding providers to advise patients of certain treatment options, and requires health plans to communicate with beneficiaries about their decisions in clear language.

The Democratic bill is much broader. It includes changes to the Employee Retirement Income Security Act that would allow patients to sue health plans in state courts for damages resulting from adverse coverage decisions, and it covers a broader range of health plans. Minority Leader Tom Daschle (D-S.D.) vowed on March 9 that, if the GOP refuses to bring it up, he would force the Senate to debate the Democratic bill one way or the other once a budget plan is passed. "Millions of families across the country have had their health insurance company interfere in the doctor-patient relationship by denying treatment or payment for something their doctor recommended. These patient protections are urgently needed now," he said.

In the House, Minority Leader Richard Gephardt (D-Mo.) issued a

similar challenge to House Speaker Dennis Hastert (R-Ill.). He said, on March 9, that the Patients' Bill of Rights is the "first major test" of Hastert's leadership. "It will show whether there truly is a change in the way we do business in the House or whether the rhetoric will fall short when measured against reality." He called on Hastert to bring the bill to the floor in March.

Supplemental funding moves through committees

A \$1.2 billion supplemental appropriations bill that includes \$677 million for disaster recovery in Central America, will be the first in a series of budget battles developing between the GOP leadership and the Clinton administration in 1999. The administration's request also includes \$188.5 million to replenish Department of Defense accounts that were depleted by disaster relief efforts, \$80 million for border enforcement, and \$300 million for support of Jordan following the death of King Hussein.

The two bills marked up by the House and Senate Appropriations committees differ not only in the amounts appropriated but also in the amounts and sources of offsets to pay for the appropriations, required by the 1997 balanced budget agreement. While the House bill offsets no money from the Defense budget, the Senate bill takes \$209 million out of the Pentagon's operations and maintenance accounts, money supposedly not needed because of lower-than-anticipated fuel and other costs. The Senate bill takes \$285 million from the food stamp program, and is also the target for amendments on Kosova and relief for hog farmers.

On March 9, Senate Majority

Leader Trent Lott (R-Miss.) said that he is committed to passing the supplemental, but warned that “if people start playing political games with it, . . . you start adding political or frivolous or expensive amendments to it, it could collapse.”

House endorses U.S. troops for Kosova

On March 11, after nine hours of contentious debate, the House passed a resolution by a vote of 219-191 authorizing President Clinton to deploy U.S. troops in Kosova as part of a NATO peacekeeping force. The resolution adds that the President should submit written reports prior to such deployment that address the concerns expressed in the debate.

The debate reflected deep divisions on both sides of the aisle regarding President Clinton’s Balkans policy and the role of NATO and the U.S. military in the post-Cold War world. Democrats, while largely supporting the President, expressed reservations about the timing of the debate. Minority Leader Richard Gephardt (D-Mo.) warned that debating deployment of U.S. troops before an agreement is reached by the warring parties “is the height of irresponsibility, and threatens the hope for an agreement to halt the bloodshed and prevent the widening of this war.”

On the Republican side, House Speaker Dennis Hastert (R-Ill.) began the debate with an eloquent plea for support of administration policy, even though he personally has reservations about deploying additional U.S. troops into the Balkans. He said that one message that should come out of the debate is “that a free people can disagree without violence and bloodshed.”

Only a handful of other prominent Republicans joined Hastert in support of the resolution, however. Armed Services Committee Chairman Floyd Spence (R-S.C.) declared his opposition to the resolution. “My abiding concern is for the ability of our fighting forces to respond to crises that amount to real wars,” he said. Majority Leader Dick Armey (R-Tex.) and Majority Whip Tom DeLay opposed it. While neither participated in the floor debate, DeLay went on Fox News Sunday a few days later to attack the “new NATO strategic concept,” because it is in violation of NATO’s purpose as a defensive alliance.

Budget battle begins in earnest

One day before the Senate Budget Committee was scheduled to begin marking up a budget resolution, Ernest Hollings (D-S.C.) said that he will be introducing legislation that will “stop the spending.” In his March 15 press conference, he declared, “Number one, there is no surplus. Number two, the so-called saving Social Security [both the GOP and the Democratic plans] devastates rather than saves Social Security; and paying down the public debt is now fancy rhetoric for exactly what has gotten us into trouble, namely, fiscal cancer.”

The budget resolution that the Senate and House Budget committees will be working on is the result of a framework agreement reached between the GOP members of both committees on March 4. The plan reserves the entirety of the projected budget surplus—which, as Hollings points out, does not exist—for Social Security, continues the spending caps of the 1997 balanced budget agreement, provides extra funding for education and defense, and

cuts taxes, including \$15 billion in fiscal 2000 and \$800 billion over the next ten years.

House Minority Leader Richard Gephardt (D-Mo.) called this plan a “budgetary house of cards” because it “fails to protect the retirement security of middle-class families.” He added, “I fear the Republican budget plan will end up sacrificing fiscal responsibility on the altar of tax cuts” because “a non-Social Security surplus will not significantly materialize before 2002.” He demanded that Republicans say what taxes they plan to cut.

Senators demand more aggression against Iraq

Sam Brownback (R-Kan.) used a March 9 hearing of the Senate Foreign Operations Appropriations Subcommittee, which he chairs, as a forum to demand more aggressive action against Iraq. “I’m very troubled,” he said, “that despite the President’s signature on the Iraq Liberation Act, little has been done to implement the act.” John Ashcroft (R-Mo.) declared, “The continuing exchanges of fire between U.S. warplanes and Iraqi air defense forces have made it clear that the threat posed by [Iraqi President] Saddam Hussein is not going to diminish unless aggressive action is taken to undermine his government.”

Principal Assistant Secretary of State for Near East Affairs Beth Jones defended the Clinton administration’s compliance with the Iraq Liberation Act, which sets as a goal of U.S. policy, the overthrow of Saddam. “Regime change is what the administration is working actively and aggressively to cause to happen,” she said. But “it is very important . . . that this be an Iraqi effort that we very much support.”