

Congressional Closeup by Carl Osgood

Procedural wrangle blocks HMO reform bill

Democrats and Republicans in the Senate both say they want to pass legislation to reform Health Maintenance Organizations (HMOs) this year, but can agree on little else. The latest chapter in this saga was triggered by a Sept. 1 letter from President Bill Clinton to Majority Leader Trent Lott (R-Miss.), wherein the President outlined his objections to the GOP bill. Clinton urged Lott to make the patients bill of rights bill the first order of business in the Senate upon its return from the summer recess. "Further delay," he wrote, "threatens the ability of the Congress to pass a bill that I can sign into law this year."

Senate Democrats immediately attempted to move the legislation forward. Minority Leader Tom Daschle (S.D.) offered a unanimous consent request which, he said, "would allow the Senate to take up the House-passed HMO reform bill, begin the debate, allow relevant amendments, and set the bill aside at the request of the Majority Leader to take up appropriations bills when they are ready to be considered." Mitch McConnell (R-Ky.) objected to Daschle's request, but Daschle vowed, "We will continue to press this matter. We will look for other opportunities," including offering the Democrats' bill as an amendment to any other legislation that comes along.

Don Nickles (R-Okla.) offered a unanimous consent request on behalf of the Republicans to bring the GOP version of the bill to the floor, with the Democrats' bill being allowed as a substitute amendment, and that both sides be allowed three other amendments. Edward M. Kennedy (D-Mass.) objected to Nickles's request on the grounds that the GOP was excessively limiting debate on the bill.

Nickles later warned Democrats that, "if they continue to insist on unlimited amendments, to where they can debate this issue all month, that is not going to happen. They will be successful in killing this bill, not the Republicans."

Campaign finance reform given new life by House

The passage by the House of the Shays-Meehan campaign finance reform bill on Aug. 6 has encouraged Senate backers of reform to have another go at it. John McCain (R-Ariz.), co-sponsor with Russell Feingold (D-Wisc.) of the Senate version, told reporters on Sept. 1, "We feel that it's important that this issue be reviewed again in the Senate."

One question McCain couldn't answer was whether supporters of reform had yet found the eight additional Republicans they need for a filibuster-proof majority. McCain was optimistic, however. "We now have a majority in both houses of Congress that have voted in favor of campaign finance reform, and that makes me absolutely confident that we will pass campaign finance reform either now or some time next year," he said.

Feingold said that the unexpectedly large number of Republicans who voted for the bill in the House (52), puts an end to the last of the excuses as to why reform will not be passed. McCain added that because the House vote of 252-179 changed the political dynamic, "we in the Senate have an obligation to act as well."

The following day, Minority Leader Tom Daschle (D-S.D.) offered a unanimous consent request for the Senate to consider the House-passed Shays-Meehan bill. As before, Daschle's request was blocked, with-

out comment, by Mitch McConnell (R-Ky.), who is an implacable opponent of campaign finance reform. Daschle indicated that one of the options left to supporters of reform is to offer the bill as an amendment to any legislation that comes to the Senate floor, a tactic that McCain had also indicated is likely.

Appropriations process heads toward gridlock

The Senate passed three more spending bills upon its return from the summer recess (the House did not reconvene until after Labor Day), including the Treasury/Postal Service; the Commerce, Justice, State and the Judiciary; and the Foreign Operations bills. Additionally, the conference report on the Military Construction bill was passed by the Senate on Sept. 2, and sent to President Clinton for his signature.

However, the veto threats hanging over seven of the remaining 12 bills, and uncertainties over the relationship between Congress and the President in the wake of the scandals emanating from Independent Counsel Kenneth Starr's assault on the Presidency, leave completion of the appropriations process up in the air.

Majority Leader Trent Lott (R-Miss.) told reporters on Aug. 31, that not only has President Clinton's credibility been lost as a result of the current scandals, but also he "threatens to shut down the government because we will not give him more money than he agreed to with us to spend last year." He said working with the President and his Congressional allies is difficult under the current circumstances, especially if they "circle the wagons and try to shut things down, and there have

been a lot of indications that may be exactly what they have in mind.”

Ironically, while Lott is accusing the President of wanting a government shutdown, some of his Republican colleagues in the House, lead by David McIntosh (R-Ind.), want to force such a confrontation, because they believe they can win it in the wake of the Starr-generated scandals.

Kennedy to offer new minimum wage increase

On Sept. 3, Sen. Edward M. Kennedy (D-Mass.) announced on the floor of the Senate that he will be introducing an amendment to increase the minimum wage to \$6.15 an hour by Jan. 1, 2000. One of the obstacles the bill faces, however, is that some Republicans are tying it to so-called bankruptcy reform.

“Too many citizens are just one paycheck away from bankruptcy,” Kennedy said. “Facing a sudden health crisis, a divorce, or some other family emergency, these families often have no choice but to declare bankruptcy.” Republicans have responded to this situation, he said, “with legislation to make it easier for banks and credit card companies to squeeze these already struggling families even harder,” referring to the bankruptcy reform bill championed by Charles Grassley (R-Iowa) and Richard Durbin (D-Ill.).

Kennedy said that despite the 1996 increase in the minimum wage, from \$4.25 an hour to \$5.15, the minimum wage “declined in terms of real purchasing power,” and increasing it to \$6.15 in the year 2000 will still leave it with real purchasing power of only \$5.76. If it is not increased, he said, then the current level will be \$4.82 in

real purchasing power, “which will put us close to the lowest levels in the last 35 years in terms of purchasing power for working families at the lower end of the economic ladder.”

Paul Wellstone (D-Minn.) indicated that the minimum wage amendment would be introduced on the bankruptcy bill, but when Majority Leader Trent Lott (R-Miss.) moved to take up that bill, Kennedy objected. Kennedy complained that the GOP wanted to move to a bill that affects 1.3 million people when there is other legislation, such as HMO reform that affects 120 million people, or the campaign finance reform bill passed by the House, that the Republicans refuse to take up. Additionally, “some are very concerned about the fact that some \$50 million have been expended by banks and credit card companies to move this legislation forward.” Lott then filed a cloture motion to proceed to the bankruptcy bill, with a vote scheduled on Sept. 9.

Democrats warn that farm crisis is getting worse

On Sept. 3, the Senate Democratic leadership announced several additional measures to address the farm crisis. Tom Harkin (D-Iowa) said that in the time since the Senate floor debates on the crisis in July, in which Republicans insisted that the 1996 Freedom to Farm bill could not be reopened, “the situation has become far worse.” He reported that commodities prices, such as for wheat, corn, soybeans, hogs, and barley, have gone down 12-26% just since July. “There can be no doubt,” he said, “that we have a disaster in Rural America, and we have to take some action.”

Minority Leader Tom Daschle (D-

S.D.) listed the measures the Democrats plan to introduce in the immediate future, most likely as amendments to pending legislation. These include an amendment to raise the loan caps on marketing loans, and one to increase the level of emergency cash assistance, up from the \$500 million that was passed in July. That amount “is unfortunately way too low, given the circumstances today,” said Daschle. Another would allow loan deficiency payments for corn harvested as silage, and another would provide farmers with an emergency storage program until prices improve.

Intersecting the debate on the farm crisis is the issue of fast-track negotiating authority, which was included in an omnibus trade bill marked up by the Senate Finance Committee on July 21. One of the arguments put forth by Republicans is that the way to address the farm crisis is to open up export markets, for which fast track trade negotiating authority is essential. Byron Dorgan (D-N.D.) told reporters on Sept. 8 that he believed the previous trade agreements negotiated with fast track were primarily responsible for the current situation in agriculture. He vowed to do everything in his power to make sure that fast track does not become law this year. “I’m sick and tired,” he said, “of trade agreements that undercut our agricultural interests, and I think I can demonstrate that that’s been happening time and time again in these trade negotiations. It’s not going to be happening any more if I can do anything about it.”

Dorgan was seconded by Daschle, who said, after the Democratic Caucus meeting on the same day, that Republicans are bringing up fast track in order “to make politics out of trade.” He added, “We don’t think this is the time or the place to make politics out of such an important issue.”