

Congressional Closeup by Carl Osgood

Budget caps should be changed, says Regula

As the Appropriations committees in both Houses begin work on the 13 regular Fiscal Year 2000 appropriations bills, they are confronting the budget caps imposed by the 1997 budget agreement for the first time. These caps are already leading to friction between Congress and President Clinton over administration budget requests. In the recently passed supplemental appropriations bill, the friction was dealt with by designating most of the spending as "emergency" funding, which exempts it from the caps.

Rep. Ralph Regula (R-Ohio), chairman of the House Interior Appropriations Subcommittee, told a breakfast meeting of the American League of Lobbyists on May 25 that nobody wants to take the lead on dealing with the caps, which apply only to discretionary spending, i.e., about one-third of the total Federal budget. He also said that President Clinton has been inconsistent. Clinton signed the 1997 budget agreement, caps and all, with great fanfare, he said, "and yet sends up a budget that is way over what is established as a total under the caps."

What has to happen, Regula said, is that the leadership of both parties in both Houses, and the White House, have to get together "and recognize that the needs of this nation are such that to address these items [that people want in the budget] . . . we have to change the caps," a suggestion that will cause heartburn for the budget cutters in Regula's party.

So far, the "easy" spending bills have begun to move forward in both the House and the Senate. The agriculture and nutrition programs bill was set to come to the House floor on May 25, with the legislative branch appropriations bill not far behind. However, other issues could bog down the agri-

culture bill, such as dairy pricing, and whether the Food and Drug Administration should have authority to approve abortion-inducing drugs.

Juvenile crime bill clears the Senate

On May 20, the Senate passed the GOP's juvenile crime control bill, but not before there were more fireworks on the gun control issue. Two more amendments dealing with firearms sales and background checks were passed.

The first, sponsored by Gordon Smith (R-Ore.) and James Jeffords (R-Vt.) closed a loophole that had been opened by an earlier pair of GOP amendments. Jeffords called the amendment "an attempt to try to get a bipartisan bill." Smith said that the amendment used the same language as that written by Charles Schumer (D-N.Y.) in an amendment that had been rejected earlier, "to go back to current ATF [Bureau of Alcohol, Tobacco, and Firearms] regulation to make sure that if someone comes in and hocks his gun, he cannot then go, commit a felony, and then retrieve that gun without a background check." The amendment passed by a vote of 79-21.

The second, sponsored by Frank Lautenberg (D-N.J.) and Robert Kerrey (D-Neb.), was touted as closing the rest of the 13 loopholes that were opened by GOP amendments the week before. It passed by a vote of 51-50, with Vice President Gore casting the tie-breaking vote. Pat Leahy (D-Vt.) ridiculed the GOP for opening so many loopholes and then trying to close them with "baby steps toward the background checks" approach. Since the Smith-Jeffords amendment only closed two loopholes, he said, the Re-

publicans will need 6.5 more amendments to get the rest of them.

Schumer continued his incessant attacks on the "gun lobby." Since the debate was taking place just hours after the nonfatal shootings at a high school on Georgia, Schumer said that "should have taught us that winking at the NRA [National Rifle Association] and then smiling at the American people just produces more carnage." Not once during his diatribe did Schumer refer to the popularity among children of violent video games that have been described as "murder simulators." In fact, he later voted against an amendment to establish a commission to study the effects of these video games and the movie industry on children, for the purpose of developing measures to reduce juvenile violence, an amendment that was defeated 56-41.

Campaign finance reform gets push from Dems

In a direct challenge to the House GOP leadership, House Democrats have been circulating a discharge petition to force onto the House floor a campaign finance reform bill similar to the Shays-Meehan bill that was passed by the House last year. At that time, then-House Speaker Newt Gingrich (R-Ga.) allowed the bill to be debated, in order to head off the possibility that enough moderate Republicans would sign the discharge petition to force the bill out of committee. However, the procedure adopted by the House GOP leadership loaded so many amendments into the process that action was completed too late in the year for the Senate to consider the bill.

This year, there seems to be no such cracks developing in the GOP front. The discharge petition has gar-

nered 196 signatures of the 218 required, but no Republicans are among them. Several Democrats have suggested that this is the result of strong-arm tactics by Majority Whip Tom DeLay (R-Tex.). The May 13 *Roll Call* quoted John Doolittle (R-Calif.), who said, "People who sign the discharge petition . . . are really committing treason against the party."

Minority Leader Richard Gephardt (D-Mo.) said that while the Republican leadership is busy attempting to keep moderates under control, "DeLay is twice as busy making sure the money keeps rolling in. It is no surprise that the GOP, which outspends Democrats two to one, has proclaimed that supporting campaign finance reform should be a felony offense."

Defense authorization bill debated in Senate

On May 24, Senate Armed Services Committee Chairman John Warner (R-Va.) brought to the Senate floor a \$288.8 million Defense Authorization bill, which is \$8.3 billion more than what the Clinton administration has asked for. Warner described the bill as intended to address shortfalls in readiness that have come to the fore in recent years. The bill adds \$3.3 billion to military construction programs, \$1.2 billion to readiness accounts, \$813 million for procurement, \$509.3 million to ballistic missile defense programs, \$218 million for military space programs, and lesser amounts for other programs, all over and above the President's request. It also includes an enhanced pay and benefits package for military personnel.

However, debate is likely to be dominated by issues such as alleged Chinese spying at U.S. nuclear weapons facilities, the strategic role of

NATO, and additional base closure and realignment rounds. An amendment authorizing two further rounds of base closures, supported by Secretary of Defense William Cohen and many Senate Democrats, is expected to generate heated debate. Carl Levin (D-Mich.), the ranking member on the committee, said, "The need for additional rounds of base closures is overwhelming." Warner indicated that he opposed further closures, but would wait for the amendment to come to the floor before making further statements.

Policy debate began on an amendment by Pat Roberts (R-Kan.), a resolution asking President Clinton to certify to the Senate whether NATO's new strategic concept imposes any new commitment or obligation on the United States. If so, Roberts said, President Clinton should submit those changes as an amendment to the North Atlantic Treaty for approval by the Senate. Levin said that he thought the new strategic concept does not impose new obligations, and cited an April 14 letter by President Clinton to Warner saying so, but otherwise thought that Roberts's amendment was appropriate.

Missile defense bill passed by the House

On May 20, the House passed the National Missile Defense Act by a vote of 345-71; it declares that U.S. policy is to deploy "as soon as is technologically possible an effective National Missile Defense system capable of defending the territory of the United States against limited ballistic missile attack." The bill went through an unusual process, in that there was no conference committee between the House

and the Senate on the differing versions of the bill. Rather, the House simply took up the Senate version and passed it.

Members on both sides of the aisle expressed dissatisfaction with that process. Ike Skelton (D-Mo.) said, "We are being asked to concur in the exclusive work of the Senate on a take-it-or-leave-it basis," which "is not right." The rule for debate passed on a voice vote.

The Senate version contained two amendments that made it palatable to the White House. The first specifies that funding of a missile defense system will be subject to the annual authorization and appropriations processes. The second simply added: "It is the policy of the United States to seek continued negotiated reductions in Russian nuclear forces."

A colloquy between Curt Weldon (R-Pa.) and Armed Services Committee Chairman Floyd Spence (R-S.C.) made clear the GOP view that the bill commits the United States to deploy a missile defense system, despite subjecting it to the regular appropriations process. Spence said, "When the President signs this bill, I believe it also reflects a commitment that [the \$10.5 billion that the President has budgeted for missile defense through 2005] will be used to resolve the programmatic issues, to establish the technological feasibility of a national missile defense, and, finally, to deploy a national missile defense." One of the programmatic issues referred to by Spence is the fact that one of the systems under test, the so-called Theater Area Air Defense, or THAAD, has failed to hit a target in all six tests. Weldon argued that despite that, "the THAAD program has accomplished 28 of 30 milestones," and to characterize it as a failure is an insult to the people who work on it.