

## Congressional Closeup by William Jones

### Republicans move to change 12th amendment

With the still-unannounced independent presidential candidacy of Texas billionaire H. Ross Perot looming on the horizon, Sen. Slade Gorton (R-Wash.) and some of his Republican colleagues have introduced a constitutional amendment which would provide for a run-off election for President and vice president of the United States if no candidate received a majority of votes in the Electoral College.

The bill would annul the present Twelfth Amendment to the Constitution, which says that in the case where no candidate has a clear majority in the Electoral College, the House would choose the President from among the three candidates receiving the most electoral votes, while the Senate would choose the vice president from among the top two vice presidential candidates. Each state would have one vote.

According to the Gorton proposal, the chief justice of the Supreme Court would decide if there were no clear majority in the Electoral College and call for a run-off between the two candidates with the most votes. This would be followed by another general election and another vote in the Electoral College. If there were a tie vote in the Electoral College, the chief justice would cast the tie-breaking vote.

Gorton indicated that "the primary purpose of his proposed amendment is to preclude the election of the President and vice president by Congress." One of the prime backers of the Gorton amendment has been Sen. Mitch McConnell (R-Ky.), an ardent advocate of more restrictive federal campaign financing, explicitly in order to attempt to cripple the campaigns of "outsiders" like Democratic presidential candidate Lyndon LaRouche.

Campaign operatives for Perot have already begun asking candidates for the House to consider publicly committing themselves to supporting the winner of the popular vote in their districts, rather than giving their vote to the candidate of their particular party.

### House committee approves aid to CIS

The House Foreign Affairs Committee approved on June 10 the bill submitted by the White House authorizing aid for the nations of the Community of Independent States. The committee decided quickly on the issue, bypassing the usual subcommittee hearings. Both the Democratic and the Republican leadership were anxious to make some progress in approving the measure for Russian President Boris Yeltsin's visit to Washington which began on June 16.

Embedded in the legislation is a \$12 billion quota increase in funds for the International Monetary Fund (IMF). President Bush had asked Congress in April to pass the bill in time for the Bush-Yeltsin meeting, but foot-dragging on foreign aid issues was exacerbated this year by election year considerations, and it has been clear for some time that that schedule would not be met.

The IMF quota increase, in particular, will be a major bone of contention, with longstanding opponents to the IMF not likely to be appeased by simply mixing it with aid to Russia.

Several amendments were adopted in the committee mark-up, but none are considered an obstacle to passage of the legislation. Committee chairman Dante Fascell (D-Fla.) warned against any attempts to sabo-

tage the legislation by the addition of "killer amendments." Rep. William Broomfield (R-Mich.), the ranking Republican on the committee, characterized the aid bill as "probably the most important foreign policy question we will face this year."

As yet, there is no agreement in the House leadership on when the bill will be taken up in full session. Similar legislation has also been introduced in the Senate, but this also has not been scheduled for floor debate.

### NAFTA faces growing opposition

A number of amendments recently introduced in both houses of Congress pose a serious threat to the passage of the North American Free Trade Agreement (NAFTA) with Mexico.

Rep. Henry Waxman (D-Calif.) and House Majority Leader Richard Gephardt (D-Mo.) have gathered 200 signatures on a resolution which warns that they will not support a NAFTA agreement without strong environmental or food safety provisions. Fifty-seven of the signatories had previously voted for giving the President a "fast track" negotiating authority on NAFTA but, with growing popular opposition to the treaty, are now reassessing their support.

Similarly in the Senate, Sen. Donald Riegle (D-Mich.), long critical of NAFTA, has introduced a resolution which would allow Congress to amend the agreement in five areas: 1) monitoring and enforcement of fair labor standards; 2) monitoring and enforcement of environmental standards; 3) establishment of a fair rule of origin (North American content is required for a product to enjoy preferential tariff status under the agree-

ment); 4) clearly established arrangements for dispute settlement; and 5) adjustment assistance for displaced U.S. workers.

Although the "fast track" authority given to the President would allow no amendments by the Congress after the treaty is negotiated (an unconstitutional move), the Riegle amendment would allow Congress to amend the treaty in the designated areas. One lobbyist commented that if the Riegle resolution passed, "we might as well kiss NAFTA goodbye."

## **B**rown pinpoints need for productivity rise

The American Technology and Competitiveness Act introduced on May 21 by Rep. George Brown (D-Calif.), chairman of the House Science, Space, and Technology Committee, calls for a "pro-growth investment package."

The bill addresses not only manufacturing technologies and R&D, but also changes in the tax code to promote investment and capital formation, education and training, and a permanent R&D tax credit.

The goal, Brown said, is to "accrue a 'critical mass' of investment in our high-technology and manufacturing base. . . . This investment then becomes the driver for increased productivity."

In a speech before the Small Business Innovation Research Conference in Bethesda, Maryland on June 4, Brown dismissed the claim that there had been a strong rate of growth during the Reagan years, pointing out that there has been a "grinding national economic decline" which has continued for two decades." The best "single measure of national wealth and eco-

nomie growth," said Brown, "is the rate at which productivity grows."

## **E**nergy bill: no power for the U.S. economy

The Comprehensive National Energy Policy Act, passed in the House on May 27 by a vote of 381-37, does not provide any solution to the country's growing energy crisis. The combination of wasteful environmental and conservation measures, combined with provisions for the deregulation of critical energy industries, dwarfs any small positive steps the bill might include for nuclear energy, or anything else. The legislation reflects the hated National Energy Strategy, produced by the Department of Energy in the second year of the Bush administration.

Because of the predominance of the free market ideology among the so-called conservatives in Washington, the legislation includes further measures to deregulate energy production. The large companies which built and paid for the electricity transmission system in this country, will now have to make it available to small non-utility producers. The utilities have warned that this could increase instabilities in the electricity system, and possibly cause interruptions of service.

The oil industry, which in terms of exploration and new drilling is almost shut down, has been blocked from exploiting reserves off the continental shelf, and could be forced to sell back offshore leases already obtained for drilling.

Through a provision of the energy bill, the Nuclear Regulatory Commission could issue a one-step construction and operating license for nuclear

power plants which would reduce the amount of time and money utilities have to spend battling judicial impediments placed in their way by the environmentalist lobby.

## **P**ressure builds for use of force in Balkans

More voices are being raised in the Congress calling on the United States to lead a U.N. or NATO military operation in Yugoslavia. Most prominent of these has been Sen. Richard Lugar (R-Ind.), who, at a press conference on June 10, said that the mere threat of military force was "not credible." Lugar called for the U.S. to lead a military operation to ensure "stern enforcement of a cease-fire in Yugoslavia, before it's too late."

Lugar, playing to any lingering "nostalgia" over Desert Storm and Operation Provide Comfort (the military operation to bring supplies to the Kurds), called for an "assertion of leadership" on the part of the Bush administration, which, he lamented, was avoiding issues of foreign policy in the midst of a presidential campaign which has predominantly focused on the domestic situation.

Lugar said his statement had not been coordinated with the White House.

Sen. Joseph Biden (D-Del.), chairman of the Senate Foreign Relations Committee, held hearings on June 11 on the situation in Yugoslavia. Lugar indicated that Biden was preparing a resolution calling for military intervention, but as yet Biden has not submitted any proposal.

For the moment, military intervention is still at the level of talk. Sources at the Pentagon indicate that there is no interest there in any such intervention.