

## Congressional Closeup by Carl Osgood

### Africa trade bill bogs down in partisanship

Senate consideration of the African Growth and Opportunity Act took a partisan turn on Oct. 27, when Majority Leader Trent Lott (R-Miss.) used a process known as “filling the amendment tree” to block consideration of any amendments he considers “non-germane.” He concluded the process by filing a cloture motion on his amendments. Lott told the Senate that he did not want the bill “to become a debate about farm policy, sanctions policy,” or any number of other issues, including raising the minimum wage, that Democrats might wish to raise.

Lott justified his action on the basis that the Senate had to move on the bill, but the cloture vote to cut off debate, which took place two days later, failed by a vote of 45-46. Finance Committee Chairman William V. Roth (R-Del.) said that the vote “represents a sad day for America,” because it sends the “wrong signal” to those who were “looking forward to this legislation as a means of beginning [to put] their country on a road to success and development.” Roth claimed that the bill, which includes several other trade measures, would have at least 75 votes if it gets to a vote.

In addition to the procedural difficulties, the bill faces formidable opposition from Ernest Hollings (R-S.C.), who plans to use every weapon in the parliamentary arsenal to prevent its passage. He took Lott to task for imposing “unsentimental” procedures on the Senate. “I don’t think I should have to stand as a Senator . . . and beg another Senator permission to put up an amendment,” he said. “That is the most arrogance I have ever seen” in some 33 years in the Senate. Hollings said that, because free-trade supporters argue that it adds new jobs to the economy, raising the minimum wage is a relevant matter to bring to the de-

bate, since that has relevance to the welfare of American workers.

Lott and Minority Leader Tom Daschle (D-S.D.) wasted no time looking for a way out of the impasse. After a meeting on Nov. 1, Lott agreed to withdraw his amendments, and Daschle agreed to urge his colleagues to vote for cloture on Nov. 2.

### Budget battle heads toward end-game

The tug-of-war between President Clinton and Congressional Republicans entered a new phase on Oct. 28, when the House took up a bill which combined a revised District of Columbia appropriations bill and one funding the Labor, Health and Human Services, and Education departments. Not only were Democrats angered by the 0.97% across-the-board cut in discretionary spending included in the bill, but they were also incensed by the fact that the Labor-HHS bill went to conference without ever being considered on the House floor.

Republicans justified the across-the-board cut by claiming that at least 1% of government spending is lost through fraud, waste, and abuse, and they expect the savings to come from there.

One irony is that the across-the-board cut kills almost \$3 billion of the extra \$4.5 billion that the GOP insisted on adding to Defense spending. Chairman of the Joint Chiefs of Staff Gen. Henry Shelton told the Senate Armed Services Committee the day before, that a 1% cut in the Defense budget could result in up to 50,000 layoffs. Randy “Duke” Cunningham (R-Calif.) suggested that Shelton “has no political spine,” because he is supporting President Clinton and the Democrats in the budget battle.

Democrats were no more friendly. Martin Frost (D-Tex.) said that the GOP has proposed the across-the-board cut “in order to make up for the fact that they cannot get their job done.” Minority Leader Richard Gephardt (D-Mo.) waved around yet another letter from the Congressional Budget Office, which says that the GOP has already spent \$17 billion of next year’s Social Security surplus, an assertion that the Republicans deny.

Just before the House took up the Labor-HHS bill, both the House and the Senate passed, and President Clinton signed, a third continuing resolution that funds government operations until Nov. 5. Eight of the 13 spending bills have now been signed into law. Office of Management and Budget Director Jack Lew has been travelling up to Capitol Hill two or three times a week seeking agreement on the remaining five.

### Prueher nomination gets Senate hearing

On Oct. 28, the Senate Foreign Relations Committee held a hearing on the nomination of Adm. Joseph Prueher to be U.S. Ambassador to China. The hearing was notably less confrontational than one on U.S. China policy which committee chairman Jesse Helms (R-N.C.) used to “set the stage” for Prueher’s hearing. Witnesses included Rep. Chris Cox (R-Calif.), who demanded a more confrontational and geopolitical approach toward China, in contrast to the policy of engagement advocated by the Clinton administration.

Prueher, whose last post before retirement from the Navy was head of the U.S. Pacific Command, presented himself as a citizen-soldier ready to take on a difficult task. He said that the

U.S. relationship with China, “good, bad, or indifferent, is at the top or very close to the top of the international challenges” faced by the United States in the next century. He said that he “plans to try to help create foundations for long-term resolutions” to the many problems that exist between the two nations. He also referred a number of times to the tremendous physical economic challenges faced by the Chinese leadership in its drive to provide food, shelter, and decent living standards for its population.

Prueher was particularly effective at deflecting provocative questions from Helms on Taiwan, North Korea, and other issues. On Taiwan, Prueher emphasized the importance of peaceful dialogue. “Taiwan has always prospered when the U.S.-China relationship was on an upswing versus a downswing,” he said. He also defended his contacts with Chinese military officials during his tenure as Commander in Chief-Pacific. Because such contacts were absent at the time of the Taiwan Strait crisis in 1996, “there was no way of trying to preempt or prevent, through military contact, miscalculation.”

## Senate panel dubious about NATO strategy

On Oct. 28, the Senate Armed Services Committee took up the issue of NATO’s new strategic concept, as adopted during the NATO 50th anniversary summit last April. Former Secretary of State Lawrence Eagleburger preceded a number of Clinton administration witnesses.

The hearing revolved around whether the document produced at the April summit should be submitted to the Senate for ratification. Armed Services Committee Chairman John War-

ner (R-Va.) argued that it should be placed before the Senate because “it is such a radical departure from the original treaty.” He added that NATO taking on non-collective defense missions outside of its territory raises issues related to the criteria used to decide which missions to take on, and, when such missions are taken on, what the impact is on forces dedicated to collective defense.

Eagleburger would not commit himself on whether the Senate should ratify the document, but he did say that “it is terribly important that everyone understand that if we are serious, it means some real changes in the way we do business and the way we think about the alliance.”

On the other hand, Undersecretary of Defense for Policy Walter Slocombe argued that the strategic concept “does not change NATO’s historic purpose as set forth in the Washington Treaty.” He added that, because the threat of direct attack is much diminished since the end of the Cold War, “instability from neighboring regions, weapons of mass destruction, and terrorism are the most likely and potentially the most dangerous security problems we face.” He concluded that, because the strategic concept is a policy document, not a legal one, it does not require Senate ratification.

## ‘Pain relief’ bill passed by House

On Oct. 27, the House plunged into the debate on Oregon’s “Death with Dignity” act, by passing a bill which regulates the use of Federally controlled substances but leaves open the question of whether such Nazi practices should be tolerated. The main provision of the bill states that “allevi-

ating pain or discomfort . . . is a legitimate medical purpose for the dispensing, distributing, or administering of a controlled substance . . . even if such use may increase the risk of death.” The bill then states that it does not authorize the intentional dispensing of any substance “for the purpose of causing death.” It also contains a substantial section on “education and training for palliative care.”

Opponents of the bill argued that it violates states’ rights and intrudes on the doctor-patient relationship. John Conyers (D-Mich.) said that the bill represents “a new hypocrisy” by GOPers, because they claim to support states’ rights but refuse to acknowledge state laws passed by referenda such as the Oregon assisted suicide law. Steve Rothman (D-N.J.) added that the debate is about whether the bill will intimidate doctors to the point that “they will not prescribe the pain medications” to their patients who need it.

Supporters argued that these fears are unfounded. Bart Stupak (D-Mich.) said that the bill does not establish any new Federal standard with respect to the Controlled Substances Act, but rather it forbids the use of controlled substances for the purpose of assisted suicide. Stupak explained that the bill does not repeal the Oregon law, but rather, prevents its use as a defense under Federal law. “There is no reason,” he said, “why our tax dollars and our Federal law enforcement personnel must be drafted into assisting Oregon’s dangerous experiment in assisted suicide.”

While the bill passed the House by a vote of 271-156 and is expected to be taken up in the Senate next year, its future is uncertain. President Clinton has stated his opposition to assisted suicide, but he is reportedly concerned about enforcement issues and the states’ rights issue.