

# New Neighbors

## County to build new Jail, Detox & Homeless Center--here

Arlington's County Board began notifying some Shirlington area homeowners associations this month of plans to build a \$4.7 million, 130-bed detention and drug-alcohol treatment center on 6.8 acres next to Barcroft Park on Four Mile Run Drive between George Mason Drive and South Walter Reed Drive.

Interestingly, news of the center broke five days after a special election to fill a vacancy on the Arlington County Board. Planning and design of the center are already underway, and construction will begin in early September. Inmates will begin living at the center next Spring.

According to the County, 20 beds at the center will be used to provide 3-14 days of detoxification services to substance abusers "as a first step in a treatment continuum." Forty beds will be used to accommodate homeless men and women.

The majority of beds -- 70 in all -- will be used as a jail to "provide a more appropriate environment for a group which does not need a maximum of security."

County officials call the facility a "multi-program residential center," and claim County use of the site "will prevent intense alternative industrial development which otherwise is about to occur." Apparently, the County feels that the economic development which would expand the tax base, help cut property taxes and provide jobs is less preferable than a prison located next to a playground, two bike paths, bus stops, shops, thousands of homes as well as public high school and two elementary schools. They also cite the advantages of "parkland expansion" resulting from the project.

Funding for the center would come from park bond monies, federal and state funds for the programs to be housed at the center and County monies. However, zoning changes are required and several public hearings are planned which will give area residents opportunities to express their views.

Residents have an opportunity on Monday, June 11 at 7:30 p.m., to express their views directly to the Planning Commission and again on Saturday, June 23 at 9 a.m. to speak directly to the County Board. Both meetings will be held at the County Board Room 307, 2100 Clarendon Boulevard. Call 358-3130 for more information on speaking at these meetings.

Our neighborhoods are at stake; so is the personal security of our families. Make your views known!

### Where to write:

U.S. Rep. Frank Wolf (R)  
1651 Old Meadow Rd.  
McClean, Va.  
734-1500

Hon. Clive Duval, II  
P.O. Box 749  
Arlington, Va. 22216  
525-4000

St. Sen Ed Holland (D)  
2500 Wilson Blvd.  
Arlington, Va. 22201  
528-4505

Hon. Mary A. Marshall  
2256 N. Wakefield Street  
Arlington, Va. 22207  
528-1710

Warren G. Stambaugh  
2030 Clarendon Blvd.  
Suite 300  
Arlington, Va. 22201  
276-8015

St. Rep James Almand (D)  
2060 N. 14th Street  
Arlington, Va. 22201  
524-9700

Albert Eisenberg, Chair (D)  
Arlington County Board  
#1 Courthouse Plaza  
2100 Clarendon Blvd.  
Arlington, Va. 22201  
358-3130

### Other Board Members

William T. Newman (D)  
Mary M. Whipple (D)  
Ellen M. Bozman (I)  
James B. Hunter (D)



SENATOR:

Re: your Sunday Today show appearance.

As you know, we have been kicking around a major foreign policy speech for some time. Over the past couple of days, I have been thinking about a theme for that speech: there is now only one real superpower -- the world has rejected Soviet political leadership in a humiliating way, the Soviet economy is a basket case, and no matter how our bilateral relationship develops the Soviets just can't afford to sustain their military at real superpower levels on a global basis. That is a cause for satisfaction but not celebration. Managing U.S.- Soviet relations at this time of enormous volatility inside the USSR is doubly sensitive -- in part because of the danger that disgruntled, panicked Soviet hardliners might try to reassert Soviet power/influence/prestige through military adventurism.

Anyway -- if that is a theme with some appeal to you, you might want to consider raising it in abbreviated form on the Sunday Today show, perhaps along the following lines:

YOU GET THE SENSE OF A MAN FACING UP TO A VERY SOBERING REALITY: THE SOVIET UNION CAN NO LONGER PLAY THE ROLE OF SUPERPOWER, IN THE REAL MEANING OF THAT WORLD. HE'S GOT TO SELL THAT REALITY TO THE SOVIET POWER STRUCTURE -- THE PARTY, THE MILITARY, THE BUREAUCRACY -- AND TO THE SOVIET PEOPLE. AND HE'S GOT TO DO IT IN A POLITICAL SYSTEM THAT, ALL OF A SUDDEN -- AND IRONICALLY BECAUSE OF HIS REFORMS -- MAKES HIM VERY VULNERABLE TO ATTACK FROM ALL SIDES, EVEN PUBLIC ATTACK. SO I WOULDN'T SAY HE'S DESPERATE -- HE'S ONE OF THOSE GUYS WHO REALLY DOES GET COOLER WHEN THE TEMPERATURE GOES UP -- BUT HE'S GOT AN ALMOST IMPOSSIBLE TASK, AND ALMOST NO CARDS TO PLAY.

Again, the theme would fit well post-Summit, and I would bet it would get some media coverage -- but, even then, you might want to save it for a speech and/or op ed (when, hopefully, it would get even more attention). In any case, I thought it was worth floating.



AL



## THE TRADE AGREEMENT AND "LINKAGE"

"LINKAGE" WITH EMIGRATION. In signing the trade agreement, the Administration announced it will not submit the agreement to Congress for approval, nor request MFN, until the Soviets codify their emigration reform. The Administration argues that this represents no change of policy -- no dropping of "linkage" -- since the agreement will not go into real effect until codification occurs.

On this point, I think the Administration made an acceptable compromise, that it can "sell" and that you can comfortably support. Gorbys has a paper to wave for his domestic consumption, and we have retained whatever real leverage the agreement gives us to push the Soviets toward codification.

"LINKAGE" WITH THE BALTICS. "Linkage" with the Baltics is another kettle of fish. At his press conference yesterday, Baker tried to dodge the issue, with little success. He asserted the Administration had never made a satisfactory resolution of the Baltics issue a "specific condition" for a trade agreement. Reminded that many Administration officials had certainly implied some at least indirect "linkage" and that the President had recently said that no progress on the Baltics would make it "extraordinarily difficult" to finalize an agreement, Baker said Bush probably still felt that way -- but that was a political analysis, not laying down a specific condition.

The media will continue to hound the Administration on this "linkage" question. You, too, are going to be asked two specific questions, starting with the next time you face the media (on the Sunday Today show or before).

(1) Do you think there should be "linkage" with the Baltics issue?

(2) Whatever your personal view, do you think Congress in fact will make the "linkage" by refusing to ok the trade agreement or grant MFN until there is a satisfactorily resolution in the Baltics?

You are clearly on record saying yes to both questions in the past. I believe you should stick with that straight, clear position -- even though it will put some distance between you and the Administration. If you want to hedge a bit, you can say:

NO NEED TO MAKE FINAL DECISION NOW. MAKING A BIG DEAL ABOUT IT NOW MAY SERVE SOME DEMOCRATS' PARTISAN PURPOSES -- BUT IT WILL ONLY EMBARRASS GORBY AT A TIME WHEN IT SERVES OUR INTERESTS NOT TO PUT HIM ON THE SPOT. ONE THING WE HAVE LEARNED -- THESE DAYS, CHANGE COMES QUICKLY. A LOT CAN CHANGE BEFORE THIS AGREEMENT REACHES CONGRESS.

BUT IF -- IF -- THERE IS NO CHANGE BY THE TIME CONGRESS GETS THE AGREEMENT, WE PROBABLY WILL -- AND SHOULD -- "SLOW WALK" IT.

You may also be asked why you do not see any "linkage" between the Baltics and the Long Term Grain Agreement. For reply:

LTGA NOT NEW BENEFIT -- REAFFIRMS STATUS QUO; ON-GOING COMMERCIAL RELATIONSHIP. IF ANYTHING, LTGA HELPS US MORE THAN SOVIETS -- WHO HAVE OTHER AVAILABLE SUPPLIERS. AS WE HAVE FOUND OUT IN PAST, GRAIN SALES GIVE US LITTLE LEVERAGE OVER SOVIET POLICIES.



# Trade Accord Holds Many Prizes, But Obstacles to Passage Remain

By CLYDE H. FARNSWORTH

Special to The New York Times

WASHINGTON, June 1 — The decision by President Bush to sign a trade agreement with the Soviet Union today paved the way for a process that would normalize commercial and economic relations between the two countries for the first time in a half-century.

Just five days ago, the President had said the agreement was "not on the table" because Moscow had yet to approve a free-emigration law.

Today's signing suggests that the President has received assurances from Mr. Gorbachev both on the emigration issue and on Soviet efforts to resolve the crisis on Lithuanian independence.

But the Soviet Union has been applying leverage as well. Soviet officials

after such legislation has been enacted," Secretary of State James A. Baker 3d told reporters today.

Lawmakers and their aides said the chances of approval appeared good, provided the Soviet Union lifts its economic blockade of Lithuania and continues policies of freer emigration.

Because it could spur not only commerce but the flow of capital and technology, the decision was eagerly sought by President Mikhail S. Gorbachev to back his market-oriented economic reforms and help him get more food and other consumer goods on store shelves.

Yet it has been almost as avidly desired by American business leaders, who see huge markets in the Soviet Union but shy away from making deals without the seal of approval from Washington that a trade agreement represents.

"It is the psychological indicator of re-engagement in one of the most important markets of the world," said Michael J. Johnson, vice president of international affairs for the FMC Corporation, a Chicago manufacturing company.

## A possible bind: the demand for freer emigration.

### Desire for Soviet Markets

said they would not sign a new long-term grain agreement committing the Soviet Union to higher levels of purchases from the United States over the next five years unless the United States signed the trade agreement. Both accords were signed this afternoon.

### Lower Tariffs, More Options

The trade pact would clear the way for much lower tariffs on Soviet products, according to them "most favored nation" treatment, while expanding American business opportunities in the Soviet Union.

While the agreement has now been signed, technical as well as political reasons could delay its being sent up to Congress for a few weeks.

The President still has to waive restrictions imposed by the Jackson-Vanik amendment to the Trade Act of 1974. The Jackson-Vanik restrictions bar most-favored-nation trade status from countries that place emigration curbs. Congressional trade experts said the agreement cannot go up until the President issues his waiver, a report to the Congress declaring that the free-emigration conditions have been met.

Analysts said both sides now appear to have undertaken a cautious step-by-step process to improve economic relations, but obstacles could still crop up.

Both Governments came to terms on a trade agreement during the 1972-74 period of détente. But that agreement was never implemented because of the Jackson-Vanik restrictions.

"Given the President's long-standing condition that we will not be granting 'M.F.N.' until the Soviets pass their emigration legislation, this agreement will not be sent to the Congress until

Business people also saw the situation in terms of American competitiveness. "Without some clear indication that the pending U.S.-Soviet trade agreement will be implemented, American business proposals will get short shrift in the Soviet Union compared with those from Europe and Japan," the president of the National Association of Manufacturers, Jerry J. Jasinowski, wrote the President last Wednesday.

Domestic politics played heavily on both sides. The President was influenced by a 73-24 vote in the Senate on May 1 on a resolution urging the President not to submit a trade agreement to Congress before the economic embargo against Lithuania is lifted.

Should it come into force, the trade agreement would qualify the Soviet Union for the lowest tariffs granted to any other country. The Soviet Union is today among only 12 countries in the world that do not get the favored trade status.

Soviet products sold in the United States currently bear duties as much as 10 times higher than imports from other countries. By one estimate the price of Soviet vodka could drop by \$1.25 a bottle.

There might not be large short-term increases in trade because the Soviet Union now makes little that Americans want to buy, and has trouble paying for goods it needs from the United States.

However, over the next three to five years, American officials think, the current \$5 billion in annual trade between the two countries could double or even triple.

Largely because of Soviet grain-buying, the United States had a \$3.5 billion surplus last year.



# Soviet Attains Major Goal With Trade Pact

## Agreement Expected to Face Challenges in Congress Over Lithuania, Jewish Emigration

By Stuart Auerbach  
Washington Post Staff Writer

President Bush handed Soviet President Mikhail Gorbachev his principal economic objective at the summit with a stroke of a pen last night, signing a U.S.-Soviet trade agreement that ends nearly 50 years of commercial cold war between the superpowers.

The agreement is a key symbolic factor in Gorbachev's program to bring the Soviet Union into the mainstream of the Western economic system, paving the way for the eventual end of U.S. tariff barriers that raise the price of vodka, furs, caviar, petroleum and other products that Moscow wants to sell in the United States.

But granting the Soviet Union equal tariff treatment with other nations in the United States, the so-called most favored nations (MFN) status, depends on congressional approval of the trade agreement and a Bush waiver of a 1974 law that links trade privileges to Jewish emigration from the Soviet Union. Congress has threatened to hold up the trade agreement until Moscow ends economic sanctions against the breakaway republic of Lithuania.

"Short term, it's hard to see a major impact on trade [from the agreement] because the Soviets don't have much to sell us," said Deputy U.S. Trade Representative Julius L. Katz, who negotiated the agreement. "But in the long term, there are opportunities to develop trade."

U.S.-Soviet trade amounted to a minuscule \$5 billion last year, largely in grain sales to the Soviet Union that left the United States with a \$3.5 billion surplus.

Gorbachev got an earful of congressional ire from House and Senate leaders yesterday morn-

ing during a meeting at the Soviet Embassy. Both the Democratic and Republican leaders of the Senate, George J. Mitchell (D-Maine) and Robert J. Dole (R-Kan.), as well as House Majority Leader Richard A. Gephardt (D-Mo.),

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*"Short term, it's hard to see a major impact on trade because the Soviets don't have much to sell us."*

— Deputy U.S. Trade Representative Julius L. Katz

linked passage of the trade agreement to Lithuania. "We have a political problem, too," said Mitchell. Dole said senators want "some fairly ironclad assurances" that Lithuania will gain independence.

It is unclear whether Bush will send the trade agreement for congressional ratification in the face of such opposition, although administration officials believe he could win a veto fight.

Bush also has said he would not ask Congress for a waiver of the 1974 Jackson-Vanik amendment, which links MFN to Jewish emigration, until the Supreme Soviet passes pending legislation giving citizens free right of entry and exit. Soviet officials accompanying Gorbachev blamed the delay on "bureaucratic foot-dragging" and said there is no political barrier to passage of the legislation, which had been expected here before the summit began.

Despite the congressional opposition, the trade agreement has strong support among

American business executives and farmers, and the Soviets played to that by balking at signing a long-term grain agreement, which would put millions of dollars in the pockets of American farmers, until Bush signed the trade pact.

Further, the trade agreement would make it easier for Americans to do business in the Soviet Union, protecting software, machines and blue jeans from piracy and ending discriminatory practices that hamper foreign trade. The Soviets are unlikely to implement those provisions of the trade pact until they get MFN status.

The National Association of Manufacturers urged Bush Wednesday to sign the agreement, saying that U.S. trade policy should advance America's commercial interest and not be used to send a foreign policy message.

"Without some clear indication that the pending U.S.-Soviet trade agreement will be implemented, American business proposals will get short shrift in the Soviet Union compared with those from Europe and Japan," NAM President Jerry Jasinowski wrote Bush.

The administration's economic policy officials—Treasury Secretary Nicholas F. Brady, U.S. Trade Representative Carla A. Hills, Commerce Secretary Robert A. Mosbacher and Michael J. Boskin, chairman of the President's Council of Economic Advisers—made an economic case for signing the agreement in a joint memo to Bush. But they noted the president's decision also must consider geopolitical and domestic political aspects.

Granting MFN status would lower the tariffs on a liter bottle of vodka by \$1.10. It would slash the tariffs on sable furs to 8 percent from 50 percent and cut tariffs on caviar in half, from 30 percent to 15 percent.



FACT SHEET: JOINT STATEMENT ON TECHNICAL ECONOMIC COOPERATION

BACKGROUND

- o At Malta, President Bush presented President Gorbachev with list of proposed technical economic cooperation projects designed to permit U.S. and Soviet experts to exchange information and facilitate Soviet movement toward more market-oriented economy.
- o Sides have already had useful exchanges under this program, involving a number of U.S. and Soviet government agencies. These have included:
  - Visits by Soviet Finance Minister Pavlov and State Bank Chairman Gerashchenko to Washington and by Federal Reserve Chairman Greenspan and CEA Chairman Boskin to Moscow to discuss economic policy issues.
  - Visits by Soviet delegations to U.S. to study ways to foster small business development, the formation of stock exchanges, the banking system and other issues.
  - Exchanges between U.S. and Soviet statistical experts.
- o Further projects under consideration include exchanges on anti-trust issues and Moscow Conference on the formation of capital markets, organized by New York Stock Exchange.

TERMS OF THE STATEMENT

- o Statement draws attention to importance of technical economic cooperation as concrete expression of U.S. and Soviet commitment to work together in support of economic perestroika.
- o Sides agree to expand scope of current cooperation projects and develop new projects in areas of mutual interest.



MEMORANDUM

JUNE 2, 1990

TO: SENATOR DOLE  
FROM: MIRA BARATTA  
SUBJECT: SUMMIT ARMS CONTROL AGREEMENTS

Yesterday, the President and Gorbachev signed the following agreements and statements relating to arms control:

(1) NUCLEAR TESTING PROTOCOLS:

- Verification protocols to the Threshold Test Ban and Peaceful Nuclear Explosion Treaties (also known as the TTBT and PNET).
- Provides for on-site verification of all U.S. and Soviet nuclear tests above 35 kilotons (the Threshold Test Ban Treaty sets an overall yield limit of 150 kilotons on all nuclear tests).
- Now that these protocols are complete, the Senate will be able to move on advice and consent of the TTBT and PNET.

The two treaties will probably be sent up some time next week. While the protocols themselves will not be controversial, the liberals will probably use the opportunity of the ratification process to call for further limitations on nuclear tests, either in number or yield.

As you know, the need for testing is determined by national security requirements of safety, reliability and modernization. The Departments of Defense and Energy believe testing is critical to the credibility and safety of our nuclear deterrent.

(2) NONPROLIFERATION JOINT STATEMENT:

- This joint statement reflects bilateral discussions held over the last six months in which chemical, nuclear and ballistic missile proliferation were addressed.
- It commits the U.S. and Soviets to work together to prevent proliferation.



(3) U.S.-U.S.S.R. CHEMICAL WEAPONS DESTRUCTION AGREEMENT:

- A bilateral agreement to reduce U.S. and Soviet chemical weapons stockpiles to levels equal to about 20% of the current U.S. stockpile (about 5000 tons).
- Destruction will begin in 1992 with a goal of destroying 50% of declared stocks by the end of 1999.
- Both sides have agreed to cease chemical weapons production when the bilateral destruction agreement enters into force.
- On-site inspections provisions will be negotiated by December 31, 1990; their purpose will be to confirm destruction.
- The objective of this agreement is to provide impetus to the multilateral negotiations toward a verifiable global ban on chemical weapons (these are taking place in Geneva, at the Conference on Disarmament or CD).

(4) JOINT STATEMENT ON CFE:

- Reaffirmed U.S. and Soviet commitment to sign a CFE Treaty in 1990;
- Agreed that a CFE agreement is essential to the future security of Europe;
- Committed the U.S. and Soviets to intensifying the pace of the CFE negotiations in Vienna.

(5) JOINT STATEMENT ON START:

- Reaffirmed the goal of completing a START Treaty this year;
- Reaffirmed the areas of agreement reached to date on the "major" points of a START Treaty, such as:
  - \* warhead and launcher ceilings and sublimits
  - \* 50% cut in Soviet ballistic missile throwweight
  - \* restrictions on non-deployed missiles



- \* warhead counting rules
- \* Air-launched cruise missile (ALCM) range
- \* "politically-binding" limitation on sea-launched cruise missiles (SLCMs) of 880
- \* various parts of the verification regime
- \* Treaty duration of 15 years unless superceded by a new Treaty

While this list is long, it is not comprehensive. And, it does not reflect the significant amount of work left to be done on completing the verification regime, especially as it relates to mobile ICBMs (which the Soviets possess in great number).

I am not quite sure what happened on the much discussed subject of limitations on the modernization of Soviet heavy ICBMs, such as the SS-18. This subject is not covered in the fact sheets I received from the White House so my guess is that we did not succeed in preventing the continued modernization of the SS-18 (this modernization is making the SS-18 twice as accurate and lethal).

#### (6) JOINT STATEMENT ON FUTURE NEGOTIATIONS ON NUCLEAR ARMS

- Both sides aim to complete work on START this year and to begin future talks (START II) "as soon as practicable."
- In "START II" the sides will pursue the "appropriate relationship between strategic offensive and defensive arms."
- START II talks will focus on reducing more destabilizing systems (ie., the SS-18 and giving priority to more survivable systems (ie., single-warhead systems, like Midgetman).
- Both sides committed to continuing the Defense and Space Talks without delay.

As you can see, most of the above is vague and non-committal. The main point is that we committed to follow-on START talks. The big question is the meaning of the language on the relationship between offensive and defensive arms. Dave Smith probably worked with the Soviets on this language.



MEMORANDUM

JUNE 1, 1990

TO: SENATOR DOLE

FROM: MIRA BARATTA *MB*

SUBJECT: TALKING POINTS ON SUMMIT ARMS CONTROL FOR SUNDAY TV

It seems to me that the Administration will probably try to highlight the agreements reached with respect to START, chemical weapons and nuclear testing verification and will downplay the lack of progress on conventional arms control and the Germany/NATO question (Bush and Gorbachev are scheduled to have a press conference on Sunday at 10:00 a.m.). Therefore, I think that it would be appropriate for you to try to strike a balance in your comments, supporting progress made, but focusing on the reality of the situation in Europe, as well.

As you know, there are still over 500,000 Soviet ground troops in Eastern Europe. Of those troops, the Soviets have 380,000 deployed in East Germany, and the Soviets are not in a hurry to move them out, citing housing shortages in the Soviet Union. The real reason, of course, is that they want to retain leverage for the Two-plus-Four talks, and this strategy seems to be working, since the President is talking about limits on German military in a follow-on to the CFE agreement currently being negotiated.

Talking Points:

- \* There has been a lot of rhetoric announcing the end of the Cold War.
- \* There have been dramatic political changes in Eastern Europe.
- \* But, what is the military reality in Europe?
  - there are over 500,000 Soviet ground forces in Eastern Europe;
  - there are over 380,000 Soviet troops in East Germany;
  - and, of course, there are still 40,000 Soviet tanks in Eastern Europe.
- \* So, it seems to me that hundreds of thousands of Soviet troops, thousands of Soviet tanks and guns will have to leave Europe before we can say that the Cold War is really over.



If asked about START, I suggest the following:

- \* Progress on concluding a verifiable and stabilizing START Treaty is welcomed.
- \* We must keep in mind, however, that there is still important work to be done on the details of verification.
- \* The end-game is always difficult and the Soviets have a history of digging in their heels, but the U.S. needs to hang tough on issues important to us, like verification.

If asked about the chemicals accord, I suggest the following:

- \* The chemical weapons threat is growing.
- \* The U.S. has been working toward a global verifiable chemical weapons accord since 1984, when then Vice President Bush tabled the U.S. Draft Treaty in Geneva.
- \* I hope that this bilateral agreement with the Soviet Union will move us closer to our goal of a global, verifiable ban on chemical weapons.



JUN 2 '90 10:29

FROM US TRADE REPRESENTATIVE

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PAGE.003

JUN 1 '90 18:34

FROM SUMMIT PRESS OFFICE

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

June 1, 1990

FACT SHEET

COMMERCIAL AGREEMENT

BACKGROUND

- o At Malta President proposed targeting June summit for completion of MFN commercial agreement, provided that Soviets approve and implement new emigration legislation.
- o New emigration legislation passed first reading in Supreme Soviet in November.
  - Second Supreme Soviet reading, which would codify the law, was set for May 31. No serious opposition has appeared, but press of other business could delay final passage.
  - We have emphasized to Soviets at all levels importance of expeditious passage.

TERMS OF THE AGREEMENT

- o Agreement breaks much new ground in commercial agreements with Soviets. Specifically, it:
  - provides improved market access, for example, by prohibiting adoption of standards which are discriminatory or designed to protect domestic production;
  - facilitates business by establishing expedited accreditation procedure for commercial offices; allowing offices to hire directly local and third-country employees on mutually agreed terms; permitting access to all advertising media; and allowing companies to engage and serve as agents and to conduct market studies; and
  - offers strong intellectual property rights protections by reaffirming commitments to Paris Convention and Universal Copyright Convention; obligating adherence to Bern Convention for the Protection of Literary and Artistic Works; providing copyright protection for computer programs and data bases and protection for sound recordings; providing product and process patent protection for virtually all areas of technology; and providing comprehensive coverage of trade secrets.
- o Soviets have reaffirmed their commitment, once they receive MFN and USG lending restrictions (Stevenson and Byrd amendments) are lifted, to resume lend-lease repayments.



FACT SHEET: LONG-TERM GRAINS AGREEMENTBACKGROUND

- o Current 2<sup>1</sup>/<sub>4</sub>-year extension of 1983 Long-Term Grains Agreement, which requires USSR to buy nine million tons of grain from U.S. annually, expires December 31.
- o Negotiations on new agreement began in December 1989.

TERMS OF THE AGREEMENT

- o New agreement to take effect January 1, 1991.
- o Soviets required to buy minimum of 10 million metric tons of grain from U.S. annually (up from nine million metric tons), including:
  - at least four million metric tons of wheat;
  - four million metric tons of feed grains (corn, barley or sorghum); and
  - two million additional metric tons of either wheat, feed grains or soybeans/soymeal, with soy measures counted double for purposes of quantity.
- o Soviets may buy up to 14 million metric tons annually (up from 12 million metric tons) without prior consultation with U.S. Department of Agriculture.



MEMORANDUM

JUNE 2, 1990

TO: SENATOR DOLE  
FROM: MIRA BARATTA  
SUBJECT: U.S.-SOVIET TRADE AGREEMENT

Attached is the White House fact sheet on the U.S.-U.S.S.R. Commercial Agreement (I have also included fact sheets on technical cooperation and the grains agreement). In addition, I spoke to an individual at the U.S. Trade Representative's Office and he made the following points regarding the trade Agreement:

-- The President will not send the agreement up immediately, rather will wait for passage of new Soviet emigration legislation (unstated, but a factor, is the Baltic issue, as well).

-- Thus, MFN for the Soviets will only occur upon entry into force -- Congressional approval and a waiver of Jackson-Vanik are prerequisites.

-- In the short term, there will not be significant economic gains for the Soviet Union because it does not have goods that meet Western standards and it has only limited resources for the purchase of imports. Short term gains can probably be characterized as enhanced status for the Soviet Union.

-- Economic gains for the U.S. and Soviets will probably be over the longer term. But, U.S. businesses will be able to get established in the Soviet Union under favorable circumstances.



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06/02/90 11:44

202 647 5095

DOLE AFFAIR

008/009

## FACT SHEET: JOINT STATEMENT ON TECHNICAL ECONOMIC COOPERATION

### BACKGROUND

- o At Malta, President Bush presented President Gorbachev with list of proposed technical economic cooperation projects designed to permit U.S. and Soviet experts to exchange information and facilitate Soviet movement toward more market-oriented economy.
- o Sides have already had useful exchanges under this program, involving a number of U.S. and Soviet government agencies. These have included:
  - Visits by Soviet Finance Minister Pavlov and State Bank Chairman Gerashchenko to Washington and by Federal Reserve Chairman Greenspan and CEA Chairman Boskin to Moscow to discuss economic policy issues.
  - Visits by Soviet delegations to U.S. to study ways to foster small business development, the formation of stock exchanges, the banking system and other issues.
  - Exchanges between U.S. and Soviet statistical experts.
- o Further projects under consideration include exchanges on anti-trust issues and Moscow Conference on the formation of capital markets, organized by New York Stock Exchange.

### TERMS OF THE STATEMENT

- o Statement draws attention to importance of technical economic cooperation as concrete expression of U.S. and Soviet commitment to work together in support of economic perestroika.
- o Sides agree to expand scope of current cooperation projects and develop new projects in areas of mutual interest.



# CONGRESSIONAL QUARTERLY

## Weekly Report

Defense Cutbacks  
Help Finance  
Spending Measure

---

Clean Air Conference  
Likely To Be Long  
But Manageable

---

Crime Bill Falters  
After Vote For Ban  
On Semiautomatics

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Despite Accords,  
Bush Faces Criticism  
As He Prepares  
For Gorbachev

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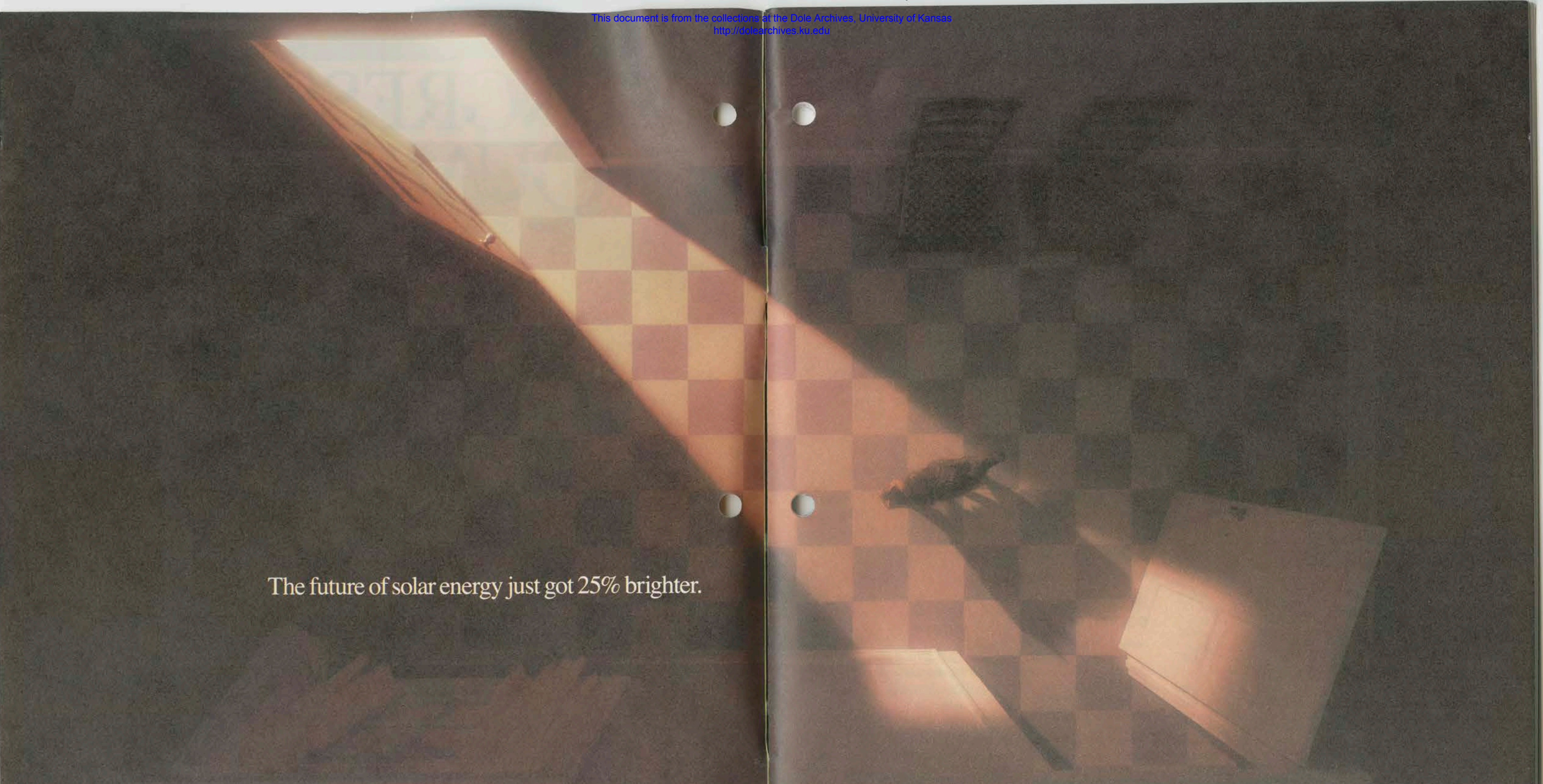
George Brown Faces  
Tough GOP Challenge  
In California's 36th

## Campaign Restraints

Democrats Try To Tie Down Spending,  
But GOP Fights Against Limits







The future of solar energy just got 25% brighter.

Nearly everyone agrees solar energy is a good idea. It's just an expensive one.

So in developing our latest solar cell for satellites, Boeing scientists were pleased to find it may produce power cheaply enough to light your

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We did it with a new design that collects not just the sunlight you can see, but also the infrared light you can't.

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cell, and about twice that of most commercial cells you can buy.

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guarantees, of course.

Still, it's good to know that the long-held dream of cheap energy from the sun is now a good deal closer to reality.

Which makes the future a little brighter for us all.

**BOEING**



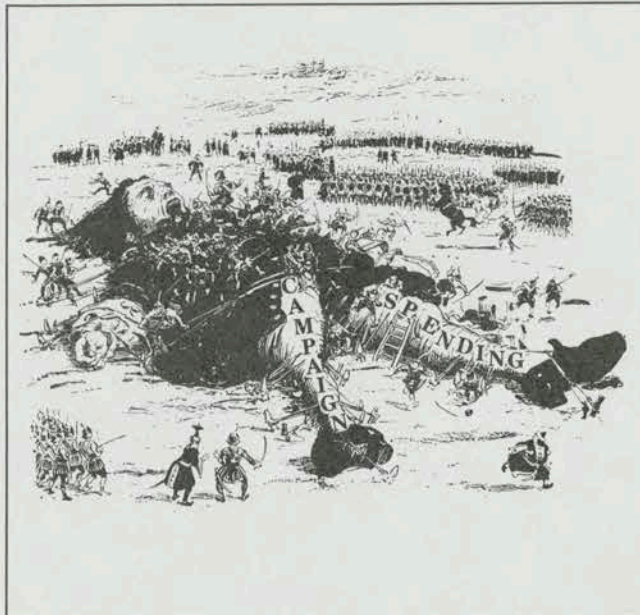
# CONGRESSIONAL QUARTERLY

Weekly Report

May 26, 1990

Pages 1613-1704

Volume 48, No. 21



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Cover: After Charles E. Brock

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## WHAT'S AHEAD

# Eyes Focus on Summit As Gorbachev Arrives

Congress is gone for the Memorial Day recess, but the arrival May 30 of Soviet President Mikhail S. Gorbachev will more than fill the news vacuum in Washington.

Gorbachev will hold talks with President Bush in an effort to speed agreement on a new strategic arms accord, an agreement on conventional forces in Europe and an accord banning production of poison gas.

The situation in Lithuania and U.S.-Soviet trade are also certain to be on the summit agenda. There may also be discussion of developments in the Middle East, Cuba and Afghanistan.

### 101st CONGRESS 2nd SESSION

	House	Senate
Democrats	257	55
Republicans	176	45
Vacancies	2*	0

\* Rep. James J. Florio, D-N.J., resigned Jan. 16. Rep. Daniel K. Akaka, D-Hawaii, was sworn in to the Senate on May 16.

## Calendar of Coming Events

- May 29: Arkansas and Kentucky hold primary elections.
- May 30: The Democratic Party's 1992 Site Selection Committee meets to recommend a site for the next Democratic National Convention.
- June 3: President Bush and Soviet President Mikhail S. Gorbachev are scheduled to conclude their summit.
- June 5: Congress returns from its Memorial Day recess.
- June 5: Primary elections are held in Alabama, California, Iowa, Mississippi, Montana, New Jersey, New Mexico, North Carolina and South Dakota.
- June 11: Former national security adviser John M. Poindexter is scheduled to be sentenced for lying to Congress and related charges in the Iran-contra scandal.
- June 12: The Senate Ethics Committee begins two weeks of public hearings concerning charges against Dave Durenberger, R-Minn.
- June 12: Primary elections are held in Arkansas, Maine, North Dakota, South Carolina and Virginia.
- June 15: U.S. Conference of Mayors begins its annual meeting in Chicago.
- June 19: Congressional and gubernatorial primary runoffs are held in South Dakota.
- June 20: South African anti-apartheid leader Nelson Mandela is tentatively scheduled to begin a visit to the United States.

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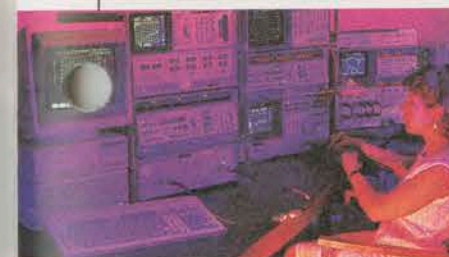
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## THESE ARE SOME OF THE BENEFICIARIES OF LIFE INSURANCE POLICIES



Individual policyholders and their families  
are not the only beneficiaries of life insurance.



America's businesses  
and their workers are  
beneficiaries, too.

Life insurance industry investment helps

create jobs through ventures in  
new technology, plant expansions  
and automation, all necessary  
to keep the U.S. competitive.

Life insurance industry investment of policy-  
holder reserve funds represent 12% of the  
funds available in U.S. capital markets. These  
investments are helping rebuild America's

aging industrial base and helping stem the

hemorrhaging

of jobs in the

Rustbelt.



Life insurance companies have the

resources from policyholder reserves to invest

in a variety of big projects like  
auto plants, semiconductor plants,  
and major energy projects – projects  
necessary for America's growth.

That's something we all benefit from.

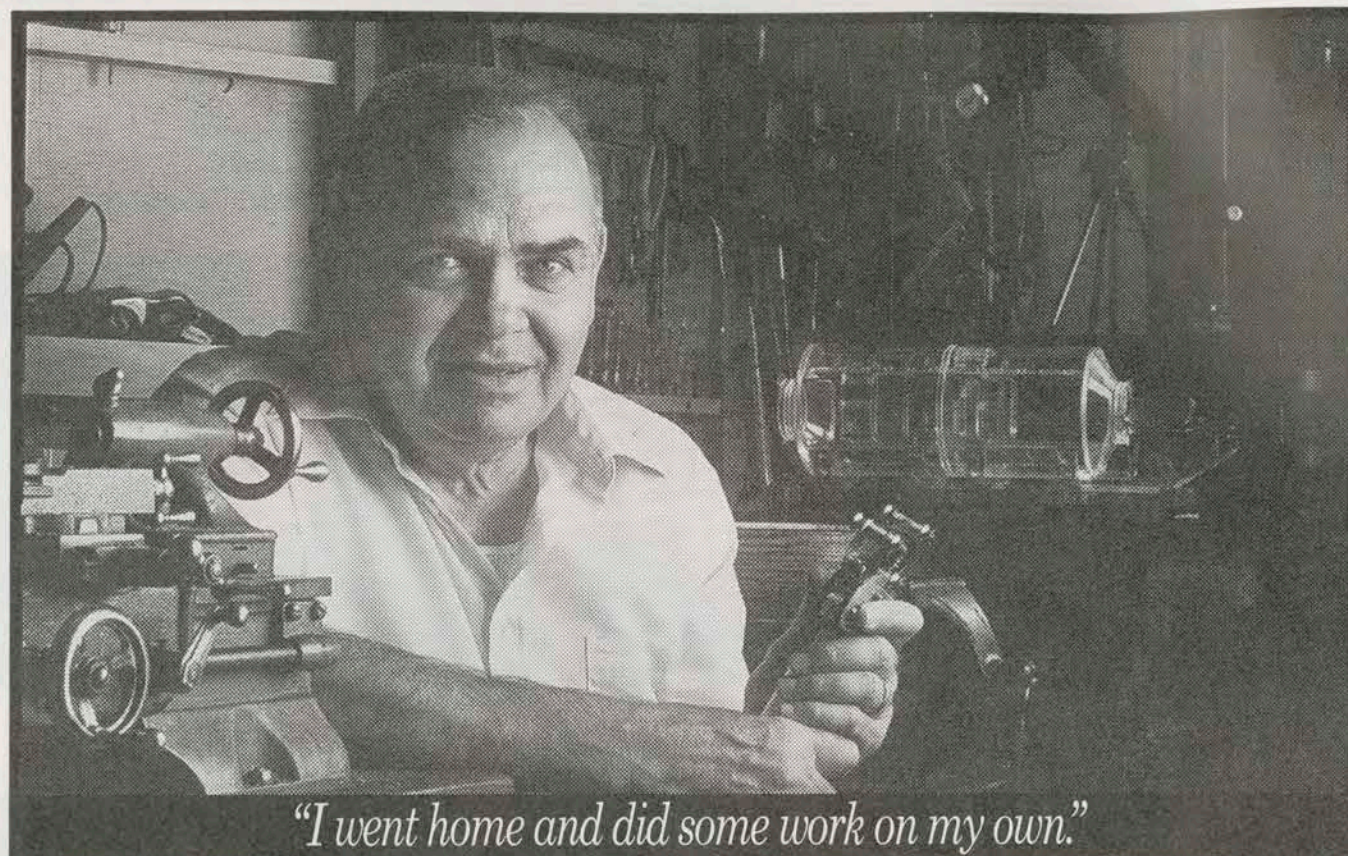
INSURING AMERICA'S FUTURE



American Council of Life Insurance

The American Council of Life Insurance is an Association of Life Insurance & Pension Providers.





*"I went home and did some work on my own."*

Space Station Freedom and the astronauts who will man it are never far from Earl Cooney's thoughts.

"It's not easy for an astronaut to build anything up there," notes Earl. "What they really needed was a fastener that would help them put those space structures together quick and easy."

"My job is solving these puzzles. This time I designed a self-aligning bolt for them. But I couldn't help thinking those heavy gloves they wear could be trouble. So I went home and did some work on my own. Cut up a cookie sheet and found an old gear in the garage—used them to make some modifications on a cordless screwdriver. Turned it into a push-button wrench that'll let anybody—astronaut or robot—screw that bolt together in seconds."

"If you keep on thinking, one interesting idea just naturally seems to lead right on to the next one."

With inventive minds like Earl Cooney's at work, America's success in space looks like a sure thing.—Earl Cooney, Space Station Industrial Engineer Advisor

**MCDONNELL DOUGLAS**  
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## COVER STORY

# The Maze of Spending Limits: An Election Field Guide

*To Democrats, they're the litmus test of true reform;  
to the GOP, they're a formula for losing elections*

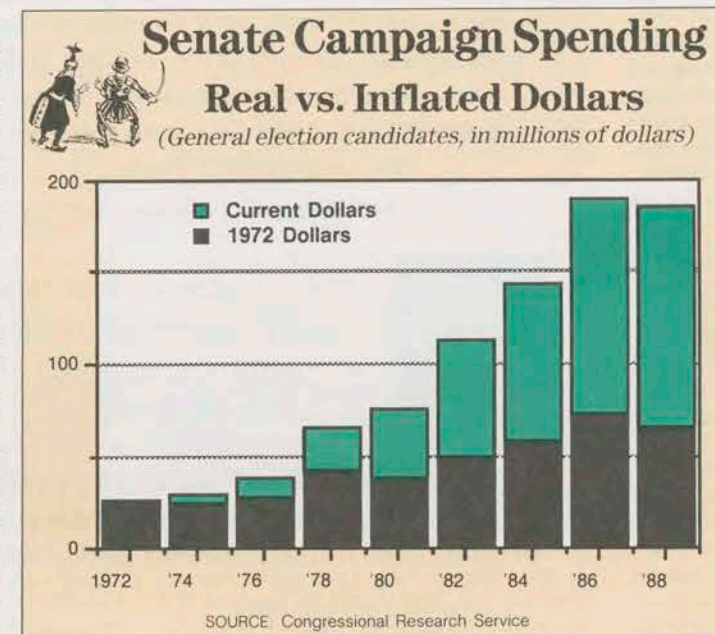
Step into a Republican nightmare. It is 1992, and control of the Senate is on the line. Of the 34 seats up for grabs, 20 belong to Democrats, which makes 1992 the GOP's best shot at majority status since losing it in 1986. But Republican challengers can't fully exploit what they consider their deadliest weapon—money—because a new law, written by Democrats, limits campaign spending.

This is Republican hell: Every incumbent wins reelection, there's no place to spend a huge war chest and minority status takes on the stench of permanence. The vision frightens Republicans, who for the second time in three years are fighting in the Senate to make sure it remains just a bad dream.

Senate Democrats have made state-by-state spending limits the central feature of their proposed election finance overhaul, S 137. They consider it the only sure way to curtail the incessant fundraising that diverts senators' attention and influences their actions.

The Republican proposal (S 2595) centers on how money is raised—for instance, it would eliminate political action committees and promote in-state fundraising—not how much is spent. It would limit spending only to the extent that candidates raise less. (Parties' proposals, *Weekly Report*, p. 1323)

Republicans in 1987 and 1988 blocked Democratic proposals to cap spending. Even then, the GOP was looking ahead to 1992, the first elec-



tion after the decennial redistricting.

"It was ludicrous for anyone to think that our party would stand by and let that happen to us shortly before the important 1992 elections," said Sen. Mitch McConnell, the Kentucky Republican who once again is the GOP floor manager for the issue.

The spending limits Democrats now propose aren't quite as limiting, nor as rigid, as before. But they are limits nonetheless. And Republicans fear the consequences as much as ever.

So it was no surprise that the two parties retreated into their familiar camps as soon as the Senate debate opened May 11. Democrats pushed limits. Republicans recoiled.

David L. Boren of Oklahoma, the Democratic floor manager, said limits represent "real reform." Without a cap, spending will merely pop up elsewhere under a new guise, he said.

The Republican leader, Bob Dole of Kansas, complained about the

Democrats' almost "clinical fixation on arbitrarily determined spending limits." It is a "form of incumbency protection," he said.

These statements highlight why Sen. Bob Packwood, R-Ore., calls spending limits the "touchstone difference" between the parties. "I would hope that reform would not get hung up on the sole issue of spending limits," he said.

His hopes could be dashed easily. Senate negotiators began meeting May 22, but a tour of the two camps they represent and the ground in between makes it clear that they will not easily abandon their positions. What follows is a guided tour of the battleground. (Talks, p. 1627)

## The Proposal

The Democrats use a formula based on a state's voting-age population to set limits varying from \$1.8 million to \$9.6 million. This includes spending for primaries and 25 percent in additional spending allowed for money raised through small in-state contributions.

Participation would be voluntary; candidates who enlisted would spend their own money in a primary but receive substantial public funds for the general election. Other incentives include subsidized mail, free television time and low-cost television rates.

Had every 1988 candidate abided by the limits, challengers would have gained \$21.7 million and incumbents would have lost \$23.6 million, according to Common Cause, the public interest lobby that favors limits. Incumbents spent \$101.3 million in 1988; challengers spent \$49.2 million.



### Whack-a-Mole

Support for spending limits originates from the theory that campaign finance operates like an arcade game called Whack-a-Mole. The mole pops up in one hole, and you whack him down. But then he pops up somewhere else. Similarly, campaign spending, whenever it is suppressed in one form, always pops up elsewhere.

Thus, the Democrats contend that the only sure-fire way to curb spending is to say, "This much and no more." Once a limit is set, the campaign equivalent of an arms control agreement, the spending race comes to an end. The Senate schedule becomes less beholden to the fundraising demands of members; incumbents bow and scrape less to special interests. Challengers aren't scared away by an incumbent's huge war chest, and incumbents can go back to legislating.

### The Scope of the Problem

Democrat Robert C. Byrd of West Virginia found a simile for Senate campaign spending in the GOP's mascot.

"Campaigns have become like bloated rogue elephants rampaging across the American landscape. . . . It is time we put this overweight, fat, clumsy beast on a diet. His cash intake must be drastically reduced."

Byrd is right that, over the long term, spending has exploded. Candidates who made it to the general election spent \$26 million on their Senate campaigns in 1972. Spending reached \$185 million in 1988.

But there is evidence that the cost of campaigning is moderating: The \$185 million spent on 1988 elections was \$5 million less than was spent for 1986. (*Spending*, chart, p. 1624)

The escalation is also not as bad as it first seems if inflation is discounted, as measured by the Consumer Price Index (CPI). The 1988 campaigns cost \$65 million in 1972 dollars. That is a 147 percent increase over 1972 spending, a substantial leap to be sure, but far less dramatic than the 600 percent increase that includes inflation.

### Campaigns Don't Buy Bread

Campaigns pay staff and rent and buy postage, buttons, bumper stickers, newspaper ads and television — lots of television. TV ads accounted for 43.5 percent of

## Party Views of Spending Limits



**"One thing is clear: The only meaningful way to reform Senate elections is to have limits on campaign spending."**

—Senate Democratic leader  
George J. Mitchell, Maine

**"For the last three years, Democrats have been trying to sell the concept of spending limits as the only way to reform the campaign finance laws. Let me tell senators why they are doing this — because it serves the partisan interests of the Democratic Party."**

—Mitch McConnell of Kentucky, GOP floor manager of bill



**"We provide for real reform by providing for a limit on overall spending."**

—David L. Boren of Oklahoma,  
Democratic floor manager



**"An absolute, fixed cap on campaign spending is nothing more than a prescription for incumbency protection."**

—Senate Republican leader  
Bob Dole, Kansas



1988 Senate campaign budgets, according to a study commissioned by the National Association of Broadcasters. This includes incumbents who ran with virtually no opposition. So it's probably unfair to compare campaign costs with a marketbasket of consumer goods such as fuel, food, housing and health care.

A look at the cost of buying television time shows how campaign costs have risen considerably faster than inflation overall. The cost of a 30-second prime-time ad, calculated on a cost per audience rating point, from 1982 to 1988 advanced 61 percent in Albuquerque, N.M.; 95 percent in Miami; 106 percent in Phoenix; 138 percent in Gainesville, Fla.; 141 percent in Cleveland; and 204 percent in El Paso, Texas, according to 1987 testimony to the House Administration Committee by campaign consultant Frank Greer. The CPI, compounded annually, rose less than 25

percent during this period.

McConnell estimates that the spending Democrats would allot for a Kentucky general election, about \$1.5 million, would purchase no more than three weeks of television time even if 70 percent of it were spent buying TV time. The period from Labor Day to Election Day is about two months.

### Eggheads vs. Goo-Goos

Government reformers usually cover their flanks with academic angels. In this debate, the "good government" crowd, led by Common Cause, is largely on its own.

The reason is orthodox political science. Most academics have concluded that rigid spending limits and competitive congressional elections are mutually exclusive concepts.

The academic heavy lifting was done by political scientist Gary

Jacobson for his 1980 book, "Money in Congressional Elections." Studying elections in the 1970s, Jacobson demonstrated empirically that in contests between incumbents and challengers, challengers get the most value out of every dollar they spend. This is because a challenger is generally not as well-known as the incumbent, who benefits from free mail, from good will engendered by helping constituents and from easy access to the media.

Jacobson's rule led to an obvious corollary: Limiting a challenger's spending can limit his chance of winning. This, of course, has become orthodox Republicanism as well. And the GOP is fond of noting that South Dakota's Tom Daschle, co-chairman of the Senate Democratic Policy Committee, is one Democrat who spent far in excess of the proposed limit to win his seat.

### The Doctrine of Sufficiency

Of course, not every challenger who wins needs to outspend an incumbent. Consider the six Democrats who ousted incumbent Republicans in 1986 without outspending them.

All six were established politicians: sitting or former governors such as Terry Sanford of North Carolina and Bob Graham of Florida; a state tax commissioner, Kent Conrad of North Dakota; a former House member and Cabinet officer, Brock Adams of Washington; and House members Wyche Fowler Jr. of Georgia and Richard C. Shelby of Alabama. They did not need to spend as much as most challengers just to achieve name recognition.

"The 1986 Democratic experience indicates that attractive candidates with sufficient funds can beat incumbents spending more money," University of Southern California political scientist Herbert E. Alexander wrote in 1989. "Five challengers won despite being outspent by \$1 million or more; four of the five were outspent by a ratio of nearly 2-1. This suggests a doctrine of sufficiency."

Put another way, challengers need not spend more than an incumbent. They must, however, be able to spend a sufficient amount of money to get their message across.

A report by the Committee for the Study of the American Electorate, a Washington-based nonpartisan research group, noted that only nine of 32 winning challengers from 1978 to 1988 outspent the incumbent. But only seven of the challengers stayed within the proposed Democratic limits — suggest-

ing that the sufficient level is somewhat higher than the Democrats would set.

### How Much Is Enough?

This is the \$64,000 question of spending limits. The trick is to set limits high enough for challengers to win but not so high as to keep spending at obscene levels.

A panel of advisers named by Dole and Majority Leader George J. Mitchell of Maine recommended "flexible spending limits": firm spending limits for money raised from political action committees or out-of-state individuals, and unlimited spending for any money raised from in-state individuals. (*Advisers*, *Weekly Report*, p. 725)

But they didn't set limits. "We had no figures in mind," said Alexander, a panel member. "All we agreed on were the words 'reasonably high.'"

Adding to the difficulty of setting limits is the unique case every state presents: The cost of ads in its television markets, the strength of its labor unions, the two-party tradition, etc.

Consider what it took two Democrats to win in 1986. Florida's Graham spent 80 cents per eligible voter; South Dakota's Daschle spent \$8.02, according to the Committee for Study of the American Electorate. If 80 cents per eligible voter became the basis for all spending caps, the California limit would be slightly more than \$17 million. If \$8 were the limit, it would be \$170 million. The Democrats propose \$10.3 million.

The Democratic bill tips its hat to geopolitical differences in one way. Candidates in states with one or no VHF television station, such as New Jersey, would be allowed to spend more than candidates elsewhere. A Senate candidate in New Jersey has to buy ads in New York and Philadelphia, two of the nation's most expensive media markets. So a candidate there would be permitted to spend \$1.3 million more than if his spending were calculated as others.

### Who Decides?

This is an issue Congress isn't about to turn over to a commission. As University of Virginia political scientist Larry J. Sabato said: "The frequent call for spending ceilings in congressional races is a bad reform idea that sounds good. On the surface, it is an undeniably attractive proposition. . . . But who would determine the ceilings? The Congress would, of course — a body

composed of 535 incumbents who are fervently convinced of the worthiness of their own re-elections."

### Free Spending Equals Free Speech

The Supreme Court, among others, has equated campaign spending with free speech protected by the First Amendment. Thus, the government cannot impose mandatory spending limits. Conservative Republicans, in particular, often argue against spending limits on these grounds.

This is why spending-limit proposals usually offer candidates incentives to participate voluntarily. It is also why Sen. Ernest F. Hollings, D-S.C., contends that the only way to limit spending is with a constitutional amendment.

### Limiting Spending Vs. Spending Limits

One way to attack the cost of campaigns is to attack the rates charged for television ads. Candidates now pay the highest rate to ensure that they get the exact time and audience they want. No point in making your pitch about Social Security on Saturday morning, or answering an opponent's attack ad two days late.

The most popular proposal to address TV costs would allow candidates to purchase the most expensive time — time that cannot be bumped from the broadcaster's schedule — at the cheapest possible rate. This could in effect reduce spending capping it, unless candidates just purchase more ads.

The savings would vary from market to market. Beth Clark, a time buyer at FGI, a North Carolina marketing and advertising agency, estimated that the proposal would trim TV costs 5 percent to 25 percent.

### Invisible Spending

Republicans argue that it is the money that passes unseen through the system that does them in. So they are arguing fiercely for limits on what is known as "non-party soft money," chiefly unregulated money spent by labor unions on politics. Most of this accrues to the benefit of Democrats. Republicans see little point in going along with spending limits on campaigns if the Democrats' allies can continue to spend unlimited amounts outside the campaign.





## Senate Winners Who Spent More

The chart shows how much was spent in recent close Senate races (a winner with 55 percent or less), from Federal Election Commission records. The proposed

Democratic spending limit, from S 137, is in current dollars, and thus cannot be directly compared with past spending without adjusting for inflation.

DEMOCRATS					REPUBLICANS				
Year	State	Candidate	% of Vote	Spending	Year	State	Candidate	% of Vote	Spending
Incumbent wins:					Incumbent wins:				
					1986	Alaska	Murkowski	54	\$ 1,387,756
							Olds	44	412,074
							<i>S 137 limit</i>		1,983,125
						Idaho	Symms	52	3,229,939
							Evans	48	2,128,223
							<i>S 137 limit</i>		1,983,125
						Okla.	Nickles	55	3,252,964
							Jones	45	2,564,983
							<i>S 137 limit</i>		2,319,838
						Wis.	Kasten	51	3,433,870
							Garvey	47	1,306,702
							<i>S 137 limit</i>		3,097,015
					1988	Calif.	Wilson	53	12,969,294
							McCarthy	44	6,986,342
							<i>S 137 limit</i>		10,312,250
						R.I.	Chafee	55	2,841,985
							Licht	45	2,735,917
							<i>S 137 limit</i>		1,983,125
	Wyo.	Wallop	50	1,344,185					
		Vinich	50	490,230					
		<i>S 137 limit</i>		1,983,125					
Challenger wins:					Challenger wins:				
1986	S.D.	Daschle	52	\$ 3,485,870					
		Abdnor	48	3,291,101					
		<i>S 137 limit</i>		1,983,125					
Open seats:					Open seats:				
1986	Colo.	Wirth	50	\$ 3,787,202	1986	Mo.	Bond	53	\$ 5,396,255
		Kramer	48	3,785,577			Woods	47	4,377,661
		<i>S 137 limit</i>		2,371,119			<i>S 137 limit</i>		3,248,567
1988	Wis.	Kohl	52	7,491,600	1988	Fla.	Mack	50	5,181,639
		Engeleiter	48	2,908,101			MacKay	50	3,714,852
		<i>S 137 limit</i>		3,097,015			<i>S 137 limit</i>		6,336,353
						Miss.	Lott	54	3,405,242
							Dowdy	46	2,355,957
							<i>S 137 limit</i>		1,994,815
						Wash.	Gorton	51	2,851,591
							Lowry	49	2,191,187
							<i>S 137 limit</i>		3,055,056

## Senate Winners Who Spent Less



The chart shows how much was spent in recent close Senate races (a winner with 55 percent or less), from Federal Election Commission records. The proposed

Democratic spending limit, from S 137, is in current dollars, and thus cannot be directly compared with past spending without adjusting for inflation.

DEMOCRATS					REPUBLICANS									
Year	State	Candidate	% of Vote	Spending	Year	State	Candidate	% of Vote	Spending					
Incumbent wins:					Incumbent wins:									
1986	Calif.	Cranston	49	\$ 11,037,707										
		Zschau	48	11,781,316										
		<i>S 137 limit</i>		10,312,250										
1988	N.J.	Lautenberg	54	7,289,663										
		Dawkins	45	7,616,249										
		<i>S 137 limit</i>		7,632,631										
Challenger wins:										Challenger wins:				
1986	Ala.	Shelby	50	\$ 2,259,167						1988	Mont.	Burns	52	\$ 1,076,010
		Denton	50	4,617,163								Melcher	48	1,338,662
		<i>S 137 limit</i>		2,720,012								<i>S 137 limit</i>		1,983,125
	Fla.	Graham	55	6,173,663										
		Hawkins	45	6,723,729										
		<i>S 137 limit</i>		6,330,353										
	Ga.	Fowler	51	2,779,297										
		Mattingly	49	5,119,249										
		<i>S 137 limit</i>		3,673,478										
	N.C.	Sanford	52	4,168,509										
		Broyhill	48	5,168,244										
		<i>S 137 limit</i>		3,824,822										
	N.D.	Conrad	50	908,374										
		Andrews	49	2,270,557										
		<i>S 137 limit</i>		1,983,125										
	Wash.	Adams	51	1,912,307										
		Gorton	49	3,290,072										
		<i>S 137 limit</i>		3,055,056										
1988	Conn.	Lieberman	50	2,570,779										
		Weicker	49	2,609,602										
		<i>S 137 limit</i>		2,387,473										
	Nev.	Bryan	50	2,957,789										
		Hecht	46	3,007,864										
		<i>S 137 limit</i>		1,983,125										
Open seats:					Open seats:									
1986	Nev.	Reid	50	\$ 2,055,756										
		Santini	45	2,688,462										
		<i>S 137 limit</i>		1,983,125										
	La.	Breaux	53	2,948,313										
		Moore	47	5,986,460										
		<i>S 137 limit</i>		2,782,011										



### Cutting Off the Source

You can't spend what you don't have. Republicans propose eliminating all political action committees, a major source of campaign money, and cutting the amount candidates can take from out-of-state contributors in half, to \$500 per election. "The effect will be to drive campaign spending down," Packwood said.

### A Republican Buys Limits On Spending — Sort of

Jan W. Baran, a Republican Party lawyer, was a member of the Senate's campaign finance advisory panel. When the report recommending flexible spending limits was issued May 7, Baran said, "The words 'spending limits' do not come easily out of my mouth."

The way the words passed his lips shows how Republicans might approach a compromise. Baran agreed, he said, on three conditions: 1) the figure "must make sense" in terms of real-world elections; 2) political parties "must be unleashed" to work on behalf of their candidates; 3) no restrictions could be placed on money raised from donors living in-state.

"This way the spending limit would be controlled by the people who ought to make the decision — the voters in the state," Baran said.

### A New Paradigm

Frank J. Sorauf, a University of Minnesota political scientist and author of "Money in American Elections," like most of his colleagues has hewed to the doctrine that spending limits favor incumbents. But now, he said, he wonders whether a system of spending limits and public financing might alter politics so dramatically that it would change the nature of candidates themselves.

"It raises the possibility that you might get better challengers," he said.

Maybe the academics and government reformers have something in common after all, for Sorauf's argument is also used by Common Cause President Fred Wertheimer. He contends that the case against spending limits generally focuses on the races in which a challenger exceeded the limit to win.

"To take a system that is not producing competitive races and defend it on the basis of a few races misses the larger focus," Wertheimer said.

## States Filling the Void

Tired of watching federal candidates spend freely and frustrated by a deadlock in Congress on campaign finance, lawmakers in some states are insisting that what's good for the state goose is good for the federal gander.

Ten states have adopted some form of limits on how much candidates can spend to win state offices, according to Herbert E. Alexander, director of the California-based Citizens' Research Foundation. An 11th, West Virginia, asks candidates to pledge to abide by a code of fair campaigning, which includes voluntary spending limits.

Last year, New Hampshire became the first state to create spending limits for congressional candidates. The state had mandatory limits for state candidates from 1915 to 1976, but they fell by the wayside when the Supreme Court in *Buckley v. Valeo* ruled that candidates could not be forced to limit spending. The legislature resurrected limits last May for both state and federal campaigns by offering the carrot of easier ballot access — an area traditionally reserved to the states. Candidates in 1990 who refuse to abide by limits of \$800,000 for Senate races and \$400,000 for House races must pay a \$5,000 filing fee and submit 2,000 notarized signatures.

The Minnesota Legislature followed up last month with an even more sweeping law. Beginning in 1991, candidates will be asked to spend no more than \$3.4 million for a Senate seat and \$425,000 for a House seat per election cycle. If both candidates agree to the limits, neither will receive any public money. But if one does not, his opponent can receive public matching funds of up to 25 percent of the spending limits.

By comparison, so-called flexible state limits being offered by Senate Democrats would allow Senate candidates to spend a total of \$1.98 million in New Hampshire and \$2.85 million in Minnesota, if a proposed exemption for small home-state donations is factored in. GOP Sen. Gordon J. Humphrey spent \$1.7 million in his 1984 New Hampshire Senate race. In the last two Minnesota Senate races, GOP Sen. Dave Durenburger spent \$5.4 million in 1988, and GOP Sen. Rudy Boschwitz spent more than \$6 million in 1984.

Such laws likely have greater impact as moral suasion than lasting legal consequence. The Federal Election Commission has voided the New Hampshire law as it applies to parties, and its lawyers argue that Congress has shown its intention to pre-empt states from limiting federal candidates.

Yet, perhaps because of fear of a public backlash, no New Hampshire candidate has mounted a court challenge, and several are gathering signatures in anticipation of complying with the new law. National GOP officials have vowed that they will fight the Minnesota law. But there is no Senate race in Minnesota between 1991 and 1994, and a legal challenge will likely await a 1992 House candidate willing to risk the label of spendthrift.

Many election-law experts agree that Congress can chase the states out of this patch. But the underlying message has not been lost on some members. During a Senate Rules and Administration Committee hearing in February on campaign finance legislation, Chairman Wendell H. Ford, D-Ky., cited pressure from the states as a reason for fast congressional action. "What is disturbing to this senator is that [states] are already putting limits on spending," he said. "I'm not sure they can control a federal election in their state. But they intend to. And I wouldn't want to bet the store that they can't."

—Glen Craney

### Unintended Consequences

The one certainty, most political scientists agree, is that any change in spending will produce unintended consequences. What's in store if spending limits become law?

Sorauf's paradigm is one vision. Another is political scientist Alexander's new pecking order. He theorizes

that the formula for spending limits would create competitive races in some states but not others. This would eventually influence seniority in Congress because states without competitive races would constantly return their incumbents. The Senate would begin to look like it did in the days of the Solid South, when the Democratic Party rose to dominance. ■

## CAMPAIGN FINANCE

# Negotiators Tread Carefully To Find Common Ground

Senate negotiations over campaign finance legislation, started in three meetings of Democrats and Republicans the week of May 21, are taking shape as a tedious, cordial, careful affair.

No shouting, limited rhetoric, good will — that's how participants characterized the initial encounters. All of which suggests, as aides acknowledged privately, that the senators are only slowly feeling their way toward the contentious issue of spending limits, which to many observers and participants poses an insurmountable barrier. (*Spending limits*, p. 1621)

The Democratic negotiators are led by David L. Boren of Oklahoma, sponsor of the bill before the Senate, S 137. The latest Democratic proposal advocates spending limits and substantial public financing.

The Republican team is led by Mitch McConnell, Ky., chief author of the GOP proposal, S 2595. It would ban contributions from political action committees and enhance the role of parties and their wealthy boosters. (*Proposals compared*, *Weekly Report* p. 1322)

Senators quickly found common ground where it was most expected — issues that hit both parties equally — and agreed that they should tackle these problems:

- **The cost of television advertising.** Both sides want broadcasters to grant candidates better rates.

- **Independent expenditures.** A wild-card campaign operating outside the aegis of candidate committees can intervene decisively in an election by spending a lot of money at the last minute. The Democrats have proposed public assistance to candidates attacked by independent groups; the GOP wants wider disclosure of their activities.

- **Personal funds.** Democrats would bar a candidate from lending his campaign money and then repaying himself from contributions collected later. They also would prohibit any candidate who spends more than \$250,000 of his own money from receiving public funds. Under the Republican proposal, if a candidate spent more than \$250,000 of his own funds, an opponent could collect individual contributions

of \$5,000, up from \$1,000.

- **Bundling.** Both sides would bar "bundling" of contributions by political action committees, corporations, unions, trade associations or their representatives. Republicans, however, want to allow bundling by party committees.

The two sides also discussed "soft money," unregulated money that influences federal elections. It is raised and spent chiefly by political parties and labor unions.

The GOP has been pushing for Democrats to consider greater regulation of union money.

Boren indicated May 23 that Democrats might be willing to give some ground. "I think there is an understanding that both [party and non-party] soft money need to be dealt with ... on an equal basis and not to undercut or disadvantage either party or either party's constituency," he said.

This is an especially sensitive issue within the Democratic Party, which is being whipped badly in overall fundraising by a GOP now in control of the White House for the third straight term.

The latest figures from the Federal Election Commission show that the



Democratic negotiator David L. Boren, left, with GOP counterpart Mitch McConnell.

GOP's three national political committees had raised \$113 million and spent \$100 million in the 15 months that ended March 31, ending the period with \$19 million in cash and \$1 million in debts. Democrats had raised \$24 million and spent \$24 million and had \$6 million in cash and nearly \$2 million in debts. ■

## EXECUTIVE POWERS

# Pocket-Veto Bill Ready for Floor

The House Judiciary Committee on May 22 approved legislation designed to limit the president's use of the pocket veto to adjournment after a two-year session of Congress.

The committee approved the measure, HR 849, by a 23-13 vote mostly along party lines. Tom Campbell, R-Calif., a former Stanford University law professor who once clerked at the Supreme Court, voted for the bill. He was the only member to cross party lines.

The Constitution says the president may prevent a bill from becoming law by withholding his signature if Congress, by adjourning, prevents him from returning the bill. The House and Sen-

ate currently designate agents to receive veto messages when they adjourn.

Nonetheless, President Bush argues that he may exercise his pocket veto whenever Congress adjourns for more than three days. Twice, he has pocket-vetoed bills under circumstances objected to by congressional leaders. (1989 *Weekly Report*, p. 3285)

Many members of Congress contend, with the backing of a federal appeals court, that a president can pocket-veto a bill only after the final adjournment.

Carlos J. Moorhead, R-Calif., argued the Republican position that nothing will be accomplished by sending a bill to the president that he will likely veto. "We don't need a new law; we need a final, definitive ruling from the Supreme Court," he said.

The bill, which gained the approval of the House Rules Committee on March 7, goes next to the floor. ■



## CONGRESSIONAL PAY

# More Than a Third of Senate Has Renounced Honoraria

*Growing nervousness about keeping speaking fees fuels drive for a vote to ban the practice*

Although the Senate last year rejected a House plan to bar members from earning honoraria after 1990, at least one-third of all senators now voluntarily refuse to supplement their income with speaking fees.

At least 34 senators have kicked the honoraria habit or announced plans to quit, a spot check of Senate offices by Congressional Quarterly found.

Last year, a survey by the independent citizens' lobbying group Common Cause found that 19 senators had refused to keep honoraria in 1988.

At issue are the fees lawmakers can receive for speeches, mostly to interest groups seeking influence in Congress. A 1989 law bars House members, but not senators, from keeping the fees beginning in 1991.

The growing number of senators who get no direct benefit from honoraria could bolster efforts to bring the Senate in line with the House.

Christopher J. Dodd, the Connecticut Democrat who is chief sponsor of a bill (S 2015) to ban honoraria, says he may push for a vote in June. "We're getting short of time," Dodd said. "I want to start to move on it."

But Dodd has yet to find an appropriate piece of legislation to which he could attach his measure. Another obstacle is many members' reluctance to forgo honoraria without a compensating pay raise.

Senators who still accept honoraria may soon feel a new blast of political heat, as all lawmakers' finances come under an annual round of scrutiny. Lawmakers' 1989 financial disclosure forms, which were filed May 15, will be released during the week of May 28.

### Who Has Quit

Dozens of House members also have given up honoraria, even though the fees are not yet outlawed for them. The law imposing the ban in 1991 also included a big compensatory salary hike — only for House members. (1989 Weekly Report, p. 3219)

By Janet Hook



Dodd

Wirth

The Senate, more wary of voting itself a pay raise and more dependent on honoraria than the House, adopted a plan to abolish honoraria gradually, reducing the amount senators can keep each year by the amount they get in cost-of-living salary increases.

In 1989, House members were allowed to keep outside income up to 30 percent of their salaries. Senators could keep honoraria up to 40 percent of their salaries. Congressional leaders are paid more than the rank and file, so they can earn more in honoraria.

According to his 1989 financial disclosure form, Majority Leader George J. Mitchell of Maine collected \$50,000 in honoraria last year and gave \$11,000 to charity. House Speaker Thomas S. Foley, D-Wash., accepted \$32,000 in fees in 1989 and gave away \$5,000.

But other members have decided the extra money is not worth the political grief it brings.

At least 10 senators have instituted policies since the beginning of 1989 to either accept no honoraria or direct it all to charity. They are Brock Adams, D-Wash.; Jeff Bingaman, D-N.M.; Bill Bradley, D-N.J.; Alan Cranston, D-Calif.; Dodd; Jim Exon, D-Neb.; Tom Harkin, D-Iowa; Nancy Landon Kassebaum, R-Kan.; John Kerry, D-Mass.; and Tim Wirth, D-Colo.

Patrick J. Leahy, D-Vt., has said he will quit accepting honoraria in 1991.

The newest senator, Daniel K. Akaka, D-Hawaii, already had a no-honoraria policy when he was appointed to replace the late Spark M. Matsunaga.

Eighteen of the senators identified by Common Cause as keeping no hono-

rary in 1988 were William L. Armstrong, R-Colo.; Lloyd Bentsen, D-Texas; Rudy Boschwitz, R-Minn.; Dennis DeConcini, D-Ariz.; John Glenn, D-Ohio; Bob Graham, D-Fla.; John Heinz, R-Pa.; Gordon J. Humphrey, R-N.H.; Edward M. Kennedy, D-Mass.; Frank R. Lautenberg, D-N.J.; Carl Levin, D-Mich.; John McCain, R-Ariz.; Howard M. Metzenbaum, D-Ohio; Claiborne Pell, D-R.I.; Harry Reid, D-Nev.; John D. Rockefeller IV, D-W.Va.; Terry Sanford, D-N.C.; and John W. Warner, R-Va.

A nineteenth senator, Barbara A. Mikulski, D-Md., donated all honoraria to charity in 1988, but kept some in 1989, according to Common Cause.

The group also found four senators elected in 1988 who had no-honoraria policies: Bob Kerrey, D-Neb.; Herb Kohl, D-Wis.; Joseph I. Lieberman, D-Conn.; and Charles S. Robb, D-Va.

Many of the senators who do not keep honoraria do not flatly refuse the money, but direct it to charity.

### Weicker Defeat Remembered

Many developments have built pressure on members to forgo honoraria.

In 1988, one of the few incumbents to be defeated in his bid for re-election was Sen. Lowell P. Weicker Jr., R-Conn., who was heavily criticized by his opponent, Lieberman, for making honoraria speeches — and missing key Senate votes in the process. The message was not lost on his Connecticut colleagues: All eight members of the state's congressional delegation now refuse to keep honoraria. (However, Rep. Sam Gejdenson, D-Conn., didn't establish a no-honoraria policy until mid-1989, by which time he had already earned the maximum he was allowed to keep for that year.)

Dodd says Weicker's defeat did not inspire his drive to ban honoraria. But Rep. Barbara B. Kennelly, D-Conn., said it gave her a big push to direct all 1989 speaking fees to charity. "We all knew it was over with that election," she said. "It was a very clear message."

The senators who have done without honoraria include some of the chamber's wealthiest members, such as Heinz, DeConcini and Rockefeller.

Others who have given up the fees don't need political trouble: Bradley, Exon, Harkin and Kassebaum are all up for re-election this year, although they or their spokesmen deny any political calculus behind their change in policy.

Harkin, who is in a tough re-election race against Rep. Tom Tauke, R-

Iowa, made no formal announcement of his early 1989 decision to quit taking honoraria. "It just got out of hand," Harkin said in an interview. "I found myself on a treadmill."

Tauke's campaign portrayed Harkin's switch as a political move, circulating a home-state newspaper editorial suggesting that Harkin's "new-found courage perhaps comes to life because ... [Tauke] has for years donated his speaking fees to charity."

Harkin criticized Tauke for accepting fees but diverting them to charity. That practice, he says, leaves members indebted to interest groups who make their charitable contributions for them.

### Recent Turnarounds

Leahy decided he would quit accepting honoraria at the same time the House does, even though the Senate rejected the offsetting pay raise.

Bingaman had declined all speaking fees on a case-by-case basis in 1989, but this year made it his policy.

Wirth's decision to stop taking fees as of Jan. 1, 1990, was particularly striking, because he had been one of Congress' biggest honoraria earners.

Common Cause last year calculated how much every senator had kept recently and said Wirth's \$73,089 total in 1987-88 was second only to that of Robert C. Byrd, D-W.Va.

In late 1989, Wirth was a strong proponent of the plan to link an honoraria ban to a pay raise. When the plan failed, Wirth took to the Senate floor with an impassioned promise to force a vote on the issue this year.

### Outlook for Dodd Bill

Dodd said he has considered trying to put his proposal on campaign finance legislation (S 137), but is discouraged by that bill's bleak prospects of becoming law. (Campaign finance, p. 1627)

An aide to Dodd said the senator may soon push for a vote to get members on record, even if it is not on a bill likely to become law.

Many members say they don't want to abolish honoraria without a compensating pay raise, but don't want to vote for one in an election year. That is fueling speculation that the pay raise issue could force Congress into a lame-duck session.

Some senators said there is a growing sense of inevitability that honoraria will no longer be available to senators next year. Said Graham, "I would be surprised if Senate honoraria survived past 1990."

## HOUSE COMMITTEES

# Kaptur Put on Appropriations As Midwest Beats California

A simmering rivalry between the Rust Belt and the Sun Belt came to the surface May 23 in a fight among House Democrats over a choice committee assignment.

Despite its dwindling political clout, the Rust Belt won.

Ohio Democrat Marcy Kaptur on May 23 won a seat on the powerful Appropriations Committee. Her victory was propelled in part by industrial states' desire to keep California from snaring another seat on the committee that decides where many federal dollars will go.

The scene of the fight was the Democratic Steering and Policy Committee, which makes committee assignments. The occasion was the need to fill the vacancy on Appropriations created by the appointment of Daniel K. Akaka, D-Hawaii, to the Senate.

House Speaker Thomas S. Foley remained neutral in the fight — a marked contrast to his predecessor, Jim Wright, who all but dictated key committee assignments while he was Speaker.

Competing were Kaptur, Nancy Pelosi of California, David E. Price of North Carolina, David E. Skaggs of Colorado and Peter J. Visclosky of Indiana. Bob Clement of Tennessee and Lawrence J. Smith of Florida also were nominated, but their names were withdrawn before the balloting began.

Because Democrats have only one woman on Appropriations — Lindy (Mrs. Hale) Boggs, La. — some members saw Pelosi as Kaptur's principal rival. Pelosi is popular and active in party fundraising, and the huge California delegation has three members on the 31-member Steering and Policy Committee. But the state already has five members on Appropriations, and Pelosi ran into anti-California sentiment.

Nowhere in House politics are regional considerations as bald as in committee assignments, as each state

jockeys to have its interests represented on every committee.

In this case, members from the Northeast and Midwest had the added concern that their region would be losing House seats to California and the Sun Belt when congressional district lines are redrawn after the 1990 census.

"Members were very reluctant to put a Californian on now," said Joe Moakley, D-Mass., a Steering and Policy member. "In a couple years they will be able to load every committee with their own people."

It took four ballots to choose a winner. Skaggs was knocked out after the first ballot. The other Rust Belt candidate, Visclosky, fell out after the second. Pelosi was dropped after the third, and the final face-off was between Kaptur and Price. Voting was cut off once Kaptur achieved a majority.

Kaptur had the advantage of having the most seniority. In mid-1989 she ran unsuccessfully for vice chairman of the Democratic Caucus. This was her fourth try for an Appropriations seat. What's more, Kaptur is a member of Steering and Policy.



Kaptur

## ETHICS

# Gingrich Seeking Report on Frank

House Minority Whip Newt Gingrich of Georgia has joined a backbench conservative in urging the House ethics committee to release "all relevant facts and findings" when it completes its investigation of Barney Frank, D-Mass.

Gingrich made his request in a May 22 letter cosigned by William E. Dannemeyer, R-Calif., who has called for Frank's expulsion because of Frank's relationship with a male prostitute. (Weekly Report, p. 1324)

One ethics panel Democrat said the letter was a sign that Dannemeyer was "spreading his net to include the leadership." But a Gingrich spokesman said that the request was not intended to represent the GOP leadership and that it was sent at Gingrich's initiative.

By Janet Hook



APPROPRIATIONS

# A Pork-Heavy Supplemental Is Belatedly Sent to Bush

*Congress finally clears aid for Panama and Nicaragua after cutting Pentagon funds and adding treats*

Congress raided hundreds of petty-cash drawers at the Pentagon May 25, sending President Bush a pork-filled bill partially financed with \$2 billion in defense cuts. The legislation (HR 4404) includes \$720 million for Nicaragua and Panama, aid urgently requested by Bush months ago.

But in completing action on the \$4.3 billion bill, the administration and Congress failed to settle a dispute over previously enacted personnel cuts that could force the Defense Department to discharge tens of thousands of troops.

In a temporary compromise brokered by Speaker Thomas S. Foley, D-Wash., Defense Secretary Dick Cheney agreed to delay the start of cutbacks affecting 210,000 troops and recruits until June 15, giving the bitterly divided players more bargaining time. Later, Cheney threatened to fix the problem himself if a permanent solution is not worked out by June 9.

Final action came in the Senate May 25, shortly after midnight, following a last-ditch attempt by Kent Conrad, D-N.D., to help his state's drought-struck farmers. Frustrated colleagues convinced him that most senators were home in bed and in no mood to vote on an amendment they had defeated just four weeks earlier by a healthy margin, and Conrad conceded defeat.

Earlier, the House finished work on the bill after approving a House-Senate conference committee's report on the measure by 308-108 and defeating nine of 10 attempts by conservative Republicans to kill a plethora of home-state favors inserted by influential members. (Vote 138, p. 1692)

"The porkers are winning," said Steve Bartlett of Texas halfway through an 11-hour session of drubbing May 24 at the hands of the pow-

By Phil Kuntz



Whitten

Byrd

## BOXSCORE

**Bill:** HR 4404 — Fiscal 1990 supplemental appropriations (H Rept 101-434; S Rept 101-272).

**Latest action:** House approved, 308-108, May 24; Senate cleared by voice vote, May 25.

**Next likely action:** President's signature.

**Reference:** El Salvador, p. 1670; House mail, Weekly Report, p. 1531; HUD earmarks, p. 1564; conference, p. 1466; Senate passage, p. 1325; House passage, p. 1049.

erful Appropriations Committee. Encouraged by GOP Whip Newt Gingrich of Georgia, Republicans Bartlett, Jon Kyl of Arizona, Bill Frenzel of Minnesota and Robert S. Walker of Pennsylvania led the charge against the pork-barrel amendments.

More than half the extra money in the bill was requested by the administration to cover shortfalls in various domestic programs, but the White House has tolerated or endorsed hundreds of millions of dollars' worth of congressional additions to assure passage of a measure that has been in the works since Feb. 6.

Though they lost four roll calls and five voice votes aimed at stripping constituent-pleasing goodies from the

bill, Republicans won big twice.

They stopped a Democratic attempt to use up to \$25 million in money appropriated in previous years to pay for members' mass mailings this year.

And they overwhelmingly killed a provision inserted by Sen. J. Bennett Johnston, D-La., that would have forced the Pentagon to spend \$238 million building an ammunition plant in Louisiana that it says is not needed. The plant would have competed with one in the Tennessee district of a well-placed House Republican, James H. Quillen, who is on the Rules Committee.

That provision notwithstanding, the bill's drafters managed to spread the pain of the military cuts — and perks — enough to assure passage. They did not slash any powerful members' favorite programs too deeply and largely stuck with cuts suggested or endorsed by the administration.

In the end, the drafters had to reach their \$2 billion goal, including roughly 150 cuts of between \$10,000 and \$10 million.

Among the bigger hits:

Lawmakers reduced the Pentagon's fuel supplies, saving \$200 million. They shifted \$140 million from the discontinued SR-71 spy plane and killed or cut \$253 million worth of military construction projects, most overseas. The repair of the recently exploded turret on the battleship *Iowa* was deferred, saving \$11 million.

Another \$83 million was cut from payroll accounts, derived from an earlier civilian hiring freeze. NASA lost \$30 million of the Air Force's annual contribution to the space shuttle. Congress shifted \$180 million from various missile accounts, including the MX and the Sidewinder. Almost \$95 million was cut from aircraft-buying accounts, much of it from spare parts and the Air Force's F-4G Wild Weasel.

## Fight Over Personnel Cuts

Members were able to handle those cuts, but all will not be so painless as Congress continues to ratchet the military budget down. That was the lesson from an eleventh-hour power struggle over about \$800 million in personnel cuts, which dragged on even after Congress recessed for the weeklong Memorial Day break.

The reductions were imposed last year when the administration and Congress allowed some across-the-board budget cuts under the Gramm-Rudman anti-deficit law to remain in place. The Defense Department says that unless money is shifted from other Pentagon accounts before fiscal 1991 begins Oct. 1, it will discharge 40,000 troops, delay expected promotions or transfers to 80,000 others and reject 90,000 new recruits.

While crafting the final House-Senate conference version of the bill, defense appropriators attempted to stave off the cuts with a Pentagon-supported \$1.4 billion internal shift of funds, which also included money for medical care.

Again, they managed to spread the pain enough to assure the support of most members, especially those in a position to make trouble. Members rejected, for instance, an administration proposal to defer spending \$325 million for a Navy icebreaker bound for the frozen waters off Alaska, home of Sen. Ted Stevens, ranking Republican on the Appropriations Subcommittee on Defense. They proposed shaving only \$50 million from the project.

But their solution proved unacceptable to House Armed Services Committee Chairman Les Aspin, D-Wis., who has been waging a lonely battle to enhance the clout of his more liberal Democratic colleagues in future budget fights.

Toward that end, he wanted the defense cuts to be more painful.

The origins of Aspin's fight go back to last year's budget battles. In an end-of-the-session deal, Congress and the administration accepted partial Gramm-Rudman cuts, known as sequestration, as part of a deficit-reduction package. The administration could have exempted Pentagon personnel accounts from the cuts, but it chose not to. Instead, the Pentagon earlier this year offered its own proposal to cover the accounts with money from some congressionally popular programs that



Defense Appropriations chairmen Murtha and Inouye consult during conference negotiations.

it cared less about.

That angered Aspin, who blocked the move, known as a reprogramming.

"If you allow the Pentagon to reprogram without pain, then sequestration doesn't hurt defense," Aspin said in an interview. That, he is convinced, would give the administration the advantage in budget battles.

The usually moderate Aspin said he had teamed up in this fight with prominent House liberals, including Barney Frank, D-Mass.

That is where things stood as members were drafting the supplemental spending bill. The House did nothing to prevent the personnel cuts in its version. But the Senate decided to shift money to personnel accounts by cutting virtually everything else across the board.

Aspin signaled his approval, but House negotiators refused to go along. In conference, House and Senate appropriators and the administration came up with the \$1.4 billion reprogramming alternative May 22. Under informal rules governing such matters, however, the proposal also required the approval of the chairmen of the two chambers' Armed Services committees.

Senate Chairman Sam Nunn, D-Ga., agreed, but Aspin balked.

The House chairman said he wanted bigger cuts from the Pentagon's favorite weapons programs — "star wars," the B-2, the SSN-21 attack submarine, the rail-based system for the MX missile and a fleet of small armed helicopters.

To the chagrin of Republicans and conservative Democrats, Aspin refused to budge.

"It's a despicable power play to pay off his left," said GOP Whip Gingrich. "He's saying either the pres-

ident is going to change his priorities on defense programs, or we're going to punish the men and women in uniform."

Privately, some Democrats used harsher, less printable terms to describe the chairman. "There's a lot of bitterness," said one, adding that Aspin has "irritated everybody."

Armed Services Committee members pushed Aspin to call a meeting to vote on the reprogramming issue, but he refused. Dave McCurdy, D-Okla., said Aspin would have gotten no more than five of 54 votes.

The Pentagon sent word that personnel cuts would begin June 1 — not the type of news members wanted to take home for Memorial Day. Members with bases to protect leaned on Speaker Thomas S. Foley, D-Wash., to intervene.

Alabama's Bill Dickinson, the top Republican on Aspin's committee, told the chairman in a memo: "In all honesty, Les, if these actions are implemented the responsibility will fall on your head." Said McCurdy: "We've told him he's got to get a resolution before the break."

Aspin finally gave a little May 23. He agreed to \$800 million in reductions that included \$200 million-plus in big-weapons cuts. He had been pushing for \$400 million. John P. Murtha, D-Pa., the pro-Pentagon chairman of the House Appropriations Subcommittee on Defense, refused to endorse the proposal but agreed not to fight it.

Conservatives described the cuts as a limited move designed to help Aspin save face. Aspin and his allies declared victory, saying the money didn't matter — they just wanted to ensure that the administration stopped using Gramm-Rudman to its advantage. "The main thing is not the dollar amount but that we raised such a fuss about it that it won't happen again," Aspin said.

But the deal fell apart when Cheney refused to accept the weapons cuts. Foley pleaded with him to find a solution. "Can't we work something out?" Foley asked Cheney in a phone call May 24, according to one member's account. Cheney asked for time to think.

Cheney offered to delay personnel cuts until June 15; Foley agreed. Members said Cheney did not want to accept any weapons cuts just days before Soviet President Mikhail S. Gorbachev arrived in Washington for the summit, but Cheney disputed this in a testy news release issued May 25.



## Not So Dire Emergencies

Is the need for a fish farm in Arkansas so urgent as to constitute a "dire emergency"? How about a monument to President Franklin D. Roosevelt? Would new research centers in Mississippi or Pennsylvania fall under that rubric?

Probably not.

But that has not stopped House and Senate appropriators from adding them to a midyear spending bill that begins with the words, "An act making dire emergency supplemental appropriations..."

The fiscal 1990 money bill's main purposes — to help struggling new U.S.-supported governments in Panama and Nicaragua and flood victims in the Southeast — are widely considered to be dire emergencies. But everybody involved in writing the measure concedes that the term is something of a ruse when applied to many of the bill's other provisions.

So when the final version was drafted, House and Senate negotiators agreed unofficially that the words dire emergency should be stripped out. Rep. Neal Smith, D-Iowa, a senior member of the Appropriations Committee, suggested the change May 17.

"I think we hold ourselves open to a little bit of ridicule with those words in there," Smith told the conferees. "We shouldn't pretend that it's a dire emergency."

"I agree," said Robert C. Byrd, D-W.Va., chairman of the Senate Appropriations Committee. The top Republican on Byrd's committee, Mark O. Hatfield of Oregon, and his counterpart in the House, Silvio O. Conte of Massachusetts, agreed, too.

Democrat Jamie L. Whitten of Mississippi, chairman of the House Appropriations Committee, said nothing publicly at the conference committee meeting, but aides from both chambers were under the impression that he approved the change later, subject to the unanimous approval of the House and Senate.

"There's a whole lot of things in there that might not qualify as dire emergencies," Whitten said in an interview May 22. "Nobody claimed that it was all dire emergency, but as a whole, most of it was dire emergency."

Later, however, Whitten decided the change could not be made because the conference committee never actually voted on it. "Nobody followed through" on Smith's suggestion, he said May 24.

Although Congress has approved supplemental spending bills for years, lawmakers did not begin using the term "dire emergency" until early 1988. Before that, many supplementals merely were described as "urgent."

"This came about because of some unwritten agreement two years ago at some summit that [said] you

### Recent Supplemental Bills

(In millions of dollars)

1981	\$20,900	1984	\$6,160
1981	16,800*	1985	784*
1982	5,000*	1985	1,000*
1982	2,300*	1985	13,020
1982	11,200*	1986	1,500*
1982	14,200	1986	5,000*
1983	4,600	1986	1,700*
1983	15,500	1987	9,400
1984	24,000	1988	709
1984	290*	1988	672†
1984	1,100*	1989	3,300†

\* "Urgent" supplementals.

† "Dire emergency" supplementals.

couldn't have anything but a dire emergency supplemental," Smith said. "Well, that's crazy! You got a trillion-dollar budget — you ought to have a supplemental in the middle of the year."

Actually, the agreement was in writing.

The limit on supplementals was agreed to as part of the fiscal 1988-89 budget summit between the Reagan administration and congressional leaders, which was intended to cut the deficit following the October 1987 stock market crash.

"Neither the Congress nor the President shall initiate supplementals except in the case of dire emergency," the

summit agreement said.

Since then, that sentence has repeatedly caused controversy as members have tried to load up "dire emergency" requests with money for home-state projects and favored domestic programs.

In 1988, James C. Miller III, the White House budget director, warned Congress to keep one supplemental request "clean as a hound's tooth." But when members later began tinkering with another request, he scolded them in a letter: "A unilateral declaration of a dire emergency is not consistent with the spirit of the agreement."

Congress eventually forced Miller to accept an only slightly bloated version of that bill, and he told his Republican allies to support it because it was "as good as we can get."

Whitten in 1988 tried to keep the cost of a midyear spending bill down by offering colleagues a chance to pile goodies on what he said would be a "not so dire" supplemental. Members held back on the dire bill, but the not-so-dire bill never actually made it to the floor.

Bush's first supplemental request, for fiscal 1989, surfaced just one month into his administration as funds for student loans and veterans' programs came up short. His \$2.2 billion request quickly swelled to \$4.7 billion in the House committee.

After months of complex maneuvering in both chambers and a big fight over antidrug funds proposed by Smith, Congress eventually cleared a \$3.3 billion bill in June that included lots of little favors for members.

Meanwhile, Bush's first budget-summit agreement with Congress, for fiscal 1990, repeated the language restricting supplementals to dire emergencies.

As in 1987, the clause says only that no supplemental can be initiated except in dire emergencies. Apparently neither Congress nor the administration, which has endorsed lots of members' additions, put any such restriction on the end result.

—Phil Kuntz

Blaming Aspin for the standoff, he said he had "the authority to proceed unilaterally" on the reprogramming. "If no acceptable agreement can be worked out by the first week Congress is back from its recess, I will use the authority I have," he said of the week ending June 9. "It's all up to Mr. Aspin."

The Cheney-Foley agreement was not good enough for Nunn. Late May 24, he said he wanted to deal with the problem by amending the spending bill. His virtual across-the-board cuts on the Pentagon would have shifted money to personnel accounts June 15, but only if a reprogramming had not been approved by then.

Appropriations Chairman Robert C. Byrd, D-W.Va., and others implored Nunn not to offer the amendment.

"I don't want to see this bill go back to the House tonight because I don't know what will happen to it there," said Byrd. Several senators promised to help Nunn find another must-pass vehicle for his amendment. Nunn agreed.

### A Losing Battle on Pork

In the House, Republicans took potshots at pork, but they had little success beyond defeating Johnston's ammunition plant 33-376. For Johnston, all was not lost: No one touched \$11 million placed in the bill partly to help mitigate the effects of last December's record-breaking freeze on Louisiana sugar cane crops. Nor did anyone object to another \$205 million worth of disaster aid. (Vote 141, p. 1692)

Walker and Bartlett took the lead fighting most of the smaller projects, totaling roughly \$55 million, according to their figures. Walker called them all "nice things" — a fish farm and a research center in Arkansas, an Iowa wildlife refuge, a ferryboat for Samoa, a New Jersey battery recycling plant, and 37 previously earmarked projects that the Department of Housing and Urban Development has refused to fund.

"We have a \$1 trillion dollar budget that is \$150 billion in deficit," said Walker. "We don't have the money... And now is the time to stop the spending."

Appropriators hammered away at their right to allocate money as they see fit. "The repository of all wisdom is not in some bureaucracy downtown," said Lawrence Coughlin, R-Pa.

Republicans lost the four special-project roll calls 246-160, 284-123, 231-165 and 230-166. (Votes 139, 140, 143, 144, pp. 1692, 1694)

Notably, Walker shied away from

## Fiscal 1990 Supplemental

(Budget authority and outlays, in millions of dollars)

	House Passed		Senate Passed		Conference Agreement	
	BA	Outlays	BA	Outlays	BA	Outlays
<b>Domestic Discretionary Appropriations</b>						
Disaster assistance	\$111	\$24	\$148	\$49	\$216	\$89
Foreign assistance	870	463	880	454	885	458
Unemployment Compensation Administration	(96)	96	(100)	100	(100)	100
Low-Income Energy Assistance	50	46	50	46	50	46
Veterans Affairs (VA) medical care	50	35	94	66	94	66
Census	—	—	110	80	110	80
FBI	—	—	185	2	185	2
Head Start	—	—	166	21	166	21
Repeal of Sec. 614	—	—	363	258	363	258
All other	44	82	124	102	198	156
Subtotal, discretionary	1,125	746	2,120	1,178	2,267	1,276
<b>Mandatory Appropriations</b>						
Firefighting	433	*	433	*	433	*
Food stamps	510	*	705	*	1,200	*
VA compensation & pensions	190	190	190	190	190	190
VA, loan fund	150	150	245	238	245	238
Judicial salaries, fees	5	4	9	5	9	5
Subtotal, mandatory	1,288	344	1,582	433	2,077	433
Total new spending	2,413	1,090	3,702	1,611	4,344	1,709
<b>Defense</b>						
Military personnel: Appropriations	—	—	780	749	—	—
Offset (1.6 percent cut to other accounts)	—	—	-2,114	-749	—	—
Subtotal	—	—	-1,334	—	—	—
Defense rescissions	-1,797	-588	-1,541	-920	-2,028	-1,038
Subtotal, defense	-1,797	-588	-2,875	-920	-2,028	-1,038
Net new spending	616	502	827	691	2,316	671

\* No outlays scored above budget resolution assumptions.

SOURCE: House Appropriations Committee

challenging two amendments backed by other members from Pennsylvania, including Murtha. "I don't like to go after my colleagues from the delegation," he explained.

In other action, an attempt by Foreign Affairs Committee members to strip from the bill a set of waivers intended to speed the money to Panama and Nicaragua in the absence of an authorization bill failed 277-126. (Vote 142, p. 1692)

The Republicans' most significant victory of the day came in a show of election-year skittishness about congressional perks. Democratic leaders

wanted to allow the House to use \$25 million left over from past years' legislative appropriations for this year's official mail, which is expected to cost \$38.2 million more than the \$44 million appropriated for fiscal 1990.

Despite intense arm-twisting by Foley and other leaders, 60 Democrats joined 148 Republicans in rejecting the provision, 161-208. (Vote 146, p. 1694)

The vote was symbolic more than anything. The Postal Service is required to deliver congressional mail whether enough money has been appropriated or not.



## THE BUDGET

# Pressure Mounts for Action When Summiteers Return

*Democrats want to get started on appropriations to pressure Bush, avoid calamity in the fall*

Congressional and White House budget negotiators are inching toward agreement on the size of the job they face. But they are under considerable pressure to do much more, and to work much faster, after members return from the Memorial Day recess.

House Budget Committee Chairman Leon E. Panetta, D-Calif., and others say they see a deadline of late June or early July for summiteers to agree on a multi-year deficit-reduction plan if the talks are to succeed.

"If we can't put anything together in that time frame, the more impossible it becomes to get anything done.... We should not let the talks drag on," said Panetta.

The bipartisan negotiations were proposed earlier this month by President Bush, in part because of escalating deficit projections due to unanticipated costs of the federal effort to salvage the thrift industry. (*Story*, p. 1638)

But the move has been greeted with suspicion and opposition by members of both parties, and some negotiators think they will have to make quick progress if they are to generate support for a sizable deficit-reduction plan before the November elections.

One negotiator, House Ways and Means Committee Chairman Dan Rostenkowski, D-Ill., told a group of auto dealers on May 22 that he was "cautiously optimistic" that those involved in the negotiations would strike a deal.

"I am less confident that the members of Congress who are not involved in these talks will endorse the compromise that the summit comes up with," he said. "It will not — and I underscore 'not' — be a pleasant package."

By Pamela Fessler



House GOP leader Robert Michel talks with White House summiteers Richard Darman, John Sununu and Nicholas Brady.

## Working on a Second Track

In addition, House and Senate appropriators want to begin work in June on annual spending bills and are putting pressure on Budget leaders to move forward with a fiscal 1991 congressional budget resolution. Versions of the measure have already been approved by the full House and the Senate Budget Committee. (*Background*, *Weekly Report*, p. 1329)

Senate Democratic leaders are considering bringing their \$1.2 trillion budget plan (S Con Res 129) to the floor shortly after the recess, and members were being polled the week of May 21 to determine whether there was enough backing for the proposal.

Some summit participants, especially Republicans, warn that this two-track approach to the budget could make the bipartisan negotiations more difficult by bringing into the open many of the thorny spending and tax debates summiteers are trying to resolve behind closed doors.

At least one Senate Democrat, Ernest F. Hollings, S.C., has said he will use floor debate on the resolution to push his plan for a dramatic tax increase to reduce the deficit and for removal of the Social Security trust funds from the budget.

"I was hoping they wouldn't do it," said Pete V. Domenici, N.M., the ranking Republican on the Senate Budget Committee and one of the 21 congressional representatives in the budget talks. "It's going to be a big distraction."

Others also complain that approving appropriations measures now, at levels higher than any summit agreement is likely to allow, will only make it more difficult to cut spending later.

But congressional Democrats are fearful that they will be blamed for any tax-increase proposals that might emerge from a summit agreement. Many want to continue with the regular congressional budget process to keep pressure on the administration to take the first step in proposing a plan to reduce the deficit — something Bush reiterated in a May 24 news conference that he would not do. (*Text*, p. 1684)

Bush has called instead for bipartisan agreement, although that goal was set back with his subsequent statement May 24 that "people understand that the Congress bears a greater responsibility" for the deficit. Democrats used Bush's remarks to once again push for the president to take the lead on the deficit issue.

Democrats, who control both chambers, are also worried that if they do not continue with the normal budget process and the talks fail, they will be stuck with too much unfinished business by the Oct. 1 start of the new fiscal year.

"If we don't go ahead, we could end up with the worst of all worlds," said Panetta. "No appropriations, no budget resolution and no summit agreement."

Under existing rules, annual spending bills are subject to a point of order if they are brought to the floor without a congressional budget resolution. In the House, they may be brought up after May 15. The resolution, which does not require the president's signature, provides a blueprint for Congress. Separate legislation is required to make actual tax and spending changes.

Congressional appropriators would like to begin work now on the 13 regular spending bills so they can be enacted by the beginning of the fiscal year. They want to avoid the kind of catchall "continuing resolution" that

has been needed in previous years when individual appropriations bills could not be completed on time. Such omnibus spending measures have in the past led to sharp GOP criticism of the Democratic leadership.

To get the process rolling, the House is set the week of June 4 to consider a so-called deeming resolution, under which the \$1.2 trillion budget resolution approved by the House May 1 would be considered final for the purposes of bringing spending bills to the floor.

This would allow appropriators to move their measures onto the House floor next month as long as they comply with the spending guidelines in the House-passed resolution (H Con Res 310).

The summiteers are under other pressures as well. It is now expected that the federal debt limit could be exceeded sometime in July, and legislation to increase it typically becomes a focal point for heated partisan debate over the budget. Some summiteers had hoped that a debt-limit extension could be incorporated into any bipartisan agreement worked out in the closed-door budget talks.

Also, the threat of across-the-board spending cuts, which would be required under the Gramm-Rudman budget law if Congress does nothing to reduce the estimated fiscal 1991 deficit to \$64 billion by Oct. 1, has become even more severe.

While the administration had said in January that the deficit had to be reduced by about \$37 billion to avoid the automatic cuts, negotiators say they now face cuts of well over \$100 billion and possibly close to \$200 billion if nothing is done.

## How Big a Package?

The new numbers came May 22 and 24, during the third and fourth meetings between the congressional negotiators and administration representatives. (*Previous meetings*, *Weekly Report*, p. 1535)

Office of Management and Budget (OMB) Director Richard G. Darman said the fiscal 1991 deficit could rise to an estimated \$206 billion if the costs of the savings and loan bailout were included. His new numbers came after Treasury Secretary Nicholas F. Brady told the Senate Banking Committee May 23 that the federal price tag for the bailout could be \$59 billion more than previous administration estimates.

Negotiators spent the two budget meetings listening to Darman and



Senate Democrats Lloyd Bentsen and Jim Sasser and Republican Pete Domenici sit at the table in preparation for the start of budget negotiations May 22.

Congressional Budget Office (CBO) Director Robert D. Reischauer discuss various deficit projections in an attempt to reach some agreement on what size package they should aim for.

They are expected to resume the discussions June 6 and 7, with a focus on specific budget areas, such as defense, domestic spending and revenues.

While summit participants insisted that they had not reached any agreements, some consensus appeared to be emerging. Both Democrats and Republicans said they were only interested in producing a multi-year deficit-reduction plan and are focusing on a fiscal 1991 target of \$45 billion to \$60 billion. Summiteers say they have been told by Darman and Reischauer that any package greater than that could lead to an economic slowdown.

However, Minnesota's Bill Frenzel, the ranking Republican on the House Budget Committee, dismissed those warnings as "patent nonsense."

"I think what they're really telling us is that some people have come to the political decision that \$50 billion this year is enough," he said.

In any event, such a package would require a change in the Gramm-Rudman targets to avoid across-the-board spending cuts later this year, a move summiteers appear to have accepted as inevitable.

Differences over how much is needed to balance the budget in the long term are much wider, however, and the issue generated some partisan bickering during the May 24 meeting, according to those who were there. Senate Budget Committee Chairman Jim Sasser, D-Tenn., told reporters that Democrats had agreed that a five-year deficit-reduction package of

about \$600 billion would be needed "if we're to put this government on the road to continued and sustained economic growth."

But Republicans say those numbers are unrealistic. They are talking about a smaller long-range package, in part because of suspicions that Democrats are trying to lock them into a number that would require large — and Republicans say unattainable — tax increases.

Darman presented negotiators with figures showing that an "illustrative" \$420 billion deficit-reduction plan would balance the budget by fiscal 1994 if the costs of the savings and loan bailout were not included.

And Domenici told reporters after the May 24 meeting: "I don't think any of us are smart enough right now to say that it ought to be 500, 600, 450. But it ought to be bold, enforceable, multi-year, and move dramatically toward balance at the earliest possible time without damaging the economy. And we think we can do that."

Part of the disagreement over the size of a five-year package comes from different long-range deficit projections from OMB and CBO, differences negotiators have been trying to narrow. Democrats complain that Darman's economic assumptions for future years are still too optimistic. But the CBO has also been asked to redo its economic forecasts to show what would happen if Congress enacted a multibillion-dollar deficit-reduction plan for the next five years. Current CBO economic forecasts assume a minimal amount of deficit reduction each year.

Negotiators are expected to see the new numbers when they resume deliberations after the recess.



## Democrats on the Hill Have Lips, Too . . .

If the budget summit eventually produces a compromise that includes higher taxes, the Republican leaders will not be the only ones with a tough sell to make in their party's caucus.

Since President Bush agreed to a summit without excluding talk of tax increases, GOP members have led the protest against his apparent change of heart.

But in the years since Ronald Reagan's 1984 re-election, a landslide attributed in part to his antitax stand, more and more Democrats have marched beneath the antitax banner.

"Since then you've seen the campaigns struggling with this," says Howard Schloss, communications director for the Democratic Congressional Campaign Committee. "At first, the response of candidates was 'I'm not a big tax-and-spend Democrat.' Step two now is 'taxes are unfair for working people.'"

The trend was most pronounced in 1989, when the memory of Bush's 1988 "no new taxes" campaign pledge was fresh.

In eight special elections for House seats that year, no Democrat called for higher taxes to lower the deficit or finance new spending. All eight Democratic nominees either explicitly vowed to vote against higher taxes or had adequate credentials as fiscal conservatives to spike the issue from the outset. All but two won.

"Our 1989 candidates were all a bunch of rabid antitaxers," says Michael McCurry, communications director for the Democratic National Committee.

Says David Keating, executive vice president of the National Taxpayers Union: "I've always said the hardest candidate to beat is a Democrat who takes a hard line on taxes. I don't have any empirical evidence, but my impression is there's a lot more of that going on."

### Demanding GOP Support

Democratic leaders have told Bush they will not take any tax-bearing summit deal to a floor vote until they have a guarantee that most GOP members will vote for it. That demand has been conveyed to the White House in the budget-summit sessions, according to David Dreyer, communications director for House Majority Leader Richard A. Gephardt, D-Mo., the Democratic chairman for the summit conference.

In part, this demand is a function of the Democrats' need for political protection. But it also reflects the real difficulty of rallying votes for taxes among Democrats, some of whom simply oppose any increases and others who have taken a political position they cannot easily abandon.

"Southern Democrats definitely feel the issue very strongly," says Northern Democrat Charles E. Schumer of New York. "I don't think our party ought to ask members from marginal seats in conservative districts to do this."

Any package worth the time spent to negotiate it will entail "a fair amount of pain," says Jeffrey Biggs, spokesman for House Speaker Thomas S. Foley of Washington. "It's not enough to have the president agree to a deal," adds Biggs, "if [the Speaker] then has to go to rank-and-



Geren



Long



Washington

file Democrats and say, 'We want you to vote for this, but the Republicans get to vote against it.'"

Democrats have been especially loath to talk frankly about taxes since their 1984 presidential nominee, Walter F. Mondale, tried it and lost 49 states. Thereafter, the Democrats under Speaker Thomas P. O'Neill Jr. of Massachusetts (1953-87) adopted their "after you, Mr. President" strategy. The tax overhaul of 1986 was debated and eventually passed as a strictly "revenue neutral" measure.

Since then, in the national elections of 1986 and 1988 and in off-year special elections, many Democratic candidates have felt it necessary to be as antitax as their opponents.

Congressional Quarterly surveyed all Democrats elected after 1984 and found none of those responding urging higher taxes as a means of cutting the deficit or financing the expansion of programs. Several actively opposed higher taxes, including James McClure Clarke of North Carolina, Jimmy Hayes of Louisiana and George E. Sangmeister of Illinois.

A few, such as Joseph P. Kennedy II of Massachusetts and George J. Hochbrueckner of New York, seemed to regard some form of higher tax as inevitable and urged that it be directed at those most able to pay.

The majority of these post-1984 Democrats who responded to the survey described higher taxes either as a "last resort" or as a probable component in a budget compromise that they might feel compelled to support.

"We should be concentrating on getting our priorities straight and making government more efficient first," says Floyd H. Flake, D-N.Y.

### Freshmen Frown on Taxes

A conservative tax posture is predominant, however, among the most recently elected Democrats.

"If you look at the districts they came from, there's really nothing surprising about the stands they took," says Schloss. All but one of the districts that held special elections in 1989 had voted for Bush in 1988, most of them by big margins.

Jill Long, D-Ind., upset an established local political figure to capture the seat formerly held by GOP Sen. Daniel R. Coats and Vice President Dan Quayle. She did it by opposing a local tax increase that she was able to hang on her opponent. Long has not signed a no-tax pledge, nor did she in her campaigns for the Senate in 1986, the House in 1988 or her successful 1989 effort.

## . . . And Some Want Voters To Read Them

"It's more of a personal commitment to her constituents," says a spokeswoman.

In Fort Worth, Texas, the seat of former Democratic Speaker Jim Wright was won by Democrat Pete Geren, but not before Geren had been pushed to the brink by his opponent, a TV doctor who vowed not to raise taxes. Along the way, Geren said he would oppose tax increases, too.

"He would reduce spending to reduce the deficit and not raise taxes," says legislative assistant Tom Slover, who added that his boss "would probably take 'the pledge,' but then there's the consideration of the Democratic leadership."

In Houston, taxes were not an issue in the campaign to succeed the late Mickey Leland in the largely black and Hispanic 18th District. But Leland's successor, Democrat Craig Washington, is nonetheless determined on the issue now. "I am opposed to raising taxes of any kind," says Washington.

Several other Democrats in 1989 special elections had settled their stand on taxes enough in advance to avoid a bruising.

In California, state Rep. Gary Condit was well known to constituents as one of the "Gang of Five" legislators who rebelled against liberal Democrat Willie Brown's speakership in the state Assembly. In Mississippi, state Sen. Gene Taylor was well enough established as a fiscal conservative to win the state's most Republican district. Bush had drawn 69 percent of the vote there in 1988.

In Alabama, efforts to paint candidate Glen Browder as a tax-and-spend liberal failed to impress the electorate, which gave the Democrat nearly two-thirds of the vote.

In the two races won by Republicans — in Wyoming and Florida — the tax issue did not divide the candidates, who fought their battles on other grounds.

### Taking 'the Pledge'

In 1986, a group called Americans for Tax Reform asked each major party candidate for the House and Senate to sign a pledge against raising tax rates or reducing deductions and credits.

The group — which serves as an umbrella organization for the National Taxpayers Union, the National Tax Limitation Committee, the U.S. Chamber of Commerce and others — has since distributed the pledge to all congressional members and candidates.

About one House member in four (102) and one senator in six (17) have now signed the antitax pledge. Only two signers in each chamber were Democrats: Reps. Doug Barnard Jr. of Georgia and E. "Kika" de la Garza of Texas and Sens. Richard C. Shelby of Alabama and Tom Daschle of South Dakota.

But the pledge is at best a partial measure of antitax feeling in either body.

By focusing on income taxes, the tax Republicans generally like least, the pledge has taken on a distinctly GOP stamp. It does not rule out any of the more regressive taxes, those not based on ability to pay. These include value-added and sales taxes and taxes on fuel,



Reid



Gore



Daschle

alcohol or tobacco. So some Democrats have reacted to the pledge not as a "no new taxes" promise but as a threat to their constituencies.

"The average person in my district does not pay income taxes," says Albert G. Bustamante, a Democrat from South Texas, adding that the average worker in his district earns \$14,000 a year. "The pledge does not protect them from increases in user fees or other taxes that will affect them."

The pledge also does not account for members who refuse to sign written pledges of any kind.

### Situations in the Senate

In the Senate, fiscal conservative Shelby supported the pledge on his way to unseating a GOP senator in 1986. Somewhat more surprising was that Daschle, who was challenging Republican James Abdnor that year, took the pledge. Abdnor procrastinated, as Keating recalls, giving Daschle several days of positive publicity on the issue. By the time Abdnor came around, Daschle had established himself as the candidate more opposed to taxes.

Among the other Democratic senators elected since 1984 who responded to the survey, tax views range from wary to highly wary. A spokesman for Al Gore of Tennessee said Gore was "very, very, very unlikely to support new taxes."

Sen. Richard H. Bryan of Nevada has committed to vote against an increase in the gasoline excise tax, an option often mentioned in pre-budget discussions.

Perhaps the most outspoken Democratic senator on taxes these days is Bryan's Nevada colleague, Harry Reid. "It would be a mistake to raise taxes at this time, even in the name of balancing the budget," he says. "Any talk about taxes is just so premature when we need to do more to control spending first."

Reid had refused to take the pledge in 1986. "I don't sign petitions," he says. "I don't like them."

For cuts, Reid singles out the maintenance of U.S. forces in Europe and the spending of the Department of Energy at home.

"After the Korean War and World War II, the troops came home and costs went down," he says. "The [cold] war's over; let's stop spending money on it."

Not least among Reid's Energy targets is the proposed dump for high-level nuclear waste in Nevada. "These people are wasting billions of dollars," he says.

—Ronald D. Elving with Sheldon P. Yett and Tanya Zielinski



## THRIFT INDUSTRY

# Brady Doubles Estimate Of S&L Bailout Cost

The Bush administration has conceded what others have insisted for months: The cost of cleaning up the nation's savings and loan industry could be nearly double the resources provided in last year's thrift salvage bill.

Treasury Secretary Nicholas F. Brady told the Senate Banking Committee on May 23 that between 722 and 1,037 thrifts now face closing, with expected losses to the government of \$89 billion to \$132 billion.

That is an increase of \$16 billion to \$59 billion above previous administration cost estimates. The new money will have to come entirely from taxpayers, Brady said, because the industry is not in a position to contribute any more than it is already to solving the problem.

"The federal government has an obligation to meet this cost irrespective of what the actual number is," agreed Alan Greenspan, chairman of the Federal Reserve Board.

Although Brady insisted that the new cost estimates were reasonable, based on current expectations for the economy, he said that as circumstances change the cost could rise further. (*Background, Weekly Report*, pp. 1175, 227)

"No one should assume that the estimates presented today will not change," Brady said. "They will."

Moreover, he said, the range of estimates is necessarily broad because of uncertainties over the direction of interest rates and of the real estate market.

"The size of the savings and loan problem almost totally — maybe 90 percent — depends on the size of the real estate problem in this country," Brady said.

Throughout debate on the thrift salvage law (PL 101-73) in 1989, the administration insisted that there were about 500 failed and failing thrifts, whose closing would cost no more than \$73 billion.

Of that, \$50 billion was provided through a combination of appropriations and off-budget borrowing for thrift closures between 1989 and 1992. An additional sum — assumed to be

By John R. Cranford



Brady, Greenspan testify on bailout.

about \$23 billion, but not specified in the law — was to be parceled out from Treasury to cover losses after 1992 until the end of the century.

Brady's new figures suggest not only that the \$73 billion will be vastly insufficient, but also that much more than \$50 billion will be needed in the next two years.

## Making Sense of the Numbers

The Treasury Department numbers released May 23 are not directly comparable to the bookshelf full of bailout cost estimates produced over the past two years by private analysts, congressional budget and accounting offices and even the administration's own budget office.

As Brady explained, the estimate of \$89 billion to \$132 billion represents the "present value" of losses in those thrifts that are likely to come under government control.

The estimate does not include the interest costs to borrow that money. Nor does it include interest on so-called working capital — money that will be borrowed over the short term to acquire the assets of failed thrifts, such as mortgages, securities, land and other real estate. Working capital will be repaid as those assets are sold to the private sector.

Moreover, Brady did not include a cost estimate for losses the government will sustain on the closing of more than 200 thrifts in 1988 — before the salvage bill was enacted.

The administration last year projected that the 1988 deals would cost

\$40 billion over the next 10 years. But Federal Deposit Insurance Corporation Chairman L. William Seidman said May 23 that he now estimates the 1988 deals will cost \$65 billion. Brady said he would have a revised estimate this summer.

One of the larger and more widely circulated cost estimates was produced last month by the General Accounting Office (GAO). Including interest costs over 40 years, the GAO said the bailout would cost at least \$325 billion, a number that was roundly criticized, in part because it included interest expenses.

But Greenspan indirectly endorsed the GAO's approach by noting that Brady's cost figures — if interest and other expenses were factored in — would produce a 40-year cost estimate even larger than the GAO's.

"Brady's numbers are actually higher than the GAO's numbers on a comparable basis," Greenspan said.

Both Brady and Greenspan are members of the Oversight Board of the Resolution Trust Corporation, the government agency created to shut down and manage the assets of failed thrifts.

## 'Bonfire' Under the Summit

Partly as a result of the higher cost estimates, and partly because of a planned accelerated pace of thrift closings, the administration has also greatly increased its estimate of the budgetary impact of the bailout.

Even though a large part of the bailout cost is off budget, interest expenses and short-term borrowing for working capital are not. As a result, administration officials now estimate that the bailout will add as much as \$61 billion to the fiscal 1991 deficit, greatly compounding the problem for budget negotiators. (*Budget*, p. 1634)

"This will light a bonfire under the budget summit," said Jim Leach, R-Iowa, a member of the House Banking Committee. But Brady insisted that the new cost estimates were really only a "technical issue" for the negotiators.

Brady, a participant in the budget negotiations, clearly implied that much of the bailout cost, particularly working capital expenses, should not be counted when calculating compliance with deficit targets set in the Gramm-Rudman law. But under questioning from Senate Budget Committee Chairman Jim Sasser, D-Tenn., he would not say so directly. (*Background, Weekly Report*, p. 1176)

"The budget group has to decide what to do about it," Brady said. ■

## TRADE

# Bush Renews MFN for China, Stirs Angry Hill Reaction

President Bush's decision to renew normal trade status for China, coming just shy of the one-year anniversary of the Tiananmen Square massacre, was broadly denounced in Congress the week of May 21 as yet another signal that the administration had turned its cheek to the country's human rights abuses.

"The president's repeated concessions to the Chinese government have been met with intransigence," Senate Majority Leader George J. Mitchell, D-Maine, said in a news conference shortly after Bush's announcement. "The answer is not more concessions."

Democratic wounds have been slow to heal since Bush vetoed legislation (HR 2712) both houses approved without opposition last year that would have allowed Chinese students in the United States to extend their visas until Beijing improved its human rights record. Bush said the visa requests would be reviewed on a case-by-case basis. (*Weekly Report*, p. 245)

The administration's decision to extend China's most-favored-nation (MFN) trade treatment for one year guarantees another showdown. Bush had until June 3 to extend MFN status, which entitles a country to standard U.S. tariff rates.

By acting early, he avoided making the announcement on the eve of the June 4 anniversary of the killings of Chinese student demonstrators and got it out of the way before his May 31-June 3 summit with Soviet leader Mikhail S. Gorbachev.

Earlier in the week, after a Republican meeting at the White House, Sens. John H. Chafee, R-I., and Alan K. Simpson, Wyo., and House Minority Leader Robert H. Michel, Ill., backed Bush's move as the best way to keep U.S. leverage in China and to encourage human rights improvements.

But after Bush's announcement, legislation was quickly introduced in both chambers to overturn the order. The bills are likely to gain substantial bipartisan support.

Among the Republicans denouncing the president's decision was Alfonse M. D'Amato of New York,

By Alyson Pytte



Solomon, Solarz talk before hearing.

who called it a "a short-sighted accommodation with a blood-stained and discredited regime."

Stephen J. Solarz, D-N.Y., chairman of the House Foreign Affairs Subcommittee on Asian and Pacific Affairs, offered the administration a middle road: less far-reaching legislation to tie next year's decision on MFN status to the release of political prisoners and other human rights gains.

If the administration did not support this approach, Solarz warned at a hearing before three House Foreign Affairs subcommittees May 24, the day of the president's announcement, it could "run the risk of immediate termination" of MFN. "I assure you, Congress will move forward," he said.

## Impact on Human Rights

So far the administration has shown no interest in tying MFN to human rights conditions.

"Let me emphasize that granting MFN is in no sense an act of approval of a given country's policies," Richard H. Solomon, assistant secretary of State for East Asian and Pacific Affairs, said in the May 24 hearing. "It does not mean that the country in question is our most favorite nation."

There is also a fundamental division between the administration and a large bloc of critics in Congress over whether trade restrictions would improve, or worsen, the human rights situation in China.

Bush said renewing MFN status would further democratic reforms by keeping open channels of commerce and communication. "The people in

China who trade with us are the engine of reform, an opening to the outside world," he said.

Revoking the trade treatment, he said, would mean lost jobs and revenue in China, Hong Kong and the United States. He said the price in Hong Kong, which has considerable investments in China and serves as a conduit in many trade and manufacturing ventures, could be as high as 20,000 jobs and \$10 billion in revenue.

A punitive approach would also "play to the most xenophobic, reactionary elements" in China, Solomon said.

But critics, including Democrats Tom Lantos, Calif., Nancy Pelosi, Calif., and Sam Gejdenson, Conn., said there is ample evidence that the administration's conciliatory approach has failed. They cited testimony by human rights groups that 10,000 to 30,000 political prisoners are in custody and that torture and executions are continuing.

In the past, Congress has tied human rights to MFN status — by passing the Jackson-Vanik amendment to the 1974 trade act. That requires the president to ensure that countries with non-market economies are making substantial progress toward free emigration before granting MFN status.

The administration is withholding MFN treatment for the Soviet Union until it codifies recent improvements in emigration policy. (*Story*, p. 1640)

But since China is already meeting the improvements in emigration required by Jackson-Vanik, administration officials argue, there is no basis for denying MFN. Punishment, they said, is better meted out in the form of sanctions, such as a ban on military sales and restrictions on World Bank loans. However, some on the panel question whether China's emigration policies meet the Jackson-Vanik requirements.

The larger administration concern, however, is that imposing new restrictions would open a trade policy Pandora's box. Other countries with poor human rights records, including South Africa and Iraq, have MFN status.

"To broaden the terms of the [Jackson-Vanik] amendment is not the way to go," Solomon said.

Democrats countered that a double standard already exists between Beijing and Moscow. "It seems to me to boggle the mind that in the Soviet Union, where such dramatic changes have occurred, the president refuses to waive [Jackson-Vanik]," said Gejdenson, referring to increases in Soviet Jewish emigration. "But in China, where there are no changes, he waives it anyway." ■



## TRADE

## Customs Bill Conferees Stalled In Disputes Over Logs, Sugar

After exchanging offers and counteroffers the week of May 21, House and Senate conferees were unable to complete agreement on the Customs and Trade Act of 1990 (HR 1594) before the Memorial Day recess began May 25.

The bill includes a long list of tariff suspensions, a ban on exporting unprocessed logs from public lands and a permanent extension of the 1983 Caribbean Basin Initiative (CBI).

Unresolved disputes at week's end included proposed rules on log exports, a minimum quota for Caribbean sugar and a 50 percent cut in import duties imposed on certain leather goods from the Caribbean Basin.

While the Senate bill has no sugar provision, the House bill would set a minimum quota for Caribbean sugar at the 1989 level of 371,449 metric tons. This guaranteed market share would apply even if the global quota were lowered in the future, a clear advantage for Caribbean producers.

The administration opposes such a floor as a potential violation of commitments under the General Agreement on Tariffs and Trade.

On leather goods, Sam M. Gibbons, D-Fla., chairman of the Ways and Means Trade Subcommittee, has pressed for a House provision that would cut by half the current duties imposed on handbags, luggage, work gloves and leather clothing imported from CBI countries.

The leather provision, backed by the Bush administration, is a vestige of the long list of tariff reductions Gibbons had sought in his original bill (HR 1233). Gibbons' bill was whittled down to prevent a floor fight in the House last fall. The companion Senate bill (S 504) was pared even more severely before its passage in April. (*Weekly Report*, p. 1248; *background*, 1989 *Weekly Report*, pp. 3307, 1526)

Progress was also slowed by the number of conferees — nearly three dozen on the House side alone — on the log export provisions. Four House committees had addressed the issue this spring. Concern over foreign purchase of unprocessed logs is especially

By Ronald D. Elving

acute in the Pacific Northwest, where several factors have combined to idle local mills.

The House and Senate versions of the bill contained different definitions for the "tributary areas" upon which certain mills depend.

The conferees have also reportedly spent time in their closed-door sessions ironing out differing definitions of "indirect substitution" — a practice by which loggers might circumvent the ban on exports by trading one company's logs from public lands with another firm's logs from private lands.

Complicating the timber issue was an administration-backed amendment

## TRADE

## Emigration Holdup Snags Soviet Pact

Plans to sign a U.S.-Soviet trade agreement when President Bush meets with Soviet President Mikhail S. Gorbachev later this month have been shelved because the Soviets have yet to liberalize their emigration law.

At a news conference May 24, Bush acknowledged that he would not proceed with signing the treaty at the summit, which is to begin May 31. (*Summit*, p. 1663; *Text*, p. 1684)

The centerpiece of the agreement was to have been the granting of most-favored-nation (MFN) status to the Soviets, lowering duties on Soviet goods by as much as 90 percent.

Bush put the agreement on hold May 24, telling reporters "MFN is related to emigration, and the Soviets have not passed the necessary emigration legislation."

Bush's decision had been anticipated after Secretary of State James A. Baker III announced May 23 that passage of a new emigration law "has been postponed somewhat" by the Supreme Soviet.

Baker said the bill would not have its final reading May 31, as expected. That date was only the latest in a series of specific or general targets set for

added in the House Foreign Affairs Committee that would set aside any language found in conflict with an international trade agreement.

The underlying bill would grant most-favored-nation (MFN) status to Hungary, allowing that nation's exports to enter the United States at the lowest tariff rates.

It also would authorize continued operations of the U.S. Trade Representative, the International Trade Commission and the U.S. Customs Service.

Also attached are three changes in the Jackson-Vanik amendment to the 1974 Trade Act, which bars MFN status for communist nations that deny citizens emigration rights. These changes may be the most time-sensitive element in the bill, as they would set the procedure for a congressional vote to disapprove President Bush's renewal of MFN status for China. (*Story*, p. 1639) ■

final passage, stretching back to 1989. Under the Jackson-Vanik provisions of the 1974 Trade Act, open emigration policy must precede MFN status for the Soviet Union or any other communist country. (*Weekly Report*, p. 1538)

While White House officials reportedly tied MFN to Lithuanian independence, Bush himself said only that there is "a political climate in this country that would make it extraordinarily difficult to grant" given the Lithuanian situation. "But that is not a bridge we're having to cross at this juncture," he added, as the Soviet law is not in place.

In practice, Gorbachev's administration has loosened restraints on Soviet Jews and other ethnic and religious minorities. More than 60,000 Jewish émigrés were allowed to leave in 1989, and twice that number may be allowed to leave in 1990.

But such practice has yet to be codified, a condition Bush had set for waiving Jackson-Vanik. (*Weekly Report*, pp. 1537, 1334, 1084)

The Soviet Union has not given reasons for the delay. Explanations advanced by members and staff include the Soviet economy's need for specialized, educated professionals and the objections Arab countries have raised to the mass Jewish emigration from the Soviet Union to Israel.

Before the latest postponement was announced, the World Jewish Congress on May 23 had urged Bush to waive the Jackson-Vanik restrictions. ■

## BANKING

## Bill Seeks Equal Treatment For U.S. Banks Abroad

The Senate Banking Committee has taken aim at the Japanese financial services industry, which it says unfairly restricts the ability of U.S. banks and securities firms to set up business.

By voice vote the committee May 24 approved a bill (S 2028) that would allow federal banking and securities regulators to deny foreign financial services firms full access to U.S. markets if their home countries deny full access to U.S. firms.

The bill — sponsored by Chairman Donald W. Riegle Jr., D-Mich., and ranking Republican Jake Garn of Utah — had strong bipartisan support on the committee.

The administration officially opposes the bill. But Treasury Under Secretary David C. Mulford told Congress earlier this year that the approach in S 2028 had some merit.

Mulford has reportedly warned the Japanese government in recent weeks that Japanese firms could be subject to retaliatory sanctions such as those contemplated in the bill if financial markets in Japan are not opened in a substantial way to participation by U.S. firms. (*Weekly Report*, pp. 651, 1056)

At issue is the bill's new approach to foreign financial firms — a policy of "reciprocal national treatment."

Since 1978, U.S. law has extended to foreign financial firms the same rights of operation as those provided U.S. banks and securities houses in the foreign firms' home countries. That policy of "national treatment" is not practiced in all industrialized countries; it is not followed in Japan.

The bill would give regulators discretion to deny a foreign bank's application for new branches, or other changes in operations, if the Treasury secretary determines that the home country does not extend national treatment to U.S. banks.

It would not allow for existing operations to be curtailed, nor would it require true "reciprocity," where a foreign country would be required to allow U.S. firms to operate with the same freedoms they enjoy in the United States.

By John R. Cranford

The committee turned aside an amendment by Phil Gramm, R-Texas, that would have prohibited sanctions against foreign banking and securities firms, unless it was shown that there would be no adverse consequences for U.S. consumers.

"I am eager to force competitors to open their markets to our financial institutions," he said. But the sanctions in the bill could harm consumers by restricting the free flow of capital and forcing up interest rates, he argued. Gramm's amendment was defeated on a voice vote.

The committee accepted an amendment by Christopher J. Dodd, D-Conn., that would focus the bill even more sharply on Japan. Dodd's amendment clarified that a country's past practice of extending national treatment to U.S. financial firms would be a mitigating factor in determining

## THE ECONOMY

## Federal Help Urged For Key Industries

Over the strong objections of some Republicans, the Senate Banking Committee on May 24 voted to give the president \$250 million to promote private-sector development of key technologies.

By voice vote, the committee approved a bill (S 1379) to reauthorize through September 1993 the Defense Production Act, which gives the president discretion to promote the development of strategic materials and technology.

Critics such as Phil Gramm, R-Texas, and Christopher S. Bond, R-Mo., complained that it was a step toward legislating an industrial policy for the United States — an idea that is anathema to free-marketers.

But the bill's sponsors countered that other governments — in particular Japan's — spend billions of dollars to promote private industrial activities.

"This bill requires the government

whether a particular action constituted a denial of national treatment.

Committee aides said the language was aimed at reassuring European countries. Common Market nations are headed toward a consolidation of their financial services laws at the end of 1992, a change that could serve to boost the international competitiveness of European financial firms.

Europe has had a history of granting national treatment and has been in negotiations with the United States over the effects of the 1992 consolidation.

European officials have criticized U.S. financial regulations, saying they often serve to deny European firms full access to the U.S. market. As part of the 1992 consolidation, Europe also will adopt a policy of reciprocal national treatment for financial services firms.

The committee included the provisions of S 2028 in a second bill approved May 24. That must-pass bill, S 1379, would reauthorize the Defense Production Act through September 1993, preserving the president's authority to subsidize development of key strategic materials and technologies. (*Story*, this page) ■

to identify [technological] gaps and provides the means to encourage private industry to fill them," said Banking Chairman Donald W. Riegle Jr., D-Mich. "Companies helping to build a strong America deserve our government's cooperation."

Critics promised to renew their fight when the bill reaches the Senate floor. Current authority under the Defense Production Act expires Aug. 10. Because the law is closely tied to military preparedness, reauthorization is considered essential.

The bill would make several changes in the existing law, first enacted in 1950 to help the president mobilize in wartime and maintain defense industries in peacetime.

One key change would provide a new \$250 million revolving fund, not subject to annual appropriations, for grants, loans and loan guarantees to develop strategic materials.

Initial capital for the revolving fund would come from uncommitted surpluses in a fund currently used to buy stockpiles of more than 90 strategic materials, such as aluminum, lead and rubber.

Another change seems intended to limit so-called offsets in foreign military



sales contracts, whereby U.S. companies selling overseas agree either to make purchases from a foreign country or to subcontract parts of the work on the main purchase contract to firms in the purchasing country. Bill sponsors Alan J. Dixon, D-Ill., and John Heinz, R-Pa., complain that such offsets harm U.S. competitiveness.

Although the law can be used already to promote certain strategic technologies, Dixon said the new revolving fund was necessary to finance those activities. "More attention needs to be focused on improving manufacturing technology," he said, "especially by smaller firms."

But Gramm complained loudly. "I'm not opposing setting up the fund, [although] it's a crazy idea," he said, but "it ought to be appropriated."

Dixon shot back: "The true insanity is to say the government ought not to help at all."

A Gramm amendment to require annual appropriations was defeated by voice vote, but he vowed to renew the fight on the floor.

And Bond objected to provisions that would give the Commerce Department responsibility for reporting on offsets included in foreign military sales contracts. He argued that the president should be able to ask any Cabinet agency to monitor offsets.

But Dixon insisted that Commerce would be more likely to express concerns that important U.S. industrial skills were being lost through forced subcontracting overseas. "That's the place in government where business concerns are paramount," he said.

Bond offered an amendment to strip Commerce of its reporting responsibilities on offsets, but it was defeated by voice vote. ■

## CORRECTIONS

**Supplemental Appropriations Bill.** Weekly Report, p. 1466, third column, last paragraph. The bill would authorize Capitol police protection for Senate parking spaces; the spaces cost \$756,000 in rent per year, but it is unclear what the police protection will cost.

Weekly Report p. 1534, first column, fourth full paragraph. The events were incorrectly described. Whitten accepted Conte's report language. It closely follows Whitten's amendment but was crafted in a way intended to limit its impact. ■

## SECTION NOTES

### Bill Would Stiffen Fraud Penalties

The Senate Banking Committee on May 24 approved a bill (S 647) that would allow the courts and the Securities and Exchange Commission (SEC) to impose civil fines in securities fraud cases.

Fines ranging from \$5,000 for individuals to \$500,000 for businesses could be levied. Lesser fines would apply in the case of securities law violations not involving fraud. The stiffest penalties would be assessed in cases of fraud in which a violation resulted or could have resulted in substantial financial loss.

In addition, the bill would authorize cease and desist orders against people or companies found to be violating securities laws. And it would clarify that people found to have violated securities law could be barred from serving as officers or directors of publicly traded corporations.

Most securities law violations now must be enforced through criminal, rather than civil, proceedings. The SEC requested the bill to give the agency more flexibility to prosecute fraud, since the standard of proof in civil cases is substantially easier to meet.

Similar provisions are included in a House bill (HR 975). (1989 Weekly Report, p. 3295)

### Bank Insurance Fund Suffers New Loss

The Federal Deposit Insurance Corporation (FDIC) reported May 23 that the fund that backs up deposits in commercial banks lost \$851 million in 1989 as a result of 206 bank failures.

In all, \$4.1 billion was paid to close the failed banks, but the insurance fund received about \$3.2 billion in premium payments from banks and from earnings on its total holdings of \$13.2 billion.

It was the second consecutive year the fund lost money, although L. William Seidman, chairman of the FDIC, said the likelihood of another year of 200 bank failures was remote. The number of so-called

problem banks has fallen from about 1,600 in 1987 to little more than 1,100 at the end of 1989, he said. Failure of a big bank could still result in a loss for the fund, he cautioned.

One troubling sign: The assets of the bank insurance fund now represent only 0.7 percent of total insured deposits, the lowest total since the fund was established in 1934.

The savings and loan salvage bill (PL 101-73) enacted last year set a minimum asset reserve for banks and thrifts of 1.25 percent of deposits. Bank premiums increased this year and will do so again next year in an effort to restore the insurance fund. And the FDIC board has the discretion to increase premiums further, if needed to protect the fund.

### Panel Probes Role Of Bush's Son

The House Banking Committee, which embarrassed four Democratic and one Republican senator in its marathon hearings earlier this year into the failure of Lincoln Savings and Loan, now is leaning on the president's son.

The committee held two days of hearings into the failure of Silverado Banking, Savings and Loan Association, a now-defunct Denver thrift. Neil Bush had been an outside director on Silverado's board until his father won the Republican presidential nomination in 1988.

The failure was similar to that of other thrifts, except that Silverado had required some borrowers to use part of their loan proceeds to buy stock in the thrift.

Thrift regulators have made 11 referrals of possible criminal activity at the thrift to Justice Department officials, and five former officers and directors have signed consent orders barring them from future employment in the financial industry.

Bush had a business relationship with two of Silverado's major borrowers whose loans eventually defaulted. He said he did not profit from the transactions, however.

## ENVIRONMENT

# Easy House Vote on Clean Air Bodes Well for Bill's Future

*Despite lingering veto threat and a lengthy conference, there's little doubt about eventual enactment*

**D**riven by compromises that cut most of the controversy out of the bill before it ever got to the floor, the House dispatched a sweeping rewrite of the nation's clean air laws in only two days of floor debate, approving the bill (HR 3030) May 23 on a 401-21 vote.

The Energy and Commerce Committee earlier produced so many agreements on so many divisive issues that the rest of the House was given only a handful of choices to make before final passage. The long-awaited floor showdown that some lobbyists had promoted as the environmental vote of the decade evolved at times into a bipartisan love-in, with members clamoring to take credit for a series of compromise amendments that passed largely on overwhelming votes. (Vote 137, p. 1692)

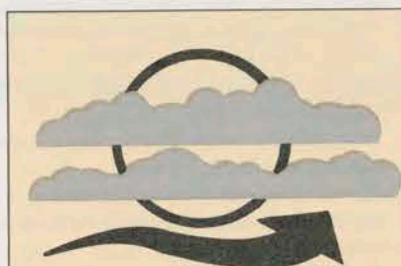
House passage adds to the growing momentum behind a measure that most observers now assume is certain to go to President Bush later this summer or sometime this fall; it also locks in virtually all of the legislation's major components.

The House bill is broadly similar to one (S 1630) the Senate passed April 3. Both set out new programs to clean up smoggy cities, cut motor vehicle pollution, reduce acid rain and slash emissions of toxic air pollutants.

Although there are hundreds of differences between the 507-page House measure and its 698-page Senate counterpart, many of them significant, the two bills are so alike in general philosophy and overall structure that participants expect no intractable disputes when negotiators meet in conference.

Staff members who will soon have to begin reconciling the House and Senate bills say one of their biggest difficulties is likely to be the sheer bulk of the legislation.

By George Hager



## BOXSCORE

**Bills:** HR 3030, S 1630 — Clean Air Act amendments (H Rept 101-490).

**Latest action:** House passed HR 3030, May 23, 405-15. Senate passed S 1630, 89-11, April 3.

**Next likely action:** House-Senate conference in June or July.

**Background:** The original 1970 Clean Air Act (PL 91-604) was last amended in 1977 (PL 95-95).

**Reference:** House clean air votes 129-137, p. 1694-6; Senate provisions, Weekly Report, p. 1403; Senate passage and House Energy Committee approval, Weekly Report, p. 1057; Background, p. 139; 1989 Weekly Report, p. 1460.

## Job Benefits

At least one issue that could prove troublesome, however, is what to do about jobs that could be lost to the legislation's tough new pollution limits. In one of its most controversial votes, the House shrugged off White House veto warnings and agreed 274-146 to approve a \$250 million five-year program to provide special unemployment and retraining benefits to workers who lose their jobs because of the new law. (Vote 132, p. 1690)

The Senate just barely rejected a similar but more expensive program on a 49-50 vote March 29. The large House margin and the narrow Senate defeat combine to make it seem likely that the conferees will ultimately approve some form of job-loss compensation.

But the wild card is the White House, which bitterly opposed the Senate proposal and issued veto warnings over the House amendment. White House Chief of Staff John H. Sununu and Environmental Protection Agency (EPA) Administrator William Reilly warned in a letter to House Speaker Thomas S. Foley, D-Wash., that the president's senior advisers would recommend a veto unless administration concerns were addressed. Sununu and Reilly argued that the amendment would become an open-ended entitlement that would cost far more than \$250 million and set a dangerous precedent.

Bush said the day after the vote that he remained opposed to the amendment and hoped it would be stripped from the bill in conference. But Bush did not issue an explicit veto threat, and his aides' veto warnings were widely discounted during the House debate. Said amendment sponsor Bob Wise, D-W.Va., "I can't believe the president's going to veto the environmental bill of the decade over \$50 million a year."

The House made several additions to its core bill during floor debate to bring it even closer to the Senate-passed measure. In addition to the sections on smog, motor vehicles, acid rain and air toxics, whose outlines are similar in both bills, the House added key amendments to complement similar Senate provisions on clean-fueled vehicles, reformulated gasoline, substances that deplete Earth's stratospheric ozone layer, offshore drilling, visibility in national parks, and automotive pollution-control equipment warranties.



Environmentalists said they liked bits and pieces of both bills. "There are better parts in each," said Richard E. Ayres, chairman of the National Clean Air Coalition, which leads the lobbying effort for environmentalists. "If the conferees choose the best parts of the two bills, they can fashion a good law and the nation will benefit."

Business and industry representatives celebrated a bill they feared could have been much worse, but promised to keep fighting to change provisions they still find obnoxious.

William D. Fay, administrator of the business- and industry-funded Clean Air Working Group, said environmentalists' "most extreme demands" had been headed off by last-minute compromises, but he complained that other compromises had boosted the cost of the bill. The American Petroleum Institute, which had mounted an advertising campaign that cost more than \$1 million to defeat a strict reformulated-gasoline amendment, said the amendment the House finally agreed to is so tough the industry might not be able to meet its requirements.

#### Dingell & Waxman

But if industry and environmentalists were not entirely pleased, the bill's chief House architects — and chief House antagonists — pronounced themselves satisfied with what they had wrought. Energy Committee Chairman John D. Dingell, D-Mich., and Energy's Health and the Environment Subcommittee Chairman Henry A. Waxman, D-Calif., came a little warily to the same table for a joint late-night news conference and called the measure "very strong" (Waxman) and "a good piece of legislation" (Dingell).

That the bill came to the floor at all was due in part to the two men's willingness to compromise on critical issues after years of stalemate. Long the respective leaders of the committee's industry and environmentalist blocs, Dingell and Waxman began agreeing to agree in the fall of 1989 with a surprise deal on automobile tailpipe emissions. With help from other key members, the committee went on to reach several more compromises that resolved arguments on smog, acid rain, air toxics and other matters. (Box, p. 1644)

Dingell is said to have given ground because he thought a bill was inevitable this year and because he calculated that a somewhat pro-environmental House floor would be an unfriendly place for him to try to hold the line on issues dear to him. Observers described Waxman's motivation as uncertainty over just how far he could push tough environmental positions on the floor and a willingness to accommodate members who begged him not to force them to choose between him and Dingell, or between environmental lobbyists and industry or autoworkers.

Despite all the agreements they eventually wound up making, however, the process was never easy or automatic. Even in the final hours of the House debate, the two were still sparring over one last deal. As usual, the subject was cars. Dingell, the auto industry's staunchest congressional ally, was taking a tough line against requiring automakers to produce and sell as many as 1 million clean-fueled cars a year. Waxman, whose Los Angeles district suffers some of the nation's worst smog — much of it caused by auto emissions — wanted the requirement but was willing to deal.

That "production mandate" had been a part of the original Bush proposal, but it drove automakers crazy, and the administration had long since crawled away from it. Even environmentalists who liked the idea conceded that there was widespread concern about it on the floor, where members shared automakers' fears that no one would buy the new-generation cars. A vote might have been close, but few members wanted to have to vote.

In the end, it took Speaker Foley's intercession to force the final deal. While other members called for roll-call votes instead of voice votes on non-controversial amendments to buy time, Foley sat placidly while Dingell and Waxman and their staffs stood around him, haggling. The Speaker did not bully or cajole. "The closest he came was he rolled his eyes once," said a House staff member who was there. "It looked like he wasn't going to leave until there was a deal. That's a powerful influence. It's like when someone's sitting on your throat." In the end, the broad production mandate was jettisoned in favor of a California-only pilot program that would require 150,000 clean-fueled vehicles a year from 1994 through 1996 and 300,000 a year beginning in 1997. Waxman got what he described as tough urban bus and commercial fleet programs that would require use of clean fuels.

The bottom line for House members was that they were spared an agonizingly tough vote. When Dingell announced the compromise, members rushed to pass it in a breeze, 405-15. The Energy Committee's eight months of on-again, off-again public markups and private bargaining sessions from October 1989 to approval of the last deal in late May were a dramatic contrast to the Senate Environment Committee's quick markup, which produced a bill in five comparatively brief sessions spaced out over a month in the fall of 1989.



Dingell

Waxman

The floor action in the two chambers differed just as radically.

The Senate bill, widely viewed as the unalloyed product of a heavily pro-environmental committee, underwent about a month of backroom negotiations with the White House and some six weeks of floor debate before Senate leaders could finally bring it to final passage.

The House bill came to the floor with an ironclad rule and the House leadership's insistence that it be done in short order. Some had boldly predicted that the mammoth bill could be finished in as little as three days; in the end, it took only two.

House Amendments

Among the major floor amendments considered during House debate were the following:

• **Reformulated gasoline.** Adopted by voice vote as part of a package of Energy Committee amendments, this compromise would require the sale of nothing but specially blended ("reformulated") gasoline in the nation's nine smoggiest cities beginning in 1994.

In addition, gasoline with a minimum oxygen content would have to be sold in 44 cities that have high carbon monoxide levels.

The amendment establishes a "recipe" for the gasoline that has been widely interpreted to require increased use of ethanol or ethanol-based additives, but the proposal would allow refiners to use alternative

formulas as long as emissions reductions were equal to or greater than those produced by the recipe. This is similar to the Senate provision.

• **Chlorofluorocarbons (CFCs).** Approved 416-0, this compromise would phase out CFCs and other substances that deplete the Earth's stratospheric ozone layer on a timetable that would end CFC production in 2000 and phase out other substances between 2005 and 2035. This is similar to the Senate provision. (Vote 134, p. 1690)

• **Warranties.** Approved 239-180, this proposal would extend warranty requirements for the most expensive auto emissions control equipment — the catalytic converter and electronic control unit — from the current five years/50,000 miles to eight years/80,000 miles. Warranties for other pollution control parts would drop to two years/24,000 miles to help shift repair business from dealers to independent garages. This is also similar to the Senate provision. (Vote 133, p. 1690)

• **Ways and Means amendment.** The House rejected, 170-253, the Ways and Means Committee's plea that its jurisdiction over taxes be strictly observed. Ways and Means Chairman Dan Rostenkowski, D-Ill., argued that the Energy Committee had written several taxes and a tariff into its bill in the guise of fees. Leaving the "fees" in the bill would be an open invitation to the Senate to ignore the House's right to originate revenue legislation, Rostenkowski said.

Dingell countered that the fees were, in fact, fees, and that they were essential for enforcement. (Vote 131, p. 1690)

• **Offshore drilling.** The House voted 411-5 to adopt a proposal to require EPA to place strict air pollution controls on oil and gas drilling and production platforms in federal waters offshore most of the United States. Units offshore of Texas, Louisiana, Mississippi and Alabama would remain under the control of the Interior Department. (Vote 135, p. 1692)

• **Parks visibility.** Adopted by voice vote as part of the Energy Committee package, this proposal would require EPA to promulgate regulations considered long-overdue to prevent man-made sources of regional haze from reducing visibility in national parks and wilderness areas. States would have to make reasonable progress toward controlling such haze. The Senate provision requires a study.

## House Deals

### TAILPIPE EMISSIONS



**Signed:** Oct. 2, 1989

**Sealed:** A plan to phase in strict California emissions standards on all cars and light trucks beginning in model year 1994. Also to impose tougher standards in 2003, unless the Environmental Protection Administration (EPA) administrator ruled that such standards were not feasible, cost effective or necessary.

**To Be Delivered:** Through House-Senate conference. Staff say the Energy Committee's deals all bind at least committee Chairman John D. Dingell, D-Mich., ranking Republican Norman F. Lent, N.Y., and Environment Subcommittee Chairman Henry A. Waxman, D-Calif. In some cases, most or all committee members agreed to the compromise. Deals good through conference bar signatories from changing their position in conference unless they do so as a group. In some cases, members have different views of whether a deal is good through conference, or only through floor action.

### SMOG



**Signed:** March 22

**Sealed:** A broad agreement to divide the smoggiest cities into categories and require progressively tougher cleanup methods depending on the severity of their air pollution problems.

**To Be Delivered:** Through conference.

### AIR TOXICS



**Signed:** Week of April 2

**Sealed:** An agreement to defer setting tough, second-round emissions controls in exchange for broader first-phase controls on a greater number of sources of air toxics.

**To Be Delivered:** Through conference.

### ACID RAIN



**Signed:** April 5

**Sealed:** Manipulation of the pollution "allowance" system to give bonus allowances to Midwestern utility plants that install scrubbers to cut sulfur dioxide emissions, while at the same time providing enough extra allowances to "clean" states to allow utility growth there.

**To Be Delivered:** Unclear, but probably only through floor action.

### REFORMULATED GASOLINE



**Signed:** May 18

**Sealed:** A requirement that oil companies by 1994 sell only reformulated gasoline in the nation's nine smoggiest cities — nearly a quarter of the nation's gasoline market. Gasoline producers could follow a specific blending "recipe" or devise their own formula as long as it provided equal or better pollution reduction. The amendment would also require sale of gasoline with a minimum oxygen content in 44 cities with excessive levels of carbon monoxide.

**To Be Delivered:** Through floor action only.

### OTHERS

**Signed:** May 21-23.

**Sealed:** Agreements to: establish a new "clean vehicles" program for urban bus fleets and commercial motor vehicle fleets, and set up a pilot program for private passenger vehicles in California; phase out chlorofluorocarbons (CFCs) and other substances that deplete the stratospheric ozone layer; regulate air pollution from offshore drilling rigs; reduce air pollution in national parks; tighten permits and enforcement provisions; and strengthen a program to prevent accidental emissions of air toxics.

**To Be Delivered:** Unclear; some through conference, others only through floor action.



## AGRICULTURE

# Senior Members Defeat Plan To Increase Crop Prices

*House committee fails to finish before recess;  
Senate leaders pick task force to negotiate*

A fundamental fight in the House Agriculture Committee over the direction of U.S. farm policy ended May 24 with the defeat of a group of junior Democrats who had hoped to go home for Memorial Day promising farmers large increases in crop prices.

Senior members warned that the plan could return agriculture to its mid-1980s' woes, when constantly increasing price supports caused U.S. commodity exports to plunge and forced the government to buy the huge crop surpluses.

Upper-tier Democrats joined a nearly united bloc of Republicans to vote down the plan, which was put forward by Iowa Democrat Dave Nagle. It would have reversed the course established in the 1985 farm bill (PL 99-198), which brought U.S. prices more in line with lower world market prices and kept a lifeline to struggling farmers by providing billions of dollars in direct income support payments.

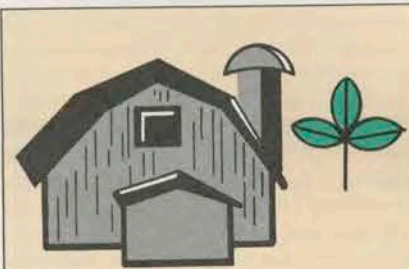
"The choice was whether you go back to the 1981-1985 system in which the government raised prices and then tried to deal with the consequences. Our view is that the consequences would have been very adverse," said Deputy Under Secretary of Agriculture John B. Campbell.

Nagle said some estimates show that as many as 500,000 farmers will leave agriculture over the next five years if Congress freezes support levels. "I don't want the blood of those farmers who leave their farms on my hands," he said.

Added Texas Democrat Bill Sarpalius, a Nagle supporter, "I would hope we would have something we could go back to our producers and brag about."

But senior committee members recalled the effects of raising price support levels above international prices. "If you raise the loan rate over the market price, you will not raise farm income — you will lower farm in-

By David S. Cloud



## BOXSCORE

**Bill:** HR 3950 — Farm and nutrition programs reauthorization.

**Latest action:** House Agriculture Committee approval of commodity provisions, May 24. Senate Agriculture leaders appointed task force, May 23.

**Next likely action:** Markups continue the week of June 4.

**Reference:** Last action, Weekly Report, p. 1549.

come," said Kansas Republican Pat Roberts.

The amendment was rejected by a vote of 17-28. Most of the Democrats voting for the amendment were not in Congress when the 1985 bill was written. The only Republican to vote with Nagle was Montana's Ron Marlenee.

Although the committee labored the week of May 21 through all-day sessions and sometimes well into the evening, it missed its self-imposed May 25 deadline to complete deliberations on the 1990 farm bill (HR 3950), which reauthorizes most farm and nutrition programs for five years. A dispute over wetlands protections forced delay in consideration of the conservation title until after the Memorial Day recess.

But the committee completed work on the most controversial part of the bill, the commodity programs, after disposing of the Nagle amendment.

Lawmakers voted to retain the thrust of the 1985 farm bill by freezing support rates for crops such as wheat, corn, cotton and rice, while giving farmers modest new freedom to rotate their crops without losing eligibility for the same level of government subsidies. The bill also would establish an inexpensive subsidy program for growers of soybeans and other so-called oilseeds.

The Senate Agriculture Committee also had hoped to finish its farm bill by Memorial Day. But farm-state senators are ensnared in their own fight over commodity programs, although it is a much more partisan affair than in the House. The panel did not meet the week of May 21. Instead, Chairman Patrick J. Leahy, D-Vt., appointed a task force, which includes himself and Minority Leader Bob Dole, R-Kan., to resolve the standoff.

## Officials Sour on Sugar Program

The House committee's action does not solve all the problems with the commodity section. The Bush administration remains bitterly opposed to several changes in the government sugar program that the committee approved as well as to provisions to slightly raise loan rate levels for other commodities.

The cost of the commodity section, which once ballooned to about \$14 billion above the current level, is still an issue. Administration officials and congressional budget-writers are working on an agreement that will likely require farm subsidy cuts before the end of the year.

So far, all the committee has done on this front is to reject proposed increases in subsidies. Ultimately, it will probably have to cut subsidies that farmers already are receiving in order to comply with budget constraints.

After nearly three months of work, "they have gotten back to where they started," Campbell said. "What will be difficult is getting where they have to go."

The committee already has done a lot to overcome opposition to the sugar program, but it will have to do more to satisfy the administration. During deliberations May 23, the committee removed a provision that would have tied price supports for domestic sugar — currently 18 cents a pound — to increases in the Consumer Price Index.

To secure the support of the corn sweetener industry, Louisiana Democrat Jerry Huckaby agreed to scale

back a proposal that had been approved by the Rice, Cotton and Sugar Subcommittee, which he chairs. The proposal would have imposed marketing controls on both the sugar and corn sweetener industries during times of overproduction.

Corn industry officials saw the marketing controls as an effort to curtail their growth, which has been substantial during the 1980s — largely at the expense of sugar cane and beet growers. Of most concern to the industry were the limits on high-fructose corn syrup, which has a 45 percent share of the sweetener market.

Huckaby agreed to remove the controls on all corn sweeteners except crystalline fructose, which is a relatively minor part of the corn sweetener market. Sales would be capped at 200,000 tons during years when marketing controls are in effect for the sugar industry.

Among other changes, the committee removed a provision that would have barred any nation that imports Cuban sugar from exporting sugar to the United States, agreed to scale back a program to boost imports of Caribbean sugar for refining and re-export that would be financed by an assessment on domestic sugar and fructose, and removed a provision requiring import quotas on sugar-containing products.

But the administration still opposes the sugar section because, officials say, it could no longer be operated without cost to the federal government, it would violate international trading rules, and it would provide disaster payments to sugar cane farmers in Louisiana whose crops have been damaged by freezing.

Administration officials say the farm bill has too far to go along the legislative pathway to be in danger of a veto yet. But unless Congress addresses administration concerns, said Campbell, "sugar could be the issue that tips the balance for an otherwise signable bill."

## Dairy Production Problems

The dairy program is also a sore spot. During deliberations May 22, the committee voted to set a five-year floor on the government price support level at \$10.10 per hundredweight, the current level. But lawmakers were split on how to handle the dairy industry's recurring overproduction.

Under the bill, the price support level would increase by at least 25 cents if government purchases of dairy

products, which are used to support the price, fell below 3.5 billion pounds in a year.

If purchases were to exceed 7 billion pounds a year beginning in 1992, the secretary of Agriculture would have authority to impose marketing controls on the dairy industry. The idea is to eliminate the incentive for dairy farmers to produce surplus.

A compromise worked out by Dairy Subcommittee Chairman Charles W. Stenholm, D-Texas, and the subcommittee's ranking Republican, Steve Gunderson of Wisconsin, was adopted by the committee. That came after the defeat of competing plans offered by Harold L. Volkmer, D-Mo., and Tim Johnson, D-S.D.

The Stenholm-Gunderson plan has the virtue of vagueness. The dairy industry is uncomfortable with rigid quota schemes to control overproduction and with assessments on producers. So the Stenholm-Gunderson plan does not specify how the secretary is

**"Sugar could be the issue that tips the balance for an otherwise signable bill."**

—Deputy Under Secretary of Agriculture John B. Campbell

supposed to control production; it requires him to study the matter and report back to Congress. Most lawmakers expect that the final mechanism would involve some sort of so-called two-tier pricing.

That means a dairy farmer would get the support price of at least \$10.10 per hundredweight for his milk until there is overproduction, after which some sort of brake would be applied — such as lowering the support price on additional milk produced.

At bottom, however, the dairy fight arose from the 1985 farm bill, which set dairy price supports on a downward path. Many dairy-state lawmakers wanted to end that decline — and even send price supports back up.

"If we can work within the budget to provide more money for farmers, I think we should be doing it, even if it means the consumer has to pay 10 cents more a gallon for milk," said Volkmer.

Volkmer's amendment to raise the dairy price support to \$10.60 was de-

feated by a vote of 14-24. Johnson's amendment to raise the support level \$3 to \$13.10 was rejected 13-28.

The administration, which did not propose any changes in the dairy program, opposes marketing controls because they would contradict the U.S. position at the Uruguay round of international trade negotiations on the General Agreement on Tariffs and Trade.

## Some Flexibility in Planting

The House committee has labored for months to design a flexible farm program that gives farmers receiving subsidies more freedom to respond to market signals. It proved a nearly impossible task, and very few lawmakers expressed enthusiasm for the final product.

What the emerging bill does is protect the ability of producers already receiving subsidies to continue receiving them at the same level, while giving them the option to forgo some government payments by planting a limited number of crops to take advantage of high market prices.

Kansas Democrat Dan Glickman put it this way: "Everybody wanted flexibility, but they didn't want too much flexibility if it meant it would advance or reward producers of another crop."

As approved by the committee, producers would have the option of planting any mix of program crops — wheat, feed grains, cotton and rice — as well as oilseeds (including soybeans and sunflowers) on 25 percent of their land usually reserved for one or more of these crops.

Currently, farmers have to plant the same crop year after year to remain eligible for the same level of government payments.

Under the flexibility plan, non-program crops such as dry edible beans could not be planted on this land. Nor would producers be eligible for deficiency payments — government income support payments — on the crops raised on this land.

After the final flexibility plan emerged, lobbyists representing soybean growers feared that the 25 percent option could lead to a decline in soybean acreage, not the increase that was originally intended. An amendment offered by Democrat Jill Long of Indiana would require that program crops could not be planted on acreage usually devoted to soybeans. The amendment was adopted by voice vote.



PUBLIC WORKS

## Congress Fishing for Answers To Insidious Zebra Mussel

Senate panel adds grant funds to biennial bill authorizing \$3.1 billion for water projects

Members of Congress are hunting down a creature that has few other natural predators: the zebra mussel, a tiny quick-breeding mollusk that is clogging up drinking water facilities, power plants and boat engines.

The Senate Environment and Public Works Committee on May 22 approved language to authorize \$37.5 million over five years for grants to research and control the zebra mussel. It was attached to biennial legislation (unnumbered) authorizing \$3.1 billion for 22 flood control, navigation and recreation projects across the country.

Zebra mussels are believed to have first arrived in North America in 1986, in the ballast water of a ship arriving from Europe. Since then, the mollusk — which can hatch 30,000 to 40,000 eggs a season — has spread into all of the Great Lakes and as far upstream as the St. Lawrence River in New York.

"We have to expect in 20 years' time the zebra mussel will have reached all of the surface waters of the United States," Sen. Daniel Patrick Moynihan, D-N.Y., warned. Its natural predators, such as diving ducks, have not kept up with the burgeoning population, and there is no known way of eradicating the mussels without harming other freshwater ecosystems.

Some local governments have already hired divers to scrape the mussels off the pipes of water purification systems, but lawmakers say the problem surpasses the resources of small communities. Last December, a Monroe, Mich., water purification plant was forced to close for several days because as many as 100 mussels per square foot had worked their way into the intake pipes.

Private industries are also affected: The zebra mussel has found its way into the water intake and outflow

By Alyson Pytte



Millions of zebra mussels attached themselves to this automobile during its one-year submersion in Lake Erie.

pipes of refineries and thermal power plants, as well as into the cooling water intakes of boat engines.

Estimates of the overall damage to fisheries, public water systems, utilities and other lake-dependent industries range as high as \$5 billion over the next decade.

### Mussel Control, Research

A provision by Moynihan, chairman of the panel's Water Resources Subcommittee, would authorize \$25 million over five years in grants to states for mussel control. States would have to pick up half the tab. The bill also would provide \$12.5 million over five years for research programs to be administered by the U.S. Army Corps of Engineers.

Committee members declined to attach stronger zebra mussel control legislation sponsored by Sen. John Glenn, D-Ohio, who is not a committee member, because of concern that the water projects bill would be bogged down by referral to the Commerce, Science and Transportation Committee and to at least three committees in the House. Moynihan said Glenn's bill (S 2244) would be marked up separately in June.

Glenn's measure would require the U.S. Coast Guard to regulate the ballast water of ships coming into U.S. waters

by, for example, requiring ships to dump European ballast water and replace it with water from the high seas, which contains fewer exotic organisms.

It would also set up a system whereby the U.S. Fish and Wildlife Service, the National Oceanic and Atmospheric Administration and a number of regional commissions would monitor and research zebra mussels and other "aquatic nuisances." Identical legislation (HR 4214) has been introduced in the House by Henry J. Nowak, D-N.Y.

### Water Projects

Before approving the water projects legislation, the committee adopted, by voice vote, two amendments by committee members related to water projects in their states.

One amendment, by Bob Graham, D-Fla., would authorize \$270 million to help restore wetlands along Florida's Kissimmee River. The project, which would be contingent on corps approval, is aimed at repairing environ-

mental damage done by a Corps of Engineers river navigation project in the 1960s.

Two other projects awaiting approval by the Corps of Engineers were included in the bill prior to markup: the repair of McAlpine Lock and Dam in Indiana and Kentucky, and of two locks along the Monongahela River in Pennsylvania.

Moynihan said he would ask the staff to draft report language to prevent projects not already approved by the Corps of Engineers from working their way into the bill in future years.

At the request of Frank R. Lautenberg, D-N.J., the committee also increased the amount authorized for a flood-control project along the Passaic River in New Jersey and New York from \$913.5 million to a total of \$1.2 billion. The extra funds would be used to further extend a tunnel to carry flood waters away from threatened communities.

### Flood Control

The water projects bill follows on previous biennial authorizations in 1988 and 1986, when Congress enacted a bill requiring states, localities and project users to contribute higher shares in the cost of construction. User costs now average about 25 percent.

In addition, authorizations for the

projects expire automatically if they do not receive appropriations to begin construction within five years. Before 1986, there had accumulated a huge backlog of projects that had never received appropriations.

As approved, the 1990 bill would authorize:

- \$544.6 million for flood control, including stream enlargements and recreational facilities, along the Buffalo Bayou and tributaries in Houston. The federal share would be \$309.3 million.

- \$65.7 million to deepen the Miami Harbor channel for commercial navigation. The federal share would be \$41.9 million.

- \$59.7 million for storm damage reduction work in Myrtle Beach, S.C. The federal share would be \$38.8 million.

- \$57 million for new levees and channel improvements for flood control along the Rio de la Plata in north central Puerto Rico. The federal share would be \$34.8 million.

- \$56.3 million for a flood control project in Santa Clara County, Calif. The funds would be used for offset levees, canals, flood walls, and fish and wildlife damage mitigation. The federal share would be \$39.1 million.

- \$26.3 million to deepen the Brush Creek basin channel and replace bridges in Kansas City, Mo. The federal share would be \$16.7 million.

- \$26.2 million to deepen a commercial navigation channel in the Boston Harbor, Mass. The federal share would be \$18 million.

- \$22.4 million to widen a channel, construct levees and set up a flood forecasting and warning system in St. Louis County, Mo. The federal share would be \$15.5 million.

- \$20.6 million for channel improvement and other flood control along five miles of River Des Peres in Missouri. The federal share would be \$15.3 million.

- \$16.3 million to control flooding at the junction of the St. Joseph and St. Marys rivers in Fort-Wayne, Ind. The federal share would be \$12.1 million.

- \$16.2 million to deepen 23 miles of commercial navigation channels in

South Mobile County, Ala. The federal share would be \$4.5 million.

- \$12.5 million for a flood control project in Clifton, Ariz. The funds would be used for a levee, flood-proofing of commercial buildings, relocation of 108 households, and redevelopment of flood-plain areas for recreational use. The federal share would be \$9.2 million.

- \$9.5 million for erosion control along 22 miles of ocean shoreline in Martin County, south of Jacksonville, Fla. Funds would be used to protect the dune system and recreational areas from storms and to restore about 4 miles of dunes. The federal share would be \$3.9 million.

- \$8.3 million for construction of a floodgate, clearing of streams and other flood mitigation measures in the Aloha-Rigoletta Area in north central Louisiana. The federal share would be \$6.2 million.

- \$7.9 million for a diversion structure and conduit and enlarged detention basins in the Jordan River Basin in north central Utah. The federal share would be \$5.2 million.

- \$7.5 million for deepening areas along the St. Marys River and in Duluth Harbor, waterways between the Great Lakes, to improve commercial navigation. Dredged materials to be deposited to form a habitat island for endangered species. The federal share would be \$5 million.

- \$7.3 million for construction of a storm water retention basin to limit flooding of the North Branch Ecorse Creek and Sexton-Kilfoil Drain in the Ecorse Creek Drainage Base in southeastern Michigan. The federal share would be \$4.6 million.

- \$7.3 million for a flood control project in Nogales, Ariz. The funds would go for lateral collector channels, a watershed flood warning system, recreation facilities and other flood mitigation measures. The federal share would be \$5.4 million.

- \$4.6 million for stream oriented open-space recreation areas in the Greenbelt corridor between Ray Roberts Dam and Lewisville Lake in the Trinity River Basin area of Dallas-Fort Worth. The federal share would be \$1.7 million.

COMMERCE

## Tuna Labeling Bill Amended by Foe

A tuna labeling bill went sailing into uncharted waters when its chief opponent added a surprise amendment at a May 23 markup of the House Merchant Marine and Fisheries Committee.

Don Young, R-Alaska, has been fighting against a measure (HR 2926) that would require tuna to be labeled as to whether it was caught by methods that endanger dolphins.

Dolphins that swim alongside tuna in the eastern Pacific Ocean are sometimes drowned when they become entrapped in tuna nets. The three major American tuna processors announced in April that they would sell only "dolphin-safe" tuna.

Young's amendment significantly stiffened the bill by banning the sale of all "dolphin-unsafe" tuna in the United States until the State Department negotiates an agreement to end fishing practices that threaten dolphins and to gain access to international fishing waters for U.S. fishermen.

The thrust of the original bill, approved by the Fisheries and Wildlife Conservation Subcommittee on May 15, was to make the issue one of consumer choice.

The Young amendment could set a precedent that food processors find more odious. And the amendment may earn the bill a referral to the Ways and Means Committee, which has jurisdiction over trade issues. (Subcommittee action, *Weekly Report*, p. 1553)

At the markup, Young's amendment was initially defeated on a 16-16 show of hands. But on a roll call, Chairman Walter B. Jones, D-N.C., produced proxy votes that assured adoption by a vote of 26-19. The bill was then approved by voice vote.

Gerry E. Studds, D-Mass., a supporter of the bill, called the amendment "mischievous" and "unfriendly" and said a referral to Ways and Means could damage its prospects. The bill's sponsor, Barbara Boxer, D-Calif., vowed to lobby Ways and Means.

But supporters were not sure whether they would attempt to strip the amendment's language from the bill when it is taken up in the Energy and Commerce Committee, which also has jurisdiction over the bill.



## AGRICULTURE

## Senate Panel OKs Mandatory Fish Inspection Program

The Agriculture Department would administer a mandatory fish inspection program — using standards set by the Food and Drug Administration — under legislation that the Senate Agriculture Committee approved by voice vote on May 22.

Although the panel ordered the bill (S 1245) reported to the floor as self-standing legislation, it may be incorporated later into the omnibus 1990 farm bill. (Story, p. 1646)

Efforts to create a mandatory inspection program, like those for meat and poultry, had been held up because lawmakers had been unable to agree on who would handle inspections. The Agriculture Department currently oversees mandatory meat and poultry inspection, but fish is governed only by a voluntary, industry-regulated program.

Committee Chairman Patrick J. Leahy, D-Vt., said self-regulation by the fish industry has not been beneficial to consumers. Only 12 percent of American seafood now undergoes inspection, he said, and only 7 percent of the country's 2,000 fish processors participate in voluntary programs.

"While mandatory federal inspection cannot completely eliminate all contaminants from the marketplace, it will make our seafood safer and reduce the risk of illness to consumers," Leahy said.

As approved, S 1245 would put fish processing plants under one of three inspection programs. Two of the programs — intrastate and interstate — would be established by the states, but the federal government would share half the cost of their operation.

Where no inspection program was imposed by a state, the federal government would be responsible.

The Food and Drug Administration (FDA) would set inspection standards for contaminants such as micro-biological organisms and chemical residues. If fish were found to exceed those standards, the government could prohibit fishing and harvesting in the waters where they were caught.

The bill would authorize \$14 million for the inspection program in fiscal 1991, \$40 million in 1992, \$80 mil-

By Ray Perez



R. MICHAEL JENKINS

## BOXSCORE

**Bill:** S 1245, HR 3155 — Mandatory fish inspection.

**Latest action:** Senate Agriculture Committee approval of S 1245, voice vote, May 22.

**Next likely action:** Senate floor, House Agriculture Committee.

**Reference:** House action, Weekly Report, pp. 833, 585. Background, 1989 Weekly Report, p. 2866.

lion in 1993 and \$100 million in each of 1994 and 1995.

## Whistleblower Protection

Although Democrats and Republicans on the committee had privately worked out most of the key elements of S 1245, they debated over a provision that would protect employees at fish processing plants who report public health or sanitary violations.

An amendment by Thad Cochran, R-Miss., to delete the whistleblower provision was approved, 10-9, with Howell Heflin, D-Ala., voting with the committee's nine Republicans. Heflin, however, tempered his opposition with a statement that he hoped a compromise could be reached on the floor.

Cochran said the provision would duplicate a pending whistleblower protection bill (S 436) for private-sector employees who expose health and safety violations in their companies. The Labor and Human Resources Committee approved that bill April 25 on a straight party-line vote. (Weekly Report, p. 1267)

Cochran also said the provision

would jeopardize employee-employer relations because it "would deputize all employees who work at food processing plants to look for violations."

Democrats argued that the legislation was already a compromise because it would not impose continuous government inspection for fish, as is the practice with meat and poultry. Because of that, they said, it was imperative for employees to be part of the self-regulation procedure at fish processing plants.

"The incidence of disease from fish is far higher than any other product, and it's getting worse," said Tom Daschle, D-S.D.

Public Voice for Food and Health Policy, a consumer advocacy organization, has campaigned since 1986 for adoption of fish inspection legislation. But the group's founder, Ellen Haas, said the Cochran amendment had weakened the bill because employees who call attention to alleged misconduct "are the insurance of a program with integrity."

## Inspection Authority

Under the measure, inspectors of processing plants would have authority to scrutinize fish and fish products, packages, containers, labels and all processing equipment. "Adulterated or misbranded" fish would be seized and condemned.

Fishing vessels that process their catch on board also would be subject to inspection. However, Haas said her organization would support a floor amendment that would require inspection of all fishing boats.

All fish processing plants would have to be certified by the Agriculture Department annually and would be subject to restrictions or cancellations for non-compliance.

The legislation also would prohibit importation of seafood that does not meet the inspection standards set for domestic fish. However, fish not meeting minimum U.S. health and safety standards could be exported to a country that sets less stringent conditions.

The bill also would give the Commerce Department authority to prohibit fishing in contaminated waters.

Related fish inspection legislation is pending in the House, where the Energy and Commerce Committee has approved a bill (HR 3155) to give the FDA sole authority over the program. Another bill (HR 3481) pending before the Agriculture Committee would have the Agriculture Department administer FDA standards. ■

## VETERANS AFFAIRS

## Effect of Derwinski Decision Depends on Point of View

Depending on your point of view, the decision by the Department of Veterans Affairs to acknowledge a link between Agent Orange and certain cancers will either help or hurt legislation to further expand compensation for Vietnam veterans exposed to the herbicide.

On May 18 Veterans Affairs (VA) Secretary Edward J. Derwinski decided to compensate Vietnam veterans who suffer from soft-tissue sarcomas, a group of cancers.

As a result, about 1,100 veterans or their survivors are expected to receive compensation, at a projected cost of \$8 million a year.

Congressional sponsors of legislation that would expand compensation to other veterans exposed to the herbicide said their bills will now move onto the fast track. But opponents said the decision puts the bills on ice.

The Senate has already passed legislation (S 1153) to expand compensation for veterans, and Rep. Lane Evans, D-Ill., has more than 170 cosponsors for his companion bill (HR 3004). The Evans bill has been bottled up in the Veterans' Affairs Committee, but Evans said Derwinski's decision will give it "further momentum."

The key opponent of the bill is Veterans' Affairs Committee Chairman G. V. "Sonny" Montgomery, D-Miss. Aides say Montgomery wants decisions on compensation to be "made by the experts," not legislators. They say Montgomery "has no problems" with Derwinski's decision, but sees no need for Evans' legislation.

Committee aides say Derwinski's decision does not mean that the VA, in its acknowledgment of a link between one type of cancer and Agent Orange, has left the door open for compensation for a host of other illnesses, as Evans' bill would do.

Soft-tissue sarcoma is one of several diseases "most frequently mentioned as having a good case," according to a Democratic aide.

The aide noted that Derwinski had announced March 29 that veterans who suffer from non-Hodgkins lymphoma (NHL), a rare form of cancer,



Evans

Montgomery

would receive compensation, and that the VA is already providing compensation to Vietnam veterans exposed to Agent Orange who suffer from chloracne, a skin rash.

"We feel really that the recent decisions by the secretary sort of takes some wind out of their sails for legislation," the aide said. "We don't think there is a necessity for legislation."

The aide said the committee does not have money in its budget to fund the Evans bill, which includes several

other forms of cancer, in addition to the illnesses the VA plans to provide compensation for.

An Evans spokesman said that while the Congressional Budget Office estimates HR 3004 will cost about \$89 million, Derwinski's decision means a large portion of those costs are already taken care of.

## The Evans Bill

Evans said that now that the VA has acknowledged a link between cancer and exposure to Agent Orange, it is up to Congress to "codify" the decision and add other health problems.

Evans' bill would provide for a presumption of service connection for five diseases suffered by Vietnam veterans: NHL, soft-tissue sarcoma, melanoma, basal cell carcinoma, and chloracne.

Under the bill, the VA secretary could include additional diseases based on the findings of independent reviews of pertinent studies.

The Senate bill, sponsored by Tom Daschle, D-S.D., would provide interim benefits for Vietnam veterans who suffer from soft-tissue sarcoma and NHL until a definitive decision is made on the issue. Daschle, however, has now thrown his support behind the broader Evans bill. ■

## Action on Hatch Act Nears

Legislation (HR 20) to revise the 1939 Hatch Act, passed by the Senate on May 10, is expected on the House floor the week of June 4 — without change and without benefit of a conference, according to House and Senate aides. The bill would allow federal employees to participate in political activities.

The House passed its version of the bill April 17, 1989, but the House version of the bill probably could not survive a certain veto. The Senate version was passed 67-30, just enough votes to override a veto. (Weekly Report, p. 1473)

"There's a better than even chance that the Senate version will fly through the House," said a Democratic aide to the House Committee on Post Office and Civil Service.

Aides say the primary disagreements over the legislation lie between the administration and Congress rather than between the House and Senate.

Although members have talked informally about the possibility of a compromise with the administration on portions of the bill, the House aide said, members are likely not to opt for changes.

The Bush administration has said it will veto either version of the bill because it would make federal employees vulnerable to political coercion.

A Senate Governmental Affairs aide said Democrats are waiting for additional word from the president on the veto threat before deciding whether to amend the bill. "We want to see what the dimensions of the veto threat are," the aide said.

The Senate bill is more limited than the House version, which would allow federal workers to run for public office. The Senate version would allow members to run for office only within a political organization or affiliated group, including convention delegate positions.

By Kitty Dumas



## COMMERCE

Senate Committee Approves  
Limiting Product Liability

The Senate Commerce Committee approved a bill (S 1400) on May 22 calling for a federal standard to govern how consumers are compensated for injuries from dangerous products.

As approved on a 13-7 vote, the bill would set up uniform federal rules governing product-liability suits and punitive damage awards, including limiting the liability of product sellers and of multiple defendants in proportion to their responsibility.

Supporters said the measure would help end excessive verdicts and differences in state laws. It is strict state laws, they believe, that have favored victims of unsafe products and stuffed the coffers of trial lawyers.

Opponents say a federal standard would make it much harder for victims of dangerous products to recover damages for their injuries, removing incentives for companies to make safer products. They also warn that it could reduce the legal remedies available to low-income victims of harmful products.

Manufacturers have tried for a decade to get a uniform standard but got nowhere in Congress. This year, they got a boost when President Bush endorsed the idea in his State of the Union address. (*Weekly Report*, p. 326)

Bob Kasten, R-Wis., the sponsor of S 1400, scaled back his original proposal by leaving out some of the more divisive provisions, particularly a cap on punitive damages, in hope of winning more Democratic support. There will probably be some effort to put those back in on the floor.

However, the bill must first go to the Judiciary Committee, where opposition remains strong.

Commerce Chairman Ernest F. Hollings, D-S.C., also opposed the measure, telling his colleagues: "I hate to see a committee report out a bad bill all in the name of uniformity." S 1400 would not even accomplish that, he said, arguing that it would send confusing signals about damages and costs.

The bill won bipartisan support from the panel, however, as five Democrats voted "aye": Daniel K. Inouye

of Hawaii, Jim Exon of Nebraska, John D. Rockefeller IV of West Virginia, Lloyd Bentsen of Texas and Charles S. Robb of Virginia.

Bob Packwood of Oregon was the only Republican to vote against it.

S 1400 would increase the plaintiff's burden of proof to "clear and convincing evidence," rather than the usual civil standard of a "preponderance of the evidence."

Joint liability for pain and suffering, or non-economic damages, would be eliminated. Therefore, in cases with many defendants, each would be liable only for the damages proportional to

**Sponsor Bob Kasten, R-Wis., scaled back his original proposal by leaving out the more divisive provisions. The 13-7 vote included five Democratic "ayes."**



the harm he caused.

As an incentive to settle cases quickly, the measure would force the losers in liability suits to pay court costs for the other side if the losing party had refused to settle the case.

Companies that produce or sell medical devices or drugs approved by the government would be exempt from paying punitive damages in cases involving agency-approved products.

Consumer groups argue that this would not assure that dangerous drugs and medical devices would be kept off the market. The U.S. Public Interest Research Group released a report May 10 that found at least 10 Food and Drug Administration-approved drugs and medical devices that manufacturers discovered were hazardous but continued to sell anyway. In none of these cases, the group said, did the agency pull the products from the

market or require improvements.

The measure would establish a two-year statute of limitations to bring action after discovery of harm and, in cases involving factory workers, a 25-year period from the delivery date of faulty capital goods.

Kasten said the current system governing product-liability cases is wasteful, providing too little compensation to victims and unfairly burdening businesses. A key supporter, ranking Republican John C. Danforth of Missouri, said the existing practice, "where 75 cents or so on the dollar goes into the pockets of lawyers, is just haywire." ■

## COMMUNICATIONS

Looser Leash Likely  
For 'Baby Bells'

For the first time since the breakup of Ma Bell eight years ago, lawmakers acted May 23 to loosen court restrictions on the seven regional telephone companies.

But after years of heavy phone company lobbying to "unleash the Baby Bells," the Senate Commerce, Science and Transportation Committee action was restrained: Members loosened the muzzle just a notch, approving, by voice vote, a bill (S 1981) to let the Baby Bells make telephone equipment.

A more controversial draft bill pending before the House Energy and Commerce Subcommittee on Telecommunications would let the regional phone companies offer electronic information services, as well — a move newspapers and other information industries strongly oppose.

The courts closed both business areas, as well as long-distance phone service, to the Baby Bells in 1984.

The Senate bill (S 1981), by Commerce Committee Chairman Ernest F. Hollings, D-S.C., would let the regional phone companies enter joint manufacturing ventures, as long as they were not with other Baby Bells. The bill would require that manufacturing take place within the United States with U.S.-made parts, unless the Federal Communications Commission could prove "extraordinary circumstances."

Under the House bill, the phone companies could research and design, but not actually fabricate, phone equipment, unless it was determined to be in the public interest. ■

Bush Vetoes Amtrak;  
Override Vote Set

President Bush on May 24 vetoed a bill (HR 2364) to authorize \$2 billion over three years to Amtrak, the national passenger railway, because of a provision in the legislation to bring railroad acquisitions under new government scrutiny.

It was Bush's first veto of 1990 and the 11th of his presidency. None have been overturned.

The provision in HR 2364 that attracted the veto would have required the Interstate Commerce Commission (ICC) to review proposed acquisitions of major railroads by non-railroad companies. Bush said that provision would set an unnecessary "regulatory burden" on those types of transactions.

The bill also would have permitted Amtrak to provide commuter rail service between Northern Virginia and Washington, D.C.

The House has scheduled a vote to try to override the president's veto June 7. In the Senate, Republicans John C. Danforth, Mo., and Bob Kasten, Wis., members of the Commerce, Science and Transportation Committee, are likely to lead an effort to strip the ICC provision from the bill.

An Amtrak spokesman, Clifford Black, said the veto would have no effect on daily train operations because the railroad is working from money that Congress already appropriated for 1989-1992. But he said the veto would indefinitely postpone plans for a commuter line being developed between Washington and its Northern Virginia suburbs.

Senate Votes Increase  
In Oil Reserve

The Senate on May 22 passed a bill (S 2088) to expand the Strategic Petroleum Reserve from 750 million to 1 billion barrels.

The oil stockpile, which is stored in salt domes in Louisiana and Texas, was set up in 1975 to soften the impact of a foreign oil cutoff.

The Bush administration opposes the expansion, which the Senate approved on a voice vote. The administration wants market forces to deter-

## SECTION NOTES

mine the nation's energy supply.

Energy Department officials are also in the midst of preparing a national energy strategy that will emphasize greater conservation and better domestic productivity.

Several Bills Approved  
By Commerce Panel

In a wide-ranging markup May 22, the Senate Commerce Committee approved several pieces of relatively non-controversial legislation, including the following:

• S 2434, approved by voice vote, which would require local mass transit programs that receive federal funds to institute a Department of Transportation drug-testing program for workers in safety-related positions. Roughly 195,000 transit workers would be covered by the bill.

• S 1025, approved by voice vote, which would reauthorize and modify federal fishery conservation and management programs.

Panel members approved, 11-8, an amendment by Daniel K. Inouye, D-Hawaii, that would limit foreign fishing boats' access to Pacific tuna by having the United States assert jurisdiction over tuna in waters near the U.S. shore.

• HR 3000, also approved by voice vote, which would require that high-strength bolts and fasteners conform to the specifications they are represented as meeting.

House Science Panel  
OKs Research Bill

The House Science Committee on May 23 approved by voice vote a bill (HR 4873) to boost funding for environmental research.

The bill would authorize \$409 million in fiscal 1991 for research programs administered by the Environmental Protection Agency (EPA), 8.5 percent above what President Bush requested.

The committee, however, postponed action on another bill (HR 3693) to establish a program in the EPA to coordinate research on ways to reduce the amount of waste generated.

The bill would authorize \$60 million in fiscal 1991-93 for grants for

research and testing of new pollution control practices and technologies.

An aide to Howard Wolpe, D-Mich., sponsor of HR 3693, said jurisdictional differences with the House Energy and Commerce Committee must be resolved before the Science Committee reconsiders the bill in June.

R&D for FAA OK'd  
By Subcommittee

A House Science subcommittee May 22 approved, 6-0, a draft measure to authorize \$255 million for Federal Aviation Administration (FAA) research and development programs in fiscal 1991 and \$268 million in fiscal 1992.

The proposed levels far exceed the Bush administration's request for \$190 million in 1991 and \$195 million in 1992.

The Transportation, Aviation and Materials Subcommittee voted to raise authorization levels for noise abatement programs, study of civil applications for tilt-rotor aircraft and research into satellite technology uses.

Much of the funding to be authorized by the bill would be directed toward research and development of technologies and programs related to air traffic control.

Senate Panel Targets  
Groundwater Cleanup

A Senate Environment subcommittee May 23 approved by voice vote a bill (S 203) to coordinate federal research on groundwater contamination and to help states with drinking water problems.

The measure approved by the Superfund, Ocean and Water Protection Subcommittee would create an interagency task force to oversee federal research and to consult with state and local governments.

The measure would provide for a 50 percent federal-state matching grant program to help states control contamination in ground water.

The measure would set up a grant program to provide aid to small communities experiencing problems in their drinking water because of naturally occurring radium contamination.

By Dinah Wisenberg



## LAW/JUDICIARY

# Anticrime Package Falters After Gun Ban Retained

*Surprise vote on assault-type weapons tilts balance, leaving Republicans wondering if bill is worth it*

After a week marked by partisan maneuvers and political upsets, including the first-ever floor vote for a ban on semiautomatic weapons, the Senate has been left with an omnibus crime bill that just might be a bust.

By the night of May 24, when senators left for a Memorial Day recess, 87 Democratic amendments and 184 Republican amendments were waiting for the anticrime package (S 1970).

During four days of floor action, Democrats won on a number of provisions, and they are hoping that if Republicans try to retaliate with "killer" amendments, the GOP will be viewed as trying to sandbag the crime bill.

It is Democrats who have traditionally found themselves on the defensive on crime issues, and they are eager to reverse the situation this election year. (*Weekly Report*, p. 1555)

Judiciary Committee Chairman Joseph R. Biden Jr., D-Del., the sponsor of S 1970, told reporters that if amendments cannot be stopped and debate cut off, "you just declare that Republicans killed the crime bill."

But Orrin G. Hatch, R-Utah, accused the Democrats of "watering down" the death penalty section and of working toward a bill that was "less than tough on crime." Hatch and other GOP leaders on the issue would not say whether they would filibuster.

The Senate is scheduled to vote June 5 on whether to invoke cloture, thereby limiting debate. Both Majority Leader George J. Mitchell, D-Maine, and Minority Leader Bob Dole, R-Kan., expressed skepticism that there would be the requisite 60 votes.

As it stands, S 1970 would ban nine types of assault-style weapons, broaden the federal death penalty to 30 more crimes and allow states to compel much faster federal court reviews of death sentences if they provide compe-

By Joan Biskupic



## BOXSCORE

**Bill:** S 1970 — Omnibus anticrime package.

**Latest action:** Senate debated the week of May 21, rejecting move to strip out a ban on nine types of assault-style weapons and approving expedited procedures for death penalty appeals.

**Next likely action:** Senate vote on cloture June 5.

**Background:** The bill incorporates a variety of anticrime proposals on which the Senate previously delayed action.

**Reference:** Crime politics, *Weekly Report*, p. 1555, 1989 *Weekly Report*, p. 3248; gun control, 1989 *Weekly Report*, p. 3312; habeas corpus, 1989 *Weekly Report*, p. 2718.

tent counsel to inmates. It also would relax the so-called exclusionary rule to allow use at trial of illegally seized evidence if police relied in good faith on a warrant that later proved to be defective.

The Senate defeated a Republican amendment to allow execution of mentally retarded people unless they are wholly unable to tell right from wrong.

But it stripped a provision to allow inmates to use statistics to challenge

their death sentences as racially discriminatory.

The House has not acted on an omnibus anticrime proposal, although Judiciary subcommittees have held hearings on some of the topics S 1970 covers. The Subcommittee on Crime on March 21 narrowly approved a bill (HR 4225) that would ban certain domestic assault-style weapons, but the bill has not been scheduled for full Judiciary Committee action. (*Weekly Report*, p. 923)

## Ban on Assault Weapons

Democrats surprised even themselves May 23 by mustering enough votes to preserve a ban on making, selling or possessing nine semiautomatic assault-style weapons, including the AK-47, which was used in the January 1989 schoolyard massacre in Stockton, Calif., that sparked an outcry over criminal use of semiautomatics.

Hatch's motion to delete the weapons ban failed 48-52. Two hours later, gun control advocates prevailed again as a motion to reconsider fell short, 49-50. On the second roll call, seven Republicans joined 43 Democrats in protecting the gun ban. (*Votes* 103, 104, p. 1696)

The day before the votes, the National Rifle Association (NRA) was predicting victory, and supporters of the gun ban were gloomy, despite intensive lobbying efforts by scores of law enforcement representatives who supported the provision.

But Dennis DeConcini, D-Ariz., whose sponsorship of the gun ban had touched off a recall effort, since abandoned, in Arizona, brought off the one-vote victory.

The vote marked the biggest Senate defeat for the NRA, which is known for its lobbying muscle and hefty campaign contributions.

In 1988, when the NRA was able to pressure Congress to keep a seven-day waiting period to buy handguns out of an omnibus crime bill, the action took place in the House. The only time the

full Senate voted for a gun control measure in 1988 was in an 89-0 vote for an amendment to antidrug legislation that banned making, importing, selling or possessing firearms that can evade X-ray or metal-detecting devices. (*Drug bill*, 1988 *Almanac*, p. 85; *NRA*, p. 100; *plastic guns*, p. 108)

As recently as 1986, Congress voted to significantly ease federal gun control laws, after many years of NRA lobbying to win relaxation of the landmark 1968 Gun Control Act. A major provision of the 1986 law (PL 99-308) lifted a 20-year ban on interstate sales of rifles and shotguns and lowered the number of people who were required to get licenses to sell firearms. (1986 *Almanac*, p. 82)

The DeConcini language would ban five types of foreign and four types of domestic weapons for three years. Current owners of listed weapons would have to get a proof-of-ownership form from a licensed dealer and keep a record of people to whom they sell the weapons.

The following weapons would be prohibited: Norinco, Mitchell and Poly Technologies Avtomat Kalashnikovs (all models, the AK-47 included); Action Arms Israeli Military Industries Uzi and Galil; Beretta AR-70 (SC-70); Colt AR-15 and CAR-15; Fabrique Nationale FN/FAL, FN/LAR and FNC; MAC 10 and MAC 11; Steyr AUG; INTRATEC TEC-9; and the Street Sweeper and Striker 12.

## Stiffer Ban Rejected

A handful of Southern Democrats who have generally opposed gun control supported DeConcini, including Lloyd Bentsen of Texas, David L. Boren of Oklahoma, Sam Nunn of Georgia and Al Gore of Tennessee. And he won the vote of Majority Leader Mitchell, who comes from a big sporting state and who had been quoted in the past as saying he did not believe in gun control.

DeConcini said, "If Mitchell hadn't done it, I don't think we would have won."

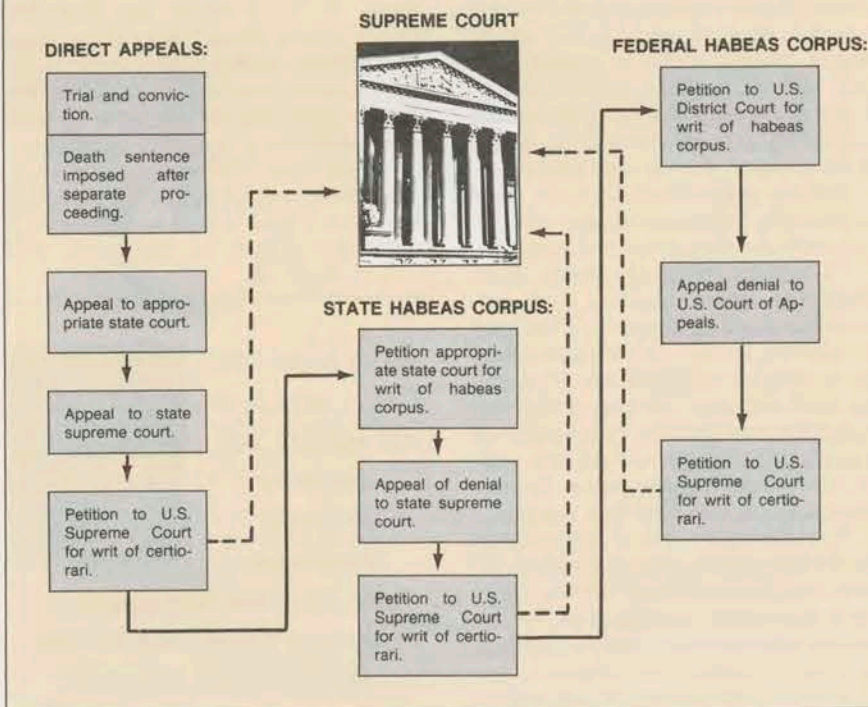
Mitchell said DeConcini's proposal reflected a "reasonable, moderate and feasible recognition that our nation can accept some limits on firearms ownership when the firearms in question have no valid hunting or sporting purpose."

But while the vote was a success for Democrats, it casts uncertainty on the entire legislation.

The NRA vowed to lobby members to make sure the provisions go no further, and the Bush administration suggested that the president would veto a bill with such restrictions.

## Death Penalty Appeals Process

Following are the appeals and post-conviction remedies available to a defendant in a capital case, a process that typically takes more than eight years. There are opportunities for rehearings by state and federal courts throughout the process, depending on jurisdiction. The entire round of post-conviction appeals can start anew if the Supreme Court at any time issues a decision that could have dictated a different outcome, or if the defendant seeks to litigate a new claim.





Two senators who were absent May 23, Louisiana Democrats John B. Breaux and J. Bennett Johnston, voted for reconsideration May 24.

#### A Faster Review Process

Graham described the Thurmond-Specter plan as "90 to 95 percent identical" to his proposal.

The final language would eliminate the exhaustion of state habeas corpus proceedings as a prerequisite for federal habeas corpus proceedings and would require federal courts to complete review of such petitions within a year. States could adopt the faster procedure only if they provide competent counsel to the prisoner facing execution.

Specter maintained that the state reviews are "customarily pro forma" and unreasonably delay the process.

"They go before the same court where the person is tried and sentenced to death," he said. "That case has already gone to the state supreme court, which has upheld the trial and the death penalty. The only additional ingredient customarily is the issue of competency of counsel. And as a matter of practice, it is pro forma. Several years are consumed in that process."

But Graham said a state court should first decide the state issues. He said that because there are no sanctions for federal judges who do not comply with the time periods, there is no point to setting deadlines.

Powell's committee did not recommend bypassing state habeas reviews. But it would have required prisoners to petition a federal court within six months of a final state order and would have barred added filings.

The Thurmond-Specter language would require inmates to file a federal habeas petition within 60 days of the appointment of counsel and resolution of an appeal to the state's highest court.

The Graham-Biden version would have allowed a year for filings.

The Specter-Thurmond plan also would set stricter limits on second petitions in district court, requiring that an inmate first get permission from a federal appeals court. A second petition would be allowed only if the facts of the claim would be enough, if proved, to undermine the court's confidence in the jury's determination of guilt or if newly discovered facts would compromise the court's confidence in the validity of the death sentence.

The bill would let a court consider a subsequent claim based on intervening decisions by the U.S. Supreme Court that "establish fundamental

rights." Specter said it is unlikely that there would be many such intervening decisions because of the swift timetable ordered.

#### Death Penalty Broadened

S 1970 would authorize capital punishment for 30 federal crimes, primarily murder, espionage and treason. Most of these offenses carry a death penalty, but the sanction was invalidated in 1972 when the Supreme Court struck down all existing state and federal capital punishment laws.

The court later set out guidelines for how to fairly impose the ultimate penalty, outlining a two-stage procedure.

Since then, states that allow capital punishment have set up a process by which a trial is held to determine a defendant's guilt or innocence, and

**"The Supreme Court says it is all right to put mentally retarded people to death. Just because the Supreme Court said we can, that does not mean we should."**

—Sen. Joseph R. Biden Jr., D-Del.



then a second proceeding is conducted to set the sentence.

The first execution under the new guidelines was in 1977, and 123 people had been executed as of May 2, according to the NAACP Legal Defense and Educational Fund. The fund also reported that 2,327 people were on death rows as of that date.

In 1974 Congress approved capital punishment for airline hijackings that result in death, and in 1988, as part of an omnibus antidrug law, it approved capital punishment for certain drug-trafficking murders. (1974 *Almanac*, p. 275; 1988 *Almanac*, p. 85)

A sizable majority in the Senate supports a broader federal death penalty, and many members viewed a "racial justice" proposal by Edward M. Kennedy, D-Mass., as an effort to deter capital punishment.

Under Kennedy's proposal, pros-

ecutors would have to prove by "clear and convincing evidence" that racial disparities in sentencing are not the result of discrimination but simply reflect pertinent non-racial factors.

Kennedy said: "In study after study, experts have found that those who kill white people are many times more likely to receive the death penalty than those who kill blacks. And there is disturbing evidence that black defendants are more likely to be given a death sentence than white defendants."

In 1987, the Supreme Court in *McCleskey v. Kemp* rejected challenges to capital punishment based on statistical evidence of racial disparities. The court said the defendant failed to demonstrate purposeful discrimination.

"I believe that the *McCleskey* decision was wrongly decided," Kennedy said, "and that the compelling evidence that *McCleskey's* sentence was affected by racial consideration should have been sufficient to set aside his sentence."

But Graham, a former governor of Florida who has long been a strong advocate of capital punishment, said Kennedy's provision would destroy a state's capital punishment procedures.

He said the criminal justice process does not lend itself to statistical analysis and that a jury should be left to assess the specific acts of a defendant.

Each decision, he said, "is inherently individualized and not necessarily subject to being categorized."

Graham moved to strike Kennedy's language and prevailed 58-38, winning a majority of Republicans and just fewer than half the Democrats. (Vote 108, p. 1697)

#### Executing the Mentally Retarded

S 1970 as amended would bar executing anyone who was under 17 at the time of the crime or who is mentally retarded.

By 38-59, the Senate rejected a Thurmond amendment to spare only the mentally retarded who are incapable of knowing right from wrong.

The Supreme Court in the 1989 case of *Penry v. Lynaugh* ruled that executing a mentally retarded person does not violate the Eighth Amendment's bar to cruel and unusual punishment.

But Biden said: "The Supreme Court says it is all right to put mentally retarded people to death. Just because the Supreme Court said we can, that does not mean we should."

If the bill were to become law, the exemption for the mentally retarded would apply only in federal cases. ■

## LAW/JUDICIARY

# Disability-Rights Legislation Headed for Conference

*House passes landmark bill after brushing aside Bush demand that its remedies be limited*

The House gave overwhelming approval May 22 to sweeping legislation that would guarantee the disabled the same job rights and access to public facilities as other Americans.

As if to underscore the need for the Americans with Disabilities Act (ADA), several dozen disabled people had to watch the floor action on television sets in the Capitol's Statuary Hall, because the House visitors' gallery could not accommodate all of their wheelchairs.

But that, like many other things, is likely to change when the measure (S 933) becomes law. The ADA would apply to Congress as well as to the private sector.

The bill must still go through a House-Senate conference to resolve fairly minor differences between the two versions. But the strength of the 403-20 vote, which followed by eight months the Senate's 76-8 approval, had sponsors predicting final passage before Congress leaves for its Fourth of July recess. (Vote 123, p. 1688)

President Bush, a longtime supporter of the bill, is expected to sign it "before the ink is dry," said Rep. Steve Bartlett, R-Texas, a key advocate of the ADA. Bush lost a bid to limit the remedies available to those who suffer discrimination, but the White House has never issued a veto threat over that issue.

#### Bill Highlights

Discrimination against the disabled is already prohibited in federally funded activities by the 1973 Rehabilitation Act and in housing by the 1988 Fair Housing Act amendments. But the disabled were not among the classes covered by the landmark 1964 Civil Rights Act, which barred discrimination in employment and public accommodations on the basis of race, sex, religion or national origin.

S 933 would prohibit discrimination against the disabled in employment, public services and public ac-

By Julie Rovner



#### BOXSCORE

**Bill:** HR 2273 — Americans with Disabilities Act, to bar discrimination against the disabled.

**Latest action:** House passed 403-20 on May 22, then substituted its provisions for the text of S 933.

**Next likely action:** House-Senate conference on S 933.

**Background:** Senate passed companion bill, S 933, on Sept. 7. Four House committees approved HR 2273 (H Rept 101-485, Parts 1-4).

**Reference:** Background on bill, Weekly Report, p. 1477; Senate passage of S 933, 1989 Weekly Report, p. 2417; approval by House Education and Labor Committee, 1989 Weekly Report, p. 3167; Energy and Commerce, Weekly Report, p. 837; Public Works and Transportation, p. 1082; Judiciary Committee, p. 1354; floor debate, p. 1559.

commodations, and would require that telecommunications be made accessible to those with speech and hearing impairments through the use of special relay systems.

The bill would require employers to make "reasonable accommodations" for disabled workers, although not changes that would involve "undue hardship." The employment provisions would take effect in two years for employers of 25 or more people and in four years for em-

ployers of 15 or more.

"This bill does not guarantee a job—or anything else," said Steny H. Hoyer, D-Md., who served as midwife for the measure as it moved through four House committees. "It guarantees a level playing field: that qualified individuals won't be discriminated against because of their disability." (Hoyer, p. 1658)

Bartlett, who led Republican supporters of the bill, said, "The ADA should reach every community and reshape attitudes toward disability, so that differences among us become more a question of interest than bias."

Although it is patterned after the 1964 act, the ADA would go well beyond that law. Its public accommodations section would apply not only to the restaurants, lodgings, places of entertainment and gasoline stations covered by the earlier law, but also to museums and sports stadiums, doctors' offices and hospitals, dry cleaners, pharmacies, grocery stores and all other retail and service establishments.

Establishments would be required to make new and renovated facilities accessible to the disabled and to make whatever "readily achievable" modifications in existing facilities are needed to accommodate the disabled.

The bill also would require all new purchased or leased buses and rail cars to be accessible to the disabled but would not require retrofitting of existing vehicles.

#### Food-Handlers Amendment

Support for the bill was so overwhelming in both chambers that a House-Senate conference probably would not have been necessary had the House not adopted a controversial amendment May 17 permitting employers to transfer workers with contagious diseases out of food-handling jobs. The amendment, all sides agreed, was aimed at people with AIDS or HIV, the human immunodeficiency virus, which causes the deadly disease.

Although the bill already specified that its antidiscrimination protections would not apply to workers with contagious diseases that pose a "direct threat" to the health or safety of others, the amendment, offered by Jim Chapman, D-Texas, would allow the transfer of workers with diseases that are not transmissible through food but are wrongly perceived to be so by much of the general public.

Advocates of the language insisted that employers should be able to transfer even workers whose ailments pose no health risk to others if the



## Steny Hoyer: A Tireless Shepherd

Rep. Steny H. Hoyer, D-Md., is not the sponsor of the Americans with Disabilities Act (ADA). He does not serve on any of the four committees that considered it. But when the House passed the landmark legislation on May 22, Hoyer was widely accorded the lion's share of the credit.

Hoyer, chairman of the House Democratic Caucus, has never been noted for his passion on issues. Yet he adopted the ADA when it was orphaned last year, and he shepherded the bill through a procedural and jurisdictional labyrinth that Glenn M. Anderson, D-Calif., chairman of the Committee on Public Works and Transportation, called "complex enough to kill any bill."

Said a staffer on the Energy and Commerce Committee who worked on the measure, "Without Steny Hoyer's personal involvement, and by involvement I mean rolling up his sleeves and staying up many late nights, this bill never would have gotten done."

Hoyer did not keep his activities in behalf of the ADA bill a secret. In case anyone missed his numerous appearances or press releases, Hoyer personally hosted a breakfast briefing for reporters covering the bill just days after the final panel, Judiciary, sent the measure to the floor.

### Filling Big Shoes

The original sponsor of the ADA bill (HR 2273) in both the 100th and 101st Congresses was Rep. Tony Coelho, D-Calif. As majority whip, Coelho not only had the political muscle to push potentially recalcitrant committee chairmen, but he also had moral suasion. Few on Capitol Hill were unaware that Coelho's epilepsy years earlier had forced him to give up studies for the priesthood.

But Coelho, facing an investigation into his finances, resigned from Congress before the ADA had begun moving last year. He asked Hoyer to take over.

"I was an original cosponsor in the 100th Congress," says Hoyer. "I had worked with him and was one of his closest friends, and I guess I was the logical choice. Tony asked me to do it, and I did it."

It was, Hoyer concedes, his first significant foray into the substance of a major bill. Throughout his political career, Hoyer has been known as an inside player, more concerned with making of deals than shaping legislation. His "people skills" took him from the presidency of Maryland's Young Democrats in the 1960s to the presidency of the state Senate in the 1970s. After a losing 1978 primary campaign for lieutenant governor, Hoyer won a special election to the House in 1981.

Ambitious even by congressional standards, Hoyer nabbed a coveted seat on the Appropriations Committee in 1983. Because Appropriations holds the government's

purse strings, its members are well-positioned to do favors for colleagues — and store up chits in return.

Hoyer was rebuffed in his initial bid for appointment to a leadership post in 1987, but he dusted himself off and won election as caucus chairman at the start of the 101st Congress.

He has assiduously promoted the interests of the federal employees who populate his suburban Washington district, and in the process, has been a tireless advocate of higher pay for all government workers — including members of Congress. That won him considerable gratitude from colleagues eager for a pay raise but unwilling to stick their own necks out arguing for one.

His success with the ADA can only enhance his stature. Vic Fazio, D-Calif., a friend and fellow Appropriations member, said, "I don't think you can underestimate the value of this for someone who's served on the Appropriations Committee and isn't used to handling legislation."

### The Man Who Was Everywhere

Hoyer says his leadership position, the fourth-highest rung on the Democratic ladder, helped him nudge the ADA along. So did the fact that he was designated by Speaker Thomas S. Foley, D-Wash., as the leadership's representative on the bill.

But Hoyer did the heavy lifting by himself. He was ubiquitous during the measure's nine-month trip through the Education and Labor, Energy and Commerce, Public Works and Transportation, and Judiciary committees. He paced like an expectant father at each of the seven subcommittee and full committee markups, and he testified at many of the multitudinous hearings on the bill.

He even showed up at a hearing on the measure held by the Small Business Committee — one of the few House panels, it seemed, to which the measure was not referred. And when the Judiciary Committee on May 2 found itself one member short of the quorum needed to report the bill, Hoyer cheerfully volunteered. Chairman Jack Brooks, D-Texas, politely refused the offer.

Among the most difficult tasks Hoyer faced was keeping peace not only among committees but between political parties as well. "This has been a bipartisan bill and we wanted it to stay a bipartisan bill," he says.

But there were some tangles along the way that even Hoyer could not unsnarl.

When a jurisdictional tussle erupted between Energy and Commerce and Public Works and Transportation over which committee had dominion over sections of the bill relating to commuter rail systems, Hoyer quipped, "I've told them that's above my pay grade."

—Julie Rovner



Rep. Steny H. Hoyer, D-Md.

choice is between that and a potential customer boycott that could bankrupt the entire business.

Opponents, including most of the bill's key sponsors, said permitting discrimination on the basis of an incorrect perception is exactly what the bill is intended to outlaw.

Hoyer said May 22 that he thought many of his colleagues misunderstood the amendment and that "the Senate may feel it's not necessary."

Indeed, that will probably be the case, said Senate sponsor Tom Harkin, D-Iowa. "I can tell you it will be one of the shortest conferences on record," he said.

But Bartlett predicted trouble if the conference does not leave the Chapman amendment intact. "I think everybody understood it very well," he said. "My view is the Chapman amendment needs to survive conference. If not, it will require another vote of the House."

### Coverage of Congress

The other significant issue the conference will need to address is the question of congressional coverage. The House version includes Congress under the bill's purview, with enforcement to be handled through the internal grievance procedures set up in 1988 and extended in 1989 to deal with other employee discrimination complaints. (1988 *Almanac*, p. 53)

Those procedures allow House employees to seek a formal hearing on their complaints if mediation fails, to obtain a ruling from a hearing examiner and to appeal to a board composed of House members and non-members. Remedies include injunctive relief and back pay.

The Senate version of S 933 also would cover Congress, but it is silent on enforcement, leaving Congress — like private employers — subject to enforcement by the executive branch.

Some members say that raises separation-of-powers problems — an argument that has prevailed in the past when Congress has exempted itself from other labor and antidiscrimination laws.

### Remedies Amendment

Before passing HR 2273, its version of the ADA, the House rejected all three amendments still pending when debate was suspended May 17.

The most contentious was a Bush-backed amendment offered by F. James Sensenbrenner Jr., Wis., ranking Republican on the Judiciary



Disabled citizens watched the televised debate in Capitol's Statuary Hall.

Subcommittee on Civil and Constitutional Rights, that would have written into the ADA bill the remedies currently available under Title VII of the 1964 Civil Rights Act — injunctive relief, back pay and attorneys' fees.

Under an agreement reached in 1989 between the White House and Senate sponsors, provisions to allow aggrieved parties to sue for monetary damages were dropped from the bill and replaced with a reference to the remedies available under Title VII.

Since then, however, committees in both chambers have approved comprehensive civil rights legislation (HR 4000, S 2104) that would amend Title VII (and, by reference, the ADA) to permit the award of compensatory and punitive damages in cases of intentional discrimination. (*Civil rights bill*, *Weekly Report*, p. 1563)

The administration vehemently opposes that change in Title VII and wanted to explicitly limit ADA remedies to those currently available under Title VII.

"A very important component of the agreement the administration reached with the Senate was that the remedies under the employment title would be those specified in the current version of Title VII and that the ADA would not make available compensatory and punitive damages," said the official statement of the administration's position.

But backers of the bill insisted that remedies for the disabled should be the same as those available to women and minorities covered by the 1964 act, whatever those may be.

"If we have apples and oranges,

and you choose one remedy for the apples and a different remedy for the oranges, if that is not discrimination, I do not know what is," said Craig Washington, D-Texas.

Said Patricia Schroeder, D-Colo., "You have lesser rights if you have lesser remedies."

The amendment, previously rejected by a House Judiciary subcommittee and by the full committee, failed by 192-227. (Vote 121, p. 1688)

### Commuter Rail, Buses

The other two amendments rejected, both of which concerned public transportation, also had been considered at the committee level.

One, offered by William O. Lipinski, D-Ill., would have restored bill language approved by the Public Works and Transportation Committee — over the objections of the disability community and bill sponsors — requiring that only one car per train in commuter rail systems be accessible to those in wheelchairs. The Energy and Commerce Committee approved commuter-rail provisions without that language, and its version was the one that went to the floor.

Lipinski said his amendment would make commuter trains accessible to the disabled without requiring "that every commuter rail system across the nation spend hundreds of millions of dollars to purchase or reconstruct all rail cars to be accessible. Many of our transit authorities, including our own in Chicago, are suffering ongoing financial hardship."

But opponents, led by Thomas A. Luken, D-Ohio, chairman of the Energy and Commerce subcommittee that oversees rail transit, said the amendment was a "step backward for disabled Americans."

The amendment failed by a vote of 110-290. (Vote 119, p. 1688)

Members also rejected, 148-266, an amendment offered by Bud Shuster, R-Pa., that would have permitted a waiver in cities with fewer than 200,000 residents of the bill's requirement that all new buses be equipped with wheelchair lifts. (Vote 120, p. 1688)

Critics of the amendment said civil rights should not vary with population density. "A civil right to equal transportation services does not diminish according to a city's population in the latest census," said Norman Y. Mineta, D-Calif., chairman of the Public Works Surface Transportation Subcommittee. "How can we let the census control someone's civil rights?" ■



## HEALTH

HHS's Sullivan Is Criticized  
For Inaction on Tobacco

*Lawmakers, antismoking activists say secretary talks a good fight but pulls his punches*

Health and Human Services Secretary Louis W. Sullivan is coming under increasing criticism for blowing smoke on the tobacco issue.

Sullivan has built a national reputation over the past several months with strongly worded, highly publicized attacks on smoking and the tobacco industry. But at the same time, he has repeatedly declined to endorse federal action to reduce tobacco consumption at home or abroad. He has not endorsed any of the major bills before Congress designed to accomplish that objective. (*Proposals, Weekly Report, p. 1546*)

"He's a perfect fit for this administration," said Matthew Myers of the Coalition on Smoking OR Health, which is composed of the American Lung Association, the American Heart Association and the American Cancer Society. "He says we've got a big problem out there, and somebody else should solve it."

Henry A. Waxman, D-Calif., chairman of the House Energy and Commerce Subcommittee on Health and the Environment, said, "I'm disappointed that Secretary Sullivan is not backing up his strong antitobacco rhetoric with a call for needed federal legislation to curb smoking."

## Let the States Act

Sullivan's latest tirade against tobacco came at a May 24 hearing before the Senate Finance Committee on the effects of smoking on children.

Sullivan, as usual, did not mince words. "It is a moral and medical outrage that our society permits so many of its children to have such ready access to a product which does so much harm," he said as TV cameras rolled. "We must put an end to the sacrifice of our children on the tobacco merchants' altar of profits."

Sullivan then unveiled his department's newest weapon in its war on smoking — a proposed model law for the states.

By Julie Rovner

The model law would require licensing of retail establishments that sell tobacco products and a phase-out of vending machine sales of cigarettes, except in bars or other establishments where minors are not allowed.

"You can't buy beer from a vending machine," Sullivan told the committee. "Why should you be able to purchase cigarettes there? ... We must put an end to the time when any child with a handful of change can commence the slow-motion suicide that has taken the lives of millions of Americans."

## Opposing Federal Legislation

But talking to reporters after the hearing, Sullivan declined to endorse federal legislation that would bar the sale of cigarettes through vending machines. "Problems don't always have to be solved by a broad swat from the federal government," he said. "We provide the leadership and point out the problem."

Sen. Edward M. Kennedy, D-Mass., chairman of the Labor and Human Resources Committee, called Sullivan's plan "half-hearted" and said, "The White House tactic of paying lip service to important national goals while rejecting federal action is irresponsible."

It was not the first time Sullivan has refused to support federal legislation to curb smoking. While he has strongly encouraged efforts by others to inform the public about the dangers of smoking, the administration opposes a bill approved May 16 by the Senate Labor and Human Resources Committee that would authorize a stepped-up public awareness campaign. (*Weekly Report, p. 1568*)

Asked about the bill May 24, Sullivan said he opposes it because "it

would create an additional federal bureaucracy."

Sullivan's stance on the bill has gone largely unnoticed. In part that is because he announced the administration's opposition to the Labor Committee bill at the same Feb. 20 hearing at which he also criticized R. J. Reynolds Tobacco Co. for its plans to market a new cigarette through a campaign targeted at young women. That, not the legislation, got the next day's headlines.

Sullivan has also been criticized for failing to speak out against efforts by U.S. tobacco companies to sell their products overseas and government policies that promote those efforts.

The issue blew up the week of May 14, when HHS Assistant Secretary for Health James O. Mason at the last minute declined to testify before a hearing on tobacco exports held by Waxman's subcommittee.

"I am concerned about the health effects of tobacco, but my responsibility is as secretary of Health and Human Services. The issue of exports to other countries is one of equity in trade," Sullivan said May 20 on NBC's "Meet the Press" when asked why Mason was not permitted to testify.

But that explanation is not going over well among Sullivan's allies in the antismoking movement.

"To call it a trade issue and not a health issue is a cop-out," former Surgeon General C. Everett Koop said May 21. "That's using the same kind of doublespeak that the tobacco companies use." Koop was surgeon general during the Reagan administration.

Sullivan "seems to think our moral responsibility to protect public health from smoking-related diseases ends when the profits of the tobacco companies are involved," Waxman said.

Even members who have not been associated with the antismoking cause have begun attacking the administration's mixed position.

"I'm concerned that what I'm hearing from the administration is an attempt in fact to have it both ways," Sen. John B. Breaux, D-La., said at the Finance Committee hearing. "We have a Department of Agriculture which aggressively supports and defends a price support program for tobacco products; we have trade representatives who have fought for the right to advertise tobacco products in other countries which were prohibiting our advertising those products. ... It seems like we ought to get a consistent policy." (*Tobacco's clout, Weekly Report, p. 1542*)



Sullivan

## EDUCATION

Student Right-To-Know Measure  
OK'd by House Committee

By voice vote, the House Education and Labor Committee on May 22 approved legislation (HR 1454) that would require colleges to disclose campus crime statistics and athletes' graduation rates.

The measure also would amend federal privacy laws to allow colleges to tell student victims of crime what punishment, if any, has been meted out to the suspect.

Members of the National Collegiate Athletic Association decided in January to begin reporting graduation rates of athletes after the 1990-91 academic year. But lawmakers say such reporting should be required of all schools that award athletic scholarships.

## Spending by Sport

An amendment adopted May 15 by the Subcommittee on Postsecondary Education would require schools that offer such scholarships to disclose each sport's revenues and spending.

William D. Ford, D-Mich., who is in line to chair the committee when Augustus F. Hawkins, D-Calif., retires at the end of this Congress, said he could not discern a need for that requirement. But instead of trying to kill it outright, as he said he would like to do, Ford offered an amendment that would require schools to report separately only on football and basketball, lumping together all other sports. His amendment was rejected by 16-17.

A second Ford amendment, which failed by voice vote, would have required all schools — rather than just those providing athletic scholarships in Divisions I and II of the National Collegiate Athletic Association — to report the required information.

"Let's just have everybody report, and we'll find out how popular it is," said Ford.

But Paul B. Henry, R-Mich., who had introduced the amendment in subcommittee, argued that the financial reporting is necessary only in large schools because "that's where the problem is," not in schools that don't give athletic scholarships.

"This is simply disclosure; it's sun-

By Jill Zuckman

## BOXSCORE

**Bill:** HR 1454 — Student right-to-know measure to require colleges to report athletes' graduation rates by sport and to collect and report statistics about crime on campus.

**Latest action:** House Education and Labor Committee approved May 22 by voice vote.

**Next likely action:** House floor action.

**Background:** The Senate on Feb. 22 passed S 580, which contains only the student-athlete provisions.

**Reference:** Senate passage, athletes' right-to-know bill, *Weekly Report, p. 602*; House subcommittee action, *Weekly Report, p. 1567*.

shine," Henry said.

Pat Williams, D-Mont., chairman of the Subcommittee on Postsecondary Education, sided with Henry on both of Ford's amendments. He said he was concerned that if Congress limited the disclosure requirement, it would be impossible to compare spending on women's sports teams with that on men's teams.

## Graduation Rates

Education groups say they are concerned about an amendment added in subcommittee by Carl C. Perkins, D-Ky., to order the Education Department to develop a formula that would make schools responsible for reporting the graduation rates of all students, not just athletes, according to the program in which they are enrolled.

"The Perkins amendment asks for data that colleges just don't have," said Becky H. Timmons, vice president of the American Council on Education.

But with the reauthorization of the Higher Education Act coming up in the next session of Congress, the Perkins plan is likely to undergo more

tinkering.

The Senate on Feb. 22 passed S 580, which dealt only with the graduation rates of college athletes. Its provisions were also adopted as an amendment to a bill (S 695) incorporating President Bush's education initiatives. Another bill, S 1930, to require disclosure of campus crime statistics, is pending before the Labor and Human Resources Subcommittee on Education, Arts and Humanities. (*Background, Weekly Report, pp. 390, 602*)

## OBSCENITY DEBATE

Arts Groups Want  
No Curbs on NEA

After four days of private meetings, representatives of 19 arts groups unanimously recommended May 25 that Congress reauthorize the National Endowment for the Arts (NEA) for five years without restrictions on the types of projects it may fund.

Rep. Pat Williams, D-Mont., convened the closed-door conference, which he did not attend, following a year of controversy over obscenity and government-funded art. There is growing pressure within Congress for curbs on the NEA's funding discretion. (*Background, Weekly Report, pp. 1566, 1140, 922*)

Williams, chairman of the Education and Labor Subcommittee on Postsecondary Education, had predicted that the group would not propose that Congress reauthorize the NEA as is. But like President Bush, that is precisely what the group did.

Although the group's proposal did not contain any major changes sought by members of Congress, Williams said he would introduce its recommendations either in his own bill or as amendments to HR 4825, the Bush reauthorization bill. He said he would hold a hearing June 6 on competing proposals to reauthorize the NEA.

The group, which also included two artists and two private citizens, came down forcefully against obscenity in a prepared statement. However, it said it was up to the courts, not the NEA, to determine what is obscene.

"Obscenity is without artistic merit, is unprotected by the First Amendment of the Constitution, and we do not support it," the statement said.



## SECTION NOTES

**AIDS Victims' Visitation  
Still in Dispute**

Members of Congress and the Bush administration continued to play hot potato the week of May 21 with the question of who should decide whether aliens infected with HIV, the virus that causes AIDS, may enter the United States without special permission.

On May 22, Reps. Henry A. Waxman, D-Calif., and J. Roy Rowland, D-Ga., released an opinion from the General Accounting Office saying the president and the secretary of Health and Human Services (HHS) have the authority to remove HIV from the list of dangerous contagious diseases that constitute grounds for barring would-be visitors or immigrants.

But administration officials continued to maintain that their hands are tied by a 1987 amendment added to a supplemental spending bill by Sen. Jesse Helms, R-N.C., requiring HIV to be added to the list. They cannot remove it without express congressional authority, they say.

The sixth annual International Conference on AIDS is scheduled to begin June 20 in San Francisco. Dozens of countries and international organizations are planning to boycott the meeting in protest against the travel restrictions if the rule is not changed. (*Background, Weekly Report*, p. 1138)

Waxman, chairman of the House Energy and Commerce Subcommittee on Health and the Environment, had been planning to move legislation (HR 4506) introduced by Rowland that would expressly grant the HHS secretary authority to review and amend the list of dangerous contagious diseases used to bar entry.

But he said at a May 22 news conference that the opinion from Acting Comptroller General Milton J. Socolar makes the legislation unnecessary.

Although the Helms amendment required that HIV be placed on the list, Socolar wrote, "We conclude that the 1987 law does not clearly bar the secretary or the president from later deciding that HIV infection is not a dangerous contagious disease."

Said Waxman, "The question is now plainly before the president."

That is not how HHS sees it. "The administration continues to believe that the issue of amending or reversing this recent congressional mandate imposed on the president by a vote of 96-0 rests with the Congress," said an HHS statement.

**Operation Rescue Loses  
In Supreme Court**

For the second time in two weeks, the U.S. Supreme Court on May 21 left intact restrictions barring the anti-abortion protest group Operation Rescue from blocking access to abortion clinics.

The court let stand a federal district judge's order permanently forbidding the protesters from interfering with women trying to enter New York-area abortion clinics. The court refused without comment to hear an appeal by Operation Rescue in the case of *Terry v. New York State National Organization for Women*.

On May 14 the court had upheld a similar injunction against Operation Rescue blockades at Atlanta abortion clinics.

While the Atlanta case involved a preliminary state court order, the New York dispute involved a permanent injunction.

There were no dissenting votes when the Supreme Court decided to let stand the New York federal judge's order. In the Atlanta case,

the court split 5-4, and the four dissenting justices said the restrictions on free-speech activity should not have been imposed before the Georgia courts had decisively ruled on the controversy.

Operation Rescue's founder, Randall Terry, said in a statement about the May 21 ruling: "No court can prohibit us from rescuing babies. These judges have joined the heritage of Nazi judges who sanctioned the murder of the innocent. The day of judgment will hold terrifying consequences for them."

**Second HUD Alumnus  
Accuses Pierce**

A second former top official at the Department of Housing and Urban Development (HUD) has linked Samuel R. Pierce Jr., housing secretary during the Reagan administration, to political favoritism when handing out grants.

On May 23, in his third appearance before the House Government Operations Subcommittee on Employment and Housing, former Assistant Secretary for Housing Thomas T. Demery told of a meeting in which Pierce wanted to know "who was behind" each request for Section 8 moderate rehabilitation grants.

Demery said that during his first couple of months on the job, Pierce's assistant, Deborah Gore Dean, would hand him scraps of paper listing various public housing authorities, saying, "The secretary wants these requests funded."

After he had insisted on meeting with Pierce in January 1987, Demery said, Pierce told him he wanted to know which consultants and lawyers were behind each request.

"At that time, I realized that political considerations were to be a factor in the award of mod-rehab units as viewed by Secretary Pierce," Demery said.

During the week of April 30, DuBois L. Gilliam, a former aide to Pierce, testified that HUD was a "domestic political machine" where Pierce made many of the funding decisions. (*Background, Weekly Report*, p. 1359)

## THE SUPERPOWERS

**Bush Plays Political Defense  
As Gorbachev Visit Nears**

*Emerging START treaty looks healthy, yet Lithuania, conventional forces and trade are sticky issues*

President Bush and Soviet President Mikhail S. Gorbachev will sign off on the major provisions of the first treaty that would significantly reduce the size of the superpower nuclear arsenals when they meet in Washington May 31-June 3.

Besides agreeing on the main features of the strategic arms reduction treaty (START) and pledging to try to wrap up that pact by year's end, the two leaders also will conclude separate accords limiting nuclear weapons tests and cutting chemical weapons stocks.

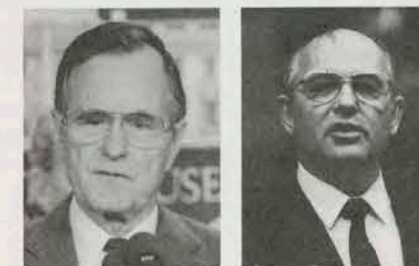
Until six months ago, those achievements would have marked the summit as an unalloyed triumph for Bush. But the agenda of superpower relations has become much broader because of the scope and pace of political change in the Soviet Union and Eastern Europe. So now, Bush's anticipated arms control trophies are bracketed by other issues: his efforts to nail down a treaty slashing conventional forces in Europe (CFE), promote Soviet domestic liberalization and begin normalizing U.S. trade.

Barring last-minute negotiating breakthroughs, the administration seems stymied on those issues.

The apparent deadlock in those other areas of U.S.-Soviet relations, along with criticisms of the emerging START agreement that surfaced after Secretary of State James A. Baker III's Moscow visit May 16-19, put the Bush administration on the political defensive during the week of May 21.

At a May 24 news conference, Bush discounted suggestions that he and Gorbachev were at an impasse. But his prognosis for the summit was, to say the least, understated.

Besides the action on START and chemical weapons, Bush said, he hoped to make progress on the conventional arms talks. "We've got a lot of things that I think we'll be seeing properly as progress. But there's enormous prob-



Bush

Gorbachev



lems that just need to be talked about, where I can't say there'll be an answer," he said. "I don't want to overpromise." (*Text excerpts*, p. 1684)

Conservative critics, such as Richard N. Perle, the Reagan administration's most prominent anti-Soviet hard-liner, complained that Baker had not pressed the Soviets hard enough on CFE and other matters, while giving too much ground on START. In particular, they objected to Baker's acceptance of limits on various kinds of cruise missiles and warned that he was weakening long-standing U.S. efforts to limit the Soviet fleet of *Backfire* bombers and its huge, multiwarhead SS-18 missiles.

In a May 23 letter to Bush, nine Senate GOP conservatives, led by Jesse Helms, R-N.C., objected to aspects of the cruise missile arrangement.

Baker lashed out at the START critics May 23, contending that the emerging treaty largely reflected U.S. positions and that the Soviets had made most of the concessions in recent

negotiating rounds. "I don't think you should look just at one negotiating session," he said at a news conference.

Noting that the pact has the support of top U.S. military officials, Baker dismissed most of his critics as people "who, in the past... have simply rejected the concept of arms control, generally."

But with the Soviet Union showing a less belligerent aspect under Gorbachev, the hard-liners' technical arguments likely will carry less weight against START than they did against the strategic arms limitation treaty (SALT II) in 1979, when the Soviet threat seemed more menacing. "That has significantly changed," says Senate Armed Services Committee member Jim Exon, D-Neb. "I don't suspect we're going to have all of those tedious technical arguments," this time.

And Perle, a chief architect of SALT II's defeat, seemed grimly resigned to the Senate's approval of START. "There is no treaty negotiated by a Republican so defective as to be turned down by a Democratic-dominated Senate, so it'll pass," Perle predicted on the television show "American Interests."

**An Era of Uncertainties**

Even as he was rebutting conservative critics of START, Baker acknowledged that U.S.-Soviet relations would turn on much more than strategic arms control in the years to come: "Over the long term, sustained improvement in our relations is going to depend substantially upon a deepening and a widening of democratic values throughout Soviet society."

Baker's Moscow trip underscored the uncertainties of that new, broader agenda.

For example, in its opening months, the Bush administration had identified CFE as its top priority in East-West relations, sealing the withdrawal of Soviet military power from the countries of Eastern Europe. But after a flurry of

By Pat Towell



## In the Bag: Chemical Weapons Pact

A decision by the Bush administration to halt production of chemical weapons has made possible what Secretary of State James A. Baker III called a "trailblazing agreement" between the superpowers.

At their summit meeting May 30-June 3, President Bush and Soviet leader Mikhail S. Gorbachev will sign an accord under which the United States and the Soviet Union will stop making chemical weapons and within a year or so begin destroying their stockpiles of poison gas. It will be the most far-reaching accord ever between two countries on curtailing chemical weapons, and it might help prod negotiations in Geneva among 40 nations toward a worldwide treaty to ban them.

Baker and Soviet Foreign Minister Eduard A. Shevardnadze completed the essential details during Baker's pre-summit trip to Moscow in mid-May.

Baker called the agreement a "precedent-setting accord" that "provides a real pathway toward a global ban on horrific weapons that we already know from bitter experience actually get used."

Worldwide interest in controlling chemical weapons was spurred by the use of poison gas by both participants in the Iran-Iraq War and by Iraq's use of chemical weapons against its Kurdish minority in 1988. U.S. officials have told Congress that about 20 countries either possess chemical weapons or are seeking to acquire them. Some of those countries also are known to be working on deadly biological weapons, which contain disease-spreading organisms.

The U.S.-Soviet accord likely will be submitted to Capitol Hill as an executive agreement, rather than as a formal treaty requiring approval by two-thirds of the Senate. However, Bush is expected to ask Congress to endorse the pact by a joint resolution of approval — which would require a simple majority in each chamber.

Some conservative critics have alleged that Bush fears that the agreement with Moscow would not gather the necessary two-thirds vote in the Senate to pass muster as a treaty. Administration officials reject that view, saying the president prefers instead to get the broader backing of both houses of Congress. (*Weekly Report*, p. 534; 1989 *Weekly Report*, pp. 2732, 2578)

In their Moscow talks, Baker and Shevardnadze resolved a key sticking point: Bush's insistence on retaining the right to continue producing chemical weapons.

Last fall, Bush said the United States might keep making chemical arms even after signing the international ban on them. Bush retreated from that position during his talks with Gorbachev in Malta in December. But until recently the administration insisted that the United States would continue producing chemical weapons for a time.

Gorbachev said in 1987 that the Soviet Union had stopped making chemical weapons.

In Moscow, Baker accepted a Soviet proposal for an



Baker

immediate halt to chemical arms production once the U.S.-Soviet pact enters into force, presumably in 1991.

As a practical matter, said Elisa Harris of the Brookings Institution, the agreement means the Army probably will have to stop making the weapons once current funding runs out. "There is little chance that Congress will continue funding a program that is no longer relevant," said Harris, who analyzes chemical weapons issues for the Washington-based think tank.

In his fiscal 1991 budget, Bush sought \$169 million for production of binary munitions. Binary weapons (bombs and artillery shells) contain two chemicals that are mixed to produce toxic gas when fired.

In exchange for the U.S. concession on production, the Soviet Union appeared to accept the essential elements of a timetable that Bush proposed last September for the superpowers to destroy their stockpiles.

Under that plan, the United States and the Soviet Union immediately will begin destroying all but about 5,000 metric tons of their current stockpiles. That figure equals about 20 percent of the U.S. holdings of chemical weapons, estimated at 25,000 tons. Most current estimates put the Soviet holdings at 50,000 to 75,000 tons.

Under current U.S. law, the Army must destroy 90 percent of its chemical weapons stockpiles by 1997.

Within eight years of signing the agreement, each superpower would scrap all but 500 tons of chemical weapons — or about 2 percent of today's U.S. stockpile.

Baker said in Moscow that the superpowers would destroy the remaining 2 percent "at such time as all chemical weapons-capable states have indicated a willingness to come on board and, in effect, accomplish a global ban." Officials said Baker was referring to an agreement by other countries to sign the Geneva treaty barring possession of chemical weapons.

The provision allowing the superpowers to keep 500 tons of weapons is controversial, particularly among those who want speedy negotiations toward the Geneva pact.

Charles Flowerlee, a consultant on chemical weapons for the Arms Control Association, a private group in Washington, argued that the U.S. insistence on keeping some chemical weapons could pose a serious obstacle to the Geneva treaty. That treaty calls on each signing nation to destroy all its chemical weapons within 10 years — regardless of whether the treaty has been signed by every nation with the capability of producing poison gas.

Flowerlee said nations such as Iraq will argue: "Why shouldn't all countries have the right to retain residual stockpiles" if the superpowers do?

Flowerlee and Harris said the U.S.-Soviet pact makes a significant advance by providing for the superpowers to share information about their stockpiles and the technology of eliminating chemical weapons.

The Soviet Union currently has no environmentally safe means of destroying its weapons, but Washington will now give it access to new technologies under development in the United States.

—John Felton

progress toward CFE in 1989, negotiations seem to have slowed to a crawl, a development Bush called troublesome in his news conference.

Some observers attribute the stall to a growing sense of diplomatic and strategic isolation as Moscow watches its erstwhile allies test their independence. "It's a question of whether you can get this treaty [CFE] done before the Warsaw Pact disintegrates and you've got nobody to negotiate with," says Thomas K. Longstreth of the pro-arms control Federation of American Scientists.

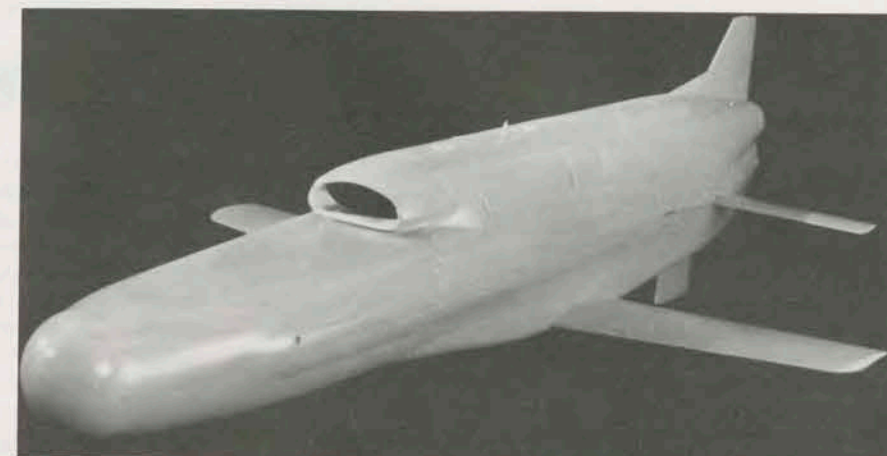
Other observers speculate that Moscow has slowed its military retrenchment in hopes of getting West Germany and its Western allies to accept substantial limits on the military power of a unified Germany. "They want to be sure there are limits on the Bundeswehr [German army] and on nuclear deployments," says Sovietologist Dimitri K. Simes of the Carnegie Endowment for International Peace.

In hopes of jump-starting the CFE agreement and making more progress on START, Soviet negotiators were to resume meeting with their U.S. counterparts in Washington on May 26. (*START, CFE status*, pp. 1666, 1669)

On another front, although administration officials reportedly are close to concluding a trade pact with the Soviets that would normalize trade relations between the two countries for the first time since the end of World War II, sentiment in Congress appears to be turning decidedly against such an agreement. The sticking points: the Soviets' tough stance toward independence movements in the Baltic States and congressional pressures for the Soviet Union to codify its recently liberalized emigration policies. (*Trade*, p. 1641; *Weekly Report*, p. 1537)

The Bush administration publicly has pressed Gorbachev to accede to the wishes of the Baltics. But in moving ahead with negotiations on arms control and U.S.-Soviet trade, the administration has demonstrated a pragmatic approach of submerging differences over the Baltics to the overriding interest of improving relations between the superpowers.

On Capitol Hill, members of both parties rushed to embrace Lithuania's bold move to break with Moscow, and in recent weeks an increasing number have urged the administration to take a symbolic stand, perhaps by linking a U.S.-Soviet trade agreement to a demand for Baltic independence.



DEPARTMENT OF DEFENSE

Exempted from the START deal is the conventionally armed U.S. "Tacit Rainbow."

The Senate took that position on May 1, attaching to a spending bill (HR 4404) a declaration opposing a trade agreement as long as the Kremlin continues its economic embargo against Lithuania. House-Senate conferees later deleted that language from the bill. (*Senate action, Weekly Report* p. 1334; supplemental, p. 1630)

Bush said on May 24 that "there's a political climate in this country that would make it extraordinarily difficult" to give the Soviet Union trade concessions so long as the Kremlin is pressuring the Baltics.

Even so, several leaders said Congress will not block trade or arms control accords if Gorbachev shows more flexibility. Rep. Lee H. Hamilton, D-Ind., of the Foreign Affairs Committee, said "members are concerned, of course, about Gorbachev's apparent hard-line attitude" toward the Baltics. But among most, he said, the issue "seems not to be a major obstacle to reaching agreements" advancing superpower relations.

### START: Down to the Wire

Since 1982, U.S. and Soviet negotiators have been closing in on a START agreement largely shaped by two of President Ronald Reagan's basic arms control goals.

In the first place, the treaty will reduce the number of weapons in the U.S. and Soviet arsenals by a significant fraction, although it also will allow the deployment of new, more lethal weapons within those numerical ceilings.

"As with many past treaties, this will be arms control without pain or sacrifice," says Robert S. Norris of the Natural Resources Defense Council, an organization that is demanding more

comprehensive nuclear arms cuts in a follow-on START negotiation.

START also will require particularly hefty reductions in the number of ballistic missile warheads — particularly those on the Soviet Union's fleet of massive, multiwarhead intercontinental ballistic missiles (ICBMs), designated SS-18s. For two decades, conservative nuclear strategists have contended that this force was particularly dangerous because of its potential for wiping out most of the U.S. retaliatory arsenal with very little warning.

The treaty's limit of no more than 6,000 strategic warheads for each superpower on a total of no more than 1,600 missiles and bombers frequently is described as a 50 percent reduction in forces.

In fact, it would reduce the number of strategic warheads by less than one-third, because its counting rules — biased against ICBM warheads — discount thousands of missiles and bombs that could be carried by long-range bombers.

Because an adversary would have several hours' notice of a bomber attack, the U.S. government has maintained, bomber weapons are inherently less destabilizing than the lightning-quick ICBMs.

START does, however, reduce by 50 percent the SS-18 fleet and the total "throw weight" of the Soviet ballistic missile force.

The two issues Baker settled during his May 16-19 visit to Moscow involved long-range cruise missiles — tiny, nuclear-tipped, robot jet planes that can be launched from ships or larger aircraft.

The Soviet Union had wanted air-launched cruise missiles (ALCMs) to



## START Negotiations: A Scoresheet . . .

The strategic arms reduction treaty (START), under negotiation since 1982, would slice by about one-third the two superpowers' combined arsenals of 24,000 nuclear weapons carried by long-range bombers and ballistic missiles.

On paper, the pact would impose the "50 percent reduction" in strategic nuclear stockpiles agreed to in 1985 by President Ronald Reagan and Soviet leader Mikhail S. Gorbachev. Whereas each side currently has

about 12,000 nuclear warheads able to strike the other, the treaty would limit each side to 6,000 "START-accountable" warheads.

But some kinds of weapons, notably sea-launched cruise missiles, would be exempt from the treaty. And the accord's counting rules discount other types of warheads, particularly gravity bombs and missiles carried by bombers.

So by some estimates, despite the START limit of

	Agreed	U.S. Position	Soviet Position
<b>Overall Ceilings</b>	No more than 6,000 strategic warheads may be carried on no more than 1,600 ballistic missiles and heavy bombers of strategic range. No more than 4,900 warheads may be carried by land-based intercontinental ballistic missiles (ICBMs) or submarine-launched ballistic missiles (SLBMs).	No more than 3,300 warheads may be carried on ICBMs.	No limit on ICBM warheads unless same limit on SLBM warheads.
<b>Basic Counting Rules</b>	Each ICBM and SLBM of a given model will be counted as carrying a stipulated number of warheads (e.g., 10 warheads each for the U.S. MX missile and the Soviet SS-18). Each bomber that does not carry long-range air-launched cruise missiles (ALCMs) will be counted as carrying only one warhead, no matter how many bombs and short-range missiles it carries. To let missile subs undergo long-term overhauls, each side will be allowed to exempt from the ceilings 48 to 72 SLBM launchers (two to four submarines). Each side may exclude from the strategic arms reduction ceilings up to 107 heavy bombers restricted to carrying conventional weapons.	The number of Soviet Backfire bombers must be limited — and certain potential improvements banned — either under this treaty or in some other agreement.	Backfire is not counted as a strategic weapon under START.
<b>'Heavy' ICBMs</b>	Neither side will deploy more than 1,540 warheads on ICBMs larger than the U.S. MX and the Soviet SS-19. Neither side will deploy more than 154 such "heavy" ICBMs. (The only such missile is the Soviet SS-18, a more powerful version of which is being deployed.)	No more than two test flights per year. No production of heavy missiles after 1992.	Ban on development, testing or deployment of new types of heavy missiles. Production, modification and flight testing of existing types unrestricted.

be counted against the treaty limits if they had a range of more than 600 kilometers. The United States insisted that they be exempt unless they had a range of 800 kilometers or more. Baker accepted the lower Soviet range after the Soviets agreed to exempt from coverage a conventionally armed U.S. missile, dubbed "Tacit Rainbow," intended to protect U.S. bombers by homing in

on enemy anti-aircraft radars.

The second Moscow agreement involved sea-launched cruise missiles (SLCMs). Since the 1960s, the Soviet Navy has based its surface fleet on an arsenal of such weapons with ranges of a few hundred miles and capable of carrying either nuclear or conventional warheads.

Since the early 1980s, the U.S.

Navy has been deploying on dozens of surface ships and submarines both nuclear-armed and conventionally armed versions of the Tomahawk SLCM. Though only the size of a torpedo, the nuclear-armed version has a range of 1,500 miles.

Though willing to exempt SLCMs from START, the Soviet Union had insisted that the treaty be accompa-

## . . . On Where the Superpowers Stand

12,000 treaty-accountable warheads in the two countries, the number actually deployed when the treaty is fully in effect could be on the order of 16,000.

The treaty would cut in half the Soviet force of very large, multiwarhead land-based missiles, designated SS-18s. And it would cut in half the total "throw weight" of Soviet ballistic missiles, currently estimated at 12 million pounds. The total U.S. ballistic missile throw weight is approximately 4.4 million pounds.



DEPARTMENT OF DEFENSE  
The sides agree on counting air-launched cruise missiles.

	Agreed	U.S. Position	Soviet Position
<b>Mobile ICBMs</b>	Mobile ICBMs will be limited by restricting the size of the areas in which they are routinely deployed and permitting deployment outside those areas only with prior notice to the other side. There will be limits on the location of "spare" missiles to prevent their rapid co-location with mobile launchers.	No more than 800 warheads carried by ICBMs on mobile launchers. In April, the U.S. proposed a ban on mobile missiles with multiple warheads (MIRVs).	No more than 1,200 warheads carried by ICBMs on mobile launchers. Moscow will ban MIRVed mobile land-based missiles only if MIRVed SLBMs also are banned.
<b>ALCM Counting Rules</b>	All current types of ALCMs with a range of more than 600 kilometers will be counted under the limit, except the conventionally armed U.S. "Tacit Rainbow." To be exempt, conventionally armed ALCMs developed in the future must be observably different from nuclear ALCMs. U.S. may deploy up to 150 ALCM-carrying bombers able to carry up to 20 missiles each, to be counted as carrying 10 missiles each. Soviets may deploy up to 210 ALCM-carriers able to hold up to 12 missiles and counted as carrying eight.		
<b>Sea-Launched Cruise Missiles (SLCMs)</b>	Sea-launched cruise missiles (SLCMs) will not be covered by START, but in a separate, "politically binding" agreement covering missiles with a range of more than 600 kilometers; the two sides will agree to deploy no more than 880 missiles each. The two sides also will exchange data on the number of nuclear SLCMs with ranges between 300 and 600 km.	The U.S. had wanted any SLCM agreement to cover missiles with a range of 300 kilometers or more. The U.S. government insists that, because the missiles are so small, a numerical limit on SLCMs inherently cannot be verified. The United States had planned to deploy 758 nuclear Tomahawk SLCMs, but budget pressures may have reduced that number.	The Soviet Union had wanted a "legally binding" and verifiable agreement limiting nuclear and conventional SLCMs.

nied by a separate, legally binding agreement that would set a firm limit on the number of SLCMs with a range of more than 600 kilometers, whatever their armament.

The U.S. government had insisted that a SLCM limit could not be verified without intrusive inspections that would hamstring naval operations, partly because the missiles are so

small. But it proposed that each side make a "politically binding" statement of its nuclear SLCM production plans for the following five years, a projection that would be updated — and could be increased — annually.

U.S. negotiators also wanted any SLCM deal to cover nuclear missiles with a range of 300 kilometers or more because relatively few Soviet weapons

would be covered under the 600 kilometer ceiling.

The deal struck in Moscow would require both sides to make politically binding agreements to deploy no more than 880 nuclear-armed SLCMs with a range of 600 kilometers or more. The U.S. Navy had planned to deploy only 758 nuclear-armed Tomahawks, and that number likely has been reduced



already by the budget crunch — to 680, according to one source.

#### START: The Basics

Conservatives' unhappiness with START is rooted, to some degree, in the treaty's fundamentals rather than its fine print.

Many conservative critics of the arms control process, among them Kenneth L. Adelman, who was Reagan's arms control chief, are skeptical of the treaty's emphasis on "deep cuts" in existing arsenals, even though that was Reagan's cardinal goal.

Smaller strategic arsenals would not necessarily make for a safer world, the skeptics argue. During the Reagan years, that view was shared by some less conservative national security specialists, including Brent Scowcroft, now Bush's national security adviser.

Early in Bush's term, administration aides indicated that nailing down CFE to get Soviet troops out of Eastern Europe would take precedence over START. But in recent months, Bush and Baker have worked hard to wrap up START even as CFE has bogged down. "There's been a little bit of a somersault to put strategic arms control in the forefront," Adelman said to reporters May 22.

Another sore point with some early START critics has been the treaty's limits on various kinds of cruise missiles, seen by many as offering a relatively inexpensive means of delivering not only nuclear weapons but also conventional explosives with great accuracy.

One of the most hotly contested issues in the 1988 Senate debate on the treaty banning ground-launched, intermediate-range nuclear-force (INF) missiles was an effort to exempt from that ban long-range conventionally armed cruise missiles. (1988 Almanac, p. 379)

In their May 23 letter to Bush, Helms and his allies objected to Baker's assurance to Gorbachev that the United States would not equip Tacit Rainbow anti-radar missiles with nuclear weapons. The Pentagon has announced no plans for such a modification.

The treaty places no limits on the development or deployment of conventionally armed ALCMs, so long as they are observably distinct from nuclear-armed weapons. Several conventionally armed ALCMS are under development, including at least one with a range of more than 600 kilometers.

START critics also have singled out

"Members are concerned, of course, about Gorbachev's apparent hard-line attitude"

toward the Baltics. But among most, that "seems not to be a major obstacle."

—Rep. Lee H. Hamilton, D-Ind.



three elements of the treaty that, they contend, may accord the Soviet Union an advantage over the United States.

One provision, already agreed to, would allow 210 ALCM-equipped Soviet bombers but only 150 such U.S. planes. "That's a 40 percent advantage," says a Senate conservative source.

Helms suggested that this might violate the so-called Jackson amendment adopted by the Senate in 1972, requiring that any strategic arms treaty allow "equal forces" to each party. The basis of the proposed START provision is that it will give each side roughly equal numbers of ALCMs, because the U.S. planes carry more missiles apiece.

Yet unsettled are two other issues the conservatives fear may be resolved in the Soviets' favor:

- To what degree can the Soviets continue improving their SS-18 missile? The critics warn that the START-limited force of 154 improved versions would be as powerful as the pre-START force of 308 missiles.

The Bush administration still is pressing for a ban on further SS-18 production after 1992 and a prohibition on more than two SS-18 test launches per year. Eventually, the reasoning goes, Soviet military planners will lose confidence in the reliability of the aging missiles.

- What limits are placed on the Soviet Backfire bomber? Since the mid-1970s, hard-liners have insisted that this plane be covered by any strategic arms agreement, since it could reach U.S. targets from Soviet bases. Insisting that the plane was used for regional and naval missions, the Soviets have refused.

In a letter appended to the unratified 1979 SALT II accord, Soviet lead-

er Leonid I. Brezhnev promised to produce no more than 30 Backfires annually and to abstain from certain kinds of improvements to the plane.

The Bush administration insists that the plane either be counted as a strategic bomber under START or else limited in CFE as a regional weapon.

#### Verification

Several aspects of the routine for verifying compliance with START limits also remain unsettled. The most politically touchy of these may be the question of how to verify limits on mobile ICBMs.

Currently, the Soviet Union deploys several dozen multiwarhead, rail-mobile SS-24s and about 200 single-warhead, road-mobile SS-25s. Neither of the corresponding U.S. weapons — rail-MX and Midgetman — are in production, and both face strong political opposition.

The United States wants an expanded version of the system set up under the INF treaty, under which each country's inspectors continually monitor factories in the other country that build key parts and assemble the missile types at issue. But Moscow has rejected that idea.

Frank J. Gaffney Jr. of the Center for Security Policy, a former Pentagon official in the Reagan administration, is one of many START critics who contend that limits on mobile missiles are hopelessly unverifiable. But when the hard-liners take aim at the START verification arrangements, they may find it easier to recruit allies from closer to the political center because of recent disclosures of verification lapses in the INF regime.

Soviet-built SS-23 missiles, banned by the INF pact, have turned up in East Germany, Czechoslovakia and Bulgaria.

Soviet Foreign Minister Eduard A. Shevardnadze has insisted that he and other top leaders were unaware that the missiles had been sent to other countries.

But in a Senate Foreign Relations Committee hearing May 3, the SS-23 incident drew a sharp protest from Richard G. Lugar, R-Ind., a political centrist who was a strong supporter of INF and other arms control efforts.

"The whole purpose of this [INF] treaty was to eliminate intermediate weapons in Europe," Lugar said, demanding that the Bush administration secure the destruction of the weapons. "It is imperative that we solve this one prior to coming into [the debate on] START and CFE."

## Conventional Forces in Europe

The outline of a treaty to slash conventional forces in Europe (CFE) was in hand by May 1989, only two months after negotiations began, when the Soviet Union agreed to equal ceilings for the alliances on the number of weapons deployed between the Atlantic Ocean and the Ural Mountains. Given the Eastern bloc's substantially larger forces, this meant that the Warsaw Pact would have to dispose of far more weapons than would NATO.

By last June, the two sides had agreed on the types of weapons to be limited and were close to agreement on

many of the ceilings. But differences remain over the definitions of some categories of weapons to be covered.

The two alliances also are at odds over how large a share of each side's allowance any one country could use. For each of the five types of weapons covered, NATO would bar any one country from owning more than 60 percent of the number allowed its alliance. The Pact proposal would allow one country to have from 70 percent to 80 percent of the number of weapons allowed its alliance.

	NATO Proposal	Warsaw Pact Proposal	Major Issues
Tanks			
Per alliance	20,000	20,000	Both sides define as "tanks" tracked vehicles weighing 13 tons or more with cannon of 75mm or larger. Pact also would include in that category wheeled vehicles with 75mm guns weighing more than 16 tons. NATO would count as tanks only wheeled vehicles weighing 20 tons or more.
Per nation	12,000	14,000	
Foreign-stationed per nation	3,200	4,500	
Armored Combat Vehicles			
Per alliance	30,000	30,000	NATO would limit wheeled vehicles with large cannon as a subset of "armored combat vehicles" (ACVs). But NATO's proposed limit on all ACVs with any cannon would hit hard at huge Soviet fleet of troop carriers with small cannon.
(with any cannon)	(14,000)	(20,000)	
(with large cannon)	(3,000)	(1,000)	
Per nation	16,800	18,000	
Foreign-stationed per nation	6,000	7,500	
Artillery			
Per alliance	16,500	20,000	
Per nation	10,000	17,000	
Foreign-stationed per nation	1,700	4,000	
Airplanes			
Per alliance	4,700	4,700	Both sides exempt basic trainer planes with limited armament. The Pact would exempt land-based naval planes, arguing that they are analogous to NATO carrier-based planes, which are exempt from this treaty. In April, Soviets offered to drop overall airplane limits for a provision limiting U.S. and Soviet Union to 500 planes apiece in Eastern Europe, the Low Countries and Germany.
additional trainer versions	0	1,500	
additional interceptors	500	1,500	
Per nation	2,820	3,400	
Foreign-stationed per nation	no limit	1,200	
Helicopters			
Per alliance	1,900	1,900	NATO would include and Pact would exclude land-based naval helicopters.
Per nation	1,140	1,500	
Foreign-stationed per nation	no limit	600	
Army and Air Force Personnel in Eastern Europe, Low Countries and Germany			
Per alliance	no limit	750,000	
U.S. and Soviet Union	195,000 each plus 30,000 U.S. elsewhere in Europe or Turkey	195,000 each plus 30,000 U.S. elsewhere in Europe or Turkey	

Numbers based on figures from the Arms Control Association and the Institute for Defense and Disarmament Studies



## FOREIGN AID

# House Fires a Warning Shot Over El Salvador Policy

*Democrats' bid to halve arms assistance scuttled, but the issue is likely to resurface again*

Congress wants to crack down on the government of El Salvador — but it is not yet ready to do it.

That ambivalence seemed apparent in a set of contradictory actions by the House on May 22. The House approved a proposal by the Democratic leadership to cut in half El Salvador's military aid as a signal of dissatisfaction with the government and armed forces there.

However, responding to lobbying by the administration and some moderate Democrats, the House then rejected the underlying foreign aid authorization bill (HR 4636) to which the El Salvador aid cut was attached. Two days later, the chamber turned around and approved another version of the bill (S 2364) without the Salvadoran aid cut.

The net effect was to send-back to the drawing board efforts by Congress and the Bush administration to craft a new, broadly supported policy toward El Salvador. Members said negotiations toward a bipartisan policy are still possible, but only after a cooling-off period.

The issue could arise again as early as mid-June, when a House Appropriations panel begins writing the foreign aid spending bill for fiscal 1991. Chairman David R. Obey, D-Wis., said he plans to put the 50 percent aid cut-back in his subcommittee's bill.

"That's the position of the House," Obey said, referring to the 250-163 vote by which the House tentatively backed the 50 percent cut.

The House's May 22 actions did show strong support for a change in the level of support for the elected government of El Salvador, which is beholden to the military at the same time it is under siege from leftist rebels.

Although the government and rebels are engaged in their most serious peace negotiations ever, Congress is reacting in large part to continuing human rights abuses — in particular the murder last November of six Je-

By John Felton

## BOXSCORE

**Bill:** HR 4636, S 2364 — Fiscal 1990 foreign aid supplemental authorization.

**Latest action:** House rejection of HR 4636, 171-244, May 22; House passage of S 2364, voice vote, May 24.

**Background:** Original House version contained President Bush's request for aid to Nicaragua and Panama, as well as a Bush-opposed 50 percent cut in military aid to El Salvador. Senate version contained Panama-Nicaragua aid, without Salvadoran conditions.

**Reference:** Companion appropriations bill, p. 1630; House committee markup, Weekly Report, p. 1280; Hill negotiations, pp. 1571, 1368; priests' murder, p. 1370; Senate passage of S 2364, p. 1086.



Cristiani

suit priests and two women at a university in San Salvador. Nine military personnel have been charged in the Jesuits' case, but it appears likely that no high-level officers will be punished.

Even the most conservative approach presented to the House would have allowed for a suspension, starting this fall, of up to 25 percent of the \$85 million in military aid that Washington provides annually to El Salvador. The Democratic proposal, backed at first by a strong majority in the House, would have doubled the aid suspension and made it mandatory, effective immediately.

By rejecting the foreign aid bill,

however, the House stepped back from an immediate confrontation with President Bush. The administration has signaled its readiness to shift to a more assertive policy toward the Salvadoran government but has resisted House Democrats' abrupt approach.

Although officials privately had said that the administration eventually might accept some form of a 50 percent aid cut, they warned publicly that Bush would veto any legislation containing the Democrats' plan for an immediate halving of the aid.

Secretary of State James A. Baker III in April and early May made a halting attempt to negotiate a compromise on El Salvador with the Democrats. But faced with a heavy diplomatic schedule leading up to the summit meeting between Bush and Soviet leader Mikhail S. Gorbachev, Baker simply ran out of time.

Despite the rejection of the foreign aid bill May 22, Speaker Thomas S. Foley, D-Wash., insisted that the House had demonstrated its determination to restrict aid to El Salvador.

The effort to make the 50 percent cut "was a watershed amendment in the House with respect to military aid to El Salvador," he said the day after the House acted. "I think almost certainly in some form military aid will be curtailed in the future."

## Giving Up Linkage

After the rejection of the bill, House Democrats officially gave up the one serious political lever that they had to encourage concessions on El Salvador by the administration. That leverage was a \$720 million aid package requested by Bush for the new governments of Nicaragua and Panama. The money was to be authorized in HR 4636 (the bill defeated by the House) and actually appropriated in a companion fiscal 1990 supplemental spending bill (HR 4404).

House Democrats for weeks had linked the El Salvador conditions to the Nicaragua-Panama aid package by refusing to put on the spending bill technical "waivers" that would be required for the aid money to be spent. One of the waivers would eliminate the need for enactment of the authorization bill; another would exempt Nicaragua and Panama from a law barring aid to nations that are more than a year behind on their official debt payments to the U.S. government.

The administration vehemently objected to linkage between the El Salvador issue and the Nicaragua-

Panama bill. Bush said Democrats were holding aid for the new democracies in Central America "hostage."

After firming up plans for House action on the authorization bill — complete with the El Salvador amendment — Foley had said on May 17 that the Democrats would drop the linkage. On his instructions, House negotiators agreed to put the necessary waivers in the conference version of the supplemental spending bill.

But after the House rejected the aid authorization bill on May 22, some liberal Democrats argued in favor of pulling the Nicaragua-Panama waivers out of the spending bill. Doing that would have restored the link between Nicaragua-Panama aid and El Salvador aid conditions, in hope of forcing concessions by the administration.

Foley vetoed that idea, however, reportedly telling his fellow Democrats that they should no longer give Bush grounds to attack Congress for holding up the Nicaragua-Panama aid.

With the linkage question cleared away, the House on May 24 passed the authorization bill by inserting it in a companion Senate measure. That move was aimed at bolstering the role of the House Foreign Affairs Committee, which has seen its regular aid authorization bills die in the Senate while foreign assistance programs are folded into appropriations bills.

## Conflicting Votes

The House May 22 debate and voting on El Salvador strongly resembled debates over contra aid in the 1980s, with conservative and moderate Democrats holding the balance of power.

The end result left no one happy, but both sides claimed victory. Republicans said they had achieved a strategic win over the Democratic leadership, and Democrats insisted that they had shown the strong desire of Congress for a change of policy.

As reported by the Foreign Affairs Committee, HR 4636 included a Democratic-sponsored provision suspending half of El Salvador's military aid in fiscal 1990 and '91.

The aid could be restored under any one of several circumstances: for example, if the president reported to Congress that the leftist rebels were refusing to negotiate in good faith with the government.

Republicans offered a substitute, sponsored by William S. Broomfield, Mich., that would have allowed Bush to suspend up to 25 percent of El Salvador's aid if the government there re-



DEPARTMENT OF DEFENSE  
El Salvador's military is to get up to \$85 million in U.S. aid.

fused to take certain actions, such as fully investigating the Jesuits' murders.

Broomfield called that proposal a "measured response" to events in El Salvador. By endorsing it, the administration effectively conceded a need for a policy change. However, Democrats insisted that the Broomfield approach did not represent a big enough break with past policy. The House rejected Broomfield's amendment 175-243, with only 23 Democrats supporting it. (Vote 126, p. 1690)

By an almost mirror-image vote of 250-163, the House then adopted the proposal backed by the House Democratic leadership for a 50 percent cut in El Salvador's arms aid. That proposal was sponsored by Joe Moakley, D-Mass., chairman of the Rules Committee, and John P. Murtha, D-Pa., chairman of the Defense Appropriations Subcommittee. (Vote 127, p. 1690)

"Enough is enough," Moakley said in an impassioned speech. "The time to act has come. They killed six priests in cold blood. I stood on the ground where my friends were blown away by men to whom the sanctity of human life bears no meaning — and men who will probably never be brought to justice."

Republicans said they, too, were disgusted by continued human rights abuses in El Salvador. But they insisted that the government of President Alfredo Cristiani is trying to curb the military. Newt Gingrich, R-Ga., also said an aid suspension would encourage the rightist elements of the Salvadoran military to take matters into their own hands.

"I know my friends mean well," Gingrich said of the Democrats. "But the effect of what they are doing is to say

to the hard-line elements in the army: 'You had better slaughter everyone now before the American aid ends.'"

Moments after approving Moakley's amendment, the House rejected the underlying foreign aid bill 171-244, with 94 Democrats joining all but 16 Republicans in opposing final passage. (Vote 128, p. 1692)

Once the House acted, the members disputed the meaning of the vote.

Republicans maintained that this vote was the truly important one of the evening because it showed that the House was unwilling to take the step of cutting El Salvador's aid in half.

"There are many Democrats who still want a bipartisan policy on El Salvador, and this is what they were saying with that vote," Broomfield said. Republicans and some Democrats, he added, "don't want to take the meat ax to the peace process in El Salvador."

That view was embraced by Dave McCurdy, D-Okla., a leading "moderate" on foreign policy issues, who claimed credit for rounding up nearly 60 of the Democrats who voted with the Republicans. McCurdy said he and his colleagues, most of them from Southern and border states, want to change policy toward El Salvador but in a "bipartisan" way, through negotiations with the administration.

Most Democratic leaders, however, insisted that the vote killing the underlying bill was in large part a protest against foreign aid in general — and not just a rejection of the El Salvador aid cut. "Members are getting a strong feeling from their constituents against foreign aid," said Lee H. Hamilton, D-Ind., a senior member of the Foreign Affairs Committee. "The sentiment is very strong to spend money at home rather than abroad."

Murtha, a moderate Democrat who shifted from his longtime support for the Salvadoran government to become a key sponsor of the 50 percent aid cut, noted that some of the "no" votes came from members, most notably James A. Traficant Jr., D-Ohio, who long have opposed all foreign aid programs as "giveaways."

Members such as Traficant, Murtha said, have little influence within the House but represent a significant portion of the population as a whole.

When it became obvious early on May 22 that the aid bill was facing possible defeat, House leaders asked Murtha to lobby fellow moderate and conservative Democrats, he said.

"I didn't get one person" to switch, Murtha acknowledged. ■



## MILITARY CONSTRUCTION

# Targeting of Navy 'Homeports' Puts Politicians on Spot

*Balancing act between tight defense budgets, new priorities and the need to protect jobs and money back home*

No one ever said cutting the defense budget was going to be easy, but if congressional reaction to a construction freeze on Navy "homeports" is any indication, military belt-tightening may be even tougher than anticipated.

Not that Defense Secretary Dick Cheney expected a rosy reception from Congress when he decided May 1 to continue for 45 days a three-month freeze on new construction at 207 military installations, including four big-ticket Navy projects: strategic homeports.

Cheney decided to continue the construction freeze until June 15 because of the "enormous uncertainty" that exists with respect to the level of funding Congress is likely to approve not just for military construction but for the entire defense budget.

In making the announcement, Cheney said, "Some of these actions may not be popular with members of Congress who want to cut the defense budget even as they plead to save the projects in their own states and districts."

But if that was an effort to pre-empt criticism, it fell short. Members who found ports in their states on the list were dismayed and wasted no time in voicing their displeasure. Some saw it as an effort by Cheney to seize the political initiative over Capitol Hill in the struggle to cut the overall defense budget.

Sen. Lloyd Bentsen, D-Texas, fired off a letter to Cheney the day of the announcement: "I was shocked to learn today that you have decided against lifting the moratorium on military construction at the Ingleside, Texas homeport. What is worse, you have suggested that the entire home-port

By Michael P. Shea



Boosters of the homeport at Ingleside are counting on the clout of Texas lawmakers and strong local support for the facility.

plan be canceled. I urge you to reverse those decisions and let the base go forward."

In addition to the Ingleside homeport, Cheney's announcement extended the construction freeze on homeports in Staten Island, N.Y., Mobile, Ala., and Pascagoula, Miss. Construction at some of these facilities was almost complete when the Pentagon first ordered the construction freeze on Jan. 24. But now the members of Congress who scraped so hard for these slices of military pork may see the bacon disappear before it is cooked.

Even more dramatic than simply freezing construction is the possibility that these ports will ultimately be canceled. Some members will be watching the Defense Department closely this week in anticipation of a list of proposed base rescissions Deputy Defense Secretary Donald J. Atwood is due to submit to Cheney on June 1.

Atwood is reviewing 207 construction projects, equaling about \$1.2 billion, as candidates for possible cancellation. The canceled projects would be "candidates for rescission," Cheney

said, indicating that he may recommend that Congress revoke the funding already approved for the projects.

Most of the 207 items under review are overseas projects, many in West Germany, that aren't likely to stir much political opposition. But included on Atwood's list for review are the strategic homeports at Ingleside, Mobile, Pascagoula and Staten Island.

The prospect that these domestic projects might be killed puts members in a political squeeze. Cutbacks made in the drive to trim military spending and bring down the federal deficit can translate into lost jobs and less revenue back home.

Members are already feeling the pinch from earlier Pentagon moves to close obsolete military bases and terminate weapons programs. Over the protests of members whose districts will lose bases, Congress last year approved money to begin closing 86 domestic military facilities. And in January, Cheney proposed shutting down another 35 facilities, prompting Democrats to complain that their districts were unfairly targeted. (*Weekly Report*, p. 340; 1989 *Weekly Report*, p. 2576)

## The Origin of Homeports

Funds for new homeports were authorized by Congress back in 1985. The fiscal 1986 military construction appropriations bill (PL 99-173) earmarked \$79 million to begin work on ports in Staten Island and Everett, Wash. (1985 *Almanac*, p. 392)

But back in 1985, the Reagan administration had ambitions for a 600-ship navy, and the Soviet threat loomed larger than it does today. The Navy said the new homeports would relieve overcrowding at bases then in operation. In addition, the Navy cited

strategic advantages in having naval task forces stationed closer to potential trouble spots in the north Atlantic and Pacific oceans.

But even in those heady days of the defense buildup, the new homeports did not draw universal backing. Many saw them as part of a strategy by then-Secretary of the Navy John F. Lehman Jr. to cast a wider net for congressional support of Navy programs.

Now, with the Navy currently at 542 ships and planning to scale back to 488, the rationale for homeports is being questioned even more closely. The General Accounting Office (GAO) told two House Armed Services subcommittees April 24 that any additional funds for new homeports should be held up until a report by the Navy defining its base needs is released.

The report, expected this August, is to define a "Navy shore establishment capable of supporting given force levels" through the next decade, during which the Navy will probably experience significant force reductions.

Responding to Cheney's recent construction freeze announcement, Sen. Sam Nunn, D-Ga., chairman of the Armed Services Committee, replayed his overall criticism of homeporting, which he dubs "homeporting."

"There has never been a strategic rationale for dispersing all of those ships and spending a huge amount of money to construct new ports. . . . The whole thing from the very beginning, to me, has been simply building up political support for the Navy," Nunn said May 3.

The GAO also points out that the Navy has yet to determine the total cost of the strategic homeport program. Under the fiscal 1987 military construction appropriations measure (PL 99-591), Congress specified that no more than \$799 million could be appropriated or obligated for the homeports through fiscal 1991. The GAO found that about \$625 million of this has already been appropriated, and \$25.7 million is included in the fiscal 1991 budget request.

The cost of constructing and operating the homeports will probably exceed \$1 billion, GAO stated, while the cost of terminating the program has been estimated by the Navy to be \$636 million.

## Bentsen Betrayed

Strategic rationale and costs aside, many members feel Cheney owes them the homeports. Bentsen said that Cheney's freeze announcement contra-



At odds over assurances on Texas homeport: Defense Secretary Cheney, at left, and Sen. Bentsen.

dicted earlier promises of support for the homeport program. In a March 6 letter, Navy Secretary H. Lawrence Garrett III assured Bentsen: "Our current plans are to homeport Wisconsin and Lexington in Ingleside." Garrett left open the possibility that the Navy might reconsider, but he did not suggest that such a switch was imminent.

According to Bentsen aides, Cheney told members of Congress from Texas and other Gulf Coast states in an April 19 meeting that he personally favored homeports. At the meeting, Bentsen asked him whether he would lift the construction moratorium for the Ingleside homeport. Cheney reportedly replied that he would permit renewed construction unless the Navy specifically recommended against it.

Bentsen's May 1 letter responding to Cheney's announcement tells the rest: "Mr. Secretary, what has changed since April 19? You told me then that you would do all you could to support [the] homeport. The Navy still supports the program and recommended proceeding with construction. In spite of that, construction at Ingleside remains blocked and the entire project is in great jeopardy."

In an interview, Bentsen said he was puzzled by Cheney's change of heart and worried about the fate of the Ingleside homeport, where, he said, the local community has spent \$160 million of its own money and local businesses have already made investments to accommodate the new Navy personnel and their families. "It's going to be much harder to prevail now that the administration has placed homeports on the hit list. It's going to be a tough fight."

But in his news conference announcing the new construction freeze, Cheney said Bentsen's "recollection and mine differ slightly. What I said was I have always been a supporter of homeporting. . . . I also said that it's directly related to whether or not we've got the money to do the projects. And right now there's doubt about that."

Lawrence J. Korb, an assistant secretary of defense in the Reagan administration who now directs the Center for Public Policy Education at the Brookings Institution, said he recommended against the homeports from the beginning because "they never made sense on either military or economic grounds. And they make even less sense today with the reductions in the defense budget."

But Korb predicted that there will be a fight on the Hill to save Ingleside, should it be targeted for cancellation. Bentsen and Sen. Phil Gramm, R-Texas, are both adamant about the base, and they will be a "formidable pair to fight," Korb said.

Others in the Texas delegation also want to save Ingleside. Democratic Rep. E. "Kika" de la Garza said he has favored the homeport in his district from the beginning. He commented that although the Navy is reducing the number of ships it needs, the country still needs a "strategic dispersal" of ships around its coastline. He also says the port will generate "income in the millions of dollars" for the community. "For the strategic need I support it. And, naturally, I am for what it can do for the area," de la Garza said.

Democrat Solomon P. Ortiz, whose district borders de la Garza's and includes the naval port at Corpus Christi, is another strong supporter of the homeport. A member of the House Armed Services Committee, Ortiz said he will fight for Ingleside during consideration of the fiscal 1991 defense authorization bill.

He arranged for a meeting in mid-May with Deputy Defense Secretary Atwood and Corpus Christi residents trying to save the homeport. "We had a positive response" from Atwood, Ortiz said. To show their commitment, Ortiz said, Corpus Christi residents approved a bond issue raising their taxes so that \$25 million could go to help complete the homeport.

The military construction freeze also has other House members worried about the homeports in their districts. So relieved was Rep. Norm Dicks, D-Wash., that the homeport in Everett was exempted from the military con-



struction freeze when it was first imposed in January that he sent out a press release announcing the news. "It is a strong sign that the Navy remains committed to the new carrier homeport" in Everett, Dicks said.

But others, such as Rep. Sonny Callahan, R-Ala., weren't so fortunate. Callahan represents Mobile, where new construction at the homeport has been frozen for five months. Callahan says the Mobile facility is needed to provide support ships to an aircraft carrier docked at Pensacola, Fla., and enjoys broad support from the local community, which reaps jobs and other economic benefits from it.

#### Focus on Staten Island

Community support is a luxury not all the homeports enjoy. The Staten Island port, which is 90 percent of the way to initial operating capacity, gets mixed reviews in New York. It is supported by Democratic Gov. Mario M. Cuomo, Sen. Alfonse M. D'Amato, R, and Rep. Susan Molinari, R, who represents Staten Island and who says the base provides strategic benefits and breathes economic life into the region.

But 11 of the 14 members of the New York City congressional delegation, along with 16 members of the City Council, including Mayor David N. Dinkins, want to close the facility. And just recently, Democratic Sen. Daniel Patrick Moynihan has come out against the facility.

Korb from the Brookings Institution said he thinks Staten Island will be closed because less than half the New York congressional delegation supports it. Staten Island represents, according to Korb, "pure politics instead of logic. They were wrong to think these ports would make money. Do they think the sailors are all going to shop at Bloomingdales?"

Rep. James H. Scheuer, D-N.Y., testified against the Staten Island port at an April 24 hearing. "If the homeport truly were needed for national security reasons, I'd be at the front of the line supporting it. But it is not needed, and as such it represents a gross waste of scarce resources."

Mayor Dinkins views the base in even darker terms. He has conjured up the specter of Chernobyl in arguing against the homeport, which he says would host nuclear-equipped vessels.

In a release after Cheney's announcement of the May 1 construction freeze, Dinkins said the secretary's "courageous" decision "is likely to ensure that nuclear-armed and nuclear-



#### Squaring off over Staten Island: Sen. D'Amato, at left, and New York Mayor Dinkins.

powered ships are not based in New York harbor." He also said he has asked for a preliminary list of alternative uses for the site.

#### Legislative Action

The divided home front spells trouble for the Staten Island facility in Congress. Citing the local opposition to the base, Reps. Patricia Schroeder, D-Colo., and Charles E. Bennett, D-Fla., have introduced a bill (HR 4684) to close the Staten Island homeport.

Schroeder and Bennett chair, respectively, the Military Installations Subcommittee and the Seapower and Critical Materials Subcommittee of House Armed Services. Their bill would also put on hold construction at five other homeports: Everett, Ingleside, Mobile, Pascagoula and Pensacola.

Asked why the bill would treat Staten Island differently from the other ports, Schroeder said, "We had the mayor of the city come and say he didn't want it." Dinkins testified against the Staten Island homeport before Schroeder's panel April 24.

Rep. Molinari and Sen. D'Amato are lobbying hard against the Schroeder-Bennett bill. On May 17, they blasted Dinkins for his comments against the Staten Island homeport. "We are now saying on the record, New Yorkers do want the homeport," Molinari said.

D'Amato added: "I challenge the mayor to submit it to a referendum. The people of the region aren't opposed to it."

D'Amato said that closing the Staten Island homeport "would be a tragic waste of taxpayers' dollars after we have committed well over \$100 mil-

lion" to the project.

And D'Amato speculated that some members of Congress might have pork-barrel reasons of their own for backing the Schroeder-Bennett bill. "There are members of Congress opposing this because they'll lose ships from their district. It's those men and women representing existing homeports" that are fighting hardest to kill Staten Island, said D'Amato.

D'Amato and Molinari plan to meet with Cheney on June 6 to discuss the Staten Island base.

#### Saving What They Have

Other lawmakers whose ports face a construction freeze under the Schroeder-Bennett bill have not reacted as strongly. But Alabama Rep. Callahan, whose Mobile port is targeted in the legislation, believes the Gulf Coast ports are not really in danger. "The homeports on the gulf are probably the safest of the three areas," said Callahan, because there is strong local support for them. He says the bill is designed mainly to stop Staten Island.

But he adds that he won't vote for Schroeder's bill even if she removes his homeport from the list of recommended freezes because "I don't think we ought to micromanage the Navy."

With Schroeder's bill also targeting the Everett port for a construction freeze, Rep. Dicks has vowed to fight. Dicks, who sits on the Military Construction Appropriations and Defense Appropriations subcommittees, said, "I think my colleagues will back me on this. They've backed me in the past."

He said the port is necessary, even though there are several existing ports in California, because "it's a good day and a half closer to the North Pacific, to the Soviets." And he also stresses the need to protect Alaskan oil.

Rep. Norman Sisisky, D-Va., also wants to spike the Staten Island project, but says that is because he has long opposed the new homeports. He said in an interview that the homeport in his district of Norfolk would be affected by the opening of Staten Island because Norfolk "would lose some ships, sure, but it really wasn't about that. They [the Navy] never proved a strategic need" for the new ones.

Sisisky also raised the issue of whether the government can pay for these new homeports when it is cutting the overall defense budget and closing scores of other facilities: "How in the world politically do you close bases that have been there for years and then open new bases?" ■

#### CALIFORNIA

## Republicans Are Drawing a Bead On Veteran Incumbent Brown

*GOP Rep. Pashayan is under challenge from Democrats; Bates' ethics at issue in his primary campaign*

Although he has faced closer calls in recent elections than most California incumbents, veteran Democratic Rep. George E. Brown Jr. consistently has deflected Republican efforts to dislodge him from the 36th District. Brown, 70, has benefited in part from a lack of variety in the local GOP. In four of his five past campaigns, he bested John Paul Stark, a conservative whose ties to religious fundamentalists limited his appeal to middle-of-the-road voters.

This year, however, Republicans will offer a different face in the 36th. The June 5 GOP primary matches San Bernardino County Supervisor Bob Hammock against retired Air Force Lt. Gen. Aloysius G. Casey. Either could pose more problems for Brown than Stark did.

Hammock, 49, enters the campaign with a sizable political constituency. He has spent more than 20 years in local government, the past 14 as a member of the county board of supervisors. A pragmatic, business-oriented Republican, he is viewed as having an appeal to moderate voters that Stark lacked.

Casey, 58, has his strongest support among more conservative GOP elements. Casey, who was head of the Ballistic Missile Office at Norton Air Force Base in San Bernardino in the mid-1980s, would be a contrast to Brown, an opponent of the arms buildup promoted by President Ronald Reagan.

The GOP threat is not lost on Brown. He spent about \$533,000 on his 1988 campaign and had raised more than \$220,000 as of March 31.

#### Tough Terrain

The 36th District is an exception to the lack of competition in California House politics over the past decade.

In 1982, the Democratic-controlled state Legislature enacted a redistrict-

By Bob Benenson

### At a Glance

District population ..... 662,700

Estimated change in population, 1980-86 .. + 26.0%

Major cities and their populations:

Riverside (part) ..... 196,750  
San Bernardino (part) .. 138,620  
Ontario (part) ..... 114,320

Population composition (1980 census):

White 402,029 (76%), Black 43,141 (8%),  
Other 13,913 (3%); Spanish origin 121,631 (23%)

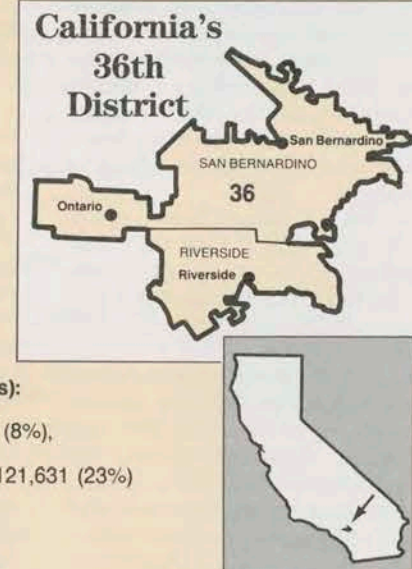
District presidential results, 1976-88:

	1988	1984	1980 *	1976
D	92,521 (47%)	80,504 (43%)	58,623 (40%)	66,240 (58%)
R	100,291 (51%)	103,809 (56%)	74,963 (51%)	47,161 (41%)

House election results:

1988 General		1986 General	
George E. Brown Jr. (D)	103,493 (54%)	George E. Brown Jr. (D)	78,118 (57%)
John Paul Stark (R)	81,413 (42%)	Bob Henley (R)	58,660 (43%)

\* The vote for John B. Anderson is not available for California districts.  
NOTE: Population figures are 1986 Census Bureau estimates.



ing plan drawn by Democratic Rep. Phillip Burton to create a strong majority for his party in the 45-member California House delegation. The Burton plan achieved its goal — the Democrats hold a 27-18 edge — by creating secure districts for Democratic and Republican members alike.

Since the 1982 elections that realigned the delegation, only one California House incumbent has lost a general election. In the past three election cycles, incumbents have almost always won with at least 60 per-

cent of the vote.

Brown has not topped 60 percent since 1978. He won with 57 percent in 1984 and 1986, and 54 percent in 1988. Those modest margins can be traced to the demographics of the 36th. Though Democrats hold a registration advantage of 53 percent to 38 percent in the district, many who call themselves Democrats are agricultural, industrial and defense-oriented workers with conservative leanings. The San Bernardino, Riverside and Ontario areas in the 36th have also



seen an influx of thousands of new suburban residents escaping the high housing prices in metropolitan Los Angeles.

Brown — who gained note as a vehement opponent of U.S. involvement in Vietnam while representing a Los Angeles-area district (1963-71) and as an unsuccessful 1970 Senate candidate — has been attacked consistently by Republican opponents as too liberal for his current district, which he first won in 1972.

While he has remained a steadfast critic of nuclear weapons buildup — and especially of space-based weapons — Brown has tempered his liberal image in recent years. He emphasizes his seniority on the Agriculture Committee, where he is the third-ranking Democrat, and on the Science, Space and Technology Committee, where he ranks second.

This tack has helped Brown maintain a broader appeal than the hard-line conservatives, such as Stark, whom the GOP put up against him.

#### Good Connections

It was for this reason that local and national Republican officials greeted Hammock's entry into the 1990 race with fanfare. Hammock's career has been based in the Democratic-leaning city of San Bernardino. Born to a poor farming family that moved to California from Texas during the Depression, Hammock is able to connect with working-class voters. At the same time, his background as an executive in the real estate business gives him ties to the city's business community.

Though he voices the common Republican position that Brown is a "tax-and-spend" liberal, there is little ideological tone to Hammock's campaign. Hammock says his priorities are increasing aid for abused children, protecting the environment and fighting crime and drugs.

Most of all, Hammock emphasizes his long public tenure. In 1969, he was elected at age 29 to the San Bernardino City Council. He stayed there until 1976, when he won his first of four county board races.

Hammock is on the board of the South Coast Air Quality Management District, which in 1989 passed a package of far-reaching restrictions intended to reduce air pollution in the Los Angeles Basin. He also is co-chairman of a multijurisdictional panel that is drawing up plans to redevelop Norton Air Force Base, which will be decommissioned under the 1989 military base-closing plan approved by Congress.



Brown



Hammock



Casey

tioned under the 1989 military base-closing plan approved by Congress.

#### 'Outsider' Casey Digs In

Hammock's decision to enter the House race was a surprise. He announced that he was running on March 9, the day candidate filing closed.

Until then, Republicans had a lower-profile field that included first-time candidate Casey and businesswoman Dorothy R. Davis, who finished second in the district's 1988 GOP primary. Faced with Hammock's strong base and party organization support, Davis withdrew from the primary.

But Casey did not fade away. Instead, he has run an aggressive campaign, attacking Hammock's image as the GOP's white knight.

Although Casey lives in the 35th District town of Redlands, he says his military background, including three tours of duty at Norton Air Force Base, gives him strong ties to the 36th. Casey served in the Air Force for 34 years before retiring in 1988 to become a private-sector defense consultant.

While based at Norton in the mid-1980s, Casey oversaw deployment of the MX missile. After earning a promotion to three-star general, Casey directed space operations at Los Angeles Air Force Base. His work in these positions heightened his dissatisfaction with Brown, an opponent of such weapons programs as the MX and the space-based strategic defense initiative.

Sounding a theme typical of "outsider" candidates this year, Casey says he was drawn to run by a sense that the country is being ill-served by an entrenched corps of career politicians. He says he would favor limiting House members to as few as three terms.

Accusing Hammock of avoiding debates and discussions of specific issues, Casey has delivered a number of detailed proposals. As part of his anti-crime program, Casey advocates using military boot camp facilities to train and rehabilitate drug offenders and first-time criminals; he favors a national training academy for law enforcement officers. Casey also backs the idea of "family impact statements" that would show the effect of proposed federal laws and regulations on "family life or the parent-child relationship."

forcement officers. Casey also backs the idea of "family impact statements" that would show the effect of proposed federal laws and regulations on "family life or the parent-child relationship."

#### Questions on Abortion, Ethics

Casey has tried to make the case that Hammock's position on abortion is inconsistent. In his candidacy announcement, Hammock said he is "pro-choice" on abortion. But at a Republican women's forum, Hammock said he approved of abortion only in instances of rape, incest or endangerment of the woman's life — a position similar to that of Casey, who says he opposes abortion.

Hammock says he consistently has supported a woman's right to choose abortion in extreme circumstances and also favors federal funding of abortions for poor women in those cases. He rebuts critics who say this is not a "pro-choice" position as abortion rights advocates define the term. "That's stipulating that pro-choice must mean choice for abortion in the third trimester, choice for abortion as birth control, choice for sex selection," Hammock said.

Hammock also was confronted with an ethics issue when The Sun in San Bernardino reported May 6 that he "has voted on contracts and zoning matters involving friends and business associates" while on the county board. The newspaper listed circumstances it described as possible conflicts of interest, including Hammock's 1989 motion for a county grant to a children's agency run by his then-fiancée.

Hammock called the report "an exercise in innuendo" and pointed out that the article said there was no indication that he had broken any laws. Hammock said he often consulted with the county's legal counsel about potentially questionable voting situations.

But Casey is distributing copies of the article, which he calls "devastating." He gained headlines in the district's other large paper, The (Riverside) Press-Enterprise, attacking Hammock for "unethical behavior and potential violations of the law."

#### Pashayan Targeted in 17th

In the 17th District (Southern San Joaquin Valley), held by Republican Rep. Charles "Chip" Pashayan Jr., it is the Democrats who have a scrappy primary campaign.

The major contenders are Calvin Dooley, a farmer and former aide to

## California House Candidates

District	Democrat	Republican	District	Democrat	Republican
1	Douglas H. Bosco *	Frank Riggs	26	Howard L. Berman *	Roy Dahlson
	Lionel Gambill	Timothy Oliver Stoen		Scott M. Gaulke	Gary E. Forsch
2	Erwin E. "Bill" Rush	Wally Herger *	27	Mel Levine *	David Barrett Cohen
3	Robert T. Matsui *	Eugene R. Borman			Hans Yeager
	James J. Walsh	Lowell Patrick Landowski	28	Julian C. Dixon *	George Z. Adams
4	Vic Fazio *	Edward A. Anderson Jr.	29	Lionel Allen	Bill DeWitt
	Stan Warner	Mark Baughman		Ted Andromidas	
5	Nancy Pelosi *	Thomas L. Koziol		Maxine Waters	
6	Barbara Boxer *	Isaac Park Yonker		Twain M. Wilson	
7	George Miller *	Alan Nichols	30	Matthew G. Martinez *	Reuben D. Franco
		Bill Boerum	31	Mervyn M. Dymally *	Eunice N. Sato
8	Ronald V. Dellums *	Roger A. Payton		Lawrence A. Grigsby	
		Wil Watkins		Carl E. Robinson Sr.	
9	Pete Stark *	John J. Cuddihy Jr.	32	Glenn M. Anderson *	Jerry Bakke
10	Don Edwards *	Barbara Galewski			Sanford W. Kahn
		Victor Romero	33	Garry Martino Hamud	David Dreier *
11	Tom Lantos *	Lowell A. King		Georgia Houston Webb	
		Mark Patrosso	34	Esteban E. Torres *	John Eastman
12	Gary Bond	Barbara Rathbun-Chiodo	35	Barry Norton	Jerry Lewis *
	Robert Palmer	Bill Quraishi			Mark I. Blankenship
13	Norman Y. Mineta *	Tom Campbell *	36	George E. Brown Jr. *	Aloysius G. Casey
14	Robert D. Ingraham	David E. Smith			Bob Hammock
	Patricia Malberg	John T. Doolittle	37	Jeffrey E. Jacobs	Al McCandless *
15	Gary Condit *	Cliff Burris		Ralph Waite	Bud Mathewson
16	Leon E. Panetta *	Louis Darrigo	38	Art Hoffman	Robert K. Dornan *
	Arthur V. Dunn	Jerry M. Reiss		Barbara Jackson	
17	Calvin Dooley	Charles "Chip" Pashayan Jr. *	39	John Woodland Black	William E. Dannemeyer *
				Francis X. "Frank" Hoffman	
	Paul M. Laygo			Anthony J. Roberts	
	Archie Nahigian			Truman Swann	
18	Richard H. Lehman *	No candidate	40	Eugene C. Gratz	C. Christopher Cox *
19	Anita Perez Ferguson	Robert J. Lagomarsino *	41	Dan Kripke	Bill Lowery *
	Mike McConnell	Alan Winterbourne	42	James Cavanaugh	Dana Rohrabacher *
20	Lita Reid	Bill Thomas *		Guy C. Kimbrough	
	Michael A. Thomas	Rod Gregory		Bryan W. Stevens	
21	Richard D. Freiman	Elton Gallegly *	43	No candidate	Ron Packard *
		Sang Korman	44	Jim Bates *	Randy "Duke" Cunningham
22	David Bayer	Carlos J. Moorhead *		Byron Georgiou	Eric Epifano
	Tom Vournas				Joe Ghougassian
23	Anthony C. Beilenson *	Jim Salomon			Kenny Harrell
24	Henry A. Waxman *	John N. Cowles			Jim Lantry
25	Edward R. Roybal *	Alexander Swift Justice	45	No candidate	Duncan Hunter *
		Steven J. Renshaw			

\* Incumbent

state Sen. Rose Ann Vuich, and Archie Nahigian, the chief aide to former California Democratic Rep. Tony Coelho from 1979 to 1984. Each claims to have an angle on a vital part of Pashayan's political base.

Dooley, 36, has a base in the southern part of the 17th, a conservative region that has been strong for Pashayan. Dooley, whose family came to

the area in the late 19th century, has been active in local Farm Bureau affairs. He worked as administrative assistant to Vuich from 1987 to 1989.

Nahigian, 37, is from Fresno, in the northern part of the district. He says he can take away some of Pashayan's support in the 17th's Armenian-American community (Pashayan is the only House member of Armenian descent).

Nahigian emphasizes his background as an aide to former Democratic Reps. B. F. Sisk (from 1971 to 1977) and to Coelho, both of whom have endorsed him. Nahigian also cites his business experience as a vice president of the New Jersey-based Connell Rice & Sugar Co. after leaving Coelho's office.

Both candidates maintain that Pashayan, 49, will be hurt because he re-



ceived \$26,000 in 1986 campaign contributions from associates of Charles H. Keating Jr., owner of the failed Lincoln Savings and Loan Association. Pashayan denied providing any services to Keating, but eventually he returned the contributions.

However, the Democratic candidates may have devalued this issue somewhat by accusing each other of ethical misconduct. Nahigian has berated Dooley for "abusing the public trust" by campaigning while still employed by Vuich. Dooley said he campaigned only on his own time. He then responded by portraying Nahigian as having "cashed in on his career in government" by working for Connell, a company known as a generous provider of congressional honoraria.

#### Democrats Also Eye 19th, 37th

In the 19th (South Central Coast — Santa Barbara), GOP Rep. Robert J. Lagomarsino, 63, has been spared a rematch with Democrat Gary K. Hart, who is running for re-election to the state Senate. Hart, who had a strong base in the 19th and the support of environmentalists, came within 4,000 votes of unseating Lagomarsino in 1988.

A former state Senate aide to Hart, educational consultant Anita Perez Ferguson, 41, says she hopes to pick up where Hart left off; she wants to challenge Lagomarsino on environmental issues and on abortion rights, which she favors and he opposes. She is opposed in the Democratic primary by Mike McConnell, 44, a waste-management company construction manager.

The Democratic primary candidacy of actor Ralph Waite has enlivened what would otherwise have been a routine campaign for GOP Rep. Al McCandless, 62, in the heavily Republican 37th District (Riverside County). Waite, 61, played the father on "The Waltons," a long-running TV series. His Democratic primary opponent is paper salesman Jeffrey E. Jacobs, 43. Johnny Pearson, the Democrats' 1988 nominee against McCandless, died shortly after filing to run this year.

#### Lambasting Bates

The most heated primary contest involving an incumbent is in the 44th District (Central San Diego), where four-term Democratic Rep. Jim Bates, 48, is being challenged by Byron Georgiou, 41, a San Diego lawyer who served as legal affairs director during the administration of Democratic Gov. Edmund G. Brown Jr.

Georgiou says he hopes to capital-

## A Democratic Division

California Democratic leaders are single-minded about the importance of this year's gubernatorial contest. Capturing the seat being vacated by retiring two-term GOP Gov. George Deukmejian would give Democrats, who already control the Legislature, wide latitude in drawing new legislative and congressional districts for the state, which could gain as many as seven House seats in 1991 reapportionment. (Related story, p. 1491)

But unlike the GOP, which got behind the gubernatorial bid of Sen. Pete Wilson, the Democrats have spent 1990 in a deep divide over their contenders in the June 5 gubernatorial primary: former San Francisco Mayor Dianne Feinstein and state Attorney General John Van de Kamp.



Feinstein

Feinstein, 55, was mayor of San Francisco for more than nine years; the successor to Mayor George Moscone, who was assassinated in December 1978, Feinstein went on to win two elections to the office. Van de Kamp, 54, was elected state attorney general in 1982 and 1986. He had earlier served two terms as district attorney for Los Angeles County.

Van de Kamp dominated early in the campaign, gaining headlines in late 1989 for his sponsorship of initiatives that will be on the November 1990 ballot: an environmental measure, a proposal that would limit terms for officeholders and an anti-crime measure.

Feinstein suffered a setback last August when her campaign manager, Clint Reilly, quit after saying Feinstein lacked the drive to win. But she regrouped with an organization that included veteran Democratic consultant Bill Carrick. The team produced a powerful TV ad that opened with footage of Feinstein announcing the murder of Moscone; the ad continued with a list of her achievements as mayor.

The ad, run in February, boosted Feinstein from an 18-point deficit to a 19-point lead in the California Poll. But by April, Van de Kamp was about even. His ads portray him as a crime-fighting district attorney and an environmentalist. He also criticizes Feinstein's tenure as mayor, accusing her of fiscal mismanagement.



Van de Kamp

Feinstein, in turn, has gone after Van de Kamp's failure, as Los Angeles district attorney, to bring murder charges against a later-convicted suspect in the "Hillside Strangler" killings. With polls indicating strong voter approval of the death penalty, Feinstein highlights her support and Van de Kamp's personal opposition to capital punishment.

Voter response to negative advertising may be influenced by the efforts of major California media to act as campaign monitors. Several newspapers, including the Los Angeles Times, the San Francisco Chronicle and The Sacramento Bee, have published detailed analyses of the candidates' claims and charges.

Feinstein and Van de Kamp are such contrasting personality types that the tone of the fall campaign is hard to predict. If Feinstein wins the primary, the media may focus on the contrast between her outgoing style and Wilson's bland manner. But Van de Kamp, like Wilson, has a dry personality: If he is nominated, he will have to rely more on issues, including his advocacy of the ballot initiatives, to differentiate himself from Wilson.

The lack of a major primary opponent has given Wilson time to polish his image. His literature describes him as "visionary" for his legislative efforts on various issues, including his opposition to offshore oil drilling. But while Wilson comfortably outdistanced Lt. Gov. Leo McCarthy to win a second Senate term in 1988, no one sees him as a dynamic person. On May 13, the Los Angeles Times ran a profile of Wilson that described him as a hard-working but dull figure. The article was titled "Robopol."

ize on Bates' recent ethics controversies. During his 1988 re-election campaign, published reports quoted several female former employees of Bates' House office accusing him of making lewd remarks and gestures to them. Bates fended off his GOP opponent's efforts to exploit the issue, but the subsequent reproof of Bates by the House ethics committee on sexual harassment charges generated speculation that he might be vulnerable to a primary challenge this year.

However, none of the district's Democratic officeholders came forward, leaving the field to Georgiou. Pulling no punches, Georgiou opened his campaign by distributing a booklet detailing the most egregious harassment allegations against Bates (most of which the incumbent denies).

Georgiou has also filed a complaint with the House ethics committee charging Bates with abuse of the franking privilege. Bates sent an official letter to members of the San Diego chapter of the National Women's Political Caucus, listing bills on women's issues that he has cosponsored. In the letter, Bates also said "I am sorry" about the questions raised by his actions toward female staff members, and he noted that the ethics committee meted out the mildest punishment possible. Georgiou says these passages made the letter a "political communication" barred by the franking laws.

Bates has struck back with radio ads stating that Georgiou received 1 percent of the vote in a special state Assembly election last April. (Georgiou had withdrawn from that race to prepare his challenge to Bates.)

Although the 44th has a strong Democratic orientation, the turmoil surrounding Bates has inspired a five-candidate GOP primary. Leading the field are Randy "Duke" Cunningham, a former fighter pilot; Joe Ghougassian, a former U.S. ambassador to Qatar; and Jim Lantry, a local lobbyist.

#### Long Shots of Note

In the heavily Republican 35th District, six-term GOP Rep. Jerry Lewis, 55, chairman of the House Republican Conference, has a primary opponent in lawyer Mark I. Blankenship. A political newcomer who told a newspaper he has his eyes on the White House, Blankenship, 29, says Lewis has grown distant from the district's concerns.

Blankenship's bid received a publicity boost from The New York Times. Seeking to highlight the dilemma House Republican leaders may

face if President Bush reneges on his "no new taxes" pledge, the Times published an article that discussed Blankenship's primary challenge to Lewis. But Lewis remains a strong favorite for renomination.

In the 31st District (Southern Los Angeles County — Compton, Carson), Democratic Rep. Mervyn M. Dymally, 64, — who takes a strong interest in Third World issues — has been hectored during the primary campaign by supporters of Zairean dissidents, who declaim Dymally's support for Zaire President Mobutu Sese Seko. Several groups that accuse Mobutu of dictatorial abuses, including the New Alliance Party, have endorsed lawyer Lawrence A. Grigsby in his Democratic primary challenge to Dymally.

In the 1st District (Northern Coast — Santa Rosa, Eureka), four-term Democratic Rep. Douglas H. Bosco, 43, is in a comfortable position, having won his past three contests with more than 60 percent of the vote. But the background of one of his GOP challengers is drawing some attention to the 1st.

Republican hopeful Timothy Oliver Stoen, 52, was a member of and legal counsel to the People's Temple, headed by the Rev. Jim Jones, in the mid-1970s. Though Stoen broke with Jones in 1977, his 6-year-old son died the next year in the mass suicide at the cult's Guyana compound. After years in seclusion, Stoen resumed his legal career. Campaigning as an environmental activist, Stoen is opposed for the GOP nomination by Frank Riggs, 39, a real estate developer.

#### Waters, Doolittle: Members-To-Be

Two state legislators have maintained their front-runner status in California's two open House districts. In the 29th (South-Central Los Angeles; Watts; Downey), held by retiring 14-term Democratic Rep. Augustus F. Hawkins, the heavy favorite in the four-candidate Democratic primary is state Rep. Maxine Waters, 51. The November election will be a mere formality in the heavily Democratic 29th.

In the 14th District (Northeastern California — part of San Joaquin Valley), which is being vacated by six-term GOP Rep. Norman D. Shumway, state Sen. John T. Doolittle, 39, is unopposed for the GOP nomination. He will face the winner of the Democratic primary between Patricia Malberg, the party's 1988 candidate against Shumway, and salesman Robert D. Ingraham, who identifies himself as a "LaRouche Democrat."

#### MISSISSIPPI

## Drama Is Sparse In '90 Contests

Politics is usually a popular spectator sport in Mississippi, but this year fans will have little to watch. Only a few challengers signed up for congressional races, and there is no competition in the June 5 primary.

The main event in the general election will be in the 5th District, where freshman Democratic Rep. Gene Taylor will face Sheila Smith, widow of GOP Rep. Larkin Smith, who died in a plane crash in 1989. Taylor's party label is not a plus in the 5th, the state's most Republican district. But that did not prevent Taylor from decisively defeating a well-heeled GOP opponent in a 1989 special election. Sheila Smith has good name recognition and political connections, but she must overcome skeptics (even some in her own party) impressed by Taylor's 1989 showing.

In the Democratic-held 2nd and 4th districts, which have been the scene of several fierce campaigns in the past decade, political observers this year will be able to hear a pin drop. In the 2nd, two-term Democratic Rep. Mike Espy faces minor opposition from Republican Dorothy Benford, a disgruntled former Espy campaign worker who ran as an independent in 1988. Similarly, freshman Democratic Rep. Mike Parker, who won the 4th with 55 percent in 1988, has little to fear from his GOP challenger, Jerry "Rev" Parks. He ran in the 1988 Democratic primary in the 4th, taking 1 percent of the vote.

In the 1st, the domain of Appropriations Committee Chairman Jamie L. Whitten, the GOP challenger is Bill Bowlin, a former member of the state GOP executive committee. If Whitten is re-elected, he would celebrate his 50th year in the House in 1991.

Another Democrat, Veterans' Affairs Committee Chairman G. V. "Sonny" Montgomery, has no opposition in the 3rd District. His 1988 foe had such trouble attracting attention that he climbed a television tower in protest.

It has not been a banner year for Democratic recruitment either. GOP Sen. Thad Cochran will cruise to re-election; Democratic leaders have openly distanced themselves from the party's only candidate, retired Marine Lt. Col. Robert McNeely Sr.



SOUTH DAKOTA

Democratic Challenger Muenster  
Poses a Threat to Pressler

*GOP Gov. Mickelson also has credible opposition;  
quiet primary sets stage for November action*

The two top Republican officeholders in South Dakota — Gov. George S. Mickelson and Sen. Larry Pressler — were once deemed virtually impregnable politically, but as they seek re-election this year, the extent of their popularity is in some doubt.

Pressler, 48, is being challenged by Ted Muenster, 49, of Sioux Falls, a veteran insider in South Dakota politics. Muenster was chairman of Missouri Rep. Richard A. Gephardt's victorious 1988 presidential primary campaign in the state; he was also chief of staff to Democratic Gov. Richard F. Kneip (1971-78).

In November, the 49-year-old Mickelson will face former Democratic state senator and state party Chairman Bob Samuelson, 65, a cowboy-hatted cattle rancher from the western South Dakota community of Faith.

Neither Mickelson, Pressler nor their Democratic foes have opposition in South Dakota's June 5 primary.

The fall campaign for the state's at-large House seat should be fairly placid. Democratic Rep. Tim Johnson, 43, is a strong favorite to defeat former GOP state Sen. Don Frankenfeld, 42, a third-place finisher in the 1986 GOP House primary who is now a Rapid City financial planner.

After winning a second term in 1988 with 72 percent of the vote, Johnson was mentioned as a prospective Senate challenger to Pressler. But he announced last fall that he would run again for the House, citing his commitment to his duties on the Agriculture Committee, where he has a role in writing this year's farm bill.

Hoping for a Breakup

Though Johnson bypassed the Senate race, Democrats think they have a candidate in Muenster who can test the strength of the love affair between Pressler and South Dakota's voters.

Not since he was first elected to the House in 1974 has Pressler won an election with less than two-thirds of

By Rhodes Cook



Muenster



Pressler

the vote. But none of Pressler's previous Senate opponents raised more than \$175,000. Through March, Muenster already had collected more than \$400,000, and he has assembled a large staff, the nucleus of which worked on the victorious Senate campaigns of South Dakota's Tom Daschle in 1986 and Nebraska's Bob Kerrey in 1988.

Pressler is gearing up for the confrontation. He had raised nearly \$1.1 million through March, a tidy sum for a state where media advertising is cheap. And though relations between Pressler and George Bush have been strained at times since Pressler publicly questioned Bush's coattail strength in mid-1988, the president agreed to appear at a Washington fundraiser for Pressler in late May.

Thus far, the bantering between the candidates has been fairly low-key. Pressler has called for debates and challenged Muenster to join him in signing a "Clean Campaign Pledge," whereby the candidates would promise to run positive, issue-oriented campaigns in which any critical ads would have to feature the candidate himself.

Muenster has dismissed the pledge as "baloney," saying it would inhibit him from laying out Pressler's record of ineffectiveness, and would not prevent Pressler from conducting other forms of negative campaigning, such as orchestrated letter-writing to South Dakota newspapers.

Muenster is clearly a favorite of national Democratic leaders, who say he is one of their strongest challengers in the

1990 Senate races. He has close ties to South Dakota's business community, and is on good terms with elements in the state GOP establishment that have been unhappy with Pressler's frequent flights of independence. (In 1989 Senate floor votes, Pressler had a higher presidential opposition score than any other Senate Republican.)

Muenster trumpets endorsements from groups such as the South Dakota Home Builders Association and the National Committee to Preserve Social Security and Medicare, which backed Pressler in his 1984 campaign.

But it is an open question how good a candidate Muenster will make in his first race for public office. Some Democrats worry that his electoral appeal could be hampered by his ties to the liquor industry (before his Senate campaign, Muenster was president and general manager of the Sodak Distributing Co., a liquor and beverage wholesaler) and his ties to the "big city" of Sioux Falls.

Ultimately, any hope of a Muenster victory will hinge on his ability to gouge deeply into the large farm vote that Pressler has carefully cultivated over the years. Pressler formally launched his campaign in March at his family farm in Humboldt, reminding rural voters that he was "deeply rooted in the soil of South Dakota."

Mansion Mystery

With South Dakota's farm economy on the upswing, Mickelson looked secure for election to a second term until an incident at the governor's mansion in Pierre late last November clouded the gubernatorial race.

While Mickelson and his wife were out of town, the governor's son, then 17 years old, was involved in a drinking party at the mansion after which a 16-year-old girl said she was raped.

An 18-year-old in the case was publicly identified, but the names of the minors were not disclosed, and court proceedings were held in March and April under strict secrecy.

Mickelson initially responded to inquiries about his son's involvement by saying that his whereabouts on the night of the party were irrelevant. But after court action concluded in April, Mickelson said his son had been acquitted of a sex offense charge but was found guilty of underage drinking.

Democrats say they will not make the mansion case an issue, but it may have given the party an opening simply by causing voters to take a closer look at Mickelson.

IDAHO

LaRocco-Smyser Duel  
Set in 1st District

Boise stockbroker Larry LaRocco on May 22 scored a solid victory over two strong primary opponents to capture the Democratic nomination in Idaho's open 1st District.

In November, LaRocco will face GOP state Sen. C. A. "Skip" Smyser; the contest offers the Democratic Party its best chance in a quarter-century of winning Idaho's western district, which Democrats held almost continuously from 1933 to 1967.

The Republican who is leaving the 1st, Rep. Larry E. Craig, took his first step toward replacing retiring Sen. James A. McClure by winning the GOP Senate primary. Craig's Democratic opponent will be former state legislator and Boise City Council member Ron J. Twilegar.

In other primaries decided May 22, former Army Ranger Sean McDevitt, a 27-year-old political novice who fought in the recent U.S. invasion of Panama, ambushed a state senator and two other candidates to secure the Republican nomination in the 2nd District. He will try to topple Democratic Rep. Richard Stallings.

In the Republican gubernatorial contest, former state Sen. Roger Fairchild won a three-way battle for the right to oppose Democratic Gov. Cecil D. Andrus.

House Results

LaRocco is making his second attempt for the 1st. He challenged Craig in 1982 and drew 46 percent of the vote, the best showing of any Democrat in the district in the past 25 years. More recently, LaRocco lost a bid for a state Senate seat in 1986 and steered the successful 1988 statewide ballot drive for a state lottery.

LaRocco won 44 percent of the primary vote, comfortably surpassing former state Rep. Jeanne Givens, Craig's 1988 opponent, and former state Agriculture Director Dick Rush, a late entrant. (Primary outlook, Weekly Report, p. 1376)

With a superior campaign organization and better districtwide name recognition than his foes, LaRocco ran strongly throughout the 1st, winning 13 of the district's 19 counties. Givens'

By Dave Kaplan

Congressional Departures

(as of May 25)

RETIRING			
	Date Announced	Began Service	Age
Senate			
William L. Armstrong, R-Colo.	Feb. 13, 1989	1979	53
Gordon J. Humphrey, R-N.H.	March 6, 1989	1979	49
James A. McClure, R-Idaho	Jan. 5, 1990	1973	65
House			
Jim Courter, R-N.J. (12)	March 2, 1990	1979	48
George W. Crockett Jr., D-Mich. (13)	March 28, 1990	1980	80
Bill Frenzel, R-Minn. (3)	March 30, 1990	1971	61
Augustus F. Hawkins, D-Calif. (29)	Jan. 26, 1990	1963	82
Marvin Leath, D-Texas (11)	Dec. 1, 1989	1979	59
Thomas A. Luken, D-Ohio (1)	Jan. 24, 1990	1977 <sup>1</sup>	64
Howard C. Nielson, R-Utah (3)	Dec. 4, 1989	1983	65
Norman D. Shumway, R-Calif. (14)	March 1, 1990	1979	55
Virginia Smith, R-Neb. (3)	June 1, 1989	1975	78
Bob Whittaker, R-Kan. (5)	Oct. 21, 1989	1979	50
DEFEATED FOR NOMINATION			
	Began Service	Age	
Donald E. "Buz" Lukens, R-Ohio (8)	1987 <sup>2</sup>	59	
VACANCIES			
District	Former Occupant	Vacant Since	
Hawaii 2nd <sup>3</sup>	Daniel K. Akaka (D)	May 16, 1990	
New Jersey 1st <sup>4</sup>	James J. Florio (D)	Jan. 16, 1990	
ANNOUNCED FOR OR LIKELY TO SEEK OTHER OFFICE			
	Began Service	Age	Office
Senate			
Pete Wilson, R-Calif.	1983	56	Governor
House			
Joseph E. Brennan, D-Maine (1)	1987	55	Governor
Hank Brown, R-Colo. (4)	1981	50	Senate
Larry E. Craig, R-Idaho (1)	1981	44	Senate
Mike DeWine, R-Ohio (7)	1983	43	Lt. Governor
Ronnie G. Flipppo, D-Ala. (5)	1977	52	Governor
Lynn Martin, R-Ill. (16)	1981	50	Senate
Bruce A. Morrison, D-Conn. (3)	1983	45	Governor
Bill Nelson, D-Fla. (11)	1979	47	Governor
Tommy F. Robinson, R-Ark. (2)	1985	48	Governor
John G. Rowland, R-Conn. (5)	1985	33	Governor
Claudine Schneider, R-R.I. (2)	1981	43	Senate
Bill Schuette, R-Mich. (10)	1985	36	Senate
Robert C. Smith, R-N.H. (1)	1985	49	Senate
Tom Tauke, R-Iowa (2)	1979	39	Senate
Wes Watkins, D-Okla. (3)	1977	51	Governor

<sup>1</sup> Rep. Luken also served from March 1974 to January 1975.

<sup>2</sup> Rep. Lukens also served from 1967 to 1971.

<sup>3</sup> Rep. Akaka resigned upon his swearing in to replace Democratic Sen. Spark M. Matsunaga, who died April 15.

<sup>4</sup> Rep. Florio resigned to become governor of New Jersey.

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<sup>3</sup> Rep. Akaka resigned upon his swearing in to replace Democratic Sen. Spark M. Matsunaga, who died April 15.

<sup>4</sup> Rep. Florio resigned to become governor of New Jersey.



POLITICS

strength was confined to the north, where she represented the state's five northernmost counties in the state House from 1984 to 1988. But only a third of the primary vote came from those counties. Outside her old district, Givens ran behind both LaRocco and Rush.

Smyser, who was unopposed in the Republican primary, is a conservative legislator from Parma in Canyon County, the state's second most populous county.

Abortion, the hottest issue in Idaho since Andrus' recent veto of a highly restrictive anti-abortion measure, could play a critical role in the 1st District election. Smyser, a vigorous opponent of abortion, voted for the anti-abortion bill; LaRocco, who supports a woman's right to choose abortion, denounced it.

In the 2nd District GOP primary, Army veteran McDevitt's victory was the product of hard work on his part and a lackadaisical effort by state Sen. Ann Rydalch, the only officeholder in the four-person GOP field.

Armed with a \$20,000 loan — more

money than any of his primary opponents reported having raised — McDevitt marched to a 41 percent plurality. Rydalch, who represents nine 2nd District counties in the Legislature, managed 36 percent.

Though the 2nd was once solidly Republican, Democratic incumbent Stallings has steadily gained strength since he captured the district in 1984. He reached 63 percent in the 1988 election and is favored to win a fourth term in November.

Filling McClure's Shoes

Craig won his Senate primary over state Attorney General Jim Jones, who ran a low-budget, populist campaign against the well-funded, well-organized incumbent. With the benefit of McClure's vaunted statewide political network, Craig downed Jones by nearly 20 percentage points.

Democrat Twilegar easily defeated first-time candidate David C. Steed, a corporate negotiator from Idaho Falls.

Steed, who carried the nickname "the angry badger," had little funding to battle Twilegar, who became the

favorite of Democratic leaders after Stallings and former Gov. John V. Evans chose not to try for the open Senate seat.

Twilegar has made support for abortion rights a feature of his campaign; Craig backed the Legislature's anti-abortion bill.

Aiming for Andrus

Fairchild emerged from the sometimes-bitter Republican gubernatorial primary with 37 percent of the vote, prevailing over state Sen. Rachel S. Gilbert, who took 33 percent, and stockbroker Milton E. Erhart, who received 30 percent.

A former majority leader of the state Senate, Fairchild will test Andrus' resilience after his controversial veto of the abortion bill. Although Andrus opposes abortion, he drew the ire of anti-abortion activists nationwide with his veto.

Fairchild said during the primary campaign that he would have signed the abortion bill "in a baby's heartbeat."

Nearly complete, unofficial returns:

GOVERNOR

Candidate	Residence	Age	Occupation	Vote	%
* Cecil D. Andrus (D)	Boise	58	Incumbent	Unopposed	
* Roger Fairchild (R)	Fruitland	37	Former state senator	37,690	37.0
Rachel S. Gilbert (R)	Boise	59	State senator	33,546	33.0
Milton E. Erhart (R)	Boise	49	Stockbroker	30,524	30.0

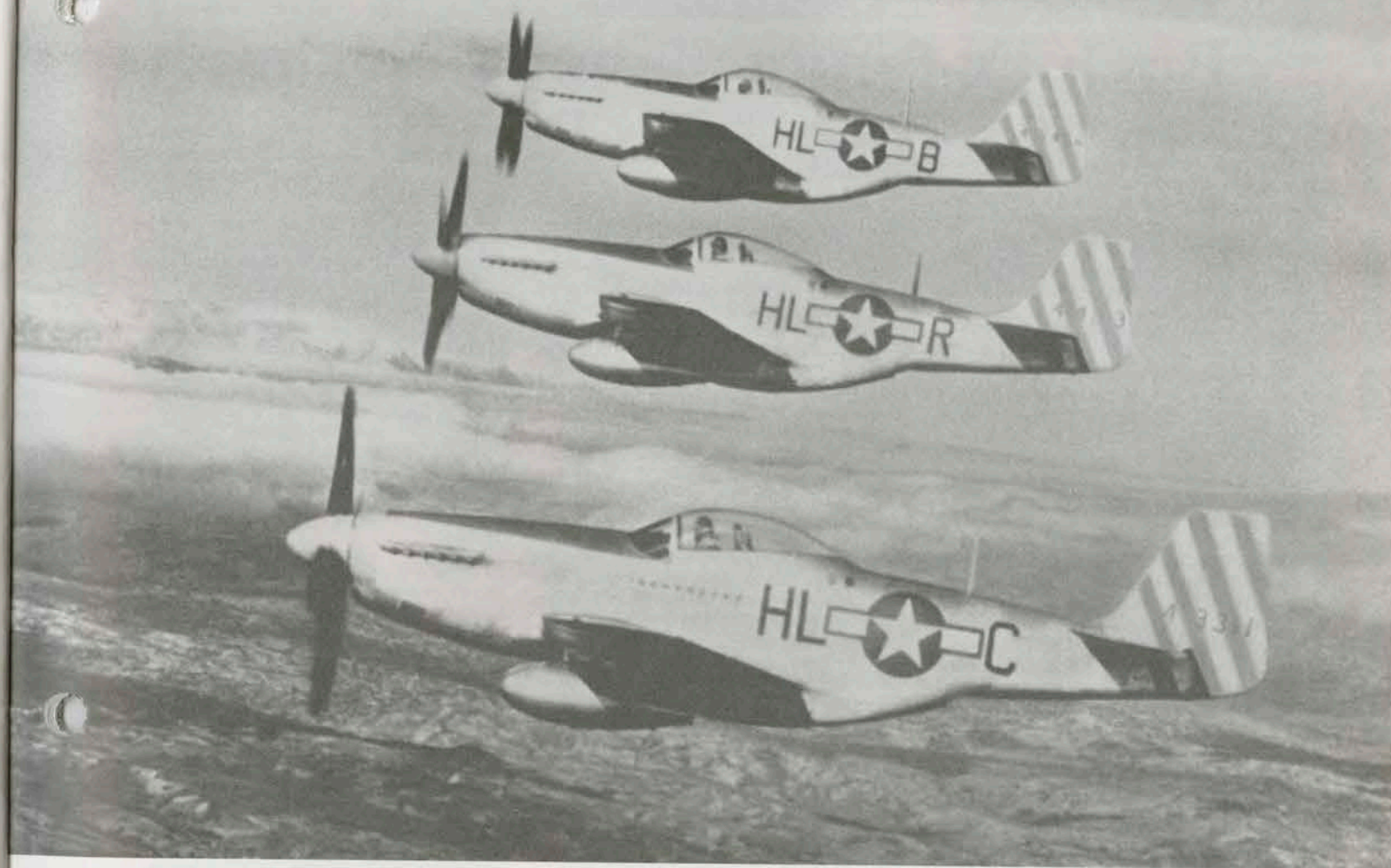
SENATE

Candidate	Residence	Age	Occupation	Vote	%
* Ron J. Twilegar (D)	Boise	46	Former state legislator	30,197	64.4
David C. Steed (D)	Idaho Falls	41	Corporate negotiator	16,658	35.6
* Larry E. Craig (R)	Boise	44	U.S. representative	66,249	59.2
Jim Jones (R)	Boise	48	State attorney general	45,689	40.8

HOUSE

District	Location	Candidate	Residence	Age	Occupation	Vote	%
1	North and West — Lewiston; Boise	* Larry LaRocco (D)	Boise	43	Stockbroker	14,015	43.5
		Jeanne Givens (D)	Coeur D'Alene	38	Former state representative	10,733	33.3
		Dick Rush (D)	Meridian	45	Ex-state agriculture director	7,505	23.2
		* C. A. "Skip" Smyser (R)	Parma	40	State senator	Unopposed	
2	East — Pocatello; Idaho Falls	* Richard Stallings (D)	Rexburg	49	Incumbent	Unopposed	
		* Sean McDevitt (R)	Pocatello	27	Rancher	21,598	40.5
		Ann Rydalch (R)	Idaho Falls	54	State senator	19,218	36.1
		Dan Hawkley (R)	Boise	45	Lawyer	6,419	12.1
		Janet L. Reid (R)	Idaho Falls	43	Poet	6,041	11.3

\* Nominee



## WHY DO WE NEED ANOTHER AIR SUPERIORITY FIGHTER?

In 1944 the P-51 Mustang was the meanest fighter in the sky, widely considered the pinnacle of air superiority. By war's end, though, the Mustang was being nudged into obsolescence by jet propulsion. And by 1952, F-86 Sabrejet and MiG-15 fighters had ascended the P-51's throne.

After WWII, America could have succumbed to the complacency that follows victory. Thankfully, the architects of American air power envisioned the future of air superiority and got there first with the F-86. Had we not kept pace with technology, the U.S. Air Force would have been woefully outgunned in a conflict no one expected: the Korean War.

As we approach the end of the 20th century, there is a lesson to be learned from history. Air superiority is still the lifeblood of conventional military strength. The prospect for peaceful coexistence between the superpowers is greater now

than at any time since the end of WWII. Nonetheless, technology continues its ceaseless advance. This is no time for complacency.

Beyond-visual-range missiles, new radar advances, and the emergence of stealth technology demand an advanced tactical fighter to carry the banner of air superiority into the 21st century. Lockheed, Boeing and General Dynamics have forged the solution, a revolutionary and affordable air superiority fighter with unparalleled capabilities. It is agile, stealthy, and deadly, if called upon.

Does America need another air superiority fighter? The answer is unequivocal. It's the same today as it was in 1950.

**ATF AIR SUPERIORITY**  
LOCKHEED • BOEING • GENERAL DYNAMICS



NEWS CONFERENCE

# Bush Defends China Decision In Meeting With Reporters

*President Bush appeared before reporters at the White House May 24 to announce his decision on most-favored-nation (MFN) trade status for China. Following are excerpts from the Reuter transcript of the news conference:*

**PRESIDENT BUSH:** Well, today, after long and thorough deliberation, I have determined that MFN status, trade status for China should be extended for a year. MFN is not a special favor; it's not a concession. It's the basis of everyday trade, and taking MFN away is one thing I said I would not do, that is, in doing that taking — take steps that would hurt the Chinese people themselves. I do not want to do that. To express America's outrage at the tragedy of Tiananmen [Square], the Congress and my administration promptly enacted sanctions against China. These sanctions remain basically unchanged today, and while implementing those sanctions I have repeatedly made clear that I did not want to hurt the Chinese people, and this was a difficult decision, weighing our impulse to lash out in outrage that we all feel against a sober assessment — weighing that against a sober assessment of our nation's long-term interests.

I concluded that it is in our best interest, in the interest of the Chinese people, to continue China's trade status. Not to do so would hurt the United States. Trade would drop, dramatically hurting exporters, consumers and investors. China buys about 6 billion [dollars] a year of American aircraft and wheat and chemicals, lumber, and other products. Lose this market and we lose American jobs. Aircraft workers in the West; farmers in the Great Plains; high-tech employees in the Northeast.

Our economic competition will not join us in denying MFN. Without MFN an average 40 percent higher cost for Chinese imports will turn into higher prices for American consumers. Hong Kong weighed on my mind. Hong Kong would be an innocent victim of our dispute with Beijing. Twenty thousand jobs and \$10 billion could be lost in a colony that is a model of free enterprise spirit.

The United Kingdom and China's neighbors have urged me to continue MFN. Korea, Japan, Thailand, Singapore, even Taiwan, made clear that MFN should be retained. In recent weeks China has taken modest steps that appear intended to show responsiveness to our concerns. Beijing lifted martial law in Tibet, restored consular access there, giving us a chance to judge the situation for ourselves. Two hun-

dred and eleven detainees were recently released and then their names provided for the first time.

While we welcome these and earlier steps they are, let's face it, far from adequate, and I'm not basing my decision on the steps that the Chinese have taken so far.

Most important of all, as we mark the anniversary of Tiananmen, we must realize that by maintaining our involvement with China we will continue to promote the reforms for which the victims of Tiananmen gave their lives.

The people in China who trade with us are the engine of reform, an opening to the outside world. During the past 10 years we've seen our engagement in China contribute to the forces for justice and reason that were peacefully protested in Beijing and our responsibility to them is best met not by isolating those forces from contact with us, or by strengthening the hand of reaction, but by keeping open the channels of commerce and communication.

Our ambassador came to see me here in the Oval Office the other day and told me that not only the people that he's in contact with, but the students there, the intellectuals there, all favor — there, in China, favor the continuation of MFN. So this is why I made the decision.

\* \* \*

**Q:** Mr. President, it's been a year now since the world has watched China mow its own people down in Tiananmen Square, and how can we expect the pro-democracy movement, parties around the world to have faith in the United States when they see a reward to Beijing such as the MFN —

**P:** I made clear, Tom, I don't think this is a reward to Beijing. I think it is very important we keep these commercial contacts. I think it is in the interest of the United States that we keep these contacts. MFN is based on emigration, and emigration has continued from China at respectable levels, and so that is why I'm making this decision, and what irks me is when some of the people up on the Hill accuse me of being less interested than they are in human rights. I think I — I think we're on the right track here, I've cited the number of countries that agree with us, I've cited the fact that the students and the intellectuals in China itself agree with what I've just done, and so it is not a favor we're doing.

I have cited the need to balance out the interests of others, including Hong Kong, which is under enormous pressure

from the refugee situation there, and so this decision is — is the proper decision, and it has nothing to do with saying we're condoning human rights excesses....

**Q:** Well, but, sir, if it's not — if it's not a favor how do you square this with our policy on denying the same status to the Soviet Union based on the fact that they haven't codified their emigration policy?

**P:** Because MFN is — is related to emigration and the Soviets have not passed the necessary emigration legislation.

**Q:** Mr. President, is it time now for —  
**P:** And China does have the proper policy.

\* \* \*

## Lithuania

**Q:** Mr. President, this morning the Soviet government, specifically the prime minister, rejected Lithuania's latest compromise offer to get talks going. Are you disappointed that Moscow seems to be persisting in this hard line, and what do you plan to tell President Gorbachev when [you meet with him May 30]?

**P:** I was encouraged when the prime minister, having made her swing of the United States and other countries, [Kazimiera] Prunskiene, went to Moscow, I was encouraged when she was received by Mr. Gorbachev. I can't tell you I am encouraged about where it stands right now. I have told you, told the American people, that this Lithuanian situation and indeed the situation regarding the Baltics, whose incorporation into the Soviet Union we have never recognized, does cause certain tensions, and [Secretary of State] Jim Baker had a very frank discussion with President Gorbachev about that. He understands from Jim Baker, and, frankly, from me, directly, how we feel about this. So I — I wish I could give you a more optimistic assessment, but the answer, the only answer to this question lies in dialogue between the affected parties, and I was — was encouraged when Prunskiene met with Mr. Gorbachev, but I have no reason now to report to the American people further encouragement.

\* \* \*

## Budget Talks

**Q:** Several polls, including one broadcast last night, were showing that most Americans think that there will be taxes, and about half — in fact, they think you will go along with taxes — and about half

say they are willing to go along with taxes themselves if the case can be proven that taxes are needed. Does this give you more leeway as you make your decision?

**P:** Look, I have stated right here at this podium that I'm not going into the details of what might be discussed up there. I've said that there are no preconditions. I'm satisfied with the way the process is going. Indeed, I should give credit to Mr. [Richard A.] Gephardt [D-Mo.] for the conduct of these initial meetings. Our people — [budget director] Dick Darman, [Treasury Secretary] Nick Brady, [Chief of Staff] John Sununu — up there all working in good faith. And I've seen those surveys. But it is way too early to start talking about remedies here. I want to let that process go forward, and then when I get agreement I will go out and say to the American people: Here's what we recommend. And I'm not going to prejudice it.

**Q:** Some of the Democrats up on the Hill... say that you're ducking the tough issue by saying what you just said, that you're not going to tell the American people about the stakes.

**P:** Yes, I've heard that criticism.

**Q:** They want you to outline the problem and explain to the American people that it's going to take sacrifices. Are you ready to do at least that?

**P:** I'm going to outline the problem when we get agreement, so we can go forward with the solution. If I outlined the problem now, I'd go rely on some of the fact that the Congress appropriates all the money and raises all the revenues. That's their obligation. And I'm not one to dwell on surveys recently, but I will point out that people understand that the Congress bears a greater responsibility for this. But I'm not trying to assign blame. That's why I'm not doing it right now.

That's why I'm not doing it. That's why I'm saying we're going to sit and talk. Because if I go out now and say what I think... I might say something like I just said, and I don't want to do that.

\* \* \*

## U.S.-Soviet Ties

**Q:** Back to MFN for the Soviet Union. While you point out that there's no emigration law there as yet, the Soviets are moving towards that. Is there any additional — and some people would suggest Lithuania is an additional conditional — under which you do not want to extend MFN at this point to the Soviet Union?

**P:** Well, I think there's a political climate in this country that would make it extraordinarily difficult to grant it. But that is not a bridge we're having to cross at this juncture because the legislation is not in place in the Soviet Union.

**Q:** I'd like to ask you about the climate of the summit. The Soviets have slowed down the negotiations on conventional arms control. You're not going to be signing a START [Strategic Arms Reduction] treaty, which we've been led to believe was

going to be the centerpiece of this summit. It looks like there won't be any kind of trade treaty signed. Has the summit changed from one of consolidating gains and moving ahead to just trying to get the relationship back on track?

**P:** I wouldn't phrase it exactly that way. You may recall that I mention in here, in answer to the question, who's the enemy, instability, unpredictability. And it would seem to me that I would repeat that, and I don't want to have two ships pass in the night, the Soviet Union and the United States. And we've got a lot to talk about.

I don't want to, by answering the question this way, indicate I don't think there will be significant progress on START. I hope we can move things forward on CFE [conventional forces in Europe]. Chemical weapons: I hope I've expressed with great enthusiasm and passion my desire to do something about chemical weapons, and it looked to me like we're very, very close there. So we've got a lot of things that I think we'll be seeing properly as progress. But there's enormous problems that just need to be talked about where I can't say there'll be an answer. And I would refer you to the highly complex question of German unification, forces that, where forces will be deployed, and whose forces will be deployed after German unification. We've got questions on borders, we've got a lot of things to discuss that might not result in a signed agreement.

**Q:** If I may follow up, considering all those things, especially the Lithuanian situation, is your personal relationship with Mr. Gorbachev changed coming into this summit?

**P:** Well, we'll have to wait and see what he says when he gets here. But I feel that the man has got some enormous problems. He's made some enormous progress. I think he knows, from talking to Jim Baker after he got back, that we're not trying to undermine him or make life complicated for him. But we have certain differences with the Soviet Union which we're — I'll be perfectly prepared to talk about. So, you know, it's a good question, and we were talking about it before coming in here, because I don't want to overpromise, but I don't want to act like I think it's just, you know, some kind of a dance out there on this meeting, because what we're going to talk about is really substantive, and I think the part where we can sit and talk at Camp David there — I'm glad the Soviets have agreed to that, because I think it's in that kind of a session that I can — after which I'd probably be better — better able to answer the question you asked about the relationship itself.

\* \* \*

## Crime Bill

**Q:** Mr. President, your administration has raised the likelihood of a veto of Senate legislation that bans several types of semi-automatic weapons and we see that you're supporting legislation, Republican legisla-

tion that doesn't even include your own proposal, which would have restricted the ammunition capacity of these weapons. Why is it that you insist on having a different standard for these domestically produced weapons than you do for imports?

**P:** Look, Rita, I — I have not changed my position on clips, ammunition clips. I read in the paper somewhere that we had changed it, backed off of that position; that isn't true. I sent a crime bill, however, to the Congress, and I'd like to see it enacted, a law enforcement bill. Congress knows of the difficulties. You saw it passed yesterday by one vote, this ban. I am not supporting that and I wish the Congress wouldn't keep adding matters of this nature. Let's get a good, strong anticrime bill, and then we can have an open debate again on — on whatever they want to talk about. But all I can do is — is perfect legislation by saying here's what I can accept and here's what I can't, and if they want to add something on these clips, that's fine, it'd have my strong support. The automatic weapon part does not have my strong support.

**Q:** So Mr. President, are we going to see then your administration and your people on the Hill pushing to get that provision back in a law?

**P:** Consider this a strong pitch for it right now.

## Taxes

**Q:** Mr. President, what happened to your promise to balance the budget without raising taxes? Are you going to make it?

**P:** Are we going to make the promise? Things are complicated out there on this subject, and we're trying hard to get a budget agreement, and that's the way it is, and we'll see how we go, and I've reported, I think, that we've started off now in a bipartisan nature doing a good job. I wish we could control the spending side better.

\* \* \*

**Q:** Mr. President, I'd like to ask about the news report coming out of the aftermath of the Moscow meetings between — with Secretary Baker that you were not as pleased with the outcome of those talks as Secretary Baker was.

**P:** There is no light between us on that at all. The administration has a unified position. It is a sound position. There's no point just before you sit down to say, they caved, they gave more than we did. But I am very satisfied with where we stand. All I want to do is be sure we can move forward and get these deals finalized, and we may not be able to do that. But it doesn't help for me to go out and say, who gave the most. Who knuckled under, who took the most heat, too much pressure. I support what Jim Baker reported to me — was where we stand at this juncture in the negotiations.

I'll tell you what troubles me is that we're not — somebody asked the question here — not further along on conventional forces. But the strategic arms talks are going very well....



NEWS CONFERENCE

## Democratic Senators Object To Bush's China Decision

Shortly after President Bush's May 24 news conference, several Democratic senators reacted to his decision to extend most-favored-nation (MFN) trade status for China for one year.

They included Majority Leader George J. Mitchell, Maine, Daniel Patrick Moynihan, N.Y., Dennis DeConcini, Ariz., Alan Cranston, Calif., and Paul Simon, Ill.

Following are excerpts of the Reuter transcript of their remarks.

**Moynihan:** You all know of the president's statement that he will extend most-favored-nation treatment to the People's Republic of China.

We are here as a group of Democratic senators to say that we think this is a profound mistake, a hideously wrong message to send to the world, particularly the new democratizing world.

We will propose legislation, and we will enact legislation to prevent this measure. Some of us have been involved, those you see here, for at least a year in this matter.

And we have legislation already introduced, and we may draft different vehicles, but in any event, we protest. We are saddened, and we are on the edge — on the verge of angry.

**Cranston:** I'm announcing that we will hold an investigative hearing in the Foreign Relations committee on June 5 to determine the economic and political implications of President Bush's decision to renew MFN status to the People's Republic of China.

We will review and explore the status of human rights in China at the present time in that hearing. The hearing will take place almost one year to the day after the massacre in Tiananmen Square.

The People's Republic human rights record is abominable. It shows no sign of improving. The Chinese leadership has not been serious in seeking to improve U.S.-China relations. They've taken cosmetic actions in an effort to mislead the world as to their true intentions. . . .

MFN status is a benefit, it is not a right. It has been denied other communist countries, except those that have generally improved their human rights record, including substantially liberalizing their emigration policies.

**DeConcini:** I'm pleased to join my colleagues here in opposition to what the president did today. I think our foreign policy cannot afford two standards. And that's what we have. We have not granted most-favored-nation, as everyone knows, to the Soviet Union.

We are insisting that they do several things before that. One is changing their

emigration laws to comply with the Helsinki principles that they have signed on to. China is not a member of that accord, but nevertheless, we should have the same standard of human rights.

Our foreign policy must represent our interest. And our interest must be based on our principles. And our principles are not well served when we are going to grant most-favored-nation status, and have done that to the People's Republic of China when they are violating human rights.

I believe we are losing our moral compass by this kind of action.

**Simon:** If there is one thing that the United States should stand for clearly and without compromise, it is human rights — whether it is in the Soviet Union, Lithuania, Poland, South Africa or China.

And the president's action sends precisely the wrong message to the people in China and to the government of China.

**Mitchell:** I very much regret the president's decision. It is inconsistent with American values, it is contrary to American interests. It is profoundly wrong.

When President Bush tried to justify the secret high-level mission he sent to China a month after last June's massacre at Tiananmen Square, and again when he sought to explain why his national security adviser toasted the future of the Chinese government in December, he said a signal would soon be forthcoming from China that would allow us to re-establish good relations.

No such signal has been forthcoming. Indeed, what signals have come from China have been directly to the contrary. The president's justifications have proven empty and hollow.

President Bush's own State Department reported just a few months ago on increased repression inside China. Defecting Chinese officials and escaped student leaders have added damning details to these events. Fang Lizhi remains in hiding in our embassy.

Chinese commitments on missile sales have apparently not been kept. Chinese cooperation on Cambodia has not been forthcoming.

There are no signs at all, none at all, that the Chinese government is responding to the Bush administration's repeated concessions. Yet, in the face of this intransigence, having made concession after concession, the president wants to make even more concessions.

The president's repeated concessions to the Chinese government have been met with intransigence. The answer is not more concessions. That doesn't make sense. It does not serve American interests.

I oppose the president's actions, and I

will review with my colleagues what legislation we may take to revoke and reverse such action.

And the most tragic irony of all is that nearly one year to the day that the Chinese government sent its tanks and troops to murder defenseless, peaceful Chinese citizens who wanted only freedom, the president today proposes more concessions to that very government.

No action could send a louder and stronger and mistaken signal through the whole world.

**Q:** Why do you think he did it?

**Mitchell:** I do not know. I think it's a serious mistake. . . . The president's decision is profoundly wrong. We must do all we can to correct it.

**Q:** What about the argument that this would in effect punish the moderates in China?

**Mitchell:** Every government policy in contravention of human rights has had the same argument. It was the argument used against freeing the slaves. It was the argument against South African sanctions. It is the perennial argument that you are really hurting the people you want to help.

But it is not the American government that is hurting the people of China. It is the Chinese government that is hurting the people of China.

It is not Americans who killed Chinese in Tiananmen Square. It is the Chinese government that killed Chinese in Tiananmen Square.

All of these require a balance. But if we accept that argument, then what we say is human rights have no value in our policy. Because one can always point to some economic consequence.

And the fact of the matter is, it is indisputably clear that the Chinese people want freedom and opportunity.

We have paid so much attention to the events in Eastern Europe that many Americans have tended to forget that the largest demonstration — the largest peaceful demonstration for freedom and democracy in all of human history occurred last year in China.

**Q:** What can you do legislatively to rescind this decision?

**Mitchell:** There are a number of options that we were considering, and we will consider them all. It could be legislation, resolution of disapproval. There are a number of options and vehicles. We foreclose nothing. We simply today register strongly our protest at the president's decision.

We want the people of China to know that in this respect the president does not speak for all of the American people.

That there are many Americans who deeply and strongly disagree with the president, and we will now work to fashion the best remedy that we can fashion to deal with this problem.

**Q:** Can Congress stop the president?

**Mitchell:** We are going to do everything we can to do so. We're going to do so. And we're going to do everything we can to prevent it from taking effect. And we think people around the world should know that. ■

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# HOUSE VOTES 127,128,129,130,131,132,133,134

**127. HR 4636. Fiscal 1990 Foreign Aid Supplemental Authorizations/Military Aid.** Moakley, D-Mass., amendment to suspend 50 percent of El Salvador's military aid planned for fiscal years 1990 and 1991, depending on actions by the Salvadoran government or by the leftist guerrillas. Adopted 250-163: R 31-135; D 219-28 (ND 166-4, SD 53-24), May 22, 1990. A "nay" was a vote supporting the president's position. (Story, p. 1670)

**128. HR 4636. Fiscal 1990 Foreign Aid Supplemental Authorizations/Passage.** Passage of the bill to make supplemental authorizations for foreign aid programs in fiscal 1990, including \$470 million to Panama and \$340 million to Nicaragua. Rejected 171-244: R 16-150; D 155-94 (ND 124-47, SD 31-47), May 22, 1990. A "nay" was a vote supporting the president's position. (Story, p. 1670)

**129. HR 3030. Clean Air Act Reauthorization/Rule.** Gordon, D-Tenn., motion to order the previous question (thus ending debate and the possibility of amendment) on the rule (H Res 399) to provide for House floor consideration of the bill to amend the Clean Air Act to provide for attainment and maintenance of national ambient air quality standards, require emissions reductions in motor vehicles, control toxic air pollutants, reduce acid rain, establish a system of federal permits and enforcement, and make other improvements in the quality of the nation's air. Motion agreed to 312-106: R 94-75; D 218-31 (ND 148-23, SD 70-8), May 23, 1990. (Story, p. 1643)

**130. HR 3030. Clean Air Act Reauthorization/Rule.** Adoption of the rule (H Res 399) to provide for House floor consideration of the joint resolution to amend the Clean Air Act to provide for attainment and maintenance of national ambient air quality standards, require emissions reductions in motor vehicles, control toxic air pollutants, reduce acid rain, establish a system of federal permits and enforcement, and make other improvements in the quality of the nation's air. Adopted 317-105: R 97-73; D 220-32 (ND 150-22, SD 70-10), May 23, 1990. (Story, p. 1643)

**131. HR 3030. Clean Air Act Reauthorization/Fees.** Rostenkowski, D-Ill., en bloc amendments to strike provisions from the bill authorizing or mandating the imposition of various fees and charges. Rejected 170-253: R 75-95; D 95-158 (ND 68-105, SD 27-53), May 23, 1990. (Story, p. 1643)

**132. HR 3030. Clean Air Act Reauthorization/Transition Aid.** Wise, D-W.Va., amendment to authorize \$250 million over a five-year period for a Clean Air Employment Transition Assistance program to provide workers who lose their jobs or have their wages reduced as a result of the bill with retraining assistance and up to six months of additional unemployment benefits. Adopted 274-146: R 43-126; D 231-20 (ND 169-2, SD 62-18), May 23, 1990. A "nay" was a vote supporting the president's position. (Story, p. 1643)

**133. HR 3030. Clean Air Act Reauthorization/Catalytic Converters.** Sikorski, D-Minn., amendment to require automobile manufacturers to provide an eight-year/80,000-mile warranty for catalytic converters and electronic control units. Adopted 239-180: R 61-106; D 178-74 (ND 137-35, SD 41-39), May 23, 1990. (Story, p. 1643)

**134. HR 3030. Clean Air Act Reauthorization/CFCs.** Dingell, D-Mich., amendment to phase out production and use of chlorofluorocarbons (CFCs) and other substances that deplete the ozone layer. Adopted 416-0: R 170-0; D 246-0 (ND 169-0, SD 77-0), May 23, 1990. (Story, p. 1643)

## KEY

Y Voted for (yea).  
# Paired for.  
+ Announced for.  
N Voted against (nay).  
- Paired against.  
X Announced against.  
P Voted "present."  
C Voted "present" to avoid possible conflict of interest.  
? Did not vote or otherwise make a position known.

Democrats Republicans

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2 Dickinson N N Y Y N N N Y  
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11 Donnelly Y Y N N Y Y Y Y

**MICHIGAN**  
1 Conyers Y Y Y Y N N N Y  
2 Pussell Y N Y Y N N N Y  
3 Wolpe Y Y Y Y N N N Y  
4 Upton Y N N N Y N N Y  
5 Henry Y N Y Y N N N Y  
6 Carr Y N Y Y N N N Y  
7 Kildee Y Y Y Y N N N Y  
8 Traxler Y N Y Y N N N Y  
9 Vander Jagt N N Y Y Y N N Y  
10 Schuette N N Y Y N N N Y  
11 Davis N N Y Y N N N Y  
12 Bonior Y Y Y Y N N N Y  
13 Crockett Y Y Y Y Y Y Y Y  
14 Hertel Y Y Y Y Y Y Y Y  
15 Ford Y Y Y Y N N N Y  
16 Dingell Y Y Y Y N N N Y  
17 Levin Y N N N Y N N Y  
18 Broomfield N N Y Y N N N Y

**MINNESOTA**  
1 Penny Y Y Y Y Y Y Y Y  
2 Weber N N Y Y N N N Y  
3 Frenzel N N ? ? Y N N Y  
4 Vento Y Y Y Y N N N Y

Southern states - Ala., Ark., Fla., Ga., Ky., La., Miss., N.C., Okla., S.C., Tenn., Texas, Va.  
Omitted votes are quorum calls, which CQ does not include in its vote charts.

127 128 129 130 131 132 133 134  
5 Sabo Y Y Y Y Y Y Y Y  
6 Sikorski Y N Y Y N N N Y  
7 Stangeland N N Y Y Y N N Y  
8 Oberstar Y Y Y Y N N N Y

**MISSISSIPPI**  
1 Whitten Y Y Y Y N N N Y  
2 Espy Y Y Y Y N N N Y  
3 Montgomery N N Y Y N N N Y  
4 Parker N N Y Y N N N Y  
5 Taylor Y N Y Y N N N Y

**MISSOURI**  
1 Clay Y Y Y Y N N N Y  
2 Buechner N N N N Y N N Y  
3 Gephardt Y Y Y Y N N N Y  
4 Skelton N N Y Y Y N N Y  
5 Wheat Y Y Y Y N N N Y  
6 Coleman N N Y Y N N N Y  
7 Hancock N N N N Y N N Y  
8 Emerson N N N N Y N N Y  
9 Volkmer Y N Y Y N N N Y

**MONTANA**  
1 Williams Y N Y Y N # # ?  
2 Marlenee X ? N N N N N Y

**NEBRASKA**  
1 Bereuter Y N Y Y N N N Y  
2 Hoagland N N Y Y N N N Y  
3 Smith N N Y Y N N N Y

**NEVADA**  
1 Bilbray Y Y Y Y N N N Y  
2 Vucanovich N N N N Y N N Y

**NEW HAMPSHIRE**  
1 Smith N N Y Y N N N Y  
2 Douglas N N Y Y N N N Y

**NEW JERSEY**  
1 Vacancy Y N Y Y Y Y Y Y  
2 Hughes Y Y Y Y N N N Y  
3 Pallone N N Y Y N N N Y  
4 Smith Y N Y Y N N N Y  
5 Roukema Y Y Y Y N N N Y  
6 Dwyer Y Y Y Y N N N Y  
7 Rinaldo Y N Y Y Y Y Y Y  
8 Roe Y Y Y Y Y Y Y Y  
9 Torricelli Y Y Y Y Y Y Y Y  
10 Payne Y Y Y Y Y Y Y Y  
11 Gallo N N Y Y N N N Y  
12 Courter N N Y Y N N N Y  
13 Saxton N N Y Y N N ? Y  
14 Guarini Y N N N Y Y Y Y

**NEW MEXICO**  
1 Schiff N N Y Y N N N Y  
2 Skeen N N Y Y N N N Y  
3 Richardson Y Y Y Y N N N Y

**NEW YORK**  
1 Hochbrueckner Y N Y Y N N N Y  
2 Downey Y N N N Y Y Y Y  
3 Markez Y Y Y Y Y Y Y Y  
4 Lant N N Y Y N N N Y  
5 McGrath Y N N N Y Y Y Y  
6 Flake Y Y Y Y N N N Y  
7 Ackerman Y Y Y Y N N N Y  
8 Scheuer Y Y Y Y N N N Y  
9 Manton Y Y Y Y N N N Y  
10 Schumer Y Y Y Y Y Y Y Y  
11 Towns Y Y Y Y Y Y Y Y  
12 Owens Y Y Y Y Y Y Y Y  
13 Solarz Y Y Y Y N N N Y  
14 Molinari N N Y Y N N N Y  
15 Green Y Y Y Y N N N Y  
16 Rangel Y Y Y Y Y Y Y Y  
17 Weiss Y Y Y Y N N N Y  
18 Serrano Y Y Y Y Y Y Y Y  
19 Engel Y Y Y Y Y Y Y Y  
20 Lowey Y Y Y Y Y Y Y Y  
21 Fish ? ? ? Y N N N Y  
22 Gilman Y Y Y Y N N N Y  
23 McNulty Y Y Y Y Y Y Y Y  
24 Salomon N N Y Y N N N Y  
25 Boehlert Y Y Y Y N N N Y  
26 Martin N N Y Y N N N Y  
27 Walsh Y N Y Y N N N Y  
28 McHugh Y Y Y Y N N N Y  
29 Harton Y Y Y Y N N N Y  
30 Slaughter Y Y Y Y N N N Y  
31 Paxon N N Y Y N N N Y

**RHODE ISLAND**  
1 Machtley Y Y Y Y N N N Y  
2 Schneider Y Y Y Y N N N Y

**SOUTH CAROLINA**  
1 Ravenel N N Y Y N N N Y  
2 Spence N N Y Y N N N Y  
3 Derrick N N Y Y N N N Y  
4 Patterson Y N Y Y N N N Y  
5 Spratt Y Y Y Y N N N Y  
6 Tallon N N Y Y Y Y Y Y

127 128 129 130 131 132 133 134  
32 LaFalce Y Y Y Y N N N Y  
33 Nowak Y Y Y Y N N N Y  
34 Houghton N N Y Y Y Y Y Y

**NORTH CAROLINA**  
1 Jones Y N Y Y Y N N Y  
2 Valentine Y N Y Y N N N Y  
3 Lancaster N N Y Y Y Y Y Y  
4 Price Y Y Y Y N N N Y  
5 Neal Y N Y Y N N N Y  
6 Cable N N N N Y N N Y  
7 Rose Y Y Y Y Y Y Y Y  
8 Hefner Y N Y Y Y Y Y Y  
9 McMillan N N Y Y N N N Y  
10 Ballenger N N N N Y N N Y  
11 Clarke Y Y Y Y N N N Y

**NORTH DAKOTA**  
AL Dorgan Y Y N N Y Y N Y

**OHIO**  
1 Luken Y Y Y Y N N N Y  
2 Gradison N N Y Y N N N Y  
3 Hall Y Y Y Y N N N Y  
4 Oxley N N Y Y N N N Y  
5 Gillmor N N Y Y N N N Y  
6 McEwen N N N N Y Y Y Y  
7 DeWine N N N N Y N N Y  
8 Lukens ? ? ? ? ? ? ? ?  
9 Kaptur Y N Y Y N N N Y  
10 Miller N N N N Y Y Y Y  
11 Eckart Y N Y Y N N N Y  
12 Kasich N N N N Y Y Y Y  
13 Pease Y N N N Y Y Y Y  
14 Sawyer Y N Y Y N N N Y  
15 Wylie N N Y Y N N N Y  
16 Regula Y N N N Y Y Y Y  
17 Traficant Y N Y Y Y Y Y Y  
18 Applegate Y N Y Y Y Y Y Y  
19 Feighan Y Y Y Y N N N Y  
20 Oaker Y N N N Y Y Y Y  
21 Stokes # # Y N N N Y Y

**OKLAHOMA**  
1 Inhofe N N N N Y N N Y  
2 Sydnor Y Y Y Y N N N Y  
3 Watkins ? ? ? ? N N N Y  
4 McCurdy N N Y Y N N N Y  
5 Edwards N N N N Y N N Y  
6 English N N Y Y N N N Y

**OREGON**  
1 AuCoin Y Y Y Y Y Y Y Y  
2 Smith, B. N N N N Y N N Y  
3 Wyden Y Y Y Y N N N Y  
4 DeFazio Y Y Y Y N N N Y  
5 Smith, D. - X N Y Y N N Y

**PENNSYLVANIA**  
1 Foglietta Y Y Y Y Y Y Y Y  
2 Gray Y Y Y Y N N N Y  
3 Borski Y Y Y Y Y Y Y Y  
4 Kolter Y N Y Y Y Y Y Y  
5 Schulze N N N N Y Y Y Y  
6 Yatron Y Y Y Y Y Y Y Y  
7 Weldon Y N Y Y Y Y Y Y  
8 Kostmayer Y Y Y Y Y Y Y Y  
9 Shuster N N N N Y N N Y  
10 McDade N N Y Y Y Y Y Y  
11 Kanjorski Y N Y Y Y Y Y Y  
12 Murtha Y Y Y Y Y Y Y Y  
13 Coughlin Y Y Y Y N N N Y  
14 Coyne Y Y N N Y Y Y Y  
15 Ritter N N N N Y Y Y Y  
16 Walker N N N N Y Y Y Y  
17 Gekas N N N N Y N N Y  
18 Walgren Y N Y Y N N N Y  
19 Goodling Y N N N Y N N Y  
20 Goydos Y N Y Y Y Y Y Y  
21 Ridge Y Y ? ? ? Y Y Y  
22 Murphy Y N Y Y Y Y Y Y  
23 Clinger N N N N Y ? ? ?

**RHODE ISLAND**  
1 Machtley Y Y Y Y N N N Y  
2 Schneider Y Y Y Y N N N Y

**SOUTH CAROLINA**  
1 Ravenel N N Y Y N N N Y  
2 Spence N N Y Y N N N Y  
3 Derrick N N Y Y N N N Y  
4 Patterson Y N Y Y N N N Y  
5 Spratt Y Y Y Y N N N Y  
6 Tallon N N Y Y Y Y Y Y

127 128 129 130 131 132 133 134  
**SOUTH DAKOTA**  
AL Johnson Y N Y Y N N N Y

**TENNESSEE**  
1 Quillen N N N N Y Y N N  
2 Duncan N N N N Y Y N N  
3 Lloyd N N Y Y Y Y Y Y  
4 Cooper N N Y Y N N N Y  
5 Clement Y Y Y Y Y Y Y Y  
6 Gordon Y Y Y Y N N N Y  
7 Sundquist Y N N N Y N N Y  
8 Tanner Y N Y Y N N N Y  
9 Ford Y Y Y Y N N N Y

**TEXAS**  
1 Chapman Y N Y Y N N N Y  
2 Wilson N N Y Y N N N Y  
3 Bartlett N N N N Y N N Y  
4 Hall N N Y Y N N N Y  
5 Bryant Y N Y Y N N N Y  
6 Barton ? ? ? ? ? X Y  
7 Archer N N N N Y N N Y  
8 Fields N N Y Y N N N Y  
9 Brooks Y Y Y Y Y Y Y Y  
10 Pickle Y Y N N Y N N Y  
11 Leath ? ? ? ? Y Y N ?  
12 Geren N N Y Y Y N N Y  
13 Sarpalius N N Y Y N N N Y  
14 Laughlin N N Y Y Y N N Y  
15 de la Garza Y Y Y Y Y Y Y Y  
16 Coleman Y Y Y Y N N N Y  
17 Stenholm N N Y Y Y N N Y  
18 Washington Y Y ? ? Y N N ?  
19 Combest N N N N Y N N Y  
20 Gonzalez Y Y Y Y N N N Y  
21 Smith N N N N Y N N Y  
22 Delay N N N N Y N N Y  
23 Bustamante Y Y Y Y N N N Y  
24 Frost Y Y Y Y Y Y Y Y  
25 Andrews Y N N N Y N N Y  
26 Armer N N N N Y N N Y  
27 Ortiz Y Y Y Y Y N N Y

**UTAH**  
1 Hansen N N N N Y N N Y  
2 Owens Y Y Y Y N N N Y  
3 Nielson N N Y Y N N N Y

**VERMONT**  
AL Smith Y Y Y Y N N N Y

**VIRGINIA**  
1 Bateman N N Y Y Y N N Y  
2 Pickett N N Y Y Y N N Y  
3 Bliley N N Y Y N N N Y  
4 Siskis N N N N Y N N Y  
5 Payne Y N Y Y N N N Y  
6 Olin Y Y Y Y N N N Y  
7 Slaughter N N N N Y N N Y  
8 Parris N N Y Y N N N Y  
9 Boucher Y Y Y Y N N N Y  
10 Wolf N N Y Y N N N Y

**WASHINGTON**  
1 Miller Y Y Y Y N N N Y  
2 Swift Y Y Y Y N N N Y  
3 Unsoeld Y Y Y Y N N N Y  
4 Morrison Y Y Y Y N N N Y  
5 Foley Y Y Y Y N N N Y  
6 Dicks Y Y Y Y N N N Y  
7 McDermott Y N N N Y Y Y Y  
8 Chandler Y N N N Y N N Y

**WEST VIRGINIA**  
1 Molohan Y N N N Y N N Y  
2 Staggers Y Y Y Y Y N N Y  
3 Wise Y Y Y Y N N N Y  
4 Rahall Y N Y Y Y Y Y Y

**WISCONSIN**  
1 Aspin Y N Y Y N N N Y  
2 Kastner Y Y Y Y Y Y Y Y  
3 Gunderson N N Y Y N N N Y  
4 Kleczka Y Y Y Y Y Y Y Y  
5 Moody Y N N N Y Y Y Y  
6 Patri N N N N Y N N Y  
7 Obey Y Y Y Y N N N Y  
8 Roth N N N N N N N Y  
9 Sensenbrenner N N N N N N N Y

**WYOMING**  
AL Thomas N N N N Y N N Y







# HOUSE VOTES 143, 144, 145, 146

## KEY

Y Voted for (yea).  
# Paired for.  
+ Announced for.  
N Voted against (nay).  
X Paired against.  
- Announced against.  
P Voted "present."  
C Voted "present" to avoid possible conflict of interest.  
? Did not vote or otherwise make a position known.

Democrats Republicans

143 144 145 146

<b>ALABAMA</b>				
1 Callahan	?	?	?	?
2 Dickinson	N	N	N	N
3 Browder	Y	Y	Y	Y
4 Bevil	Y	Y	Y	Y
5 Flippo	?	?	?	?
6 Erdreich	Y	Y	Y	Y
7 Harris	Y	Y	Y	Y
<b>ALASKA</b>				
AL Young	?	?	?	?
<b>ARIZONA</b>				
1 Rhodes	N	N	N	N
2 Udall	?	Y	Y	Y
3 Stump	N	N	N	N
4 Kyl	N	N	N	N
5 Kolbe	N	N	N	N
<b>ARKANSAS</b>				
1 Alexander	?	?	?	?
2 Robinson	?	?	?	?
3 Hammerschmidt	N	N	N	N
4 Anthony	Y	Y	Y	Y
<b>CALIFORNIA</b>				
1 Bosco	Y	Y	Y	Y
2 Herger	N	N	N	N
3 Matsui	Y	Y	Y	Y
4 Fazio	Y	Y	Y	Y
5 Pelosi	Y	Y	Y	Y
6 Boxer	Y	Y	Y	Y
7 Miller	Y	Y	Y	Y
8 Dellums	Y	Y	Y	Y
9 Stark	Y	Y	Y	Y
10 Edwards	?	?	?	?
11 Lantos	Y	Y	Y	Y
12 Campbell	N	N	N	N
13 Mineta	Y	Y	Y	Y
14 Shumway	N	N	N	N
15 Condit	Y	Y	Y	Y
16 Panetta	N	N	N	N
17 Pashayan	Y	Y	Y	Y
18 Lehman	Y	Y	Y	Y
19 Lagomarsino	Y	Y	Y	Y
20 Thomas	?	?	?	?
21 Gallegly	N	N	N	N
22 Moorhead	N	N	N	N
23 Beilenson	Y	Y	Y	Y
24 Waxman	Y	Y	Y	Y
25 Roybal	Y	Y	Y	Y
26 Berman	Y	Y	Y	Y
27 Levine	Y	Y	Y	Y
28 Dixon	Y	Y	Y	Y
29 Hawkins	?	?	?	?
30 Martinez	?	?	?	?
31 Dymally	?	?	?	?
32 Anderson	Y	Y	Y	Y
33 Dreier	Y	Y	Y	Y
34 Torres	Y	Y	Y	Y
35 Lewis	Y	Y	Y	Y
36 Brown	?	?	?	?
37 McCandless	N	N	N	N
38 Dornan	N	N	N	N
39 Dannemeyer	N	N	N	N
40 Cox	N	N	N	N
41 Lowery	Y	Y	Y	Y

ND Northern Democrats SD Southern Democrats

<b>COLORADO</b>				
1 Schroeder	N	Y	N	N
2 Skaggs	Y	Y	Y	Y
3 Campbell	Y	Y	Y	Y
4 Brown	N	N	?	?
5 Hefley	?	?	?	?
6 Schaefer	N	N	N	N
<b>CONNECTICUT</b>				
1 Kennelly	N	Y	Y	N
2 Gejdenson	Y	Y	Y	Y
3 Morrison	?	?	?	?
4 Shays	N	N	N	N
5 Rowland	N	N	?	?
6 Johnson	N	N	N	N
<b>DELAWARE</b>				
AL Carper	N	N	Y	N
<b>FLORIDA</b>				
1 Hutto	N	N	Y	N
2 Grant	N	N	N	N
3 Bennett	Y	Y	N	N
4 James	N	N	N	N
5 McCollum	N	N	N	N
6 Stearns	Y	Y	Y	Y
7 Gibbons	Y	Y	Y	Y
8 Young	N	Y	N	N
9 Bilirakis	N	Y	N	?
10 Ireland	?	?	?	?
11 Nelson	?	?	?	?
12 Lewis	?	?	?	?
13 Goss	N	N	N	N
14 Johnston	Y	Y	?	?
15 Shaw	N	N	N	N
16 Smith	Y	Y	?	?
17 Lehman	Y	Y	Y	Y
18 Ros-Lehtinen	Y	Y	Y	Y
19 Foscill	Y	Y	Y	Y
<b>GEORGIA</b>				
1 Thomas	Y	Y	Y	N
2 Hatcher	Y	Y	Y	Y
3 Roy	Y	Y	Y	Y
4 Jones	Y	Y	Y	Y
5 Lewis	Y	Y	Y	Y
6 Gingrich	N	N	N	N
7 Darden	Y	Y	Y	Y
8 Rowland	Y	Y	?	?
9 Jenkins	N	Y	Y	N
10 Barnard	?	?	?	?
<b>HAWAII</b>				
1 Saiki	Y	Y	N	N
2 Vacancy				
<b>IDAHO</b>				
1 Craig	N	N	?	?
2 Stallings	?	?	?	?
<b>ILLINOIS</b>				
1 Hayes	Y	Y	Y	Y
2 Savage	Y	Y	Y	Y
3 Russo	N	Y	Y	Y
4 Sangmeister	Y	Y	Y	N
5 Lipinski	Y	Y	?	?
6 Hyde	N	N	N	N
7 Collins	Y	Y	Y	Y
8 Rostenkowski	N	N	N	?
9 Yates	Y	Y	Y	Y
10 Porter	N	N	N	N
11 Annunzio	Y	Y	Y	Y
12 Crane	N	N	N	N
13 Fawell	N	N	N	N
14 Hastert	N	N	N	N
15 Madigan	?	N	?	?
16 Martin	N	N	N	N
17 Evans	Y	N	Y	Y
18 Michel	Y	Y	Y	Y
19 Bruce	Y	Y	Y	Y
20 Durbin	Y	Y	Y	Y
21 Costello	Y	Y	Y	N
22 Poshard	Y	Y	Y	N
<b>INDIANA</b>				
1 Visclosky	Y	Y	Y	Y
2 Sharp	Y	Y	Y	N
3 Hiler	N	N	N	N

<b>IOWA</b>				
1 Leach	Y	Y	N	N
2 Tauke	N	Y	N	N
3 Nagle	?	?	?	?
4 Smith	Y	Y	Y	Y
5 Lightfoot	Y	N	N	N
6 Grandy	N	N	N	N
<b>KANSAS</b>				
1 Roberts	N	N	N	N
2 Slattery	N	N	?	?
3 Meyers	Y	N	N	N
4 Glickman	Y	Y	N	N
5 Whittaker	N	N	N	N
<b>KENTUCKY</b>				
1 Hubbard	Y	N	Y	Y
2 Natcher	Y	Y	Y	Y
3 Mazzoli	Y	Y	Y	Y
4 Bunning	?	?	?	?
5 Rogers	N	Y	N	N
6 Hopkins	N	N	N	N
7 Perkins	Y	Y	Y	Y
<b>LOUISIANA</b>				
1 Livingston	Y	Y	N	N
2 Boggs	Y	Y	Y	Y
3 Tauzin	Y	N	?	?
4 McCrery	N	Y	N	N
5 Huckaby	Y	N	Y	N
6 Baker	N	N	N	N
7 Hayes	Y	Y	Y	N
8 Holloway	N	N	?	N
<b>MAINE</b>				
1 Brennan	Y	Y	Y	N
2 Snowe	N	N	N	N
<b>MARYLAND</b>				
1 Dyson	Y	Y	Y	N
2 Bentley	Y	N	N	N
3 Cardin	Y	Y	Y	Y
4 McMillen	Y	N	Y	Y
5 Hoyer	Y	Y	Y	Y
6 Byron	N	N	Y	Y
7 Mfume	N	N	Y	Y
8 Morella	N	N	N	N
<b>MASSACHUSETTS</b>				
1 Conte	Y	Y	N	N
2 Neal	Y	Y	Y	Y
3 Early	Y	Y	N	?
4 Frank	Y	N	Y	Y
5 Atkins	Y	Y	Y	Y
6 Mavroules	Y	Y	Y	Y
7 Markey	Y	Y	Y	Y
8 Kennedy	Y	Y	Y	Y
9 Moakley	Y	Y	Y	Y
10 Studds	Y	?	?	?
11 Donnelly	N	Y	Y	Y
<b>MICHIGAN</b>				
1 Conyers	Y	Y	?	?
2 Pussell	N	Y	N	N
3 Wolpe	Y	Y	Y	Y
4 Upton	N	N	N	N
5 Henry	N	N	N	N
6 Carr	Y	Y	Y	Y
7 Kildee	Y	Y	Y	Y
8 Traxler	Y	Y	Y	Y
9 Vander Jagt	Y	Y	Y	Y
10 Schuette	N	Y	N	N
11 Davis	Y	Y	N	N
12 Bonior	Y	Y	Y	Y
13 Crockett	Y	?	?	?
14 Hertel	Y	Y	Y	Y
15 Ford	Y	Y	?	?
16 Dingell	?	Y	Y	Y
17 Levin	Y	Y	Y	Y
18 Broomfield	N	N	N	N
<b>MINNESOTA</b>				
1 Penny	N	N	N	N
2 Weber	N	N	N	N
3 Frenzel	N	N	N	N
4 Vento	Y	Y	Y	Y

Southern states - Ala., Ark., Fla., Ga., Ky., La., Miss., N.C., Okla., S.C., Tenn., Texas, Va.  
Omitted votes are quorum calls, which CQ does not include in its vote charts.

<b>MISSISSIPPI</b>				
1 Whitten	Y	Y	Y	Y
2 Espy	Y	?	?	?
3 Montgomery	Y	Y	?	Y
4 Parker	Y	Y	Y	N
5 Taylor	N	Y	Y	N
<b>MISSOURI</b>				
1 Clay	?	Y	Y	Y
2 Buechner	?	?	?	?
3 Gephardt	Y	Y	Y	Y
4 Skelton	Y	Y	Y	Y
5 Wheat	Y	Y	Y	Y
6 Coleman	N	N	?	N
7 Hancock	N	N	N	N
8 Emerson	N	N	N	N
9 Volkmer	Y	N	Y	Y
<b>MONTANA</b>				
1 Williams	Y	Y	Y	N
2 Marlenee	Y	N	N	N
<b>NEBRASKA</b>				
1 Bereuter	Y	N	N	N
2 Hoagland	Y	Y	Y	N
3 Smith	N	Y	N	N
<b>NEVADA</b>				
1 Bilbray	Y	Y	Y	Y
2 Vucanovich	Y	?	?	N
<b>NEW HAMPSHIRE</b>				
1 Smith	N	N	N	N
2 Douglas	N	N	N	N
<b>NEW JERSEY</b>				
1 Vacancy				
2 Hughes	N	N	Y	Y
3 Pallone	N	N	Y	N
4 Smith	N	N	N	Y
5 Roukema	N	N	N	Y
6 Dwyer	Y	Y	Y	Y
7 Rinaldo	N	N	N	Y
8 Roe	?	?	?	?
9 Torricelli	Y	Y	Y	Y
10 Payne	Y	Y	Y	Y
11 Gallo	Y	Y	N	N
12 Courter	N	N	N	N
13 Saxton	N	N	N	N
14 Guarini	Y	Y	Y	N
<b>NEW MEXICO</b>				
1 Schiff	N	N	N	N
2 Skeen	N	Y	N	N
3 Richardson	Y	Y	Y	Y
<b>NEW YORK</b>				
1 Hochbrueckner	Y	Y	Y	N
2 Downey	Y	Y	Y	Y
3 Murazek	Y	Y	Y	Y
4 Lent	N	Y	N	?
5 McGrath	N	Y	N	N
6 Flake	Y	Y	Y	Y
7 Ackerman	Y	?	?	?
8 Scheuer	?	?	?	?
9 Manton	?	?	?	?
10 Schumer	Y	N	Y	Y
11 Towns	Y	Y	Y	Y
12 Owens	Y	Y	Y	Y
13 Solarz	Y	Y	Y	Y
14 Molinari	N	Y	N	N
15 Green	Y	Y	N	N
16 Rangel	?	Y	Y	Y
17 Weiss	Y	Y	Y	Y
18 Serrano	Y	Y	Y	Y
19 Engel	Y	Y	Y	Y
20 Lowey	Y	Y	Y	Y
21 Fish	N	N	N	N
22 Gilman	N	N	N	N
23 McNulty	Y	Y	Y	Y
24 Salomon	N	N	N	N
25 Boehlert	N	Y	N	?
26 Martin	N	N	?	?
27 Walsh	N	Y	N	N
28 McHugh	Y	Y	Y	Y
29 Hartan	Y	Y	?	?
30 Slaughter	Y	N	Y	N
31 Paxon	N	N	N	N

<b>MISSOURI</b>				
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SENATE VOTES 102,103,104,105

	102	103	104	105
ALABAMA				
Heflin	Y	Y	Y	Y
Shelby	Y	Y	Y	Y
ALASKA				
Murkowski	Y	Y	Y	Y
Stevens	Y	Y	Y	Y
ARIZONA				
DeConcini	Y	N	N	N
McCain	Y	Y	Y	Y
ARKANSAS				
Bumpers	Y	N	N	N
Pryor	Y	N	N	N
CALIFORNIA				
Cranston	N	N	N	N
Wilson	N	N	N	Y
COLORADO				
Wirth	N	N	N	N
Armstrong	Y	Y	Y	Y
CONNECTICUT				
Dodd	N	N	N	N
Lieberman	Y	N	N	N
DELAWARE				
Biden	Y	N	N	N
Roth	Y	Y	Y	Y
FLORIDA				
Graham	Y	N	N	N
Mack	Y	Y	Y	Y
GEORGIA				
Fowler	Y	N	N	N
Nunn	Y	N	N	Y
HAWAII				
Inouye	Y	N	N	N
Akaka	Y	N	N	N
IDAHO				
McClure	Y	Y	Y	Y
Symms	+	Y	Y	Y
ILLINOIS				
Dixon	Y	N	N	Y
Simon	N	N	N	N
INDIANA				
Coats	Y	Y	Y	Y
Lugar	Y	Y	Y	Y
IOWA				
Harkin	Y	N	N	N
Grassley	Y	Y	Y	Y
KANSAS				
Dole	Y	N	Y	Y
Kassebaum	Y	N	N	Y
KENTUCKY				
Ford	Y	Y	Y	N
McConnell	Y	Y	Y	Y
LOUISIANA				
Breaux	Y	Y	Y	?
Johnston	Y	Y	Y	?
MAINE				
Mitchell	Y	N	N	N
Cohen	Y	Y	Y	Y
MARYLAND				
Mikulski	N	N	N	N
Sarbanes	N	N	N	N
MASSACHUSETTS				
Kennedy	N	N	N	N
Kerry	N	N	N	N
MICHIGAN				
Levin	Y	N	N	N
Riegle	Y	N	N	N
MINNESOTA				
Boschwitz	Y	Y	Y	Y
Durenberger	Y	Y	Y	N
MISSISSIPPI				
Cochran	Y	Y	Y	Y
Lott	Y	Y	Y	Y
MISSOURI				
Bond	Y	Y	Y	Y
Danforth	Y	Y	Y	Y
MONTANA				
Baucus	Y	Y	Y	N
Burns	Y	Y	Y	Y
NEBRASKA				
Exon	Y	Y	Y	Y
Kerrey	Y	N	N	N
NEVADA				
Bryan	Y	Y	Y	N
Reid	Y	Y	Y	N
NEW HAMPSHIRE				
Humphrey	Y	Y	Y	Y
Rudman	Y	Y	Y	Y
NEW JERSEY				
Bradley	N	N	N	N
Lautenberg	N	N	N	N
NEW MEXICO				
Bingaman	Y	Y	Y	N
Domenici	Y	Y	Y	Y
NEW YORK				
Moynihan	N	N	N	N
D'Amato	Y	N	N	Y
NORTH CAROLINA				
Sanford	Y	Y	Y	N
Helms	Y	Y	Y	Y
NORTH DAKOTA				
Burdick	Y	N	N	N
Conrad	Y	N	N	N
OHIO				
Glenn	N	N	N	N
Metzenbaum	N	N	N	N
OKLAHOMA				
Boren	Y	N	N	N
Nickles	Y	Y	Y	Y
OREGON				
Hatfield	Y	N	N	N
Packwood	Y	N	N	N
PENNSYLVANIA				
Heinz	Y	Y	Y	Y
Specter	Y	Y	Y	N
RHODE ISLAND				
Pell	N	N	N	N
Chafee	N	N	-	?
SOUTH CAROLINA				
Hollings	Y	Y	Y	Y
Thurmond	Y	Y	Y	Y
SOUTH DAKOTA				
Daschle	Y	N	N	N
Pressler	Y	Y	Y	Y
TENNESSEE				
Gore	Y	N	N	N
Sasser	Y	N	N	N

ND Northern Democrats SD Southern Democrats

Southern states - Ala., Ark., Fla., Ga., Ky., La., Miss., N.C., Okla., S.C., Tenn., Texas, Va.

**102. S 1970. Omnibus Crime Package/Assault-Style Weapons.** McClure, R-Idaho, motion to table (kill) the Metzenbaum, D-Ohio, amendment to add 12 assault-style weapons, plus any nearly identical weapons, to the list of those banned by the bill, and to prohibit the sale of large-capacity magazines. Motion agreed to 82-17: R 42-2; D 40-15 (ND 23-15, SD 17-0), May 22, 1990. (*Story*, p. 1654)

**103. S 1970. Omnibus Crime Package/Assault-Style Weapons.** Hatch, R-Utah, amendment to strike provisions that would prohibit for three years making, selling and possessing nine types of semiautomatic assault-style weapons. Rejected 48-52: R 36-9; D 12-43 (ND 5-33, SD 7-10), May 23, 1990. A "yea" was a vote supporting the president's position. (*Story*, p. 1654)

**104. S 1970. Omnibus Crime Package/Assault-Style Weapons.** Dole, R-Kan., motion to reconsider the vote by which the Hatch, R-Utah, amendment was rejected. Rejected 49-50: R 37-7; D 12-43 (ND 5-33, SD 7-10), May 23, 1990. (*Story*, p. 1654)

**105. S 1970. Omnibus Crime Package/Habeas Corpus.** Thurmond, R-S.C., amendment to allow states to adopt expedited procedures for reviewing death penalty appeals if they provide competent counsel to inmates, and to require federal courts to complete review of habeas corpus petitions within a year of a state court death penalty order. Rejected 47-50: R 39-5; D 8-45 (ND 4-34, SD 4-11), May 23, 1990. (*Story*, p. 1654)

SENATE VOTES 106, 107, 108

	106	107	108
ALABAMA			
Heflin	Y	Y	Y
Shelby	Y	Y	Y
ALASKA			
Murkowski	Y	Y	Y
Stevens	Y	N	Y
ARIZONA			
DeConcini	N	N	#
McCain	Y	Y	Y
ARKANSAS			
Bumpers	N	N	Y
Pryor	N	N	Y
CALIFORNIA			
Cranston	N	N	N
Wilson	Y	Y	Y
COLORADO			
Wirth	N	N	N
Armstrong	Y	Y	Y
CONNECTICUT			
Dodd	N	N	N
Lieberman	N	Y	Y
DELAWARE			
Biden	N	N	N
Roth	Y	Y	Y
FLORIDA			
Graham	N	N	Y
Mack	Y	Y	Y
GEORGIA			
Fowler	N	N	Y
Nunn	Y	N	Y
HAWAII			
Inouye	N	N	N
Akaka	?	X	X
IDAHO			
McClure	Y	Y	Y
Symms	Y	Y	Y
ILLINOIS			
Dixon	Y	Y	Y
Simon	N	N	N
INDIANA			
Coats	Y	Y	Y
Lugar	Y	Y	Y
IOWA			
Harkin	N	N	N
Grassley	Y	Y	Y
KANSAS			
Dole	Y	N	Y
Kassebaum	Y	N	Y
KENTUCKY			
Ford	N	N	Y
McConnell	Y	Y	Y
LOUISIANA			
Breaux	Y	N	Y
Johnston	Y	N	Y
MAINE			
Mitchell	N	N	N
Cohen	Y	N	N
MARYLAND			
Mikulski	N	N	N
Sarbanes	N	N	N
MASSACHUSETTS			
Kennedy	N	N	N
Kerry	N	N	N
MICHIGAN			
Levin	N	N	N
Riegle	N	N	N
MINNESOTA			
Boschwitz	Y	N	Y
Durenberger	Y	N	N
MISSISSIPPI			
Cochran	Y	Y	Y
Lott	Y	Y	Y
MISSOURI			
Bond	Y	Y	Y
Danforth	Y	N	N
MONTANA			
Baucus	N	N	Y
Burns	Y	Y	Y
NEBRASKA			
Exon	Y	Y	Y
Kerrey	Y	N	N
NEVADA			
Bryan	N	N	Y
Reid	N	N	N
NEW HAMPSHIRE			
Humphrey	Y	Y	Y
Rudman	Y	Y	Y
NEW JERSEY			
Bradley	N	N	N
Lautenberg	N	N	N
NEW MEXICO			
Bingaman	N	N	Y
Domenici	Y	N	Y
NEW YORK			
Moynihan	N	N	N
D'Amato	N	N	Y
NORTH CAROLINA			
Sanford	N	N	N
Helms	Y	Y	Y
NORTH DAKOTA			
Burdick	N	N	N
Conrad	N	N	N
OHIO			
Glenn	N	N	N
Metzenbaum	N	N	?
OKLAHOMA			
Boren	Y	#	N
Nickles	Y	Y	Y
OREGON			
Hatfield	N	N	N
Packwood	N	N	N
PENNSYLVANIA			
Heinz	Y	N	Y
Specter	Y	N	Y
RHODE ISLAND			
Pell	N	N	N
Chafee	N	-	?
SOUTH CAROLINA			
Hollings	Y	Y	Y
Thurmond	Y	Y	Y
SOUTH DAKOTA			
Daschle	N	N	N
Pressler	Y	Y	Y
TENNESSEE			
Gore	N	N	N
Sasser	N	N	N

ND Northern Democrats SD Southern Democrats

Southern states - Ala., Ark., Fla., Ga., Ky., La., Miss., N.C., Okla., S.C., Tenn., Texas, Va.

**106. S 1970. Omnibus Crime Package/Habeas Corpus.** Specter, R-Pa., motion to reconsider the vote by which the Thurmond, R-S.C., amendment was rejected. Motion agreed to 52-46: R 41-4; D 11-42 (ND 4-32, SD 7-10), May 24, 1990. (Subsequently, the Thurmond amendment was adopted by voice vote.) (*Story*, p. 1654)

**107. S 1970. Omnibus Crime Package/Mentally Retarded.** Thurmond, R-S.C., amendment to prohibit executing a mentally retarded person only if he is wholly lacking in capacity to know right from wrong. Rejected 38-59: R 30-14; D 8-45 (ND 4-33, SD 4-12), May 24, 1990. (*Story*, p. 1654)

**108. S 1970. Omnibus Crime Package/Racial Discrimination.** Graham, D-Fla., amendment to strike provisions that would prohibit the death sentence in state and federal cases if a defendant could prove with statistical or other evidence that his race, or that of the victim, played a role in sentencing. Adopted 58-38: R 38-6; D 20-32 (ND 7-28, SD 13-4), May 24, 1990. A "yea" was a vote supporting the president's position. (*Story*, p. 1654)

	106	107	108
ALABAMA			
Heflin	Y	Y	Y
Shelby	Y	Y	Y
ALASKA			
Murkowski	Y	Y	Y
Stevens	Y	N	Y
ARIZONA			
DeConcini	N	N	#
McCain	Y	Y	Y
ARKANSAS			
Bumpers	N	N	Y
Pryor	N	N	Y
CALIFORNIA			
Cranston	N	N	N
Wilson	Y	Y	Y
COLORADO			
Wirth	N	N	N
Armstrong	Y	Y	Y
CONNECTICUT			
Dodd	N	N	N
Lieberman	N	Y	Y
DELAWARE			
Biden	N	N	N
Roth	Y	Y	Y
FLORIDA			
Graham	N	N	Y
Mack	Y	Y	Y
GEORGIA			
Fowler	N	N	Y
Nunn	Y	N	Y
HAWAII			
Inouye	N	N	N
Akaka	?	X	X
IDAHO			
McClure	Y	Y	Y
Symms	Y	Y	Y
ILLINOIS			
Dixon	Y	Y	Y
Simon	N	N	N
INDIANA			
Coats	Y	Y	Y
Lugar	Y	Y	Y
IOWA			
Harkin	N	N	N
Grassley	Y	Y	Y
KANSAS			
Dole	Y	N	Y
Kassebaum	Y	N	Y
KENTUCKY			
Ford	N	N	Y
McConnell	Y	Y	Y
LOUISIANA			
Breaux	Y	N	Y
Johnston	Y	N	Y
MAINE			
Mitchell	N	N	N
Cohen	Y	N	N
MARYLAND			
Mikulski	N	N	N
Sarbanes	N	N	N
MASSACHUSETTS			
Kennedy	N	N	N
Kerry	N	N	N
MICHIGAN			
Levin	N	N	N
Riegle	N	N	N
MINNESOTA			
Boschwitz	Y	N	Y
Durenberger	Y	N	N
MISSISSIPPI			
Cochran	Y	Y	Y
Lott	Y	Y	Y
MISSOURI			
Bond	Y	Y	Y
Danforth	Y	N	N
MONTANA			
Baucus	N	N	Y
Burns	Y	Y	Y
NEBRASKA			
Exon	Y	Y	Y
Kerrey	Y	N	N
NEVADA			
Bryan	N	N	Y
Reid	N	N	N
NEW HAMPSHIRE			
Humphrey	Y	Y	Y
Rudman	Y	Y	Y
NEW JERSEY			
Bradley	N	N	N
Lautenberg	N	N	N
NEW MEXICO			
Bingaman	N	N	Y
Domenici	Y	N	Y
NEW YORK			
Moynihan	N	N	N
D'Amato	N	N	Y
NORTH CAROLINA			
Sanford	N	N	N
Helms	Y	Y	Y
NORTH DAKOTA			
Burdick	N	N	N
Conrad	N	N	N
OHIO			
Glenn	N	N	N
Metzenbaum	N	N	?
OKLAHOMA			
Boren	Y	#	N
Nickles	Y	Y	Y
OREGON			
Hatfield	N	N	N
Packwood	N	N	N
PENNSYLVANIA			
Heinz	Y	N	Y
Specter	Y	N	Y
RHODE ISLAND			
Pell	N	N	N
Chafee	N	-	?
SOUTH CAROLINA			
Hollings	Y	Y	Y
Thurmond	Y	Y	Y
SOUTH DAKOTA			
Daschle	N	N	N
Pressler	Y	Y	Y
TENNESSEE			
Gore	N	N	N
Sasser	N	N	N

ND Northern Democrats SD Southern Democrats

Southern states - Ala., Ark., Fla., Ga., Ky



# Status of Major Legislation

101st Congress

(as of May 25, 1990)

Bill and Background	House	Senate	Final
<b>Clean Air.</b> (HR 3030, S 1630) The bills would extend the 1970 Clean Air Act, last amended in 1977. Each combines four sections dealing with acid rain, toxic pollutants, motor vehicles and smog. HR 3030 is President Bush's proposal to set new restrictions on electric utility sulfur dioxide emissions and new standards for industrial and auto emissions and to require new technology to reduce toxics. (Story, p. 1643)	HR 3030 passed 5/23/90	S 1630 passed 4/3/90	
<b>Farm Programs Reauthorization.</b> (HR 3950) Bills to revise and extend federal farm and nutrition programs must be acted on by the end of the year, when the 1985 farm bill (PL 99-198) expires. (Story, p. 1646)	Agriculture has approved commodity, forestry, trade, research and other provisions	Agriculture has approved conservation, trade, fruit and vegetable, and other provisions	
<b>Fiscal 1990 Supplemental Appropriations.</b> (HR 4404) The bill as cleared would provide \$4.3 billion, including \$885 million in aid for Panama, Nicaragua and other nations and \$3.5 billion for domestic programs. The bill would mandate \$2.0 billion in defense cuts. (Story, p. 1630)	HR 4404 passed 4/3/90	HR 4404 passed 5/1/90	HR 4404 cleared 5/24/90
<b>Fiscal 1991 Budget Resolution.</b> (H Con Res 310, S Con Res 129) The resolution, which will be an outline for action on appropriations and deficit-reduction bills, calls for a fiscal 1991 budget of \$1.2 trillion. (Story, p. 1634)	H Con Res 310 passed 5/1/90	Budget approved S Con Res 129 5/2/90	
<b>Disabled Anti-Discrimination.</b> (S 933, HR 2273) The Americans with Disabilities Act would extend to the disabled those rights already guaranteed to women and racial, religious and ethnic minorities under the 1964 Civil Rights Act. (Story, p. 1657)	S 933 passed 5/22/90	S 933 passed 9/7/89	House conferees appointed 5/24/90
<b>Head Start Reauthorization.</b> (S 2229, 2230; HR 4151) S 2229 and HR 4151 would reauthorize Head Start at \$2.39 billion in fiscal 1991, increasing to \$7.66 billion in 1994, enough to serve all eligible children. S 2230 is the Bush-backed bill authorizing \$1.9 billion in 1991 and no fixed amounts for later years. (Weekly Report, p. 1560)	HR 4151 passed 5/16/90		
<b>Parental and Medical Leave.</b> (HR 770, S 345) HR 770 would require companies with 50 or more employees to offer 12 weeks a year of unpaid leave to employees caring for a newborn or sick parent or spouse. S 345 would apply to companies with 20 or more workers. Workers with a serious illness could take up to 13 weeks a year of disability leave under S 345 or 12 weeks under HR 770. (Weekly Report, p. 1471)	HR 770 passed 5/10/90	Labor approved S 345 4/19/89	
<b>Rural Development.</b> (HR 3581, S 1036) The Senate bill would create some rural development programs and expand existing ones, authorizing \$1.5 billion in additional federal spending over five years. The House bill would consolidate rural development programs in the Agriculture Department and allow states more say in how funds are distributed. (Weekly Report, p. 910)	HR 3581 passed 3/22/90	S 1036 passed 8/2/89	
<b>Bush Education Initiative.</b> (S 695; HR 1675, 4379) The Senate-passed bill would authorize \$414 million in new education programs in fiscal 1991 and expand eligibility for Pell grants. HR 1675 would authorize about \$300 million for excellence awards to teachers, scholarships for college science students and awards to "merit" schools. HR 4379 would authorize \$3.7 billion in added fiscal 1991 spending on new and existing educational programs. (Weekly Report, p. 1083)		S 695 passed 2/7/90	

# Status of Major Legislation

101st Congress

(as of May 25, 1990)

Bill and Background	House	Senate	Final
<b>Child-Care Programs.</b> (S 5, HR 3) The Senate version of the Act for Better Child Care Services (ABC bill) would authorize \$1.75 billion in subsidies and increase tax credits for child care. HR 3 would increase tax credits, increase Title XX funding, expand Head Start and provide grants for before- and after-school care. (Weekly Report, p. 1479)	HR 3 passed 3/29/90	S 5 passed 6/23/89 HR 3 passed 4/24/90	Senate and House conferees appointed 4/24/90, 5/9/90
<b>Oil-Spill Liability and Compensation.</b> (HR 1465, S 686) Both bills to provide comprehensive oil-spill liability and compensation, cleanup and prevention measures would leave states free to maintain their own oil-spill cleanup funds and enforce their own liability laws. (Weekly Report, p. 1261)	HR 1465 passed 11/9/89	S 686 passed as HR 1465 11/19/89	Conference began 4/25/90
<b>Vocational Education Reauthorization.</b> (HR 7, S 1109) Both bills would reauthorize vocational education programs through fiscal 1995, urge coordination between high schools and postsecondary programs and abolish set-asides for specific groups. (Weekly Report, p. 1484)	HR 7 passed 5/9/89	S 1109 passed as HR 7 4/5/90	Senate and House conferees appointed 4/5/90, 5/9/90
<b>Civil Rights.</b> (S 2104, HR 4000) Both bills would reverse or modify six 1989 Supreme Court decisions that narrowed the reach and remedies of job-discrimination laws and would authorize monetary damages under Title VII of the 1964 Civil Rights Act. (Weekly Report, p. 1563)	Education and Labor approved HR 4000 5/8/90	Labor and Human Resources approved S 2104 4/4/90	
<b>Housing Programs Reauthorization.</b> (HR 1180, S 566) HR 1180 would reauthorize and expand existing federal housing programs. S 566 would reorganize current programs and create a \$3 billion-per-year subsidy program to encourage development of low-income housing. (Weekly Report, p. 1480)	Banking subcommittee approved HR 1180 5/10/90	Banking Committee approved S 566 5/2/90	
<b>Legal Immigration Revision.</b> (S 358, HR 4300) The bills would revise and expand visa allocations for immigrants. S 358 would impose an overall ceiling of 630,000 immigrants per year and would create a category of visas for people with skills and education needed by the United States. HR 4300 would set no ceiling on immigration and would tie work-related visas to efforts by U.S. employers to train and hire more U.S. workers. (Weekly Report, p. 1200)	Judiciary Subcommittee on Immigration approved HR 4300 4/18/90	S 358 passed 7/13/89	
<b>Commodity Futures Trading Commission (CFTC).</b> (HR 2869, S 1729) HR 2869 would permanently authorize the CFTC and toughen federal regulation of the commodity futures markets. S 1729 would reauthorize the CFTC for five years. (1989 Weekly Report, p. 2941)	HR 2869 passed 9/13/89	Agriculture approved S 1729 11/2/89	
<b>Department of Environmental Protection.</b> (HR 3847, S 2006) Both bills would establish a Cabinet-level Department of Environmental Protection. The House bill would restrict the use of outside contractors and would establish an independent Bureau of Environmental Statistics. The Senate bill would also establish a statistics bureau but with fewer guarantees of its independence. (Weekly Report, p. 988)	HR 3847 passed 3/28/90	Governmental Affairs approved S 2006 2/28/90	
<b>Commerce Department Technical Programs Reauthorization.</b> (HR 4329, S 1191) Both bills would reauthorize the National Institute of Standards and Technology and set up a program to provide seed money to research consortia to speed commercialization of new technologies. (Weekly Report, p. 911)	Science, Space and Technology approved HR 4329 3/21/90	S 1191 passed 10/26/89	
<b>RICO Revision.</b> (S 438) The Senate bill would restrict civil remedies for violations of the 1970 Racketeer Influenced and Corrupt Organizations Act (RICO). An unnumbered draft House bill would give judges more discretion to dismiss RICO suits. (Weekly Report, p. 841)		Judiciary approved S 438 2/1/90	

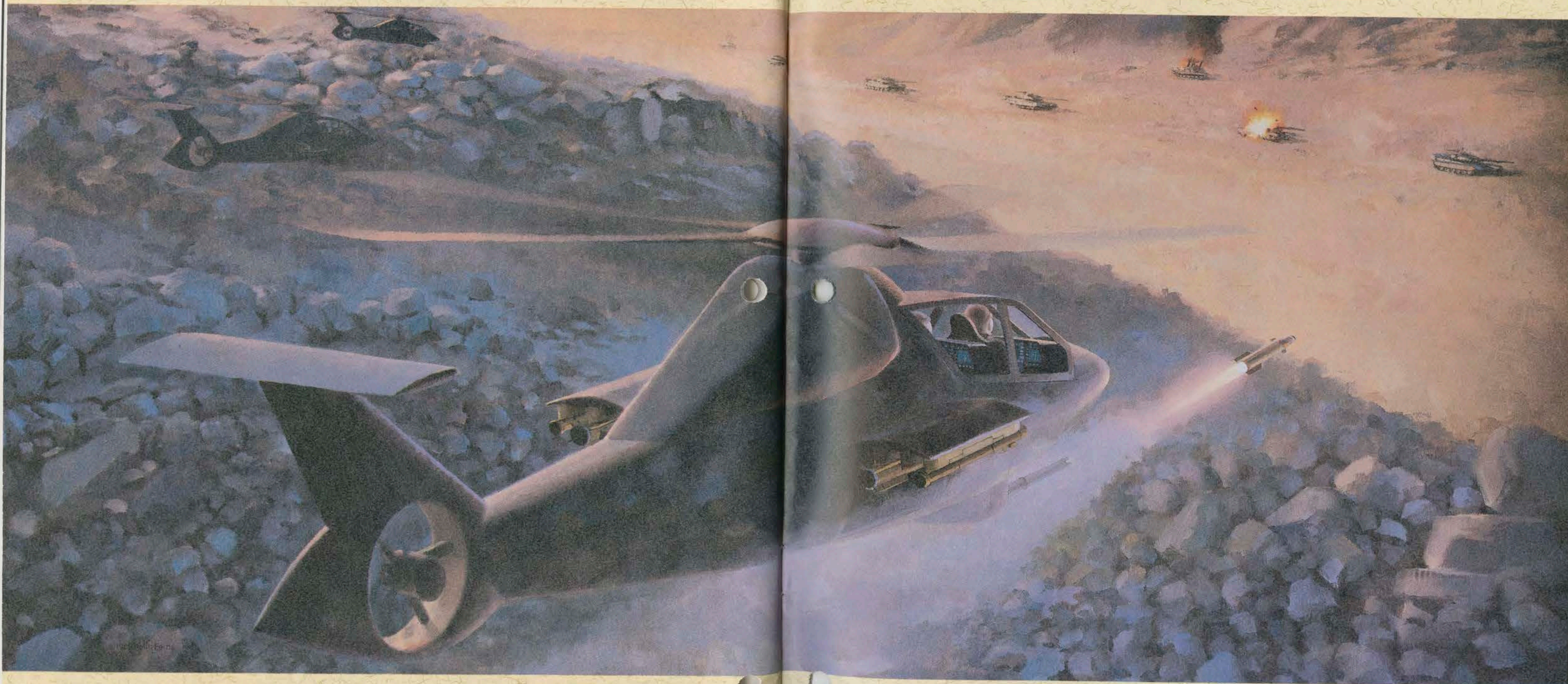


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## CQ ROUNDTABLE

By Neil Skene

# What We Can Teach New Democracies

While the American people marvel at the emergence of democracy where despotism once prevailed, we are afflicted with a strain of dissatisfaction and cynicism about our own democracy. There was a time, we say, when we had leaders such as Vaclav Havel of Czechoslovakia. At one time, we say, the government of the United States included George Washington, Thomas Jefferson, James Madison and John Marshall, just to mention Virginians. Things, we say, have gone downhill a bit since then.

But time and grade-school history books hide a multitude of flaws. Madison, architect of the Constitution, drafter of the Bill of Rights, leader of the Jeffersonian party, was a lousy president during the War of 1812. "The hour had come but the man was wanting," wrote a Madison biographer. "Not a scholar in governments ancient and modern, not an unimpassioned writer of careful messages, but a robust leader to rally the people and unite them to fight was what the time needed, and what it did not find in Madison."

Our roots in revolution give us a special empathy for Havel, last year an imprisoned playwright and now a nation's president. He seems so much like our thoughtful Madison. But that country, too, may one day find that it prefers not a philosopher who says such things as "consciousness precedes being," but an Andrew Jackson, full of daring and hot rhetoric.

Distance, like time, also hides flaws. Soviet President Mikhail S. Gorbachev, who has been seen from afar as a man of courage and skill, is no less swept along by events than is George Bush. As we fume over the inability of Congress and the president to settle the matter of the federal deficit, it is worth noting that Gorbachev also hasn't quite worked out his country's economic problems, even unfettered by a contrary Congress. And there is the matter of Lithuanian independence, which is not responding to "read my lips" kinds of solutions.

Successful leaders are those who are in the right place at the right time. Bush and Gorbachev were picked because they reflected the political mood in their countries. Gorbachev took office when the Soviet economy was falling apart; the political establishment and the populace were demanding action. In the United States, things seem to just

go along, so it's no wonder Bush seems to as well.

The discontent among the American political class about our unproductive governance may reflect the failure of any faction to win control. Democrats can't seem to win the presidency; Republicans can't seem to win control of Congress. In the American political tradition, each side is trying to tinker with the rules to gain an advantage.

For these tinkerers, political scientist and former Vanderbilt University Chancellor Alexander Heard has a word of caution. "A sobering law of unintended consequences has operated throughout our nation's history," he says. "The difficulty of producing intended results, and only the intended results, through regulating competitive political processes has proved to be extremely difficult."

Formal changes in institutions matter less than the cycles of electoral politics and the abilities of officeholders to respond to those cycles.

Andrew Jackson, although he faced a hostile Senate, transformed the power of the presidency far more through his appeals to the people than any president might have done through institutional changes. Yet this greater presidential influence was of little significance in the hands of successors Franklin Pierce and James Buchanan, who failed to come to grips with slavery and avoid civil war.

Amendments to the Constitution have produced some dissatisfaction. Republicans, who promoted the 22nd Amendment's two-term limit on presidential tenure after Democrat Franklin

D. Roosevelt's hegemony, were ready to undo the deed during the height of Ronald Reagan's popularity.

The negativism and superficiality of the electoral process likewise seem impervious to tinkering. Few presidential campaigns could be as negative as the first one after Washington's presidency, between Jefferson and John Adams. In 1884, former Sen. James G. Blaine accused Grover Cleveland not only of fathering a child out of wedlock but of kidnapping and imprisoning the child and the mother to keep it secret. Cleveland won anyhow.

Through the eyes of foreign correspondents, we now are watching our own early history repeat itself around the world. The emerging democracies of 1989 look to us for guidance, just as our Founding Fathers looked to the philosophers of France and England in 1789.

What can we teach them, the cynics ask, besides the ways of fundraising and 15-second sound bites? Perhaps we can teach them that democracy survives not because of those things but despite them, and that the rules of play matter less than earning the confidence of the people. ■

Perhaps we can teach  
them that the specific  
rules of play don't  
matter as much as earning  
the people's confidence.

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# CONGRESSIONAL QUARTERLY

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Major Legislative Action  
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## Summit in Washington: Yes, but There Are Strings

# U.S. Lawmakers Tie Soviet Trade P

By SUSAN F. RASKY

Special to The New York Times

WASHINGTON, June 2 — Members of Congress warned today that Congressional approval of an agreement expanding American trade with the Soviet Union would hinge on President Mikhail S. Gorbachev's willingness to end Moscow's economic crackdown on Lithuania.

The trade agreement, which paves the way for granting the Soviet Union preferential trade terms, was one of the accords signed on Friday by President Bush and Mr. Gorbachev. The agreement is an important symbolic victory for the Soviet leader, who faces mounting political and economic problems at home.

"He desperately wants that trade legislation, and whether or not Congress responds is up to him," said Senator Bob Dole of Kansas, the Republican leader.

Mr. Bush has already told Mr. Gorbachev that the trade legislation would not be submitted to Congress until the Soviet Government wrote into law new policies to ease emigration. American lawmakers who met with Mr. Gorbachev here on Friday said they expected that move to be completed quickly.

### No Agreement on Capitol Hill

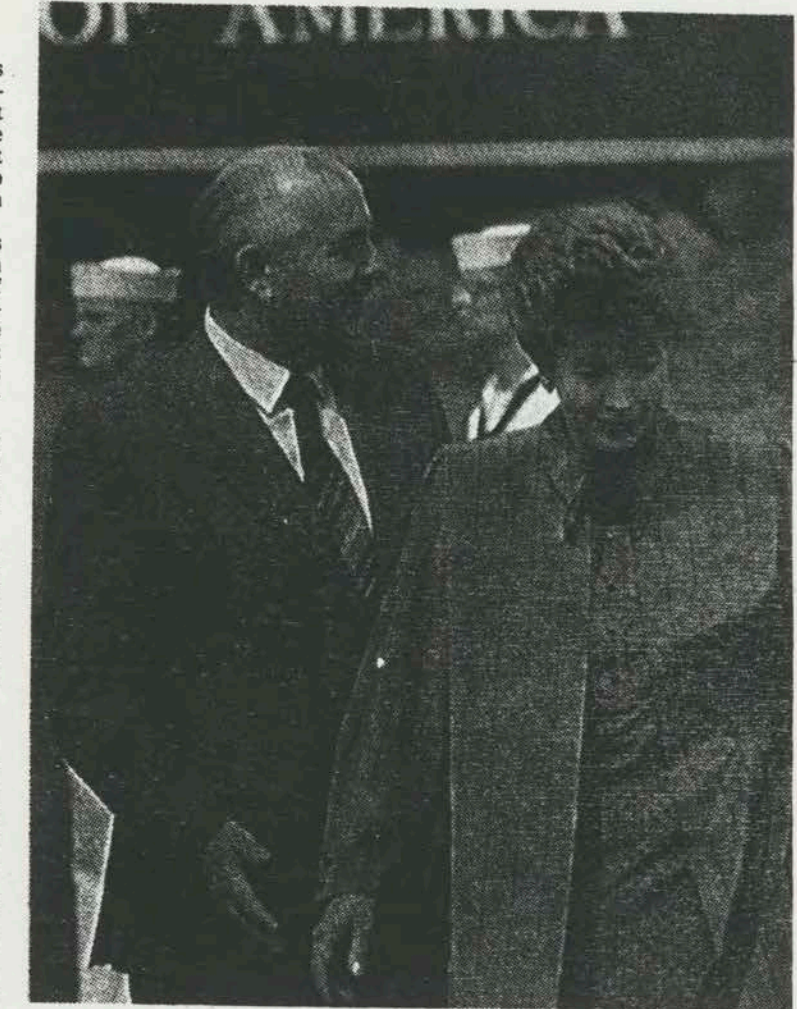
The real difficulty is Lithuania, and there is no agreement on Capitol Hill about precisely what steps Mr. Gorbachev would have to take to satisfy enough members of Congress to obtain approval of the trade pact.

"I think it has to be the beginning of some kind of negotiation on Lithuania, but there is really no way to define it," said Representative Richard A. Gephardt of Missouri, the House Democratic leader. "We're going to know it when we see it."

The most difficult obstacle may be the Senate, where members approved a resolution last month saying the Administration should not submit the trade legislation to Congress until Moscow lifts its partial economic embargo on Lithuania and resumes negotiations on Lithuanian independence. Senator Alfonse M. D'Amato, the New York Republican who was the author of the resolution, told a crowd of pro-Lithuanian demonstrators on the steps of the Capitol today that both conditions must be met.

"We cannot permit the Soviets to deprive people of their basic human rights," he said. "There will be one serious battle in the Senate unless the economic embargo is lifted."

Mr. Gorbachev has demanded that the Lithuanians follow a new Soviet law



President Bush and President Mikhail S. Gorbachev guiding Raisa Gorbacheva

on secession that requires approval in a referendum by two-thirds of the people, a transition period and approval of the Congress of People's Deputies. Leaders of the three Baltic republics say that they were illegally incorporated into the Soviet Union by Stalin in 1940, and that they do not have to follow Soviet laws. The United States has never formally recognized the Baltic republics' incorporation into the Soviet Union, but it has also not formally recognized them as independent.

### Some Signal of Change Sought

Senator Lloyd Bentsen, the Texas Democrat whose Finance Committee has jurisdiction over trade matters, said that while the Senate resolution on Lithuania was not binding, the 73 sena-

tors who voted for it would need some signal by Moscow that policy had changed to justify backing away from it. Mr. Bentsen said he made that clear to both the Administration and Mr. Gorbachev on Friday.

"I told Mr. Gorbachev that I would hold hearings on the Most Favored Nation status as soon as the legislation is submitted," Mr. Bentsen said. "But a lot of my colleagues have taken a position on the Lithuania resolution, and I also told him that something has to be done on his side to justify a change in that position."

In comments to reporters on Friday, Mr. Dole suggested that senators would need "ironclad assurances" from Mr. Gorbachev that he would en-



NATIONAL SUNDAY, JUNE 3, 1990

## act to Kremlin Progress on Lithuania



rev to her place at a photography session yesterday at Camp David. At right was Barbara Bush.

Associated Press

ter negotiations on independence with Lithuania.

But Senator Rudy Boschwitz, Republican of Minnesota, had other criteria. He said that in his view the preferential trade terms were not "going to be granted as long as they give aid to Cuba and Ethiopia and Cambodia."

"I think that's a very compelling part of the equation," he said.

Although the House has also passed a resolution on Lithuania, it is more general than the Senate's and makes no direct reference to the trade agreement. Mr. Gephardt said President Bush made the right decision in going ahead with the signing of the agreement and that Congress should approve the legislation even if the situation in Lithuania

was not completely resolved when the measure was submitted.

### 'You Gain New Strings'

"We can't wait until it's all done," he said. "We have to move on this economic front." He added that approval of the trade legislation would give the United States new power over the Soviet Union to press for a final resolution on independence for Lithuania and the other Baltic states.

"When you open up new economic ties, you gain new strings," Mr. Gephardt said. "If the Soviet tanks roll into Lithuania six months later, you take the trade privileges away, it's a restraint on Gorbachev."

Leading American business groups,

including the United States Chamber of Commerce and the National Association of Manufacturers have been lobbying for approval of the agreement, warning that without it, American companies would be at a disadvantage in trying to gain access to the Soviet market. Conversely, lawmakers noted, it would be months, and perhaps years before the Soviet Union is really able to take much advantage of the reduced trade duties conferred under the pact, given the state of its economy and the poor quality of the goods it produces.

Once Mr. Bush submits the trade legislation to Congress, it is to be considered under special, expedited procedures that limit the amount of time for debate and prohibit amendments.



June 3, 1990

"SUMMIT TALKS CONTINUE, PROBLEMS REMAIN" Washington Post

- Bush was defensive when questioned about the trade pact while the Soviet Union continues its economic blockade of Lithuania - "Why do you single out one agreement" Bush asked a reporter.
- Bush and Gorby are expected to pledge at their news conference that they will continue to hold "regular" summit meetings. The next meeting is expected to be in the Soviet Union, possibly before the end of the year.
- Bush put forth a 9 point plan on Germany and Europe on Thursday. "Gorbachev responded with a a very general and at times confusing rendition of Soviet concerns ....One U.S. official described Gorby's presentation as " a kaleidoscope of Soviet concerns, fear, hopes and desires, including a lot of contradictory statements that need to be fleshed out." (9 points are listed in article)
- Soviet put forth a plan for enhancement of the 35-nation CSCE into a "Greater European Council"
- On Germany - Fitzwater said that after Thursday's discussion that the leaders had decided to turn over the matter to BAKER and Shevardnadze to discuss when they meet next week in Copenhagen in a CSCE Human Rights conference

BUSH-GORBACHEV TALKS: A VIEW TO THE FUTURE, Washington Post

- U.S. officials emerged from the White House talks without a clear sense of the priority that Gorbachev places on the German issues
- One source said "He (Gorby) was still as confident and dynamic as ever - but he did not display the grasp of detail and of general subjects that we have come to expect. And there seemed to be a large gap between the political level and the advisers in the Soviet delegation."
- At one meeting of the delegations, Gorbachev appeared to react with surprise when a Soviet official outlined Moscow's toughened, negative stance on the U.S. "Open Skies" proposal that both military blocs conduct mutual aerial reconnaissance."
- U.S. officials were also struck that Gorbachev did not repeat in the White House talks the irritable, defiant warnings against any Western attempts to "dictate" to the Soviet Union that he made in a press conference in Ottawa on Wednesday.

COLD WAR DISPUTES STALL A-ARMS PACT, Washington Post

- No longer do Gorbachev and his aides display their trademark flexibility, an

crhoney Sun Jun 3 07:30 page 2

official said. "Now they assert that any compromise will cost them something..."

- The SS-18 and the Backfire remained major sticking points.
- On the SS-18, "Evidently, BAKER wasn't prepared to move any further because he got savaged (by U.S. conservatives) for taking a few steps toward the Soviet position last month," a congressional aide said.



# Soviet Leader Cites Rapport At Camp David

6-3-90 WP  
By David Hoffman  
and Don Oberdorfer  
Washington Post Staff Writers

Soviet President Mikhail Gorbachev concluded his summit talks with President Bush last night saying they "have established a personal rapport" but conceding that "some real problems" remain between the United States and Soviet Union.

After a day of talks at Camp David in which the contentious issue of the future of Germany arose in the final minutes, Gorbachev said "neither President Bush nor myself turned a blind eye" to the serious differences between them.

Although the two leaders skirted the issue of Germany during discussions that focused on regional disputes yesterday, Secretary of State James A. Baker III said the German question surfaced as the two leaders compared notes about their planned statements at a White House news conference scheduled for this morning. White House press secretary Marlin Fitzwater said it was "the briefest" of conversations.

Bush told reporters that he and Gorbachev had found "an awful lot of common ground" on regional conflicts and bilateral relations. But, when questioned about his decision to sign the U.S.-Soviet trade pact while the Soviet Union continues its economic blockade of Lithuania, Bush was defensive. "Why do you single out one agreement" for questioning, he demanded of a reporter. "If someone wants to argue with me, fine, we'll take him on." He added, "I'm doing what I think is in the best interest" of the nation.

Meanwhile, administration officials said the two leaders are expected to pledge at their news conference that they will continue the pattern of recent years and will hold "regular" summit meetings. While not setting a precise date, officials said the next meeting is expected to be in the Soviet Union, possibly before the end of the year.

Seated around a sunny patio table at the presidential retreat with just a handful of their top advisers present, Bush and Gorbachev spent

See SUMMIT, A27, C6-S



## SUMMIT, FROM AT

more than two hours discussing through interpreters possible solutions to conflicts in Asia, Central America and the Middle East, Fitzwater said.

On arrival at Camp David, after a helicopter ride with Bush from Washington, Gorbachev said, "The most important thing today we're going to discuss is go over the planet and its flash points and discuss regional issues." On the flight there, according to a source, Bush pointed out landmarks to Gorbachev, and while pointing at subdivisions he was familiar with in McLean, told the Soviet leader how one buys a house in the United States.

The two leaders' agenda included long-festering regional disputes such as the stalemated civil war in Afghanistan, the conflict in Cambodia, U.S. complaints about Soviet backing for Cuba, and Cuba's role in supporting leftist rebels in El Salvador. According to a U.S. official, Gorbachev defended Moscow's support for Cuba in the discussions with Bush. Other Soviet officials have responded to U.S. complaints about Cuba by saying that Soviet support is a necessary counter to U.S. pressure against Cuban leader Fidel Castro.

One outcome of yesterday's talks on regional conflicts was a joint statement issued by the two leaders last night promising to work together to expedite food aid to war-torn Ethiopia, with U.S. food transported on Soviet aircraft, and seeking United Nations auspices for an international conference to spur peace talks in the troubled Horn of Africa.

Bush raised with Gorbachev the status of Jews who have been refused permission to leave the Soviet Union, Fitzwater said. While praising Gorbachev's efforts to open Soviet society and relax restrictions on emigration, Bush pressed Gorbachev on specific cases of "refuseniks" who are still denied exit visas, Fitzwater said. Gorbachev replied that "he was still working to resolve many of them," he added. U.S. officials say there are about 60 unresolved long-term refusenik cases.

Both leaders discussed antisemitism "and agreed to speak out against prejudice and any trends towards antisemitism," Fitzwater said. There have been reports of intensified antisemitic attacks in the Soviet Union in recent months, and the National Conference on Soviet Jewry yesterday issued a statement calling on Gorbachev to make "a forceful, unequivocal condemnation" of antisemitism.

Fitzwater reported that the two leaders also reviewed the pattern of Soviet Jewish emigration to Israel and the United States and discussed the controversial subject of direct flights to Israel. Moscow has been under pressure from Arab states not to allow such flights on grounds that the immigrants would be settled in the occupied territories.

While regional conflicts dominated the agenda, both U.S. and Soviet officials were questioned frequently about why German issues had not figured in the talks. Soviet spokesman Arkady Maslennikov, pressed by reporters to say whether progress was made yesterday on the difficult subjects of Germany and Lith-

uania and at times confusing rendition of Soviet concerns and security requirements about Germany, U.S. sources said. One U.S. official described Gorbachev's presentation as "a kaleidoscope of Soviet concerns, fears, hopes and desires, including a lot of contradictory statements that need to be fleshed out."

Soviet Ambassador Alexander Bessmertnykh presented Assistant Secretary of State Raymond G.H. Seitz on Wednesday a written copy of a Soviet plan for enhancement of the 35-nation Conference on Security and Cooperation in Europe (CSCE) into a "Greater European Council" that would safeguard borders and help to resolve international conflicts. But there was little discussion of the Soviet plan in the Thursday meeting, U.S. sources said. And last night Gorbachev, as he has in the past, stressed that the German issue should be addressed in the "Two plus Four" mechanism involving the two German states and the victorious allies from World War II: the United States, Soviet Union, Britain and France.

Fitzwater said yesterday both leaders felt the Thursday's discussion of Germany was "quite productive" in that "they both have a better feel for each other's political and military concerns as it relates to the various alliances." He added, "They both have a better understanding of how they see the role of CSCE, how they see the role of NATO, about the need for United States forces to remain in Europe, about the Helsinki Final Act and what that means for Germany's right to make its own choices about what alliances it belongs to."

Much the same thing was said yesterday from the Soviet viewpoint by Valentin Falin, chief of the International Department of the Soviet Communist Party Central Committee and former Soviet ambassador to West Germany. The United States made its position on Germany clearer in the Thursday meeting, Falin said, and the Soviet presentation will give the U.S. side "some impetus to better understand the Soviet interests and concerns."

Fitzwater said that following the Thursday discussion, the leaders decided to turn over the matter to Baker and Shevardnadze to discuss when they meet next week at Copenhagen in a CSCE Human Rights conference and in other meetings to come, thus putting the matter on a slow-motion track.

A U.S. participant said the summit was a necessary way station in the evolving diplomacy on Germany, but the real potential for movement will come from continuing efforts involving the United States, West Europeans and the Soviets in the months ahead.

U.S. sources said the nine points presented by Bush to Gorbachev on Thursday are:

- ① Willingness to consider limitations on armed forces of a united Germany and other nations of the central area of Europe as part of a future treaty reducing land armies and other conventional forces on the continent. At this stage, the United States and its allies would like to conclude the current Conventional Forces in Europe (CFE) treaty now in negotiations without this complication.



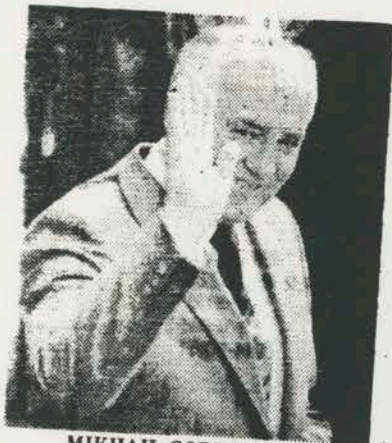


ania, replied, "My dear friends, you know, people live for centuries and they create problems for tens or a hundred years and you expect [them] to be decided in [a] few hours on meeting in the woods."

Senior officials said that German issues were not the subject of extensive discussions after the first day because it became evident in those talks that there was little promise of early resolution or even early moves toward compromise.

A participant in the Thursday afternoon White House meeting on Germany and Europe said Bush set forth a nine-point position which had been carefully worked up in recent weeks in an effort to ease Soviet concerns about a united Germany.

Gorbachev responded with a very



MIKHAIL GORBACHEV  
... discussed planet's "flash points"

■ Acceleration of negotiations on short-range nuclear forces in Europe, to follow quickly on completion of the current CFE accord.

■ Endorsement of transitional arrangements under which Soviet troops now in East Germany could remain there for a number of years.

■ Reiteration of pledges that a united Germany will not develop nuclear, chemical or biological weapons.

■ Assurances that NATO troops will not be deployed in what is now East Germany, even after a unified Germany joins the NATO alliance.

■ Pledges that guarantees will be issued of the inviolability of the current borders of Germany, a matter of prime importance to both Poland and the Soviet Union.

■ Willingness to upgrade CSCE by giving the organization a permanent secretariat and improving its responsibilities and effectiveness.

■ Review and revamping of NATO's strategy and force structure to make the alliance less menacing to the Soviet Union and reflect new realities in Europe.

■ Approval of economic arrangements between West Germany and the Soviet Union, under which Bonn will pay the cost of maintaining Soviet troops in East Germany for a transitional period, and will subsidize new housing for them when they return to the U.S.S.R.

Staff writers Ann Devroy and R. Jeffrey Smith contributed to this report.



# Bush-Gorbachev Talks: A View to the Future

## *Impasse on Germany Highlights New Style*

By Jim Hoagland  
Washington Post Foreign Service

"You are a sailor," Mikhail Gorbachev said in a friendly aside to George Bush as they began their discussion of German unification in the White House last week. "You will understand that if one anchor is good, two anchors are better."

The Soviet leader then launched into a long and rambling argument that a unified Germany should belong simultaneously to the Warsaw Pact and NATO. But it was the imaged introduction about anchors, and Bush's response, that captured for some of the American and Soviet officials in the room the chemistry of the still evolving relationship between the two leaders that has made this meeting a summit with a difference.

Bush's response was a firm rejection. But the president was careful to explain his reasoning in full and friendly fashion, beginning by saying that it was precisely because he did not understand "how two anchors could work" that he wanted to persuade Gorbachev that German membership in NATO alone was a better idea.

"When people read the record of the conversations of the Washington summit in the future, they will see that they were quite different than previous talks between Soviet and American leaders," said one senior administration official yesterday on the basis of detailed briefings on the White House conversations.

"These two men now know that in a long-term relationship they can make their countries cooperative partners instead of hostile enemies, if they can manage German unification and agree on what the future of Europe should be," the official added. "By the time George Bush leaves the White House, he could be dealing with the Soviet president as he would [with] a friendly West European nation."

Bush and Gorbachev reached no agreement on Germany in their two days of White House talks. Yesterday, during more relaxed meetings at Camp David, German unification was again discussed, but Bush on his return to Washington last night merely said the two leaders had exchanged views on the subject. Their earlier conversations had established this as the most important question and area of differences on their agenda.

Bush reportedly was not discouraged over the impasse on the German issue, which U.S. officials said would continue to dominate superpower relations for months to come as Bush attempts to persuade Gorbachev that U.S.-Soviet cooperation is both possible and vital in managing security issues arising out of unification.

But U.S. officials emerged from the White House talks without a clear sense of the priority that Gorbachev really places on the German issue as he confronts deepening economic problems and growing political challenges at home.

The Soviet president was noticeably distracted during the conversations and not as well prepared for them as he was for his meeting with

Bush in Malta or in his summits with former president Ronald Reagan, according to one summit participant.

"He was still as confident and dynamic as ever," this source said, "but he did not display the grasp of detail and of the general subjects that we have come to expect. And there seemed to be a large gap between the political level and the advisers in the Soviet delegation."

The political level—essentially Gorbachev and Foreign Minister Eduard Shevardnadze—repeatedly voiced flexibility and eagerness to push ahead in the Vienna talks on Conventional Forces in Europe (CFE). They surprised the Americans, for example, by accepting with little discussion a U.S. proposal to condition the holding of the 35-nation pan-European summit Gorbachev has proposed on a successful conclusion of the CFE talks in Vienna.

But the Soviet Foreign and Defense Ministry officials on the delegation emphasized problems rather than possibilities when they spoke to their American counterparts. At one meeting of the delegations, Gorbachev appeared to react with surprise when a Soviet official outlined Moscow's toughened, negative stance on the U.S. "Open Skies" proposal that both military blocs conduct mutual aerial reconnaissance.

In the 2½ hours of White House discussions devoted to Germany and European security issues, Gorbachev did not advance beyond his proposal for German membership in both alliances, repeating his reference to two anchors several times and asking Bush to understand the difficult political problems that unification poses for the Soviet people.

He did not raise the idea that Moscow might accept a unified Germany joining the political arm of the North Atlantic Treaty Organization as long as the Germans stayed out of the alliance's integrated military command—"the French model" of NATO membership that Gorbachev referred to in a Moscow press conference on May 25. Nor did he seek assurances that special limitations would apply to the size of a united Germany's armed forces.

The U.S. delegation had been prepared to reject both ideas but saw no point in raising them when Gorbachev did not. U.S. officials were also struck that Gorbachev did not repeat in the White House talks the irritable, defiant warnings against any Western attempts to "dictate" to the Soviet Union that he made in a press conference in Ottawa on Wednesday, just before he flew to Washington.

The friendly, at times joking manner Gorbachev and Shevardnadze adopted in their private Washington talks contrasted sharply with the Ottawa performance. At the end of Friday's formal signing of U.S.-Soviet agreements, Shevardnadze walked past a group of U.S. officials and told them to read again the text of a minor accord on maritime activities.

"Now that it is signed," the Soviet diplomat said, "you should know that it cuts both our navies by 50 percent." The American group joined his hearty laughter a moment later.



# Cold War Disputes Stall A-Arms Pact

## Soviet Bomber, SS-18 Missile Still Problems

By R. Jeffrey Smith  
Washington Post Staff Writer

The United States and the Soviet Union may have taken important steps away from the Cold War with understandings on trade and weapons last week, but their attempts to reach final agreement on a new strategic arms accord remain mired in some nagging disputes left over from more frigid times.

Progress on the accord has been complicated by two aging Soviet weapons—the Backfire bomber, and the large intercontinental SS-18 missile—that have been the subjects of arguments reaching back more than a decade to Jimmy Carter's abortive SALT II treaty.

Over the years, the weapons have become potent political issues, capable of inflaming partisans in each country as symbols of strength and weakness.

Senior U.S. and Soviet military leaders no longer refer to each other as enemies—Joint Chiefs of Staff Chairman Gen. Colin L. Powell said recently that the Soviets should be viewed as our “business competitors.” But “there is still an insufficient sense that we’re in the ‘end-game’ [or final phase] of negotiations,” one U.S. official said. “Various interest groups on each side are still protecting their hobby-horses, and no one is inclined to shift in the absence of a new message from the top that we want an agreement right now.”

A U.S. official who participated in some of the discussions said “part of the problem is that our counterparts are not in a strong position, and in this business it takes strength to make decisions. The events of the last five months have left [Soviet President Mikhail] Gorbachev with little room to maneuver.”

No longer do Gorbachev and his aides display their trademark flexibility, the official said. “Now they assert that any compromise will cost them something [in political terms] and they ask, ‘Do I have to pay that price and do I have to do it now?’”

More than 40 hours’ worth of haggling by experts produced only small gains on four of the five key issues obstructing a new treaty that will trim existing arsenals by 10 to 30 percent. This would leave each side with 8,000 to 10,000 nuclear warheads capable of striking the other’s territory, all of which are designed to explode with far greater force than the weapon that devastated Hiroshima in World War II.

But the SS-18 and the Backfire remained major sticking points.

“These are the crown jewels in the eyes of U.S. conservatives,” a senior congressional aide said of the Backfire and SS-18 yesterday. “They have been screaming bloody murder about these weapons for a long time.”

On the Soviet side, the weapons have also assumed a role in political debate that may exceed their military significance, a Soviet official said. He noted that a key aspect of the Backfire dispute concerns a potential limit on those bombers assigned to attack U.S. naval vessels in a tactical or strategic conflict.

Why, Soviet officials say, should they agree to limit such bombers when the United States has refused to consider any constraints on its own naval arms, as the Soviets have

*“Part of the problem is that our counterparts are not in a strong position, and in this business it takes strength to make decisions.”*

—U.S. official

demand? U.S. officials say that when pressed during discussions this week, the Soviets also repeated a longstanding argument that the range of the Backfire is too short for it to be considered a “strategic” weapon.

“Their whole attitude about the Backfire hasn’t changed one whit since the 1970s,” a U.S. official complained, adding “we both know we’ve got a problem to be solved here.”

By the end of a special negotiating session involving Soviet Foreign Minister Eduard Shevardnadze and Secretary of State James A. Baker III, the Soviets were willing to declare that the bomber could not be refueled in flight to give it a long-range attack capability, U.S. officials said. But they were not willing to accept a limit on Backfires assigned to naval strike units, and the Bush administration considered this “a loophole” that “no one in the West is willing to go along with,” an official said.

The administration also pressed unsuccessfully for stringent limitations on SS-18 flight tests needed to maintain the missiles’ reliability. But a U.S. official said the Soviets argued, “Why should we compromise any more? We have already paid enough” by agreeing to halve the number of these missiles, from 308 to 154. The United States has no missiles of comparable size or weight, and will not be required to take any similar step.

“Evidently, Baker wasn’t prepared to move any further, because he got savaged [by U.S. conservatives] for taking a few steps toward the Soviet position last month,” the congressional aide said. “And Gorbachev had reached his bottom line on arms concessions several months ago.”



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AM-SUMMIT-LITHUANIA URGENT

LITHUANIA-RUSSIAN PACT WOULD CREATE PROBLEMS, AIDE SAYS  
WASHINGTON, Reuter - Lithuanian President Vytautas Landsbergis said Sunday that the breakaway republic would soon sign a trade agreement with the Russian Federation led by Boris Yeltsin.

But within minutes of the comment, a senior Soviet foreign ministry official said if Yeltsin, a maverick populist elected president of the Russian Federation's parliament, signed such a pact he would have "problems" with the Soviet Union.

MORE