DC-LABOR-HHS APPROPRIATIONS/Conference, Passage

SUBJECT: **Conference report to accompany the District of Columbia Appropriations Bill for fiscal year 2000 . . . H.R. 3064. Agreeing to the conference report.**

ACTION: CONFERENCE REPORT AGREED TO, 49-48

SYNOPSIS: The conference report to accompany H.R. 3064, the District of Columbia Appropriations Bill for fiscal year 2000, contains the annual Labor, Health and Human Services, and Education Appropriations Bill as well as the District of Columbia Appropriations Bill.

An earlier version of the District of Columbia Appropriations Bill (see vote No. 279) was vetoed by the President, primarily because he objected to the needle exchange program language, which would have barred the District from giving clean hypodermic needles to drug addicts to be used for illegal drug injections. He also objected to the language that would have prevented the District from liberalizing its laws on marijuana and to the provision barring the District from using public funds to sue in Federal court to become a State. The Administration agreed to support the District of Columbia appropriations provisions in this bill after compromises were negotiated on two of the issues that had led to the veto. The first compromise was that private funds, but not public funds, could be used for needle exchange programs. The second compromise was that District funds, but not Federal funds, could be used in connection with a lawsuit to gain statehood for the District. The bill will provide the District of Columbia Government with $429.1 million in Federal funds and will approve a total budget for the District of $6.778 billion. The District's operating budget will be $5.3 billion and its capital budget will be $1.4 billion.

The Senate passed its version of the Labor, Health and Human Services (HHS), and Education Appropriations bill on a bipartisan vote (see vote No. 321). For the Labor-HHS bill, the President requested $325.1 billion in new budget authority; the Senate passed $326.4 billion. Since passage of the Senate bill, negotiations have been ongoing between the House and the Senate on the details of the final form that bill should take. The compromise proposal that was reached, which is included in this conference report, will provide $326.9 billion in new budget authority, including advance appropriations and trust fund spending. In funding for the current year (comprised of new fiscal year (FY) 2000 budget authority and advance appropriations from prior years), $313.624 billion will

(See other side)

YEAS (49)			NAYS (48)			NOT VOTING (2)	
Republicans (47 or 90%)		Democrats (2 or 4%)	Republicans (5 or 10%)	Democrats (43 or 96%)		Republicans (2)	Democrats (0)
Allard	Hutchison	Byrd	Abraham	Akaka	Kennedy	Gregg-[2]	
Bennett	Inhofe	Robb	Ashcroft	Baucus	Kerrey	McCain-[2]	
Bond	Jeffords		Fitzgerald	Bayh	Kerry		
Brownback	Kyl		Santorum	Biden	Kohl		
Bunning	Lott		Voinovich	Bingaman	Landrieu		
Burns	Lugar			Boxer	Lautenberg		
Campbell	Mack			Breaux	Leahy		
Cochran	McConnell			Bryan	Levin		
Collins	Murkowski			Cleland	Lieberman		
Coverdell	Nickles			Conrad	Lincoln		
Craig	Roberts			Daschle	Mikulski		
Crapo	Roth			Dodd	Moynihan		
DeWine	Sessions			Dorgan	Murray		
Domenici	Shelby			Durbin	Reed		
Enzi	Smith, Bob			Edwards	Reid		
Frist	Smith, Gordon			Feingold	Rockefeller		
Gorton	Snowe			Feinstein	Sarbanes		
Gramm	Specter			Graham	Schumer		
Grams	Stevens			Harkin	Torricelli		
Grassley	Thomas			Hollings	Wellstone		
Hagel	Thompson			Inouye	Wyden		
Hatch	Thurmond			Johnson			
Helms	Warner						
Hutchinson							

EXPLANATION OF ABSENCE:
1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:
AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

be provided after scorekeeping adjustments (the Senate approved $312.824 billion). Most of the Administration's concerns have been addressed in this compromise proposal. The two main areas of disagreement are that the proposal will not fully fund the Administration's request for its unauthorized program to hire teachers and that it will make a .97-percent, across-the-board cut in all discretionary spending in order to prevent total Federal spending this year from using any part of the Social Security surplus.

Congress will have completed its work in passing all 13 regular appropriations bills for this year by passing this conference report. At this time, 8 of those appropriations bills have been enacted, and the other 5 (including the Labor-HHS provisions of this conference report) have been vetoed or are under veto threats. On this bill and on the remaining bills to be enacted there are only a few areas of disagreement on policy issues and even fewer disagreements on funding issues. On funding, both the White House and Congress have agreed that the end result of this year's spending bills may allow the spending of the entire on-budget surplus of $14 billion but may not allow any part of the projected Social Security surplus of $147 billion to be spent. Both the White House and Congress have agreed to use Office of Management and Budget (OMB) scorekeeping for outlay estimates.

Those favoring passage contended:

This conference report contains the thirteenth and final appropriations bill for fiscal year 2000. Eight bills have been enacted, and the 5 remaining bills have been vetoed or are under veto threats. However, most of the remaining differences between the President and Congress on those 5 bills are minor. On this bill, there are two main disagreements. The first is over how to resolve the projected $3 billion of spending into the Social Security surplus. This bill will call for a .97-percent across the board cut in all Federal discretionary programs. The second is over funding for an unauthorized program to hire teachers.

Many of our Democratic colleagues act as if the .97-percent cut will cause the end of the world as we know it--we remind them it will come after we increase total spending this year. This huge "cut" is the equivalent of saying that the Government will not get as big a raise as planned. Some of the biggest increases in this year's budget are in the areas of education, health, and welfare. In this bill, for instance, Head Start funding will be increased by $570.9 million even after the 1-percent cut, for a total of $5.2 billion. Head Start, many other social welfare programs, health programs, and education programs will still have large increases.

The reality, as all Senators know, is that the complaints about this 1-percent cut are just for show. No one expects the President to sign this bill. We are passing it now with a 1-percent cut in order to prepare for moving into the final negotiations for the year on spending. Both the President and Congress have agreed that some way must be found to make up that 1-percent of spending in order to stay out of the Social Security surplus. Only the Administration has access to the detailed program spending information that is necessary to identify areas that can be scaled back without harming the programs involved. We have been waiting for the Administration to come up with a list of proposed offsets, but it has yet to act. Passing this bill will give it an impetus to act by making clear that we need only to resolve a few-billion-dollar difference out of a $1.7 trillion budget.

As for the teacher program, the Administration is being intransigent. It wanted $1.4 billion for a program that is not even authorized and which, as we have explained on previous votes, is of very dubious value. This bill will give $1.2 billion and will allow States to spend it on hiring teachers or on other priorities. We think we have gone more than half way in this compromise.

Many of us believe that this bill spends far too much money, and we dislike some of the budget mechanisms that have been employed, such as advance appropriations. Still, we are very pleased that the overall goal of protecting Social Security has been met. A few years ago, no one would have though that it would be possible for us to hold the line on spending so firmly that we would have a unified budget surplus of $147 billion. We urge our colleagues, therefore, to support final passage.

Those opposing passage contended:

Argument 1:

We oppose this conference report because it will only provide $1.2 billion of the $1.4 billion that the President requested for the Federal program to hire teachers. Further, it will not provide any direction to States on how to spend the money--they will be allowed to spend it on hiring teachers or on any other educational priority they may have. We think our Republican colleagues should be showing a greater commitment to this program, which only started last year. Also, we strongly object to the proposed 1-percent cut in all discretionary programs. That cut will hurt every program. For instance, Head Start will lose money and will be able to serve 5,000 fewer children. This meat-ax approach is wrong. This conference report should be rejected.

Argument 2:

Tucked into this huge appropriations bill is a legislative rider that will cause the needless death of hundreds of Americans next year. That rider will forbid the reform of organ donor procedures. Under current law, organs are made available not just based on need but also based on the region in which they were donated. An estimated 1,000 of the 4,000 people who die each year waiting for an organ to be donated could have been saved if not for this regional distribution practice. The National Institutes of Medicine has studied this practice and has found that it is totally unjustified. We oppose this conference report because of this deadly rider.