

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001, footnote	S.3 Campaign Finance Addendum footnote re: Independent Expenditures (partial) (1 page)	2/3/93	P5

COLLECTION:

Clinton Presidential Records
 Domestic Policy Council
 Bruce Reed (Subject File)
 OA/Box Number: 21207

FOLDER TITLE:

Political Reform [2]

rs68

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. CAUSE 1/29

- ① Lobbying expenses
- tax deductibility
- ② How to strengthen?
- Require disclosure of campaign finance
- ③ Who's opposed? Who should I call? Cohen
- ④ Borel bill

Fred: Cut it off = 1st line

what we can't cut off, we want to see = 2^d line

Want to be able to cross-tab lobbying contribs + expenses

Break out grass roots lobbying figure

Don't want to pass law weaker than the Arkansas ethics

Circumstances have changed

S.3 - bundling - lobbyists

Gifts, meals, entertainment Travel

Campaign contribs

Only issue where nothing was done after Watergate

Civil penalties good

PETER LEVINE /29

How to strengthen

① Make it a duty of ~~the~~ OLRPD (DOT) w/computer compatible

② PACs: Peter will do

③ Hosting PRs?

Y No

→ Amend FEC

- Lobbying disclosure should be part of financial disclosure act
 - Doesn't matter whether person's a lobbyist or not - should
 - Ethics rule, not disclosure rule
 - Boren - revolving door - ask him

[→ Peter will get answers on Ark ethics law]

* → Separate line item for ^{gifts-entertainment} money spent (lobbying, Congress, grassroots)

No way: Itemized lists of expenses or members

Not auditable figure

Opponents

THE WHITE HOUSE
WASHINGTON

DATE: 2/2/93

TO: Bruce Reed

FROM: JOHN D. PODESTA
Assistant to the President and
Staff Secretary

The attached has been forwarded
to the President.

THE WHITE HOUSE

WASHINGTON

FEBRUARY 2, 1993

MEETING WITH CONGRESSIONAL LEADERSHIP
ON POLITICAL REFORM

DATE: February 3, 1993
LOCATION: Roosevelt Room
TIME: 3:30 PM
FROM: Michael Waldman
Special Assistant for
Policy Coordination

I. PURPOSE

You will be meeting with the relevant congressional leadership to discuss moving forward on political reform (campaign finance reform and lobbying reform). The goals are: a) to let them know you are serious about political reform, and want early action; b) to let them know that you want to have maximum possible consultation and input from them as you draft your plan; c) to set up a process for consultation.

II. BACKGROUND

Campaign finance reform

Last year, as you know, Congress passed S.3, which was vetoed by President Bush. This year, the legislation was reintroduced as a "placeholder" by both the Senate and House leadership.

The Senate is committed to this legislation, and would be willing to strengthen it further. Last year's bill included strict limits on "soft money," and Sen. Mitchell is ardently committed to soft money restrictions. However, in a meeting with David Wilhelm, Michael Waldman and Steve Richetti last week, he indicated that he would be open to proposals that would restrict soft money but ensure strong parties (e.g., matching funds for contributions to parties).

The House is significantly more reluctant to act, but recognizes the political need to move forward. They care, in particular, about spending limits (which they support) and about PAC limits (which they resist, since House Democrats get over half their money from PACs).

Lobbying disclosure legislation. Sen. Levin and Rep. John Bryant will be introducing legislation to streamline and

strengthen lobbying disclosure rules. This is relatively non-controversial, and should pass easily.

Revolving door legislation. Following a discussion with you, Sen. Boren introduced legislation that would codify your 5 year revolving door ban, and also would apply it to congressional staff. Sen. Boren believes that he did this at your request; but it is violently opposed by the leadership. It is important to refrain from implying that you are urging this legislation.

III. PARTICIPANTS

President Clinton
Vice President Gore

Majority Leader George Mitchell (lead sponsor of legislation, very committed to S.3's soft money language)

Sen. Wendell Ford (whip and chair of Rules Committee)

Sen. David Boren (sponsor of campaign finance reform and of legislation to codify your 5 year revolving door ban)

Sen. Bob Graham (chair, Democratic Senatorial Campaign Committee)

Sen. Carl Levin (author, lobbying disclosure bill)

Sen. John Glenn (chair, Government Affairs committee, which has jurisdiction over lobbying disclosure bill)

Speaker of the House Tom Foley

Majority Leader Richard Gephardt

Rep. Sam Gejdenson (chair, House Task Force on campaign reform and principal author of last year's bill)

Rep. Al Swift (chair, Subcommittee on Elections)

Rep. Charlie Ross (chair, House Administration Committee)

Rep. David Bonior (Democratic Whip)

Rep. Vic Fazio (chair, Democratic Congressional Campaign Committee)

Mack McLarty

George Stephanopoulos

Howard Paster

Susan Brophy

Michael Waldman

Bruce Reed

Steve Richetti

Lorraine Miller

IV. PRESS PLAN

Pool press will spray the room.

V. REMARKS

Talking points attached.

TALKING POINTS FOR POLITICAL REFORM MEETING

[NOTE: The congressional leaders may wish to pin you down on specifics of the legislation. I recommend that you avoid making such commitments, since we may need to go through tough negotiations to achieve a package.]

* I am deeply and personally committed to political reform. The American people have stated clearly that they want this change, and it was one of the things that I committed to during the campaign. I believe these reforms are necessary not only to make our government work again, but also to help revitalize the Democratic party and connect it to average people again.

* I believe we should move early on this issue. This is integrally related to our economic plan. We are asking the public to sacrifice. We need to show them that we are getting our own house in order -- we need to change their perception that politics and government is run for big interests and not for them. If we don't act quickly, this could bog down. Let's get it over with.

* Our goal is to release a plan that can then pass the Congress. We are drafting a political reform plan, particularly campaign finance reform, that we hope to release soon.

* I am committed to working closely with the Congress in drafting and then passing this legislation. Our goal here is not to score points -- it's to pass credible legislation. At every step of the way, we want your input, your concerns, your proposals and suggestions. This week we have begun an intensive consultation process, and we intend to continue it.

- On my staff, of course you can talk to our legislative staff. On the details of the plan, Michael Waldman is the point person for campaign finance reform, and Bruce Reed is the point person for lobbying disclosure.

- Let us know how you wish to be involved, and whom we should see.

* Our end goal should be both to reduce special interest influence and to increase democratic participation in politics -- to encourage average citizens to participate. We need to make sure that whatever reforms we implement, they broaden participation and enable candidates to run without being wealthy or having access to big money.

**ADDENDUM:
SUMMARY OF S.3 (EXISTING CAMPAIGN FINANCE REFORM LEGISLATION)
AND
YOUR CAMPAIGN POSITIONS ON THIS ISSUE**

GENERAL

S. 3 was sent to President Bush in the Spring of 1992. At that time, you said that you would have signed it, and wanted the legislation strengthened.

1. SPENDING LIMITS (linked to public benefits)

Current law: None

S. 3: Included voluntary spending limits for both House and Senate candidates.

- House: \$600,000 per candidate, plus an extra \$150,000 if there has been a closely contested primary.

- Senate: limits varied by state population, ranging from California (\$8.25 million) to Wyoming (\$1.6 million). (The limit for Arkansas would be \$1.76 million.)

Campaign position: You supported capping the spending in congressional campaigns, but gave no specifics about the level of spending.

2. PUBLIC BENEFITS (linked to spending limits for complying candidates)

Current law: none

S.3: Candidates who complied with spending limits received a mix of public benefits.

- House candidates received matching funds of up to \$200,000, matching contributions of \$250 or less.

- Senate candidates received "communications vouchers," to be used for purchase of TV, radio or postage, worth 20% of the spending limit. Candidates also received deeply discounted TV advertising time (50% of the lowest unit rate, nonpreemptible).

Campaign position: In Putting People First, you proposed "opening up the airwaves."

3. PAYING FOR THE PUBLIC BENEFITS

S.3: None.

Campaign position: You proposed eliminating the tax deductibility of lobbying expenses, which would bring in about \$100 million per year (\$200 million per cycle). This could be used to pay for broadcast vouchers (see above).

4. PAC LIMITS

Current law: PACs can give \$5000 for primary and general election campaigns (\$10,000 total).

S.3: The House and Senate took different approaches.

- Senate cut the size of PAC gifts in half (to \$2500) and capped total receipts at 20% of spending limit.
- House did not change PAC contribution size, but capped total at \$200,000.

Campaign commitment: You proposed to limit PAC contributions to \$1000 per race. (This is extremely controversial with House Democrats, since wealthy givers favor Republicans while PACs favor Democrats; one option would be to reduce PACs to \$2500 and individual contributions to \$500, thus cutting both in half.)

5. SOFT MONEY

Current law: The 1979 FEC amendments and the 1990 and 1992 FEC rules have allowed substantial sums to be raised and spent for presidential campaigns in sums that are larger than allowed under federal election law (FECA). These exemptions include funds used for voter registration and get-out-the vote drives, "volunteer" activities, slate mailers and sample ballots, etc. These sums are generally not disclosed and are not limited. Reformers argue that this effectively negates the entire edifice of federal campaign law.

S.3:

- S.3 would increase to \$10,000 per year the amount that any individual or PAC can give to state party committees and their subordinate or local committees.
- It would limit spending on behalf of the national ticket by state or local party committees (for example, about \$800,000 in California).
- During a period between April and November of an election year, any money raised or spent for state party GOTV, voter registration or other specified activities that affect a

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federal race would be brought under federal spending and contribution limits. (This repeals the "party building" exemptions in the 1979 law and the allocation formulae that are used to implement them.)

- National party committees, federal officeholders and federal candidates would be barred from soliciting contributions on behalf of state parties unless they are exclusively used for state parties.

- National political parties would be required to itemize and disclose to the FEC all receipts and disbursements above \$200.

Campaign commitment: In February, in New Hampshire, you promised to support the soft money language of S.3. Common Cause: "Will you make a public commitment now to support the legislative provisions passed by the U.S. Senate last year to end the use of huge Watergate-style 'soft money' contributions to support presidential campaigns?" Answer: "Yes, provided that upon enactment the Republican Party is held to the same rules."

6. INDEPENDENT EXPENDITURES¹

Current law: Individuals, corporations or PACs that make independent expenditures must disclose them to the FEC, and must have a disclaimer stating their sponsorship.

S.3: The legislation seeks to blunt the impact of independent expenditures rather than prohibiting them (which is constitutionally barred).

- Requires faster and fuller disclosure, and bars independent expenditures where the spender has communicated with the candidate about the campaign.

- Participating House candidates may waive the spending limits and receive extra matching funds to compensate for independent ads.

[REDACTED]

7. NONCOMPLYING OPPONENT

Current law: None.

S.3:

- House: candidate may exceed spending limit once opponent raises 50% of spending limit, and may receive additional matching funds once opponent raises 80% of limit.
- Senate: Receives additional public benefits to match non-complying opponent's spending beyond limit (up to double the spending limit); at that point, additional spending allowed if non-complying opponent more than doubles the limit.

Death Miscount From Korean War Etched Into History, Memorial

along. Now they're acting like it's a new revelation."

Some Pentagon officials have for years considered the 54,000 figure inflated, and they believed before the memorial was dedicated in 1995 that engraving that number in black granite would be misleading, according to interviews. But at the insistence of the veterans committee that oversaw the memorial's construction, the figure was used.

Far more than a numbers game, the issue is emotional to many Korean War veterans, who see the revised total as another slap at their oft-ignored sacrifices.

Some of the veterans, tired of their conflict being slighted in favor of the Vietnam War, say 54,000 is accurate because all those killed were part of the war effort, regardless of where they died. Veterans are angry at suggestions from VFW Magazine and others that the number engraved along the memorial's Pool of Remembrance be changed.

"We're committed to the total cost of the war: 54,000," said retired Marine Gen. Ray Davis, who was awarded the Medal of Honor after the Marine breakout from the Chosin Reservoir and who was chairman of the Korean War Veterans Memorial Advisory Board when the memorial was dedicated. "Under no circumstances would I like to see the memorial changed."

If the Vietnam Veterans Memorial included out-of-area deaths along with the 58,000-plus names engraved on the wall, it would gain more than 20,000 names of Americans who died in the United States and elsewhere from 1965 through 1975, according to a study cited by VFW Magazine.

Ironically, two Korean War veterans from Maine are responsible for bringing the issue to the fore through years of prodding, according to Kolb.

Hagelin, who was with the 2nd Infantry Division during the bloody fighting for the outpost known as Old Baldy, read an article in the early 1990s that said the

54,000 Americans killed in the Korean War included 20,000 non-battle deaths. "I couldn't believe it," said Hagelin, 69, a self-described "Maine farm boy" living in the town of Dover Foxcroft. "I didn't believe the percent of non-battle deaths could be correct."

Hagelin started making inquiries at the Pentagon, asking to see statistics on the non-battle deaths, which usually stem from accidents, training fatalities or disease. "I'd get stonewalled," he said. "They kept no records on it, they claimed."

But Hagelin obtained some data after members of Maine's congressional delegation applied pressure on his behalf. He teamed up with a former soldier from Augusta, Marty O'Brien, who was independently investigating the matter. "The numbers were all over the place," said O'Brien, 70, a 1st Cavalry Division veteran.

Through the Freedom of Information Act, O'Brien obtained a microfiche showing the Army's non-battle deaths during the Korean War, information the Army had claimed did not exist. Working together, Hagelin and O'Brien helped establish that most of the 20,000 non-battle deaths had occurred outside Korea.

Following their efforts, the Pentagon published statistics in 1994 and subsequent years showing that 17,000 of the non-battle deaths had occurred elsewhere. About 2,800 of the non-battle deaths had occurred in the theater. When that figure was added to the 33,600 killed in battle, the number of Americans who died in the war came to fewer than 37,000.

Nonetheless, the Pentagon made no effort to publicize the new number, and the 54,000 figure continued to be generally accepted, particularly after the Korean War memorial opened.

"I had been there and seen the number 54,000 on the stone, so I believed it," said retired Air Force Maj. Gen. Nels Running, director of the Pentagon's Korean War Commemorations Committee and a former senior commander of U.S. forces in Korea.



Aliza Bernstein, 8, of State College, Pa., visits the Korean War Veterans Memorial. The war started 50 years ago.

The committee used the higher figure in promotional bookmarks it published early this year. "The 54,000 number became so pervasive in the secondary literature that we felt it not necessary to go to the primary sources," said Air Force Maj. Bob White, the committee's historian.

White said he learned that the figure was suspect from a military historian who saw one of the bookmarks. "He said, 'You have a problem.' And indeed we did," White said.

The 54,000 figure dates to the war's end in 1953, reflecting about 33,600 killed in battle and 20,600 non-battle deaths worldwide.

The error appears to have resulted from an effort to make the Korean War figure more accurate.

In the 1950s, the Pentagon focused on battle deaths, said Thomas Campbell, an official with the Pentagon's Directorate for Information Operations and Reports, which is responsible for casualty

figures. So, the figure of roughly 33,000 was generally used to describe Korean War deaths, rather than 54,000.

During Vietnam, the Pentagon included non-battle deaths in reporting casualties in that war, Campbell said. Officials then decided that for consistency, Korea's non-battle fatalities should be added to the war's death toll in the annual almanac of defense statistics. "That's when the confusion came into play," Campbell said.

The only non-battle deaths included for Vietnam were those in the theater. But all non-battle deaths were added to the Korean figure, without any explanation that the number represented a worldwide total.

The total of 54,000 became the common reference for Korean War deaths. For many Korean veterans, the fact that it is close to the 58,000 killed in Vietnam is significant. "It's a matter of personal pride for them: 'We had a more

brutal war. We lost almost as many in three years as you lost in 10,'" Running said.

According to Campbell, "nothing much was said [about the out-of-area deaths] until the Korean memorial went up. The 54,000 is the way that the people who built the memorial wanted it, whereas the [Pentagon] view was to treat it the same way as Vietnam."

The veterans' view won out. "Had it not been for the Korean War, they would never have been drafted," Bob Hansen, executive director of the Korean War Veterans Memorial Advisory Board, said of those who died. "It was the shake of the dice where they were sent."

Kolb said those who died elsewhere during the years of Korea and Vietnam would be better honored on a Cold War monument.

The Korean War had plenty of death as it was, he said. "Almost 37,000 Americans killed in three years is more than enough."

Today's Events

2 p.m.
Wreath-laying pre-ceremony; musical performances.

4 p.m.
Opening ceremony; welcome remarks.

4:20 p.m.
Remarks by the Korean ambassador to the United States; Korean War Service Medals will be awarded to six veterans representing all services.

4:40 p.m.
Remarks by Korean War veteran John Glenn.

4:45 p.m.
Keynote address by President Clinton.

5:00 p.m.
Performance of "God Bless America" by Connie Stevens.

5:02 p.m.
Flyover of Korean War-vintage aircraft.

5:08 p.m.
Wreath-laying at the Korean War Veterans Memorial.

5:15 p.m.
Benediction.

5:20 p.m.
Conclusion and post-ceremony musical performances.

Free transportation to and from the day's events will be provided for Korean War veterans and their families via buses from the Pentagon's North Parking lot and the Pentagon Metrobus platform in Virginia. The buses will run continuously from 1 p.m. to 3 p.m. and from 5:30 p.m. to 7 p.m.

2 1/2

Polit Reform

White House May Rethink Lobbying Ban

By CHARLES BABINGTON,
Washington Post Staff Writer

President Clinton was so eager to tighten restrictions for those who might leave his administration and start lobbying that he signed a tough new executive order only minutes after taking the oath of office in January 1993. But now that his presidency is winding down and some top aides are considering lobbying careers, the White House is mulling whether to soften those restrictions.

Clinton's 1993 executive order requires senior administration officials to wait five years after leaving the government before lobbying any federal agency for which they had "any responsibility." It imposes a lifetime ban on representing a foreign government.

In his first full day as president, Clinton said the new lobbying ban would help "uphold the highest possible ethical standards" and "guarantee that the members of this administration will be looking out for the American people and not for themselves."

Before the Clinton order, federal law required a one-year "cooling off" period—rather than five years. It also barred former senior officials of the executive branch from ever lobbying on a specific issue in which they were personally and substantially involved.

From the beginning, some government offi-

cials and outside analysts said the 1993 executive order's restrictions were too severe. Several warned that the lobbying ban could make it difficult to recruit top-notch executives to the new administration.

For more than seven years, Clinton has refused to alter the requirement that senior officials pledge to abide by the restrictions. But now the policy "is under review," White House spokesman Jake Siewert said in a recent interview.

It is unclear what changes, if any, the administration might make. Siewert referred further questions to the White House counsel's office, which declined to provide details.

"There are no ongoing discussions of modifying the pledge," said David Apol, associate counsel to the president. He did not take issue with Siewert's comment, but added, "I would not have used that term. . . . I suppose there's nothing that's not under review."

Asked if the lobbying ban is likely to be in place when Clinton leaves office in January, Apol said, "I wouldn't want to speculate about that."

He said it is no secret that some people inside and outside the government feel the ban is too restrictive. "There are concerns that have been aired for some time," he said. "We have listened to those concerns."

White House Chief of Staff John D. Podesta

also said "there's no active review" of the lobbying ban, and declined further comment.

Stephen Potts, director of the federal Office of Government Ethics, said his staff previewed Clinton's plans for the 1993 executive order and concluded that it was "more restrictive than need be and it was going to have an inevitable chilling impact on their ability to recruit." Before Clinton took office, his staff agreed to drop the main item that Potts's office objected to, which would have restricted lawyers' ability to appear in court under certain circumstances.

Gregory Walden, a Washington lawyer who served in the Bush White House, said if the Clinton administration is considering a softening of the restrictions, "it's about time, because the executive order is overreaching." Walden, who wrote a book about government ethics, said he is particularly bothered that senior officials must agree to a lifetime ban on lobbying for a foreign government.

Given that Clinton is a champion of globalization and free trade, he said, "what is so pernicious and sinister about representing a foreign government" that is dealing with U.S. agencies?

Walden said the federal law that existed before Clinton took office was a sufficient safeguard against possible abuses of a revolving door between government service and lobbying.

Political Reform

House weighs end of franking

GOP lawmakers assail free mail

By Greg Pierce
THE WASHINGTON TIMES

Republicans yesterday called for slashing or eliminating free congressional mass mailings as the House held its first hearing on the subject in at least 20 years.

"I am pleased that this committee is letting the sun shine on what I think could be one of the most flagrant abuses in Congress: the abuse of the franking privilege," Rep. Michael N. Castle, Delaware Republican, told the House Oversight Committee.

"Your committee recognizes that we need some serious change in this area, and I applaud you for your efforts to cut the current congressional mail budget by one-third. But I think we need to go further," Mr. Castle said. "Clearly, the time has come to end the use of taxpayer-paid mass mailings for the re-election campaigns of incumbent members of Congress."

Rep. Bill Thomas, California Republican and committee chairman, said some sort of franking-reform legislation likely will emerge from his panel this year.

"It is the will of this committee and this majority" to limit franking, Mr. Thomas said.

In February, the committee cut members' mailing allowances, and at least eight bills have been introduced this session that would restrict the frank.

In 1991, the House provided some accountability by allocating mailing funds to members according to the number of households in their districts.

Before that, members withdrew funds from a central account, and there was no way of telling how much an individual member spent. In 1991, the House also began enforcing a ban on mass mailings within 60 days of an election.

Those reforms succeeded in significantly reducing the cost of House franking, but Mr. Thomas said mail expenses still rose in "even-numbered years," meaning election years.

A chart behind him showed that Congress spent \$31 million on franked mail in 1991 but \$54 million in 1992. The figures were \$25 million in 1993 and \$42 million in 1994.

Rep. James C. Greenwood, Pennsylvania Republican, said statistics "demonstrate that incumbents are using the congressional frank as a campaign tool to skirt the law and pay for self-promoting public relations mailings during the election cycle."

"I was the victim of this practice during my 1992 campaign against an incumbent member of Congress," Mr. Greenwood said. "I was informed by dozens of individuals that they had received unsolicited, franked correspondence from my predecessor just days prior to the general election. The incumbent denied abusing the system, and only after the election were we able to prove that he had not been telling the truth."

Proposed franking reforms include:

- Slashing the mail allowance.
- Outlawing newsletters, which some witnesses called political "propaganda."
- Allowing for better disclosure of what individual members of Congress send constituents.
- Cracking down on "499s" — a loophole that lets members sidestep the ban on mass mailings within 60 days of an election by sending out fewer than 500 letters at a time.
- Banning the transfer of office funds to mailing accounts.
- Banning all mass mailings.

FCC seeks to improve quality of TV for kids

By Doug Abrahms
THE WASHINGTON TIMES

Federal regulators yesterday took steps toward requiring broadcasters to raise the quality of children's television, including a minimum amount of educational programming per week for each station.

In addition, the Federal Communications Commission would tighten up its present rules that allow shows like "The Jetsons" and "Teenage Mutant Ninja Turtles" to be counted as educational fare.

Though it did not adopt these ideas as final rules, the FCC formally agreed to study FCC Chairman Reed Hundt's plan aimed at improving the quality and quantity of children's TV broadcasting. The commission agreed to seek public and industry opinion on the proposals for possible action by year's end.

Cable channels would not be affected.

A station could pay other stations to produce and broadcast programs for part of its weekly quota, which could lead to one or more channels putting heavier emphasis on educational broadcasting, an FCC official said.

Commissioners James Quello and Andrew Barrett objected to quotas as a violation of broadcasters' First Amendment rights.

"Quantitative program standards are a First Amendment time bomb," said Mr. Quello, a former broadcaster. "It's hard to be against doing something for children's programming, but it will not hold up in court and doesn't make sense," he said.

Children get educational programs, he noted, from other sources including personal computers, cable television and videocassette players.

The Washington Times
* THURSDAY, APRIL 6, 1995

The agency also hopes its proposed rules will close loopholes that allow shows like "Leave It to Beaver" and "Super Mario Brothers" to be labeled educational.

"Apparently, our old definition was broad enough to drive a truck through," said Commissioner Rachelle Chong. "TV can help shape children to be better learners and citizens."

Another approach the FCC is pursuing would not set quotas but put license renewal applications under closer scrutiny for a station's amount and quality of educational programming. Under the Children's Television Act of 1990, the FCC has the authority to take educational programming into account when renewing a license.

Peggy Charren, founder of Action for Children's Television, was not satisfied with the FCC's action. She had urged requiring TV stations to show five hours of children's educational shows per week. Ms. Charren, an advocate of more and better children's programming for 27 years, helped push the 1990 law through Congress.

"At the very moment when children are getting zapped by health and education cutbacks, the Federal Communications Commission had a unique opportunity today to take action which could improve children's lives — without costing a penny of taxpayers' money. But it appears that they are unwilling to do so," she said yesterday.

Broadcasters also weren't happy. TV stations air an average of 3.7 hours of children's educational programming weekly, which is nearly double what they carried in 1990, said Lynn McReynolds, a spokeswoman for the National Association of Broadcasters.

see CHILDREN, page B9

CHILDREN

From page B7

"We don't like quotas, period," she said, which would make the government a judge of what shows are educational, she said.

All five commissioners spoke of their disappointment that broadcasters had not done enough to promote children's educational programming since 1990.

All FCC commissioners supported clarifying the definition of educational programming for children.

"We take this action because some broadcasters have chosen to claim cartoons, news programs or some general audience programs of dubious educational value... as children's educational programming," Ms. Chong said. "Let's take advantage of the fact that children like television."

When domestic tranquility ceases

By Mensah Dean
THE WASHINGTON TIMES

Evelyn Smith joined the ranks of women who are victims of domestic abuse the day after her January 1988 wedding. She and her new husband, Charles, spent their honeymoon at home in New Carrollton because they couldn't afford to take a trip.

"I was having a good day. It was quiet," she recalls with clarity. "We took the phone off the hook."

But later, as they talked about hanging family pictures, it happened.

"He grabbed my arm and scolded me like I was a child," she recalls as she sits on a sofa in her Fort Washington home.

As the weeks passed, punches and kicks replaced insults. He beat her for any reason: if she changed her hairstyle; if she changed the color of her nails; if she didn't walk straight.

During their four-year union, Mrs. Smith called 911 eight times, but the beatings were countless. She suffered a fractured ankle, bruised ribs, and severe head injuries and seizures. Her mouth had to be wired shut, and once she

was hospitalized for two months. The violence ended Nov. 12, 1991. That is the day she shot her husband through the heart after a particularly brutal beating.

The next year a Prince George's County jury acquitted her of first-degree murder, making her one of the first women in Maryland to successfully use battered-spouse syndrome as a defense.

Today, Mrs. Smith, 37, has turned her ordeal into her life's work. A former nursing assistant, she is a shelter manager for the Family Crisis Center Inc. in



Evelyn Smith is writing of her experiences as a victim of spousal abuse in an upcoming autobiography titled "Why?"

Photo by Kevin T. Gilbert/The Washington Times

Prince George's County. She also serves on the board of the Maryland Network Against Domestic Violence.

She has told her story on "Geraldo," "Jenny Jones" and "Donahue." And she is telling it in her upcoming autobiography, "Why?"

There is no question that men, women and children suffer domestic violence. There is, however, a growing debate over how many abused men, women and children there actually

are in America.

This was highlighted last month during the inauguration of the Justice Department's Violence Against Women Office.

In noting the problem of domestic violence, President Clinton cited several figures: Some of them have come under scrutiny from experts, and at least one was later retracted by White House spokesman Michael McCurry.

Among the president's assertions was that over the past decade rape rates have grown three times faster than the total crime rate; 700,000 women are raped every year; domestic violence is "the No. 1 health risk" to women ages 15 to 44, "a bigger threat than cancer or car accidents"; and a woman is attacked in the United States every 12 seconds.

The FBI supplied that last statistic, which is the one Mr. McCurry retracted. Regarding the other statistics, Science Quarterly reported in 1993 that "empirical literature suggests a general downward trend in violent crimes against women."

"The administration uses the term 'family violence' to describe everything from grabbing someone by the arm to bashing someone's head in with a candlestick," notes syndicated columnist Tony Snow. "Ironically, men suffer more attacks than women each year under this expansive definition of abuse. A more honest statistic, sobering in itself, reports that approximately 100,000 women suffer a severe battering each year."

To help curb the problem, Congress enacted the Violence Against Women Act as part of the \$30 billion crime bill. It calls for \$1.6 billion in federal funds to be allocated to states for programs combatting domestic violence.

Mr. Clinton released the first \$27 million on March 21, when he also announced the appointment of former Iowa Attorney General Bonnie Campbell as head of the Violence Against Women Office.

During the ceremony, he spoke (and misspoke) on the subject:

"If children aren't safe in their homes, if college women aren't safe in their dorms, if mothers can't raise their children in safety, then the Ameri-

can dream will never be real for them, no matter what we do in economic policy."

Some well-known and some not-so-well-known people will say something similar on Sunday at a rally on the Mall.

Scheduled to participate are several members of Congress and celebrities; Charlotte Fedders, battered ex-wife of John Fedders, former enforcement director of the Securities and Exchange Commission; Katie Koestner, a date-rape victim who has organized support programs on college campuses; and Desiray Bartak, 14, who founded a peer support group for children who have been sexually abused. Mrs. Smith will also be there.

There will be an interfaith service at 9:30 Sunday morning, and the Clothesline Project will make its debut. Similar in concept to the AIDS quilt, T-shirts bearing the names and stories of more than 6,000 people who regard themselves as survivors of domestic violence will be exhibited.

Christel Nichols, executive director of the House of Ruth, which runs a shelter for battered women in Washington, says one of the most important things the rally can accomplish is to help change the way people view domestic violence.

"Domestic violence occurs because of attitudes," she says. "It's not tied to something like a lack of resources or a lack of skills. It occurs in relationships because there's this notion that it's more beneficial to be abusive than not."

Hindering efforts to change those attitudes, she says, is a national state of ambivalence on the issue. "No one comes out and says, 'We support domestic violence.' However, folks must be supporting it privately or else it wouldn't be such a big problem."

Unlike the issue of abortion, which many label a "women's issue," domestic violence should be dealt with by both sexes, say many in the anti-domestic-violence movement.

"It's a man's issue," Ms. Nichols says. "It takes two to be involved in this."

The National Black Women's Health Project in Atlanta is reaching out to men. The group has been around since the '80s and always had a national spokeswoman for its domestic violence campaign. Last month it named R&B singer Gerald Levert as a national spokesman; he'll share the honors with actress Jada Pinkett. The group will hold its annual conference June 22 in Baltimore.

Mr. Levert, who performed last weekend at Constitution Hall, is not a newcomer to the issue of domestic violence. Two years ago he wrote the song "How Many Times," which deals with the issue. The song is on his latest album, "Groove On," which has just gone platinum — meaning that a million copies have been sold. The song's video was directed by and stars Miss Pinkett.

"My whole role in this is to help men try to get help for [being abusive]," Mr. Levert said in his dressing room before his show started. "Some men do it, and they still say they love their wives or girlfriends. But I can't see that."

Being on tour, he says, has made him acutely aware of the nation's domestic violence problem. He says no matter what city he performs in, he hears similar tales of abuse.

Just as wrong as the violence, he says, is that "a lot of women take the blame for it. How can you take the blame for your black eye?"

Sobering statistics on victims of abuse

Problems such as domestic violence, which cut across racial and economic lines, often get the nation's collective attention only after the stories of famous victims, such as Nicole Brown Simpson, come to light.

The statistics are daunting:

■ Every year, domestic violence results in almost 100,000 days of hospitalization, almost 30,000 emergency department visits and almost 40,000 visits to a physician, according to the American Medical Association.

■ Every year, domestic violence results in more serious injuries to women than mugging, automobile accidents and rape combined, says the San Francisco-based Family Violence Prevention Fund.

■ In homes where spousal abuse occurs, children are abused at a rate 1,500 percent higher than the national average, a 1993 study by the National Coalition Against Domestic Violence reported.

■ According to the FBI, 1,400 women are murdered every year by a present or former husband or boyfriend.

— Mensah Dean

The Washington Times
* THURSDAY, APRIL 6, 1995

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CELEBRATING OUR 40TH YEAR AS THE NEWSPAPER OF CAPITOL HILL

VOL. 40, NO. 57

THURSDAY, FEBRUARY 9, 1995

\$3.00

House Franking Slashed by 33%

Republican Fire Sale



Photo by Maureen Keating

Ways and Means Chairman Bill Archer is giving away these computers to other Members, p. 14.

By Timothy J. Burger
and Alice A. Love

In a move that will have a major effect on Members' office operations, the House Oversight Committee yesterday slashed the franking authorization by some 33 percent from its 1994 level — to an average ceiling of \$108,000 per Member.

At its second full committee meeting yesterday, House Oversight also named task forces to handle four contested House elections, argued over the GOP's elimination of legislative service organizations (LSOs), and agreed on new regulations governing Congressional Member organizations (CMOs).

But one of the most far-reaching of the many reforms to emerge thus far in the transition to the Republican majority was the reduction in the franking authorization, offered by freshman Rep. Bob Ney (R-Ohio).

"I think that sets a responsible tone," said Ney, whose amendment cut some one-third from the average 1994 franking authorization of \$163,000, which is 77.5 percent of the statutory limit on such mailings.

"We've made a significant change here," Ney said at a press conference held by several reform-oriented GOP freshmen after his measure passed.

Freshman Rep. Sam Brownback
Continued on page 16

New Officials Straight From Private Sector

By Juliet Ellperin

Though Republicans have refused to announce the House's new middle management team, financial disclosure reports reveal the names and private-sector backgrounds of the highest-paid officials who have been running Congressional operations since Jan. 4.

Chief Administrative Officer Scot Faulkner, who vowed to recruit reformers from the private sector to help him oversee House operations ranging from the post

Continued on page 17

More Bad News For Former LSOs

Continued from page 1
(R-Kan) said that mass mailings are often "campaign tools rather than information dissemination."

This summer, further reforms of House franking may be forthcoming. House Oversight's proposed schedule for the year includes consideration of plans to "expand" the current ban on mass mailings sent within 60 days of an election, increase the frequency of franking disclosure, and generally "review proposals to reform handling of mail sent by Members."

The new franking allowance is only 45 percent of the statutory limit on such mailings.

That limit was established in a bipartisan amendment to the legislative branch appropriations bill of 1991 by House Oversight ranking member Vic Fazio (D-Calif) and then-Rep. Bill Frenzel (R-Minn). It sets a ceiling for Members at the level of funding necessary to send three first-class mass mailings to each household in their district.

While the statutory limit is much higher than the new authorization, that's partly because the Fazio-Frenzel franking reforms for the first time mandated disclosure of Members' quarterly franking expenditures. Franking spending has declined ever since, saving more than \$167 million in the last four years, Fazio said yesterday.

As spending has declined, House Oversight Chairman Bill Thomas (R-Calif) and other Republicans have argued in recent years that the authorization should also be brought down.

Although Democrats raised concerns that franking reductions cut Members' ability to communicate with their constituents, they didn't actually oppose the change.

Rep. Steny Hoyer (D-Md.) for example, said constituents view franking mail as "a positive aspect of their participation in democracy" and said franking is an important way to "discuss with the American public what the House is doing."

But when Thomas fired a question at Hoyer — "Does the gentleman have an amendment to the dollar amount of the official mail allowance?" — the Democrat declined to protest the change legislatively.

At yesterday's meeting, another major project of the new GOP majority was also discussed, the comprehensive audit of House operations.

House Inspectors General John Laitshart announced that he'd received bids from private accounting firms on all of the 12 areas he'd singled out for attention in the audit, which is slated for completion by June.

Laitshart said he couldn't reveal which of five eligible firms had bid because this could compromise the competition as he winnows down bids and has talks with bidders on details of the contracts.

Confirming that their firms bid on at least part of the audit were sources at the accounting firms Ernst & Young, Mitchell, Titus & Co., and Deloitte & Touche. The other two

firms eligible under a pre-existing arrangement with the General Accounting Office are Arthur Andersen & Co. and Price Waterhouse.

Laitshart said he would brief Thomas and Fazio on his choices late Friday and probably wouldn't announce them publicly until Monday.

An immediate challenge facing House Oversight is how to resolve 1994's still-contested elections.

Rep. Jennifer Dunn (R-Wash) will chair the panel investigating the challenge to the election of Rep. Sam Gejdenson (D-Conn), brought by defeated Republican candidate Ed Munster. Ney and Hoyer will also sit on that task force.

Handling the investigation of Rep. Jane Harman's (D-Calif) election, which has been contested by defeated Republican candidate Susan Brooks, will be Rep. Lincoln Diaz-Balart (R-Fla), the task force chair, joined by Thomas and Rep. Ed Farnes (D-Ariz).

And Rep. John Boehner (R-Ohio) will head the panel investigating the election of Rep. Charlie Rose (D-N.C.), as well as the challenge brought against the primary victory of freshman Rep. Charlie Bass (R-N.H.). Because the House is unlikely to involve itself in a primary recall challenge, the New Hampshire complaint is expected to require far less time to dispose of, according to sources.

Also on the Pro-Bass task force will be Reps. Vern Ehlers (R-Mich) and Bill Jefferson (D-La).

Rose, Gejdenson, and Harman were all sworn in on Jan. 4 and are aggressively working to have House Oversight dismiss the challenges. Gejdenson's margin of victory was the slimmest — a review of the race by a state Supreme Court panel gave him a 23-vote edge — while Rose and Harman won by more substantial margins.

The task forces will be charged with making recommendations about whether the full committee should take further action.

While naming Republicans to three task forces that will deal with the contested elections, Thomas also named a Republican counsel to assist each one. Fazio said he planned to name the Democratic counsel to the panels soon.

Perhaps the most contentious matter at yesterday's meeting was consideration of how to deal with successors to the 28 former LSOs that were banned in a Jan. 4 House rules change and had to dismantle their offices on the Hill by Jan. 31.

There was bad news at yesterday's meeting for the staffers of two former LSOs — the Democratic Study Group (DSG) and the Environmental and Energy Study Conference — who have formed private, non-profit corporations to take over publications previously put out for Members through the LSOs.

The House Oversight panel voted to formalize a set of regulations issued last week that will likely prevent Members from subscribing to these publications using their official allowances and could threaten to put the fledgling companies out of business.



Comparing notes during yesterday's meeting of the House Oversight Committee meeting were Rep. Jim Nisicle (left), the GOP transition chief, and Bill Livingston, the new House Sergeant at Arms.

The regulations require that any private-sector publication less than a year old and costing more than \$500 a year that is seeking to sell subscriptions to Members must prove that it would be financially viable independent of Members' subscriptions. It must also prove it's not "political in nature" and guarantee pro-rata refunds to Members if it goes out of business.

Joel Johnson, president of the new DSG Publications Inc., which has been putting out the DSG reports privately since Jan. 16 and distributing them on the Hill for free since

This summer, further reforms of House franking may be forthcoming.

the Finance Office has so far refused to give Members vouchers for the \$5,000-a-year subscriptions, said he's not sure he can meet the new regulations if they're strictly interpreted.

"If their test is going to be, you can cover all your expenses and meet your payroll and never take a nickel from a Member, I'd never meet that," Johnson said. "A lot of publishers in this town couldn't meet that test.... I would think for anyone in the publishing business this would be seen as a dangerous precedent."

But with money from private-sector subscribers, Johnson has been able to meet expenses and payroll for the past several weeks.

The Environmental and Energy Study Conference's spin-off publishing company, Congressional Green Sheets Inc., has had similar short-term success.

But it faces the added long-term challenge of a competitor. A privately funded non-profit foundation has used to distribute the LSO's "Green Sheets" when they were non-proprietary Congressional material is now producing its own clone of the publication and offering it for sale.

So far, the House Oversight panel reported, about 119 Members have requested vouchers to pay for their subscriptions to the DSG reports and 38 have asked to subscribe to the \$695-a-year Green Sheets.

"I don't think Congress ought to

be in the business of venture capital," Boehner said to the panel in defense of the new rules.

He added that in the case of the DSG, which for decades has produced reports on most major legislation that hits the House floor, the new private publishing company — DSG Publications Inc. — was taking on a function that the Democratic leadership ought to be responsible for providing to its Members.

"We spend \$300,000 to \$400,000 a year out of our leadership accounts to provide this information to our [GOP] Members," Boehner said. "The Democratic leadership has either abdicated this responsibility, or because the DSG does it they've felt they don't have to."

The GOP counterpart to the DSG, the Republican Study Committee, in fact, transferred much of its staff and duties to Republican leadership offices in January.

"We feel as though we're being put at a disadvantage because we're providing this service out of our own leadership budget," said Boehner.

Boehner is the new chairman of the Republican Conference.

Fazio, the Democratic Caucus chairman, countered that the DSG publications have long been used by both sides at the desk — at the time the LSO was dismantled, its subscribers included 30 Republicans — and that he felt the rules singled out the DSG unfairly.

"Look at publications like the ones put out by Congressional Quarterly and the National Journal," he said. "We're not asking them to open their books and sell what percentage of their subscribers are Members of Congress. I think you're setting separate standards because you have a particular bone to pick."

The new private publishing companies are already in the process of showing their accounting books to the Finance Office, and Thomas said he would work with Fazio to make sure decisions on the vouchers were made quickly and fairly.

The good news for the former LSOs, most of which have not gone private but have instead elected to form Congressional Membership Organizations (CMOs) on the Hill, is that the House Oversight panel issued significantly more lenient CMO guidelines than it had originally announced last month. The revised guidelines were the result

of bipartisan negotiation, Fazio said.

CMOs will still be required to register with House Oversight, providing a statement of purpose and a list of officers and their personal staff who work on CMO issues. But they won't have to provide extensive documentation on their members' relationships to outside organizations.

"The House Ethics manual requires disclosure of gifts and travel paid for by outside organizations; this Committee does not need to duplicate that," Fazio said.

Another major GOP project was discussed: an audit of House operations.

plante who is already required by ethics," an committee statement said. CMOs can receive no Congressional money or funding from outside organizations.

But in a major departure, the revised rules will allow Members to "utilize personal funds to support the activities of a CMO." That means Members could spend their own money for things like CMO stationary and postage or special events. But if personal money pays for a given mailing it may also be used to fund postage for it.

CMOs can't have separate staff, but Members may pool their clerical resources to employ a staffer on several of their personal office payrolls who works on CMO issues.

In other business yesterday, House Oversight also announced a schedule for its first round of House committees budget hearings. The GOP's January rules package transformed the old annual authorization ordeal to a biennial process.

House Oversight will begin panel funding hearings Feb. 28 and March 1. The two-year funding resolution will be marked up March 8 and will have to conform to the significant staff and funding cuts that Republicans have imposed.

House Oversight budgeted for itself some \$3.2 million each for 1995 and 1996, a 100 percent reduction of 36 percent from the committee's 1994 budget, according to Thomas's press secretary, Bill Pierce.

Tom Corrigan contributed to this report.

Vol. Reform

Reform Commission: Few Cheers

Clinton and Gingrich Agreed in New Hampshire to Appoint Bipartisan Panel, But Hill Reformers Say There's No Need to 'Reinvent the Wheel'

By Tim Curran

Congressional activists on lobbying and campaign finance reform this week are showing little enthusiasm for the bipartisan commission warmly endorsed by President Clinton and House Speaker Newt Gingrich (R-Ga.) in New Hampshire Sunday to study the thorny issues.

Prompted by a question from the audience at a senior citizens' picnic, a nationally televised handshake between Clinton and Gingrich appeared to seal the endorsement of an

Melding campaign and lobbying reform is a 'novel idea,' said the Speaker's aide.

independent commission on reform modeled after the Defense Base Closure and Realignment Commission.

A questioner proposed the creation of a "blue ribbon" panel on campaign and lobbying reform, and both men stated their support for it. But Gingrich told reporters after the picnic "No President and no Speaker automatically decides anything in public."

When details were discussed Sunday, in theory, the kind of commission the pair advanced would study the issues involved and make legislative recommendations that would face an up-or-down vote without amendment.

But with lobbying reform proposals already moving forward in the Senate and House Republicans appearing unenthusiastic about giving up their reform proposals to a bipartisan body on campaign reform, the proposal could face a rocky road.

In fact, there were cheers for the gentlemen's agreement from only one corner Tuesday, with a group of House Democrats holding a press conference to urge Gingrich and Clinton to endorse a bill they introduced in March calling for a similar commission on campaign reform.

Democratic Reps. Eli Johnson (SD), Carolyn Maloney (NY), and Marty Meehan (Mass.) issued a Clean Challenge and sent letters to Gingrich and Clinton Tuesday asking them to use their bill, H.R. 1103, "as a starting point as you work toward implementing the historic New Hampshire Agreement."

Their bill, which addresses campaign reform and not lobbying issues, would establish an eight-member commission with two appointees each going to the President, Speaker and Senate Majority Leader, and the House and Senate Minority Leaders each making a single appointment. The commission would be required to make a recommendation, written as legislation, within one year of the enactment of the bill.

Noting that efforts to reform the campaign system have "run aground on partisan politics every time it's come up," Johnson said allowing a commission to rewrite the rules would remove "suspicion on the part of the minority party" that "the rules are being skewed" to favor the majority.

Maloney said that candidates to sit on a commission might include academics, former Members, and retired judges.

But Gingrich spokesman Tony Blankley quickly threw cold water on any optimism the Democrats might have about moving their bill.

Blankley said Tuesday that the Speaker had not decided how to proceed on the issue but that he was certain the process would move forward. In regard to the proposal the Democrats were making, he said Republicans were "not going to grab something that's been sitting in the hopper" just out of convenience.



Photo by Orli Goshko

A group of several House Democrats who had already backed a campaign reform commission hailed the plan. Above, Rep. Carolyn Maloney at their press conference.

"We have to begin to work through — the House, the Senate, and the White House — the proposal the two men talked about Sunday," Blankley said, forecasting a deliberate course. Calling the proposal to meld campaign and lobbying reform "a novel idea," he said the next step would be "to get everyone sitting down and thinking 'How does it all fit together?'"

Blankley said he had "an unambiguous, procedural sense of our next step, other than that there will be a next step and that [Clinton and Gingrich] will fulfill the agreement."

House Republicans have said they will address campaign reform sometime this Con-

gress, however, didn't discount the idea of an independent commission, holding it out in case the Senate agreement fails to result in real reform, or the House balks.

"Any commission should take on campaign finance reform first. Then, if Congress hasn't acted, a commission could take lobby reform up second," he said.

In the House, Rep. John Bryant (D-Texas.) said the reform and gift ban legislation both this Congress and last said, "I think it's obvious that Clinton and Gingrich were both just impressing" when they mentioned a bipartisan commission and characterized their commitments as "not meaningful."

By contrast, a spokesperson for Rep. Chris Shays (R-Conn.), who is a co-sponsor of alternative lobby reform, gift ban, and campaign finance bills being offered by a bipartisan team of House Members, thinks a commission is a "great idea."

But, the aide said, Shays feels unnecessary delay such as an independent body could cause, considering that Congress already has several well-worn proposals on the table.

"There's not a lot of research to be done on these topics," Shays's spokesperson said. "Chris would hope that a commission would make his recommendations certainly no later than Jan. 1, and hopefully much earlier."

Shays and Bryant both testified at a hearing on lobbying reform held in the House Judiciary Constitution subcommittee last month. Chairman Charles Canady (R-Fla.) at that time expressed a desire to leave the gift ban to the House Committee on Rules and Standards of Official Conduct, which so far have indicated no plans for consideration soon. But a Canady aide said the chairman would like to draft his own version of lobbying disclosure reform.

Along with Rep. Barney Frank (D-Mass.), Bryant sent a letter last week to Canady asking when the chairman would be ready to mark up lobby reform legislation, but as of Wednesday had received no response.

Bryant has also filed a discharge petition that would bring a rule for consideration of his gift ban to the House floor for a vote.

However, he has collected only about 23 of the requisite 218 Members' signatures, and GOP Rules Committee aides say the panel likely won't consider action on the issue unless Bryant gets closer to the mark.

Alice A. Love contributed to this report.

Aftershocks

By Timothy J. Burger and Gabriel Kahn

Lying's Not a Crime. The House Judiciary subcommittee on ethics, chaired by Rep. Bill McCollum (R-Fla.), has scheduled for June 21 the first hearing on "Lying to Congress," a measure to re-establish a criminal statute for making false statements to Congress.

The hearing is a response to last month's Supreme Court decision that the Federal False Statements Act, Section 1001 of 18 USC Code, no longer applies to Congress.

Prosecutors had come to rely on Section 1001 in prosecuting Members of Congress for "ghost employee" and "kickback" schemes, and the Court's decision promises to aid indicted ex-Reps. Dan Rostenkowski (D-Ill.), Mary Rose O'Rourke (D-Ohio), and others in their defense.

The measure to undo the Supreme Court's decision was introduced by Rep. Bill Martin (R-NJ).

War Powers Regrouping. After an embarrassing defeat at a leadership-backed attempt to repeal the War Powers Resolution last week, Republicans are stuck on how to proceed.

Despite a long endorsement by Speaker Newt Gingrich (R-Ga.) that closed the floor debate on the proposal last Wednesday, 34 Republicans looked

Part of the reason for the defeat, according to Rep. Henry Hyde (R-Ill.), who authored the repeal, was the lack of whipping and too little direction early on from the Republican leadership.

"I think we took it too casually," said Hyde. "There should have been a conference and done a whip check."

Hyde said some Members had talked to him about restructuring the repeal to address particular concerns, such as giving Congress a more operational role, but he was unsure whether the issue would get a hearing in committee.

International Relations Committee Chairman Ben Gilman (R-NY), who voted against the repeal, said there had been no discussion about bringing the issue up in his panel.

Realignment. Senate Energy and Natural Resources Committee Chairman Frank Murkowski (R-Alaska) will use a meeting of the GOP Conference stated for today to push his pet project: realignment of House and Senate panel jurisdictions.

The meeting — which may or may not take place, depending on the Senate schedule — is for further discussion of a GOP rules change package prepared by Conference Secretary Connie Mack (Pa.).

Murkowski says he is undecided on the various reform proposals, which range from term limits on committee chairmen to adoption of a Conference "legislative agenda." But on jurisdictional issues, he said, "There's no reason why the House and Senate should have mixed referrals," on such bills as the Endangered Species Act.

Making committee responsibilities parallel is not likely to happen anytime soon, Murkowski conceded, especially

Continued on page 19

Meanwhile, lobbying reform is supposed to hit the Senate floor by July 28 and is moving through House panels.

gress, but it has not been a priority on their crowded legislative agenda. Estimates of when it might be addressed have ranged from later this summer to next year, and no committee action has been scheduled on the subject. Several House GOP aides said they had been caught off guard by Gingrich's pledge.

In comments to reporters after he and Clinton appeared jointly Sunday, Gingrich acknowledged that the Senate could easily block the creation of such a commission, and Kentucky Sen. Mitch McConnell, the Senate GOP's leader on political reform issues, has already threatened to filibuster any such proposal.

McConnell, who led the fight to block campaign reform in the 103rd Congress, has said that commission work on the topics would be superfluous since the chamber reached a unanimous consent agreement on Friday to debate and vote separately on existing gift ban and lobbying disclosure reform measures before July 28.

"We do not need to reinvent the wheel and start over again," agreed Sen. Carl Levin (D-Mich.), whose threat to offer the reauthorization of last year's stalled bipartisan gift ban and lobbying reform bill as a floor amendment during telecommunications deregulation debate last week prompted the Senate agreement.

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103D CONGRESS
1ST SESSION

H. R. 823

To provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 1993

Mr. BRYANT (for himself, Mr. GEKAS, and Mr. GLICKMAN) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Lobbying Disclosure
5 Act of 1993".

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) **FINDINGS.**—The Congress finds that—

8 (1) responsible representative Government re-
9 quires public awareness of the efforts of paid lobby-
10 ists to influence the public decisionmaking process in