

One Hundred and Sixth Congress

Jan. 6, 1999-Dec. 15, 2000

Second Administration of William J. Clinton

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President William J. Clinton

Historical Background

President William J. Clinton entered the final two years of his Presidency under a cloud of scandal and facing the proposition of being removed from office. The scandal over a sexual affair carried on by the President and a White House intern from Seattle named Monica Lewinsky grew apace until, in December 1998 in the waning days of the 105th Congress, the Republican Party-led House of Representatives voted to approve articles of impeachment against the President and send them to the Senate for trial. At issue were the conflicting statements that President Clinton gave in the immediate aftermath of the affair’s revelation denying that an inappropriate relationship had occurred, which was then contradicted by his grand jury testimony, in which he admitted to an improper physical relationship with Ms. Lewinsky.

The trial of President Clinton was the first order of business for the Senate during the 106th Congress. Republicans held a majority of 55 seats to 45 in the Senate, however, not the two-thirds required to remove a President from office. The articles of impeachment against President Clinton included two charges, one for perjury stemming from the President’s contradictory testimony, the other for obstruction of justice for allegedly attempting to cover up the affair. The Senate trial began January 7, 1999, with Chief Justice of the Supreme Court William Rehnquist presiding. Senate proceedings continued until February 9, when the Senate began closed-door deliberations, emerging a few days later, on February 12, to vote on the two articles of impeachment. Conviction and removal from office required at least 67 votes — two-thirds of the chamber — on at least one of the two charges. Of the two charges, the obstruction of justice charge came closer to a successful conviction, with 50 Senators voting to convict and 50 to acquit, whereas in the case of the perjury charge, 45 Senators voted to convict and 55 to acquit. The failure to convict the President in the Senate effectively

House	Senate
Majority Party: Republican (223 seats)	Majority Party: Republican (55 seats)
Minority Party: Democrat (211 seats)	Minority Party: Democrat (45 seats)
Other Parties: 1 seat	Other Parties: 0
Speaker of the House: J. Dennis Hastert	Majority Leader: Trent Lott

Note: As the 106th Congress began, the division in the Senate was 55 Republican seats and 45 Democratic seats, but this changed to 54-45 on July 13, 1999 when Senator Bob Smith of New Hampshire switched from the Republican party to Independent status. On November 1, 1999, Smith announced his return to the Republican party, making the division once more 55 Republicans and 45 Democrats. Following the death of Senator Paul Coverdell (R-GA) on July 18, 2000, the balance shifted again, to 54 Republicans and 46 Democrats, when the governor appointed Zell Miller, a Democrat, to fill the vacancy.

brought the affair to a close. Though the President admitted to engaging in an improper relationship with Monica Lewinsky, the press reported that the majority of Americans felt that this was a private, family matter and that the Federal government should get back to the business of running the country.

On the morning of April 20, 1999, two students at Columbine High School in Littleton, Colorado, a suburb of Denver, entered the school, armed with two nine-millimeter firearms, two sawed-off 12-gauge shotguns, and a variety of knives, pipe bombs and car bombs, and began to systematically gun down their classmates. By the time the massacre ended with the suicides of the two attackers, 15 were dead with 24 sustaining significant injuries. The death toll had the potential to be much greater, but the bombs the pair planted in their cars and the school cafeteria failed to detonate. In his January 31, 2000 State of the Union address President Clinton asked Congress to enact tighter gun control laws in response to the Columbine Massacre.

The tragedy in Colorado was a somber counterpoint to the otherwise triumphant final two years of the Clinton Presidency. Back to back budget surpluses in 1999 and 2000 and unsurpassed economic prosperity in an expanding economy provided a background against which President Clinton proposed policies to address the aging of the U.S. population. He proposed that the budget surplus be invested in the Social Security system as the first priority. Once the Social Security system was secure, he proposed improvements in Medicare and incentives to encourage retirement saving. He also proposed education and job training initiatives.

Abroad, the Clinton Administration would oversee a resurgence of communal violence in the former Yugoslavia as violence in the Yugoslav province of Kosovo led to a NATO bombing campaign in Yugoslavia during the spring and early-summer of 1999. The bombing campaign had a number of detractors, led by Russia, and the use of a NATO force as a means to an end remains controversial to this day. Also, in July, President Clinton welcomed Israeli Prime Minister Ehud Barak and PLO President Yasser Arafat to Camp David to hammer out a final solution to the Israeli-Palestinian conflict. Though there were high hopes that the Camp David Summit would be the location of a final breakthrough in the conflict, the parties left after two weeks without a new agreement.

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War or Peace?

Yugoslavia

U.S. forces continued to participate in a NATO-led Stabilization Force in Bosnia and in March 1999 initiated airstrikes against Yugoslavia in response to Yugoslav government violence against the ethnic Albanian population of Kosovo. In June Yugoslavia accepted a peace proposal and on June 9th signed an agreement with NATO providing for the withdrawal of Yugoslav forces from Kosovo. In October of 2000, Serbian President Slobodan Milosevic stepped down, following his defeat in the September presidential elections and ensuing mass demonstrations.

Iraqi No-Fly Zones

Following the December 1998 air strikes against Iraqi targets, the U.S. and Great Britain continued to carry out air strikes against Iraq air defense units and installations in response to Iraqi attempts to target allied aircraft enforcing no-fly zones in southern and northern Iraq. On September 13th, 2000 Secretary of State Madeleine Albright told reporters that the U.S. was prepared to use force if Iraq attacked U.S. forces or the Kurdish minority, threatened its neighbors, or resumed building weapons of mass destruction.

Israeli-Palestinian Conflict

On July 10th, 2000, President Clinton hosted Israeli Prime Minister Ehud Barak and PLO President Yasser Arafat for the Camp David Summit to negotiate a final agreement ending the Israeli-Palestinian conflict. The President had been shepherding the two sides toward an agreement during almost the entirety of his Presidency. In September 1993, the President hosted Arafat and late Israeli-Prime Minister Yitzhak Rabin in Washington for the signing of the first of two Oslo Accords, which articulated the process by which the two sides would work toward a comprehensive peace treaty to end the conflict over the coming years. The Oslo Accord, including the second of the two agreements signed in 1995, established the Palestinian Authority (PA) with a timeline for devolving authority to the PA in gradual increments. The Camp David Summit, then, was to be the culmination of the Oslo Process, including final status agreements on the especially thorny issues that remained to be negotiated. In the end, those thorny, unresolved issues—including the final status of Jerusalem and the question of the right of Palestinians who fled during the chaos on 1948 to freely return to their homes—proved to be more than the negotiators could handle and the summit ended without an agreement.

Al-Qaeda Conflict

On October 12, 2000, during the final weeks of the 106th Congress and the Presidency of William J. Clinton, two al-Qaeda-linked militants piloted a fiberglass skiff packed with C4 explosive toward the U.S. Navy destroyer USS *Cole*, which was docked in Aden harbor in Yemen on a routine refueling stop, and detonated the bomb, tearing a 20-meter hole in the hull. Aside from the bombers themselves, the attack killed 17 sailors and injured some 40 others. Though incontrovertible evidence of al-Qaeda's involvement proved difficult to come by in the months immediately following the attack, suspicion within the national security establishment was aimed squarely at bin Laden. In June



Senate Majority Leader
Trent Lott



Speaker of the House J.
Dennis Hastert

2001, bin Laden appeared in an al-Qaeda recruitment video that bragged of its responsibility for the *Cole* bombing. As the bombing occurred at the end of the Clinton Administration, with the nation's attention soon to be turned to the 2000 Presidential election and the election recount in Florida, the decision on whether to respond was deferred to the incoming administration. The newly-elected administration of George W. Bush would similarly defer responding militarily in early-2001. It would take further provocation on the part of al-Qaeda and Osama bin Laden before decisive action would be taken.

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Kim, Julie. [Kosovo and the 106th Congress](#). Foreign Affairs, Defense, and Trade Division (CRS), Jan. 18, 2001. 107th Congress, 1st Session, RL30729. ProQuest Congressional, CRS-2001-FDT-0002

Sharp, Jeremy M. [Iraq-U.S. Confrontation](#). Foreign Affairs, Defense, and Trade Division (CRS), Mar. 11, 2003. 108th Congress, 1st Session, RL31667. ProQuest Congressional, CRS-2003-FDT-0015

Economic Trends and Conditions

At the beginning of 1999, the U.S. economy was enjoying the longest peacetime expansion in history, with almost 18 million new jobs created since 1993, wages rising at twice the rate of inflation, and the highest rate of home ownership ever. The budget was balanced and the surplus was the largest in U.S. history.

The positive economic outlook continued through 2000 which ended with almost 23 million new jobs created since 1993, the lowest unemployment rate in 30 years, the lowest female unemployment rate in 40 years, and the lowest African-American and Hispanic unemployment rates ever recorded. Strong and rising growth in real gross domestic product, declining and then very low employment, and a low, stable core inflation rate characterized the long expansion. Even though the growth rate moderated in the second half of 2000, the economic achievements of the previous 8 years remained impressive.

During the final years of his administration, President William J. Clinton, along with the 106th Congress, ushered in a major deregulation of the banking and financial services industries in the United States. This was accomplished first through the enactment of the Gramm-Leach-Bliley Act in November 1999. The Act, also known as the Financial Services Modernization Act of 1999, repealed the provision of the 1933 Glass-Steagall Act that erected strict firewalls between different sectors of the financial services industry. The provision divided the industry between investment banks, commercial banks, and insurance companies and prohibited any one entity from acting as a combination of any two or more of those three. Then, in December 2000, the Congress enacted the Commodity Futures Modernization Act of 2000. The Act concerned the regulation of certain financial instruments known as over-the-counter (OTC) derivatives.

According to the provisions of the Act, such OTC derivatives traded between “sophisticated parties” would no longer be regulated as futures or securities under existing Federal laws, rather the institutions that deal in them were to have their dealings supervised by regulators. One type of OTC derivative impacted by this change in regulation, the credit default swap, would be at the center of the financial crisis in 2008 and the long recession engendered by it.

Another major economic development that occurred during the 106th Congress was the establishment of permanent normal trading relations with China. President Clinton began the process of normalizing trade with China in 1993, during his first term, when he granted China temporary Most-Favored Nation status, reducing tariffs on imports from China substantially. At the time, as he discussed the prospect of establishing permanent normal trading relations with his Chinese counterparts, the President indicated that any such move would be contingent upon progress on protecting human rights. Though the stipulated reforms never materialized, in October 2000 Congress enacted Normal Trade Relations for the People’s Republic of China, authorizing the permanent extension of nondiscriminatory treatment to China and establishing the norms for the trading relation between the two states.

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Landmark U.S. Supreme Court Decisions

Buckley v. American Constitutional Law Foundation, Inc., held that the State of Colorado may constitutionally regulate the process of circulating initiative petitions, and the Tenth Circuit correctly separated necessary or proper ballot access controls from restrictions that unjustifiably inhibit the circulation of ballot initiative petitions, [525 U.S. 316](#) (1999)

Department of Commerce v. U.S. House of Representatives, held that the instant case, which involves a suit filed by the United States House of Representatives challenging the Secretary of Commerce's current plan for the year 2000 census, presents a justiciable controversy satisfying the requirements of Article III, and that The Census Act prohibits the proposed uses of statistical sampling to determine the population for congressional apportionment purposes, [525 U.S. 316](#) (1999)

South Central Bell Telephone Company v. Alabama, held that the Alabama franchise tax on foreign corporations impermissibly discriminates against interstate commerce, in violation of the Commerce Clause, [526 U.S. 160](#) (1999)

Saenz v. Roe, held that a trial court abuse its discretion by subjecting to strict scrutiny a federally-authorized statute which does not penalize any fundamental right, and which merely limits a new resident's welfare benefits to the level of benefits received or receivable in the state of prior residence for a period of one year, [526 U.S. 489](#) (1999)

Greater New Orleans Broadcasting Association, Inc. v. United States, held that 18 U.S.C. 1304, which prohibits the broadcasting of advertisements for "any lottery, gift enterprise, or similar scheme", may not be applied to advertisements of lawful private casino gambling that are broadcast by petitioners' radio or television stations located in Louisiana, where such gambling is legal, [527 U.S. 173](#) (1999)

City of Chicago v. Morales, held that a loitering ordinance authorizing the arrest of persons who have disobeyed a police order to move on, given when a police officer has reasonable cause to believe that a group of loiterers contains a member of a criminal street gang, is impermissibly vague in violation of due process guarantees, [527 U.S. 41](#) (1999)

Sutton v. United Airlines, Inc., clarifying the definition of "disabled" under the Americans with Disabilities Act, [527 U.S. 471](#) (1999)

Florida Prepaid Postsecondary Education Expense Board v. College Savings Bank, held that the Patent and Plant Variety Protection Remedy Clarification Act's abrogation of States' sovereign immunity is invalid because it cannot be sustained as legislation enacted to enforce the guarantees of the Fourteenth Amendment's Due Process Clause, [527 U.S. 627](#) (1999)

College Savings Bank v. Florida Prepaid Postsecondary Education Expense Board, held that the federal courts have no jurisdiction to entertain this suit because Florida's sovereign immunity was neither validly abrogated by the Trademark Remedy Clarification Act of 1992 nor voluntarily waived, [527 U.S. 666](#) (1999)

Alden v. Maine, held that States' immunity from suit is a fundamental aspect of the sovereignty they enjoyed before the Constitution's ratification and retain today except as altered by the plan of the Convention or certain constitutional Amendments. States' immunity from private suit in their own courts is beyond congressional power to abrogate by Article I legislation, [527 U.S. 706](#) (1999)

Reno v. Condon, held that the Driver's Privacy Protection Act of 1994 is a proper exercise of Congress' authority to regulate interstate commerce under the Commerce Clause. Because drivers' personal, identifying information is, in this context, an article of commerce, its sale or release into the interstate stream of business is sufficient to support congressional regulation, [528 U.S. 141](#) (2000)

Nixon v. Shrink Missouri Government PAC, held that the court of appeals was justified in declaring that Missouri's campaign contribution limits for statewide office, which exceed the limits expressly approved by this Court for national elections in *Buckley v. Valeo*, in that *Buckley* is authority for comparable state limits on contributions to state political candidates, and those limits need not be pegged to the precise dollar amounts approved within, [528 U.S. 377](#) (2000)

Rice v. Cayetano, Hawaii's denial of Rice's right to vote in the Office of Hawaiian Affairs trustee elections, which was due to explicit racial classification, violates the Fifteenth Amendment, [528 U.S. 377](#) (2000))

Kimel v. Florida Board of Regents, holding that State employees may not bring suit against a state under the Age Discrimination in Employment Act because of sovereign immunity of States under the Constitution, [528 U.S. 62](#) (2000)

Carmell v. Texas, held that the Texas Court of Appeals was justified in concluding that an application of the 1993 version of Texas's article 38.07, Code of Criminal Procedure, was not ex post facto when: the offense occurred in 1992, a full year before adoption of the new rule of law; there was no outcry for approximately three years, and the law in effect at the time required outcry within 6 months; and the petitioner would have otherwise been entitled to an acquittal, in violation of the Fifth and Fourteenth Amendments to the United States Constitution, [528 U.S. 377](#) (2000)

United States v. Morrison, holding that certain provisions of the Violence Against Women Act of 1994 are not constitutional because gender motivated violence is not a commercial activity and is not substantially connected to interstate commerce, [529 U.S. 598](#) (2000)

Santa Fe Independent School District v. Doe, held that the school district's policy permitting student-led, student-initiated prayer at football games violates the Establishment Clause, [530 U.S. 290](#) (2000)

Crosby v. National Foreign Trade Council, finding that a Massachusetts law restricting State transactions with firms doing business with Burma was preempted by Federal Burma sanctions and that its application was unconstitutional under Supremacy Clause, [530 U.S. 363](#) (2000)

Dickerson v. United States, upholding the constitutionality of the *Miranda* exclusionary rules which provides that statements of an accused person made during a custodial interrogation may not be introduced as evidence unless the accused is first advised of his rights and waives them; and holding that the *Miranda* exclusionary rule may not be replaced by a statutory provision making all voluntary confessions admissible, [530 U.S. 428](#) (2000)

Apprendi v. New Jersey, holding that the Sixth Amendment right to a jury trial prohibits judges from increasing criminal sentences beyond statutory minimums based on facts other than those decided by the jury and proven beyond a reasonable doubt, [530 U.S. 466](#) (2000)

California Democratic Party v. Jones, held that California's blanket primary law, which allows voters of any political affiliation to cross party lines at will and to participate in the selection of other parties nominees, violates a political party's First Amendment right of association, [530 U.S. 567](#) (2000)

Troxel v. Glanville, held that a Washington statute granting "any person" the right to petition a court to order visitation with a child "at any time" interferes with the parent's fundamental right to autonomy in child-rearing decisions, [530 U.S. 57](#) (2000)

Boy Scouts of America v. Dale, held that a state law requiring a Boy Scout Troop to appoint an avowed homosexual and gay rights activist as an Assistant Scoutmaster abridges First Amendment rights of freedom of speech and freedom of association, [530 U.S. 640](#) (2000)

Hill v. Colorado, held that a Colorado statute that restricts aggressive and threatening speech-related conduct is constitutional, [530 U.S. 703](#) (2000)

Mitchell v. Helms, held that a program under the Elementary and Secondary Education Act of 1965, which provides federal funds to state and local education agencies to purchase and lend neutral, secular, and nonreligious materials such as computers, software, and library books to public and nonpublic schools for use by the students attending those schools, and which allocates the funds on an equal per-student basis, regardless of the religious or secular character of the schools the students choose to attend, does not violate the Establishment Clause of the First Amendment, [530 U.S. 793](#) (2000)

Stenberg v. Carhart, finding unconstitutional a Nebraska law banning partial-birth abortions, except where necessary to save the life of the mother, [530 U.S. 914](#) (2000)

Bush v. Palm Beach County Canvassing Board, remanded the case and held that there was considerable uncertainty as to the precise grounds for decision, which imposed post-election judicial limitations on the discretion granted by the legislature to state executive officials to certify election results, and/or post-election judicially created standards for the determination of controversies concerning the appointment of presidential electors, which was vacated, [531 U.S. 70](#) (2000)

Bush v. Gore, reversed the Florida Supreme Court's judgment ordering manual recounts because it was evident that any recount seeking to meet 3 U. S. C. 5's "safe-harbor" date would be unconstitutional under the Equal Protection Clause, [531 U.S. 98](#) (2000)

1999 Events

- [Jan. 5: President Clinton authorizes measures to broaden ability of U.S. individuals and groups to provide assistance to the Cuban people](#)

- **Jan. 9:** [President Clinton announces the U.S. armed forces will continue to participate in NATO-led stabilization effort in Bosnia](#)
- **Feb. 12:** [President Clinton acquitted of impeachment charges](#)
- **Feb. 16:** [Cuba's National Assembly approves a measure to provide individuals who collaborate with U.S. policy with prison sentences of up to twenty years](#)
- **Mar. 12:** [Poland, Hungary, and the Czech Republic formally accede to the Washington Treaty establishing NATO](#)
- **Mar. 26:** Dr. Jack Kevorkian is found guilty of second-degree murder for giving a terminally ill person a lethal injection
- **Mar. 26:** [U.S. and NATO forces begin air strikes against Yugoslavia in response to the Yugoslav government's campaign of violence against the ethnic Albanian population of Kosovo](#)
- **Mar. 28:** [The first of two baseball games between the Baltimore Orioles and Cuba's national baseball team was held in Havana](#)
- **Apr. 8:** [Prime Minister Zhu Rongji of China begins his first official visit to the U.S. since taking office](#)
- **Apr. 20:** [Massacre of students and a teacher by students at Columbine High School in Columbine, Colo.](#)
- **May 7:** [NATO bombs accidentally hit the Chinese embassy in Belgrade](#)
- **June 9:** [Yugoslavia signs a peace agreement with NATO](#)
- **July 10:** [Brandi Chastain scores the winning penalty kick in the FIFA Women's World Cup](#)
- **July 16:** [John F. Kennedy, Jr. crashes his private plane in the Atlantic, killing himself, his wife, and his sister](#)
- **July 25:** [Lance Armstrong wins the Tour de France for the first time](#)
- **Dec. 7:** [Napster is charged with copyright infringement for its file sharing capability](#)
- **Dec. 31:** [The U.S. relinquishes control of the Panama Canal to the government of Panama](#)

2000 Events

- **Jan. 12:** [Attorney General Janet Reno rules that Elian Gonzalez, a child rescued by the U.S. Coast Guard, must be returned to his father in Cuba rather than remain in Miami with other relatives](#)
- **Apr. 22:** [Federal agents seize Elian Gonzalez in Miami and reunite him with his father in Washington, D.C.](#)
- **Apr. 25:** Vermont legalizes civil unions for same-sex couples
- **June 3-5:** [President Clinton's first summit meeting with newly elected Russian President Vladimir Putin](#)
- **July 12:** [Israel decides to suspend its planned sale to China of the Phalcon Airborne Early Warning radar system and command and control aircraft, which the U.S. opposed due to regional military balance concerns](#)
- **Oct. 11:** [Coal sludge spill in Kentucky](#)
- **Oct. 23:** [U.S. Secretary of State Madeline Albright travels to North Korea for missile talks](#)

- **Nov. 7:** [Hillary Clinton becomes the first First Lady of the U.S. to win public office when she is elected to the Senate](#)

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Major Acts

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Gramm-Leach-Bliley Act. Amends the Banking Act of 1933 and other acts to revise regulation of the financial services industry to facilitate affiliation among banks, securities firms, and insurance companies; repeals Banking Act of 1933 provisions commonly known as the Glass-Steagall Act. Approved Nov. 12, 1999. ([113 Stat. 1338; PL106-102](#)) ([Regulatory History](#))

Ticket to Work and Work Incentives Improvement Act of 1999. Amends the Social Security Act to expand the availability of health care coverage for working individuals with disabilities, and establishes a Ticket to Work and Self-Sufficiency Program in the Social Security Administration to provide such individuals with meaningful opportunities to work. Approved Dec. 17, 1999. ([113 Stat. 1860; PL106-170](#)) ([Regulatory History](#))

Wendell H. Ford Aviation Investment and Reform Act for the 21st Century. Extends and revises FAA programs. Approved Apr. 5, 2000. ([114 Stat. 61; PL106-181](#)) ([Regulatory History](#))

Trade and Development Act of 2000. Authorizes a new trade and investment policy for sub-Saharan Africa, expands trade benefits to the countries in the Caribbean Basin, renews the generalized system of

preferences, and reauthorizes the trade adjustment assistance programs. Approved May 18, 2000. ([114 Stat. 251; PL106-200](#)) ([Regulatory History](#))

Electronic Signatures in Global and National Commerce Act. Provides that interstate transactions using electronic signatures or records are legal contracts. Approved June 30, 2000. ([114 Stat. 464; PL106-229](#)) ([Regulatory History](#))

Religious Land Use and Institutionalized Persons Act of 2000. Amends the Religious Freedom Restoration Act of 1993 to prohibit States and local governments from imposing land use regulations that substantially burden a person's exercise of religion, or substantially burden the religious exercise of prisoners or other institutionalized persons, unless the burden is the least restrictive means of furthering a compelling governmental interest; and to allow plaintiffs to sue to enforce compliance; act responds to Supreme Court 1997 decision in *City of Boerne v. Flores* that invalidated certain RFRA provisions restricting State and local government infringement on the exercise of religion. Approved Sept. 22, 2000. ([114 Stat. 803; PL106-274](#))

Normal Trade Relations for the People's Republic of China. Authorizes extension of nondiscriminatory treatment (normal trade relations treatment) to the People's Republic of China, and establishes a framework for relations between the United States and the People's Republic of China. Approved Oct. 10, 2000. ([114 Stat. 880; PL106-286](#)) ([Regulatory History](#))

Children's Health Act of 2000. Amends the Public Health Service Act to establish, extend, and revise various children's health programs. Approved Oct. 17, 2000. ([114 Stat. 1101; PL106-310](#)) ([Regulatory History](#))

Victims of Trafficking and Violence Protection Act of 2000. Strengthens efforts to combat trafficking in persons, especially into the sex trade, slavery, and involuntary servitude, and reauthorizes certain Federal programs to prevent violence against women. Approved Oct. 28, 2000. ([114 Stat. 1464; PL106-386](#)) ([Regulatory History](#))

Consolidated Appropriations Act, 2001. Makes consolidated appropriations for the fiscal year ending September 30, 2001. Approved Dec. 21, 2000. ([114 Stat. 2763, PL106-554](#)) ([Regulatory History](#))

American Homeownership and Economic Opportunity Act of 2000. Establishes programs to expand homeownership, amends the Housing and Community Development Act of 1992 and numerous other acts to extend and revise various HUD housing and community development programs, and revises regulation of financial institutions. Approved Dec. 27, 2000. ([114 Stat. 2944, PL106-569](#)) ([Regulatory History](#))