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Senate

The Senate met at 2:30 p.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, we come to You asking for a miracle of Your intervention. We claim Your promise given through Isaiah, "You shall hear a word behind you saying, 'This is the way, walk in it.'"—Isaiah 30:21. We humble ourselves and ask for that word of guidance today in the continuing deadlock over the budget and the shutdown of Government. Jesus' words in Mark 3:25 sound an alarm: "A house divided against itself cannot stand." We acknowledge that presently we are a divided government. Create in all of us a humble desire to find a solution. We all belong to You; we are here in leadership by Your appointment, and we believe that You will show us a way to bring resolution without a sacrifice of truth. If we all admit our need to turn to You at this crucial time, You will reveal a solution beyond our own wisdom. O God, bless us with Your guidance and grace. We pray specifically for our leaders BOB DOLE, TOM DASCHLE, TRENT LOTT, WENDELL FORD, NEWT GINGRICH, and President Clinton. Anoint their minds and hearts with Your inspiring and enlightening spirit. May we, along with them, listen to hear Your voice saying, "This is the way, walk in it * * * and walk in it together." In the name of our Lord. Amen.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Senator DOLE, is recognized.

Mr. DOLE. Thank you, Mr. President.

SCHEDULE

Mr. DOLE. Mr. President, let me tell the staffs that we do not normally have Sunday sessions. In fact, I think the most recent Sunday session was a few years back. We do not have the exact date. I apologize. But I think we have, hopefully, very important business to resolve today. I hope, in accordance with the message from the Chaplain, that we can find a way to reach out to one another. That process is going on as we speak.

I understand that the President's Chief of Staff, Leon Panetta, is now meeting with the Democratic leadership, Senator DASCHLE and others. He will soon be meeting with Budget chairman, Senator DOMENICI, on this side, and the House Budget chairman, Mr. KASICH, in my office, room S-230. Following that meeting, hopefully, I will be able to visit with the Speaker. I just hope there can be some resolution of this matter today.

I am now advised that the last Sunday session was October 27, 1990. It has been a little over 5 years ago.

In my view, we made a good faith offer last night. I think it has been received as such by the President, or at least his representatives, and hopefully, if there is a small difference, we can resolve that.

We are prepared to act. We are prepared to stay here throughout the day, into the evening, if necessary. I know there is a human side to this, too. There are a lot of families out there who are very concerned and probably under a great deal of stress. I can assure them that, whatever happens, when they come back to work, they will be paid for the days they missed, because they were missed through no fault of their own. That we can assure them. So I hope they have that assurance.

So we will be working this afternoon and, hopefully, with everybody with the same mindset; that is, to see if we cannot come together.

I want to thank the Senator from Virginia, Senator WARNER, for his efforts throughout yesterday, and the other Senators on the floor, Senator COCHRAN, Senator GORTON, Senator COVERDELL, Senator SNOWE, and Senator HATFIELD, of course, the chairman of the committee. He would like to have us pass a continuing resolution. He would also like us to finish the other appropriations bills, and while I am at it, bring up the Labor-HHS appropriations bill and pass that, hopefully this afternoon, on a voice vote, so we can go to conference and have that one last appropriation bill disposed of if that is possible. Maybe we can accomplish that today.

We will have a period for morning business with Senators permitted to speak up to 10 minutes each. As I said last evening, if the rollcall vote is necessary, we will make certain that if we should reach some agreement, if a rollcall vote is necessary, we will notify all Members so nobody is disadvantaged. Hopefully, if we can reach agreement on both sides of the aisle, there would be no need for a record vote if we can do it by a voice vote. Some of our colleagues, on both sides of the aisle, are on business matters far from here. So we will try to accommodate their concerns.

If we are going to act before the next work week, we need to do it today so some of the workers will know they will be coming to work tomorrow or the next day.

So I thank my colleagues for their patience, and I thank everybody for their indulgence in this Sunday session. But, in my view, it is important and we should be here. We should be trying to resolve this controversy. On the other side, obviously, it is very important.

Everybody understands that the primary concern, at least on our side of the aisle, is that we have a 7-year balanced budget, a balanced budget by the year 2002. I guess I would say the major

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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problem is who is going to do the scoring. This is sort of inside baseball, but the question is whether it will be the Congressional Budget Office, or the President's scoring apparatus known as the Office of Management and Budget.

So that is where we are. If we have any additional information, I will certainly pass it on to my colleagues as soon as it is received. After Members have spoken in morning business, then it would be my desire to have a recess subject to the call of the Chair, and we will see what develops in the next 30 or 40 minutes.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for morning business with Senators permitted to speak therein for up to 10 minutes each.

Mr. WARNER addressed the Chair.

The PRESIDENT pro tempore. The Senator from Virginia.

CONTINUING NEGOTIATIONS ON THE GOVERNMENT SHUTDOWN

Mr. WARNER. Mr. President, I thank the distinguished majority leader. He has been a tireless worker in this effort. We have another long day ahead of us today. Just addressing the issue that the distinguished majority leader raised, among the discussions that we had yesterday, again, he framed very accurately the fact that the 7-year balanced budget, that seems to be agreed upon really by both sides. The controversy that remains today to be negotiated is in the area of how you formulate the economic assumptions by which, over a period of the 7 years, the goal of a balanced budget is reached.

As the distinguished leader pointed out, the Congressional Budget Office primarily serves the Congress. The Office of Management and Budget serves the President of the United States. We feel very strongly, of course, that the CBO, Congressional Budget Office, will continue in the primary role of ascertaining those economic assumptions. Nevertheless, it seems, as the discussions went yesterday, there was certainly an offer on the side of the Congress to permit, for example, the unified balanced budget in subsection (a), which we talked about in this language shall be estimated by the Congressional Budget Office based on their most current economic and technical assumptions, following a thorough consultation and review with the Office of Management and Budget—again, involving the President and his principal advisers.

Incidentally, Mr. President, most importantly, "and other Government and private experts," which means that the Congress is not endeavoring to cloister itself simply with one set of economic factors. It simply is reaching out to the widest possible range to make the economic assumptions in a manner which,

hopefully, would be acceptable to both the President and the Congress.

I am pleased to be here today with my colleagues to continue this most valuable work. I yield the floor.

THE CURRENT SITUATION

Mr. COCHRAN. First, let me compliment the distinguished majority leader, Senator DOLE, for the way in which he is keeping the interests of the Senate in negotiations that are taking place on this resolution, not only regarding the continuing resolution, but the effort to get some commitment from the administration to support the effort and be an actively engaged partner in the effort to achieve a balanced budget. That is really what is at the heart and soul of the dispute between the Congress and the administration at this time.

We know some innocent people are sort of caught in the crossfire. That is unfortunate. I think that the majority leader's assurance to those who are being disadvantaged and put at some financial risk as a result of this impasse ought to be reassured by the statements of the leader.

There has been a lot of speculation. I know the distinguished Senator from Virginia has voiced concerns about how we go about making amends, or making sure that there is not an unfair result for some of those who have been laid off or furloughed temporarily.

The fact is, I think there is some misunderstanding about the situation. There is a commitment, as the majority leader has stated, to help make sure that those problems are resolved and that they are resolved as a part of this negotiation. We hope that is the case.

Some people have said, and they have called in saying, "If people are not essential, if they are not necessary to the operation of the Government, why do you have them on the payroll to start with?" That is not the definition of this situation. That is, that there are some who are considered essential for the protection of life and property. That is the definition. I think that is why there is the misunderstanding, those whose presence and whose active involvement on the payroll or on the job is necessary for the protection of life and property are considered essential under this situation.

The President, however, has the obligation to make that definition in many cases. He has a good deal of leeway in making those decisions. I think people recognize that after the first furlough and first definitions, within the Departments there have been some changes. Some who were considered not necessary or essential for the protection of life and property have been summoned to come back to work, who were not first considered essential.

So, this is a situation that does not happen every day. It is very unusual. It is out of the ordinary. No wonder there

is some wonderment or bewilderment, confusion, about this situation.

I think all can be assured that certainly this Senate is going to continue to look out for the interests not only for those who have been put at some financial disadvantage, but also the American people as a whole, and the interests of States. We are here representing State governments as well. That is one of the original roles of the U.S. Senate. We have two Senators per State so each State can be equally and fairly represented. So the interests of local governments are being taken into account in this process, too.

The point I am trying to make is that although there are some anxieties and although there is some confusion, no one should be confused about what the goal is. That is, to get this dispute resolved as quickly as we can and as fairly as we can and without compromising our commitment to achieve a balanced budget. That is the whole purpose of this.

We are sorry the dispute has turned into what some are characterizing as a political game or of one-upmanship, one trying to outdo the other with public rhetoric and news releases and the like.

There is some very serious and hard work going on, and all through the weekend, and has been going on the last several days. I hope we can resolve it today. Everyone here is paying a very serious commitment in that direction.

I yield the floor.

Mr. WARNER. Before the able Senator from Mississippi departs, yesterday you were present throughout the day and at a number of meetings, but repeatedly the majority leader of the Senate, Senator DOLE, expressed compassion for the people who are necessarily furloughed as a consequence of this problem. In the presence of the Speaker and others at various times there was never any doubt—never any doubt—that the Congress would take appropriate action, perhaps as a separate measure from a continuing resolution. But, nevertheless, the Congress would take appropriate legislative action to ensure that furloughed persons are made whole with respect to their salaries.

We cannot make them whole for the emotional loss and strain and the uncertainty, but certainly when it comes to the question of their just compensation, that will be done.

I thank the Senator and join him in recognizing the leadership provided by the distinguished Senator from Kansas, the majority leader, Senator DOLE.

Mr. COCHRAN. I thank the Senator for his leadership in this effort. He has been stalwart in always helping us resolve these difficult situations. That has certainly been the case in this instance, as well.

The PRESIDING OFFICER (Mr. WARNER). The Senator from Georgia.