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House of Representatives

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1966—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 104–149)

The SPEAKER. The unfinished business is the further consideration of the veto of the President on the bill (H.R. 2076) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

The Clerk read the title of the bill.

MOTION OFFERED BY MR. ROGERS

Mr. ROGERS. Mr. Speaker, I offer a preferential motion and I ask for its immediate consideration.

The SPEAKER pro tempore (Mr. UPTON). The Clerk will report the motion.

The Clerk read as follows:

Mr. ROGERS moves that the message, together with the accompanying bill, be referred to the Committee on Appropriations.

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. ROGERS] is recognized for 1 hour.

GENERAL LEAVE

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and that I be allowed to include tabular and extraneous material on H.R. 2076.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ROGERS. Mr. Speaker, I yield 15 minutes to the gentleman from West Virginia [Mr. MOLLOHAN] for the purposes of debate only, and I yield back 30 minutes.

Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is a sad day today, after the President has vetoed the largest crime fighting budget in the Nation's history, just one day after the FBI announced that crime rates are finally starting to drop. It is a sad day today, when all of the Federal employees in the Departments of Justice, State, and Commerce, the Federal Courts, and 20 related agencies, more than 200,000 of them, have their jobs left in doubt because the President refused to sign the full year appropriation for them.

Two-thirds of the funding in this bill, Mr. Speaker, nearly $18 billion, would have gone to putting criminals behind bars.

Think about the programs that will not go into effect because of this veto: $14.6 billion for law enforcement, a 19 percent increase, including $3.6 billion for state and local law enforcement to give them the resources to fight crime where it counts, on our streets. That is a 57-percent increase over last year.

An $895 million increase to combat illegal immigration and secure the Nation's borders; $146 million more than the President requested, including 3,000 more INS personnel and 1,000 more border patrols on the border. We need to get these people hired and trained. Otherwise the money will be wasted.

The bill includes $500 million for California, Texas, Florida, New York, and other States most impacted by criminal aliens, and the President is telling those states, ''tough luck.''

In the bill vetoed is also $175 million for violence against women programs, 7 times more than we provided this year, the full amount of the President's request. Now he is vetoing the money for violence against women.

On October 15, the President accused the Congress of reducing domestic violence programs by $50 million, hampering ''our efforts to protect battered women and their children, to preserve families, and to punish those crimes.''

☐ 1230

Well, Mr. Speaker, that $50 million is included in this conference report, plus $125 million more. We fully fund the program. And what does the President do? He says ''no.''

Why is he vetoing the bill? He says we do not spend enough money on some programs. Even while he is meeting now to reduce spending, he wants us to include and increase spending for things like the Ounce of Prevention Council, $2 million; the Globe Program, $7 million. Great international organizations he wants money spent for, and among the reasons he vetoed the bill, are things like the Bureau of International Expositions; and, get this one, the International Office of Epizootics.

That is why he says he is vetoing the bill, and for corporate welfare programs he says we did not fund, like the Advanced Technology Program. That is corporate welfare. I think we were all determined to cut it and we did in this bill. And he is vetoing the bill, he says, because of his pique over the COPS program. As we have said so many times, this is not a debate over putting more police on the streets. The conference report fully funds the request of $1.9 billion, giving our local communities the resources to hire every single policeman on the beat that the President proposed, and then some, as the President says. The difference is over who controls the program. Is it a Washington-based, one-size-fits-all program, that the President wants; or do we empower local communities to decide what they need most to fight crime?

We have heard the problems with the President's COPS program. According to the General Accounting Office, 50 percent of the communities do not participate because they cannot afford to participate. It costs them 25 percent of the total cost the first year; more in the second; and after that, they are entirely on their own. They simply cannot afford it.

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
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What we do in our program is make them put up 10 percent, and they can use the money for cops, if they want, or for cop cars, if they need that, or for other things.

COPS is a discretionary grant program, so communities cannot predict whether they will receive funds or not. And the COPS program that the President wants, and here is the rub, requires a whole brand new Washington bureaucracy. In fiscal 1996, 236 positions; $26 million. They have rented a 10-floor, 51,000 square foot building where the rent alone costs $1.5 million.

The block grant program, which we put in the bill, corrects all of those problems, but the President objects because Washington knows best.

So for those reasons, not spending enough on lower priority programs, a dispute over who gets credit for putting more police on the streets, the President has vetoed the bill, the biggest crime fighting appropriation in the Nation's history, putting at risk the jobs of some 200,000 Federal employees.

I wish the President would get over this pique, this political pique. We are not asking him to vacate Air Force one by the rear door. All we are saying is sign this bill; we sent you a good one.

Every day these crime fighting funds are delayed because of the President's veto is a day wasted in the fight against violent crime, drugs, illegal immigration and violence against women.

I regret the President's veto. I regret the fact that the White House never saw fit to sit down with us to try to work out an acceptable bill. I regret the fact that 200,000 Federal employees continue to be at risk of furloughs because the President puts his priorities ahead of theirs.

But the bill has been vetoed. The only alternative we have, Mr. Speaker, is to send the bill back to the committee and start the process over. Congress did its job on this bill. It passed the appropriations for Commerce, Justice, State, the Federal Judiciary, and others for fiscal 1996.

There is no bill in place now, not because the Congress did not act, it is purely because the President acted to kill a bill that would have funded the greatest crime fighting era ever in the Nation's history.

Mr. Speaker, I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the President has vetoed the fiscal year 1996 Commerce, Justice, State and Judiciary and related agencies appropriations bill. As everyone knows, this is the third appropriations bill the President has vetoed this week, and his action on this bill is not unexpected. As a matter of fact, Mr. Speaker, it is anything but unexpected.

When the Commerce, Justice, State and Judiciary conference report was on the floor 2 weeks ago, it was clear that the President was going to veto it. In fact, when this bill passed the House in July, the President clearly indicated that he would veto any version of the bill that did not fund the Cops on the Beat Program in its already-authorized last-year form.

The President has, from the beginning of this process this year, indicated his priorities for the bill, and the bill Congress sent to him does not fund those priorities.

Now, Mr. Speaker, this is a perfunctory motion we debate this afternoon. It is absolutely perfunctory. We should not even be here debating this motion to send this bill back to the committee. We ought to be debating a continuing resolution so that we can get the Government up and operating, so that we can get these agencies funded, so that we can get this COPS program funded.

Mr. Speaker, there are 8,000 additional community policemen, on top of the 26,000 that the President has already gotten out during the last year. There are 8,000 new cops that have been appointed, but they cannot be funded because this bill has not passed, or because we have not passed a continuing resolution while we debate the policy priorities that are contained in this bill.

Mr. Speaker, there is no reason, there is no reason that these Justice Department programs, that these crime-fighting initiatives that were started under President Clinton's program 2 years ago cannot now be funded. We could be operating under a continuing resolution. No reason why we could not be operating under a continuing resolution if we were not trying to use the appropriations process as leverage to bring the President to tow.

Now, that is what the majority is doing. They are saying, oh, we are not funding all of these crime-fighting program because the President has vetoed this bill. This bill was supposed to be passed the 1st of October. This bill, and six other appropriations bills that are not passed, were supposed to be passed 3 months ago. They are not passed, and now we are sending it back to committee to try to rework the bill to accommodate the President's concerns. In the meantime, unless we pass a continuing resolution, which is what we ought to be debating here, unless we pass that continuing resolution, Mr. Speaker, these agencies are going to be continued to be shut down.

The point is, we could be funding these programs right now if we were debating passing a CR and going forward, funding them while we debate these policy priorities and while we consider the reconciliation bill.

Mr. Speaker, let us move forward with the CR. The President was granted applications for 8,000 additional policemen to go into every community, every State, every congressional district across this Nation. Last year we appointed 26,000. We have 8,000 more ready to go as soon as this money is released. It can be released with a continuing resolution.

If the majority wants to debate the priorities, if it wants to debate block grants, fine, let us debate block grants. Let us debate priorities before this bill passes. Let us allow these policemen to get on the street by debating a CR, getting a CR out and passed so we can implement some of these crime-fighting programs that the majority alludes to.

Mr. Speaker, I reserve the balance of my time.

Mr. ROGERS. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana [Mr. LIVINGSTON], the great chairman of the Committee on Appropriations.

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, I thank my great chairman of the Subcommittee on Commerce, Justice, State and Judiciary for yielding time to me.

Mr. Speaker, the President vetoed this bill, but it was no surprise to the President what was in this bill. He has known about this bill for 3 months, because it passed the House in July. The President has known the numbers that were in this bill since then.

He has known that this is a real crime bill; that this bill provides $14.6 billion to fight crime, which is 20 percent more than last year's level. He has known that it provides 25 percent more for immigration initiatives than last year's level, and 57 percent more for State and local law enforcement than last year's level, plus it gives State and local law enforcement officials more opportunity to determine where the money goes, and it requires less money up front from them than that COPS Program that we have heard so much about.

This bill gives States 285 percent more for State criminal alien assistance, and it includes 573 percent more for violence against women's programs. We have heard that there is a great need for violence against women's programs because of what battered women around this country are telling us. This bill answers their pleas. It answers their call. And the President crassly vetoed this bill yesterday, a few days before Christmas, right on the heels of his veto of the VA–HUD and Interior bills.

If he had not vetoed those 3 bills, 620,000 Federal employees would be employed today without worry about whether or not they are going to get their paycheck at Christmas.

Mr. Speaker, this bill is a good bill, and it should have been signed, but the President could remedy this. He could come back with an overall comprehensive package that puts us on a balanced budget by the year 2002, that includes whatever extra funding that he may want, as long as he can find it in some other area in the entitlement programs. He can present to the American

people the proposal that he can govern, that he can work with this Congress, if only he will sit down to the table with our negotiators. He has promised he would, he has promised he is for a 7-year balanced budget, as scored by CBO, but all we have heard is rhetoric.

When the President decides to get serious, this bill or some variation will be signed into law.

Mr. MOLLOHAN. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. CONYERS], the ranking member.

(Mr. CONYERS asked and was given permission to revise and extend his remarks.)

Mr. CONYERS. Mr. Speaker, I thank the ranking member of the subcommittee for yielding time to me.

Mr. Speaker, we are back to the bill that has come from the nicest subcommittee chairman in the Congress with the lousiest bill. Here we are again.

I guess the Republicans have to say I believe the President now. He told them in the summer; he told them in the fall; he told them when the bill was being debated, I will veto this bill. And the Republicans gave him their advice, which is their responsibility, and now he has vetoed the bill. They believe him now.

Now, where is the continuing resolution? I think the gentleman from West Virginia is absolutely correct. Look at what we are doing here, gentlemen. Over and above the COPS Program, we are eliminating the Drug Initiative Program. I am glad the chairman of the subcommittee saw fit not to mention it. It is on the first page of the veto, if he will take a look at it.

We are getting rid of or crippling the Legal Services Corporation, the program that would represent people who are indigent and cannot otherwise afford these services.

We have a rider in the bill that the gentleman did not mention, a moratorium on the Endangered Species Act, which has nothing whatsoever to do with the bill. I guess the gentleman does not know where that one came from.

□ 1245

So, I would suggest to my colleagues that this is a very serious veto, well-anticipated. We knew it was coming. Why they would want to take away the Death Penalty Resource Center out of the legal services programs, I do not know.

Mr. Speaker, when race relationships are at an all-time high in terms of misunderstanding, what do they do with the Community Relations Service in the Department of Justice? Wipe it out.

Now, we come to the floor belaboring the fact that the President did precisely what he said he was going to do. Do not be ashamed. Look, my colleagues have been there before. They have done it all summer. I still say that the chairman of the appropriations subcommittee here is still one of the nicest guys in the Congress, with the lousiest bills that ever come to the floor.

Mr. ROGERS. Mr. Speaker, I am not sure whether I should thank the gentleman or not; at least a half a thank you.

Mr. Speaker, I yield 1 minute to the gentlewoman from Maryland [Mrs. MORELLA].

(Mrs. MORELLA asked and was given permission to revise and extend her remarks.)

Mrs. MORELLA. Mr. Speaker, today the lives of women and children are in great danger. I must remind my colleagues that the Commerce, Justice, State Appropriations Act contains critical funding for the Violence Against Women Act, legislation that has had the overwhelming support of the Congress and the President.

Without these monies, we will not have desperately needed training programs for those who are on the frontlines—our police and judges—in fighting domestic violence, rape, and other crimes against women.

We will not have the funds to strengthen efforts in our local communities by our local law enforcement agencies and by our prosecutors to combat violent crimes against women. States and local government cannot do this work without the funds in VAWA.

We will not have the funds to pay for victims services for women and children who are in danger and in desperate circumstances.

In short, the progress we have made in the struggle to end domestic violence and violent crimes against women is in jeopardy. Our States are depending on these funds to proceed with much needed programs in our communities all across our country.

Mr. Speaker, we cannot allow the women and children of this country to be caught up in the crossfire of the budget battles.

We cannot leave this House without ensuring that we stand firm on our commitment to the women and families of this Nation. We must reach agreement on this vital spending bill. The women and children of this country are depending on us.

Mr. MOLLOHAN. Mr. Speaker, I yield 1 minute to myself, and I would like to ask the gentlewoman from Maryland [Mrs. MORELLA] if she would engage me in a colloquy.

Mr. Speaker, I would like to ask the gentlewoman, she was not intending to imply that because the President vetoed this bill that was sent to him almost 2 months after the time it was supposed to be sent to him, that, for example, they money that is in here, the $175 million for the violence against women will not be funded. The gentlewoman is not suggesting that, is she?

Mrs. MORELLA. Mr. Speaker, if the gentleman would yield, we just cannot tell. Right now, it is in total jeopardy.

Mr. MOLLOHAN. Mr. Speaker, reclaiming my time, how is it in jeopardy? This bill is going to come back to committee. No matter what happens to this bill, for my part and the majority's part, no matter what happens to this bill, that money is going to be there.

The President was very supportive of this. That was in his request. The violence against women money will be in there. We should not be scaring people out there and suggesting that that money is not going to be there because the President vetoed the bill. The President vetoed the bill for a lot of policy reasons. That money will be there, and we ought not attempt to scare people.

Mrs. MORELLA. Mr. Speaker, if the gentleman would continue to yield, there are a lot of promises and assumptions that we feel in this legislative arena and we find out that may not happen. We want to be assured that it is signed so that we do have the money.

Mr. MOLLOHAN. Mr. Speaker, again reclaiming my time, I hope I have given the gentlewoman a little assurance.

Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Colorado [Mr. SKAGGS], a distinguished member of our committee.

Mr. SKAGGS. Mr. Speaker, why in the world are we here in the middle of December without this bill passed, with the Government shut down? All of this was supposed to have been out of the way by the first of October. And through no fault of the minority party, here we are.

Mr. Speaker, the majority simply does not know how to run the Congress on time, on schedule, to get our basic work done, our basic responsibilities taken care of.

In this instance, as in the case of so many of the appropriations bills, we are 2½ months late because the majority insisted on jamming a bunch of controversial policy matters into bills to deal with appropriations matters, where they have absolutely no business, and then getting hung up with the Senate when they could not get any agreement on how to do this.

Mr. Speaker, we wasted months on the contract. We are late in getting the appropriations bills done here. We are 2½ months into fiscal 1996, with the Government shut down, going through this drill.

We should be ashamed of ourselves. Any majority party that took seriously its basic responsibilities to run this place, to get our work done, would not be bringing a bill like this up now with the Government in chaos. We would be getting a continuing resolution done that at least acknowledged the failure of the majority party to be able to get its basic work accomplished on time.

Mr. Speaker, we stand ready to see a continuing resolution, to get this Government back on its feet promptly this week before Christmas. It is a shame that we are here in this kind of dysfunctional state of mind and state of inaction while the good men and

women of this country, who have a right to expect more of their Government than this kind of behavior, sit out there looking at us aghast at our inability to get our basic responsibilities accomplished.

Mr. Speaker, let us dismiss this particular distraction; get back to appropriation bills that are true to the traditions of this place; get a continuing resolution through; and, get this Government on its feet.

Mr. ROGERS. Mr. Speaker, I yield 1 minute to the gentlewoman from Staten Island, NY [Ms. MOLINARI].

Ms. MOLINARI. Mr. Speaker, I rise today to express my strong disappointment with President Clinton's veto of this bill. This bill included full funding for the Violence Against Women Act; $175 million to protect women and children from abuse. That is an increase of 573 percent from last year.

Mr. Speaker, regardless of why the President vetoed this bill, when he did, he canceled the implementation of this funding. In the next 5 minutes, 1 woman will be raped in America and 14 more will be beaten by their husbands and boyfriends. We need to start as soon as possible to get money and programs to our State and local governments for things such as law enforcement and prosecution grants; court appointed special advocate programs for victims of child abuse; training for judicial personnel and practitioners; $28 million to go for arrest policies to encourage local governments to deal with domestic violence as a serious criminal offense; $1.5 million for a national stalkers and domestic violence reduction program; $7 million for rural domestic and child abuse enforcement.

Mr. Speaker, these are terrible tragedies that are existing every minute throughout this country in every corner of this country. We can go a long way toward stopping this as soon as the President will not hold this funding program hostage to the veto of the Commerce bill. I hope that he sees the error of his ways and implements his cooperation to get this money to the States.

Mr. MOLLOHAN. Mr. Speaker, I yield myself 1 minute to engage the gentlewoman from New York [Ms. MOLINARI].

Mr. Speaker, the gentlewoman again suggests that money in here has been canceled for this program for the year. Is that what the gentlewoman is implying?

Ms. MOLINARI. Mr. Speaker, if the gentleman would yield, I am sure I was clear to say that when the President vetoed this bill, he canceled the expenditure of these funds until he finds a bill that he wants to sign.

Mr. MOLLOHAN. Mr. Speaker, reclaiming my time, but the gentlewoman is not suggesting that money will not be in this program one this bill is processed and signed by the President?

Ms. MOLINARI. Mr. Speaker, if the gentleman will yield further, with all due respect, if the gentleman knows what the President has in his mind these days, he is smarter that the rest of America.

Mr. MOLLOHAN. Reclaiming my time, will the gentlewoman acknowledge that she was engaged in a bipartisan effort to get this money in the bill, and it was supported by the President?

Ms. MOLINARI. Mr. Speaker, if the gentleman would continue to yield, I appreciate the cooperation given from the Democratic side of the aisle in this funding. I am only sorry that the President did not enter into that spirit of cooperation.

Mr. MOLLOHAN. Mr. Speaker, will the gentlewoman acknowledge that if we pass a continuing resolution here on this bill, that we would be able to immediately fund this program while we go forward and debate these other issues, and we could immediately fund it, get everybody back to work and get back them back to work now and pass the rest of the programs and the violence against women programs? Does the gentlewoman agree with that?

Ms. MOLINARI. No, absolutely not.

Mr. MOLLOHAN. The gentlewoman does not agree that if we get a continuing resolution passed, we would be able to do that?

Ms. MOLINARI. At last year's level, which is a significant diminution of what we are appropriating in this Congress at 573 percent more this year. That is a tremendous difference.

Mr. MOLLOHAN. Mr. Speaker, I yield 1 minute to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, the issue today is not this motion that is before us which is being debated, but rather that we ought to be debating a continuing resolution so that we can keep this Government open and we can talk about the Commerce, State, and Justice bill, and the Cops on the Beat Program.

Mr. Speaker, let me make just one point in that the President in my view was correct to veto the Commerce, State and Justice bill for, particularly in my view, for the Cops on the Beat Program and dismantling it.

But the gentlewoman from New York [Ms. MOLINARI] and the gentlewoman from Maryland [Mrs. MORELLA] both know about the President's commitment to the Violence Against Women's Act, and that if we got this Government open and running, that that money would flow and the commitment is absolutely there.

Mr. Speaker, they were part of a bipartisan effort to put it together, and anything that they get up to say about it was a partisan on the their part today.

Mr. Speaker, let me say that I strongly support what the President did on Commerce, State and Justice, specifically because I oppose dismantling the community policing initiative. It is a crime fighting program that has worked and one that we ought to continue, and it has lowered the crime rate in this Nation tremendously.

Mr. ROGERS. Mr. Speaker, I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Speaker, I yield the balance of my time to the distinguished gentleman from Wisconsin [Mr. OBEY], the ranking minority member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, as previous speakers have already indicated, the President indicated a long time ago that he was going to veto this bill, and he indicated that repeatedly because of his concern that this bill rips up his Cops on the Beat Program and a number of other concerns listed in the veto message. That is not the issue here today.

The program with what is happening here today is that we are debating a perfunctory motion to which absolutely no one is opposed. This motion is simply to send the bill to committee. Everybody is going to support that.

Mr. Speaker, instead of wasting time on this meaningless motion, what we ought to be doing, as the gentleman from West Virginia [Mr. MOLLOHAN] has indicated, is bringing a clean continuing resolution to this floor to keep the Government open so that all programs, including these programs, can continue to function.

What is rally at stake here is exactly what the gentleman from West Virginia has indicated. What is happening is that the Republican leadership of this House is trying to gain leverage on their discussions with the President on the 7-year budget by shutting down Government and holding hostage all of these programs and all of the people running them until the President caves in to the demands of the gentleman from Georgia [Mr. GINGRICH].

Mr. Speaker, what is at stake here was summed up by the chairman of the Committee on Appropriations in a press conference he held after President Clinton signed the defense bill. When the President signed the defense bill, my good friend, the gentleman from Louisiana [Mr. LIVINGSTON], then said as follows: ''The President is at our mercy. If the Government shuts down on December 15 and 300,000 people are again out of work, most of the people going out will be his people. I think he's going to care more about that than we do.''

Mr. Speaker, that is apparent today. It is very apparent that there is very little concern on the part of the majority party leadership for the individual workers in this country who are being crunched because of a power game between the White House and the Speaker of the House.

Mr. Speaker, the leverage games ought to stop. I know full well that if those leverage games were not going on, the subcommittee chairman of this subcommittee and the ranking Democrat could work out these differences in half an hour, because they are both good men. I know that would happen.

The fact is, this debate is a waste of time. For any of our citizens who happen to be watching it today, it is a sad day in my view because it once again demonstrates that we are mistaking motion for movement.

□ 1300

We should not be wasting our time on a meaningless motion like this.

I would urge the Speaker of the House to immediately bring a continuing resolution to the floor so that this charade can stop, so that Government can stay open, so that Government agencies can provide the services to which the taxpayers are entitled, and stop the political game.

Mr. ROGERS. Mr. Speaker, I yield the balance of my time to the gentleman from Florida [Mr. MCCOLLUM], the chairman of the Subcommittee on Crime of the Committee on the Judiciary.

(Mr. MCCOLLUM asked and was given permission to revise and extend his remarks.)

Mr. MCCOLLUM. Mr. Speaker, I thank the gentleman for yielding me this time.

I want to say that I truly believe that there is probably no other illustration better than this bill today of the differences between Republicans and Democrats, fundamentally about our approach to government and fundamentally about the revolution that is taking place with the new majority. We are not doing business as usual, and some, I can understand it, on the other side of the aisle would like to see us do it the traditional way.

Yes, there is authorizing legislation that normally would come through the authorizing committee to the floor in this bill, and, yes, we are doing some major changes, different from what the President wants, and, yes, we know that we cannot succeed in some of these votes up and down with a straight ability to override a Presidential veto because we do not have the votes to do that.

But we are determined in our revolution this year in making the change to the new majority to do what the public wants us to do, and that is to make a difference, to really change the way we fight crime, among other things, and the way our Government responds to things.

What this bill does and what this legislation on crime fighting does is to do that. It, first of all, takes a program or two passed by the Democrats in the last Congress that provided Washington business-as-usual grants out there for more police officers and for all kinds of so-called prevention programs that governments would have to apply for and do it the way Washington said, takes all of those programs and rolls them into one single $10-billion grant program, block-grant program, for which local cities and counties would get the money to fight crime as they see fit. If they wanted to hire new policemen, they could. If they wanted to do a drug treatment program, they could. If they wanted to use that money for a new piece of equipment, they could do that. Whatever they wanted to do; what is good for Portland, OR, is not good for Charleston. One size does not fit all. That is a very big difference between Republicans and Democrats.

We do not believe Washington should be dictating how to fight crime or many other things to local governments. They ought to be making those decisions, and the President's veto is an indication he does not agree with us. He agrees with the typical business-as-usual liberal Democrats who like big government in Washington.

The second thing in this bill about fighting crime we seem to overlook that is very important, maybe more important in some ways than getting 100,000 cops and changing the way we do business around here and so on, is the fact that we have in this bill a change in the way we go about the incentive program for building new prisons to try to encourage States, if they meet the goal of requiring violent repeat offenders to serve at least 85 percent of their sentences, then they can get prison grant money. Many States are changing their laws to build these prisons. We have prisoners today getting out, serving only a third of their sentences and committing violent crimes over and over again.

We ought to take away the key and throw it away and do away with it.

The last piece in this bill is prison litigation reform. The President vetoed that, too. This bill should not have been vetoed.

The SPEAKER pro tempore (Mr. UPTON). Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky [Mr. ROGERS].

The motion was agreed to.

A motion to reconsider was laid on the table.

REQUEST FOR COMMITTEE ON APPROPRIATIONS BE DISCHARGED FROM FURTHER CONSIDERATION OF HOUSE JOINT RESOLUTION 131, FURTHER CONTINUING APPROPRIATION, FISCAL YEAR 1996

Mr. OBEY. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations be discharged from further consideration of House Joint Resolution 131, which is a clean continuing resolution to extend the Government through January 26, authorize 2.4 percent military pay raise, effective January 1, eliminate 6-month disparity between COLA payment dates for military and civilian retirees in fiscal 1996, and ask for its immediate consideration in the House.

Mr. ROGERS. Mr. Speaker, regular order.

The SPEAKER pro tempore. Under the guidelines consistently issued by successive Speakers as recorded on page 534 of the House rules manual, the Chair is constrained not to entertain the gentleman's request until it has been cleared by the bipartisan floor and committee leaderships, and, therefore, it is not in order at this time.

Mr. OBEY. I hope it will soon be cleared.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2539, THE ICC TERMINATION ACT OF 1995

Mr. QUILLEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 312 and ask for the immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 312

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2539) to abolish the Interstate Commerce Commission, to amend subtitle IV of title 49, United States Code, to reform economic regulation of transportation, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. QUILLEN] is recognized for 1 hour.

Mr. QUILLEN. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my good friend, the gentleman from Massachusetts [Mr. MOAKLEY], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 312 allows for the consideration of the conference report to accompany H.R. 2539, the Interstate, Commerce Commission Termination Act of 1995. Under the rule, all points of order against the conference report and against its consideration are waived, and the conference report shall be considered as read.

Mr. Speaker, although I do not generally favor granting blanket waivers, the Rules Committee was provided with a list of specific waivers required for consideration of this bill, and this rule was adopted by voice vote in the Rules Committee.

Also, there was discussion yesterday that the Senate might consider a concurrent resolution which would effectively amend this conference report to include the Whitfield amendment as passed by the House. I supported the Whitfield amendment when it was adopted by the House because it provided important protections for small and medium size railroad employees who lose their jobs because of a merger or acquisition. I think this language should have been retained without change in this conference report.

Unfortunately, the language of this concurrent resolution was unavailable to the Rules Committee, and the committee was unable to accommodate consideration of the concurrent resolution in this rule.

Mr. Speaker, funding for the ICC expires at the beginning of next year, and if we do not pass this conference report, the important functions of this agency that are being transferred to the Department of Transportation will fall by the wayside. This bill provides for an orderly termination and transfer of the vital functions of the ICC.

This is an important part of our efforts to downsize the Federal Government, and I urge adoption of the rule and the conference report.

Mr. Speaker, I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume and I thank my colleague from Tennessee for yielding me the customary half hour.

Mr. Speaker, although this is a standard conference report rule, I am very much opposed to this bill.

Despite promises to the contrary, despite the House-passed compromise on November 14—this bill contains some serious antiworker provisions.

This bill takes away class 2 and class 3 railroad workers' right to collective bargaining. It will hurt thousands of hard working Americans and it is unfair.

Mr. Speaker, nearly every other American worker has the right to collective bargaining, including class 1 railroad workers, class 2 and class 3 railroad workers should have the same worker protection as everyone else.

But, Mr. Speaker, once again, my Republican colleagues are choosing employers over employees.

They are saying that hard-working railroad workers do not deserve the most basic worker protections. They are saying that rail carrier mergers are more important than people.

Thankfully, President Clinton has said he will veto this bill, and I think he should. My colleagues should have kept their word and rail workers should be able to keep their jobs.

Mr. Speaker, I urge my colleagues to oppose this rule. American workers deserve every protection we can give them.

Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota [Mr. OBERSTAR], ranking member of the committee.

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, when the Committee on Rules met last night and our side testified at the meeting of the Committee on Rules, we asked for very few things. We asked that if points of order are going to be waived in this rule, that they be specified, that there be a specific reference to which points of order are to be waived in the interests of fairness and openness, and we asked that issues such as scope, germaneness, Budget Act problems, 3-day layover of conference reports issue be specified if there are going to be waivers of points of order.

The rule comes out with no specificity whatever. It just waives all points of order.

We also made a very modest request that if the Senate acted on a Senate concurrent resolution to restore the Whitfield amendment as a substitute for the language in the conference report dealing with labor protective provisions, that it be made in order for us to take up that Senate concurrent resolution. The Senate has not yet acted. It may not act on that concurrent resolution. But there is no provision in this rule as we requested. It was a modest request. I thought it was favorably received by the chairman of the Committee on Rules. But it is not included here as a mere courtesy to the Democrats.

This conference report is not a simple matter. This is 164 pages of very technical language dealing with a complex subject in the sunsetting of the oldest regulatory body in the Federal Government structure dealing with a mode of transportation that, in the 19th century, was the life line of America and all the way up through until the end of World War II was the cornerstone of our national economy, the railroad industry.

We are going to wipe it away. We have a bill with 164 pages of technical language. Points of order are simply waived. They do not say which ones. They do not give us the opportunity to bring up, should it be enacted, should it be passed by the Senate, the Senate concurrent resolution.

I find this very, very curious. I find it unpalatable. I find it inappropriate.

Nonetheless, I recognize that the other side has the votes. We will save our fight for the conference report.

Mr. MOAKLEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge adoption of the rule and the conference report when it is brought before the House.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 558, TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL COMPACT CONSENT ACT

Mr. MCINNIS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 313 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 313

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 558) to grant the consent of the Congress to the Texas Low-Level Radioactive Waste Disposal Compact. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. Each section shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1315

The SPEAKER pro tempore. The gentleman from Colorado [Mr. MCINNIS] is recognized for 1 hour.

Mr. MCINNIS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California, [Mr. BEILENSON], pending which I yield myself such time as I may consume. During the consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 313 is a very simple resolution. The proposed rule is an open rule providing for 1 hour of general debate divided equally between the chairman and ranking minority member of the Committee on Commerce. After general debate, the bill shall be considered as read for amendment under the 5 minute rule. The resolution allows the Chair to accord priority recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. Finally, Mr. Speaker, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, the chairman of the Committee on Commerce, Mr. BLILEY, requested an open rule for this legislation. This open rule was reported out of the Committee on Rules by unanimous voice vote.

Mr. Speaker, earlier this year, I voted against this legislation under the suspension of the rules because I felt that this legislation should be thoroughly debated. Under the proposed rule, each Member has an opportunity to have their concerns addressed, debated, and ultimately voted up or down by this body. I urge my colleagues to support this rule, as well as the underlying legislation.

Mr. Speaker, I include the following data for the RECORD.

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,[1] 103D CONGRESS V. 104TH CONGRESS

[As of December 19, 1995]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open [2]	46	44	58	65
Modified Closed [3]	49	47	20	23
Closed [4]	9	9	11	12
Total	104	100	89	100

[1] This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

[2] An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

[3] A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

[4] A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of December 19, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350–71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255–172 (1/25/95).
		H.J. Res. 1	Balanced Budget Amdt	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95).
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95).
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/13/95).
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PQ: 229–100; A: 227–127 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PQ: 230–191; A: 229–188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282–144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252–175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253–165 (2/27/95).
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271–151 (3/2/95).
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/6/95).
H. Res. 105 (3/6/95)	MO			A: 257–155 (3/7/95).
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	A: voice vote (3/8/95).
H. Res. 109 (3/8/95)	MC			PQ: 234–191 A: 247–181 (3/9/95).
H. Res. 115 (3/14/95)	MO	H.R. 1159	Making Emergency Supp. Approps	A: 242–190 (3/15/95).
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: voice vote (3/28/95).
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/21/95).
H. Res. 119 (3/21/95)	MC			A: 217–211 (3/22/95).
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 423–1 (4/4/95).
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: voice vote (4/6/95).
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 228–204 (4/5/95).
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 253–172 (4/6/95).
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: voice vote (5/2/95).
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/9/95).
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: 414–4 (5/10/95).
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: voice vote (5/15/95).
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95).
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95).
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PQ: 252–170 A: 255–168 (5/17/95).
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233–176 (5/23/95).
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PQ: 225–191 A: 233–183 (6/13/95).
H. Res. 167 (6/15/95)	O	H.R. 1817	MilCon Appropriations FY 1996	PQ: 223–180 A: 245–155 (6/16/95).
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PQ: 232–196 A: 236–191 (6/20/95).
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PQ: 221–178 A: 217–175 (6/22/95).
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	A: voice vote (7/12/95).
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PQ: 258–170 A: 271–152 (6/28/95).
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps	PQ: 236–194 A: 234–192 (6/29/95).
H. Res. 185 (7/11/95)	O	H.R. 1977	Interior Approps. FY 1996	PQ: 235–193 D: 192–238 (7/12/95).
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	PQ: 230–194 A: 229–195 (7/13/95).
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	PQ: 242–185 A: voice vote (7/18/95).
H. Res. 190 (7/17/95)	O	H.R. 2020	Treasury/Postal Approps. FY 1996	PQ: 232–192 A: voice vote (7/18/95).
H. Res. 193 (7/19/95)	C	H.J. Res. 96	Disapproval of MFN to China	A: voice vote (7/20/95).
H. Res. 194 (7/19/95)	O	H.R. 2002	Transportation Approps. FY 1996	PQ: 217–202 (7/21/95).
H. Res. 197 (7/21/95)	O	H.R. 70	Exports of Alaskan Crude Oil	A: voice vote (7/24/95).
H. Res. 198 (7/21/95)	O	H.R. 2076	Commerce, State Approps. FY 1996	A: voice vote (7/25/95).
H. Res. 201 (7/25/95)	O	H.R. 2099	VA/HUD Approps. FY 1996	A: 230–189 (7/25/95).
H. Res. 204 (7/28/95)	MC	S. 21	Terminating U.S. Arms Embargo on Bosnia	A: voice vote (8/1/95).
H. Res. 205 (7/28/95)	O	H.R. 2126	Defense Approps. FY 1996	A: 409–1 (7/31/95).
H. Res. 207 (8/1/95)	MC	H.R. 1555	Communications Act of 1995	A: 255–156 (8/2/95).
H. Res. 208 (8/1/95)	O	H.R. 2127	Labor, HHS Approps. FY 1996	A: 323–104 (8/2/95).
H. Res. 215 (9/7/95)	O	H.R. 1594	Economically Targeted Investments	A: voice vote (9/12/95).
H. Res. 216 (9/7/95)	MO	H.R. 1655	Intelligence Authorization FY 1996	A: voice vote (9/12/95).
H. Res. 218 (9/12/95)	O	H.R. 1162	Deficit Reduction Lockbox	A: voice vote (9/13/95).
H. Res. 219 (9/12/95)	O	H.R. 1670	Federal Acquisition Reform Act	A: 414–0 (9/13/95).
H. Res. 222 (9/18/95)	O	H.R. 1617	CAREERS Act	A: 388–2 (9/19/95).
H. Res. 224 (9/19/95)	O	H.R. 2274	Natl. Highway System	PQ: 241–173 A: 375–39–1 (9/20/95).
H. Res. 225 (9/19/95)	MC	H.R. 927	Cuban Liberty & Dem. Solidarity	A: 304–118 (9/20/95).
H. Res. 226 (9/21/95)	O	H.R. 743	Team Act	A: 344–66–1 (9/27/95).
H. Res. 227 (9/21/95)	O	H.R. 1170	3-Judge Court	A: voice vote (9/28/95).
H. Res. 228 (9/21/95)	O	H.R. 1601	Internatl. Space Station	A: voice vote (9/27/95).
H. Res. 230 (9/27/95)	C	H.J. Res. 108	Continuing Resolution FY 1996	A: voice vote (9/28/95).
H. Res. 234 (9/29/95)	O	H.R. 2405	Omnibus Science Auth	A: voice vote (10/11/95).
H. Res. 237 (10/17/95)	MC	H.R. 2259	Disapprove Sentencing Guidelines	A: voice vote (10/18/95).
H. Res. 238 (10/18/95)	MC	H.R. 2425	Medicare Preservation Act	PQ: 231–194 A: 227–192 (10/19/95).
H. Res. 239 (10/19/95)	C	H.R. 2492	Leg. Branch Approps	PQ: 235–184 A: voice vote (10/31/95).
H. Res. 245 (10/25/95)	MC	H. Con. Res. 109	Social Security Earnings Reform	PQ: 228–191 A: 235–185 (10/26/95).
		H.R. 2491	Seven-Year Balanced Budget	
H. Res. 251 (10/31/95)	C	H.R. 1833	Partial Birth Abortion Ban	A: 237–190 (11/1/95).
H. Res. 252 (10/31/95)	MO	H.R. 2546	D.C. Approps.	A: 241–181 (11/1/95).
H. Res. 257 (11/7/95)	C	H.J. Res. 115	Cont. Res. FY 1996	A: 216–210 (11/8/95).
H. Res. 258 (11/8/95)	MC	H.R. 2586	Debt Limit	A: 220–200 (11/10/95).
H. Res. 259 (11/9/95)	O	H.R. 2539	ICC Termination Act	A: voice vote (11/14/95).
H. Res. 261 (11/9/95)	C	H.J. Res. 115	Cont. Resolution	A: 223–182 (11/10/95).
H. Res. 262 (11/9/95)	C	H.R. 2586	Increase Debt Limit	A: 220–185 (11/10/95).
H. Res. 269 (11/15/95)	O	H.R. 2564	Lobbying Reform	A: voice vote (11/16/95).
H. Res. 270 (11/15/95)	C	H.J. Res. 122	Further Cont. Resolution	A: 229–176 (11/15/95).
H. Res. 273 (11/16/95)	MC	H.R. 2606	Prohibition on Funds for Bosnia	A: 239–181 (11/17/95).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS—Continued

[As of December 19, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 284 (11/29/95)	O	H.R. 1788	Amtrak Reform	A: voice vote (11/30/95).
H. Res. 287 (11/30/95)	O	H.R. 1350	Maritime Security Act	A: voice vote (12/6/95).
H. Res. 293 (12/7/95)	C	H.R. 2621	Protect Federal Trust Funds	PQ: 223–183 A: 228–184 (12/14/95).
H. Res. 303 (12/13/95)	O	H.R. 1745	Utah Public Lands.	
H. Res. 309 (12/18/95)	C	H. Con. Res. 122	Budget Res. W/President	PQ: 230–188 A: 229–189 (12/19/95).
H. Res. 313 (12/19/95)	O	H.R. 558	Texas Low-Level Radioactive.	

Codes: O-open rule; MO-modified open rule; MC-modified closed rule; C-closed rule; A-adoption vote; D-defeated; PQ-previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. BONILLA].

Mr. BONILLA. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in opposition to the Texas Low-Level Radioactive Waste Disposal Compact Consent Act and the rule for the bill. As you all know this bill was considered by the House back in September. The House overwhelmingly defeated this bill by a vote on 243 to 176 under suspension of the rules.

I commend the Rules Committee for a job well done in developing this rule. It is an open and very fair rule, however I believe this bill should not be coming to the floor for another vote. This rule would have been appropriate had the bill been considered in regular order back in September when it was first voted upon.

The House already made its statement loud and clear by rejecting this bill. This bill is not in order today and I urge my colleagues to oppose the bill and the rule.

Mr. BEILENSON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Colorado [Mr. MCINNIS] for yielding the customary 30 minutes of debate time to me.

Mr. Speaker, we support this open rule for H.R. 558, the Texas Low-Level Radioactive Waste Disposal Compact Consent Act. The bill was defeated overwhelmingly by a vote of 176 to 243 in September when it was taken up on the suspension calendar, and the bill itself remains quite controversial.

In fact, we were surprised to see it placed on the schedule for today with such little notice. Members of the Committee on Rules were not notified until yesterday afternoon that it would be taken up by committee at 5:15 yesterday evening. We questioned the wisdom of considering this bill again, even under an open rule, at this time in the session. It is not at all clear that the most open procedure can solve the problems that the bill seems to have. The fact that the Texas delegation itself is split evenly on the bill, 15 Members voted for it and 15 against it when it was before us in September, should have been a sign to the leadership that the strong vote against the bill should, for the moment at least, be allowed to stand.

Nevertheless, we are here today considering this legislation when we should be putting all of our efforts and energy into passing the long-overdue annual appropriations bills that are crucial to returning Government services to the American people.

Again, Mr. Speaker, we support this rule. It is an open rule, but we remain disturbed that it is being taken up at all for legislation that has already been defeated by the House, as the gentleman from Texas just said, when we should be considering the spending legislation that is critical to ensuring that our citizens receive the Government services they deserve.

Mr. Speaker, I reserve the balance of my time.

Mr. MCINNIS. Mr. Speaker, I yield three minutes to the gentleman from Colorado [Mr. SCHAEFER] who is also chairman of the subcommittee.

(Mr. SCHAEFER asked and was given permission to revise and extend his remarks.)

Mr. SCHAEFER. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in support of House Resolution 313, the rule which accompanies H.R. 558, the Texas Low-Level Radioactive Waste Compact Consent Act. This bill, introduced by our colleague, JACK FIELDS, will allow the States of Texas, Maine, and Vermont to join the other 42 States which have already entered into low-level radioactive waste disposal agreements.

The Open rule, providing that debate on and possible amendments to H.R. 558 will allow for a broad range of issues to be discussed, is a welcome step. The measure had strong bipartisan support during the Commerce Committee's consideration of it, and I am hopeful that once Members have listened to this debate at the full House level, the bill will enjoy similar wide support on final passage.

Low-level wastes emit a low intensity of radioactivity. In fact, the vast majority of low-level wastes—97 percent—do not require any special shielding to protect workers or the surrounding community. Examples of these wastes range from the coverall uniforms used at nuclear power sites to the radioactive elements of a hospital x-ray machine.

Currently, 42 States are already involved in nine compact arrangements for the disposal of low-level waste. H.R. 558 would finally allow the States of Texas, Maine, and Vermont to begin their efforts to fully comply with the Low-Level Radioactive Waste Policy Act of 1980 and to join the other States which have already entered into such compacts.

One of the important and controversial matters raised during the House's first consideration of this bill revolved around the siting of the low-level waste facility. H.R. 558, like the other nine compacts before it, does not specify a site. It was the intent of Congress that siting, like the other responsibilities outlined in the Low-Level Radioactive Waste Act, would remain a State issue. Regardless of the site, the States of Texas, Maine, and Vermont need the congressional consent of this compact. And regardless of the compact, these States will have a need for low-level radioactive waste disposal capability. The facts are very clear.

An open rule will provide a good forum to debate these points. The rule is a good one and I urge the House's adoption.

Mr. BEILENSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Maine [Mr. BALDACCI].

Mr. BALDACCI. Mr. Speaker, I rise today in support of the rule on H.R. 558, the bill to give congressional consent to the Texas low-level radioactive waste disposal compact.

Many of my colleagues had opposed this bill when it came up under the Suspension Calendar, and I have talked to some of them about their vote. One of the reasons that they most frequently gave for their opposition was the lack of an opportunity to fully debate this question.

The Committee on Rules has recommended an open rule allowing for 1 hour of general debate. I fully expect a vigorous discussion on the compact. I look forward to that debate and to answering any questions that may arise.

The compact is important for Texas. It is important for Vermont, and it is important for Maine. This would be the 10th compact that Congress has ratified since 1985, when Congress enacted the low-level radioactive waste disposal policy amendments.

This was one of those unfunded mandates that Congress gave the States to develop methods of managing low-level nuclear waste. The three States have diligently complied with that mandate.

The Governors and the legislatures of Vermont and Texas have approved the compact. The Governor and legislature and people of Maine have approved the compact.

Mr. Speaker, I urge support of the rule.

Mr. Speaker, since my good friend has allowed me such time as I may consume, I thought it was probably important to utilize this opportunity to discuss the low-level radioactive waste compact.

The measure before us today would give congressional approval to the compact between Maine, Vermont, and Texas for the disposal of low-level radioactive waste produced in those States.

Experience has probably taught all of us just how difficult waste management issues can become. And none is more difficult than those involving radioactive materials.

In 1985, after considerable debate, Congress enacted the low-level radioactive waste disposal policy amendments act. Congress gave responsibility to the States for the management of low-level radioactive waste. These materials are byproducts of nuclear medicine, nuclear research, industrial processes as well as nuclear power generation.

Congress clearly gave the States a mandate, without funding I might add, to develop responsible methods for managing this waste. H.R. 558 would simply ratify the compact negotiated between Maine, Vermont, and Texas. It represents the last step in the process. These three States have diligently complied with the congressional mandate. H.R. 558 deserves our overwhelming support.

Congress, in dictating to the States and requiring the States to come up with these compacts, this is the 10th compact that Congress has approved since 1985—9 others involving 42 States have received speedy consent. It would be very irresponsible and also unfair if we were to reject the compact now before us. It would be a complete reversal of the policy established by Congress.

Opponents of the legislation have objected to the proposed site of the low-level waste disposal facility in Texas. These objections are not relevant to the compact. The compact presented in H.R. 558 is site neutral. In fact, the siting process conducted by the State of Texas and the compact between the States of Maine, Vermont, and Texas, are separate and independent. As I understand it, Texas initiated the siting process long before it began negotiations with Maine and Vermont. In fact, the proposed site still requires approval of the Texas Natural Resources Conservation Commission.

So the commission has just now started what will be a lengthy public proceeding to consider all the issues associated with the proposed site. So for those reasons, and many others, I would support the rule and also support the passage of this legislation.

The Texas commission has just now started what will be a lengthy public proceeding to consider all of the issues associated with the proposed site. If the proposed site is found to be deficient, then the license will not be granted and another site will have to be selected. Nonetheless, the siting issues such as water quality impacts, seismology matters, and related concerns are simply not germane to our consideration of our H.R. 558. Neither the compact nor H.R. 558 specify any particular site in Texas. This decision is solely the responsibility of the Government of the State of Texas. The siting decision is the right of the State of Texas. We in Washington should not interfere in that process.

Finally, it is also important to understand that the compact under consideration contains real and significant advantages for all three States. With the compact, Texas will be able to limit the amount of low-level radioactive waste coming into its facility from out-of-State sources.

Maine and Vermont together produce a fraction of what is generated in Texas. For Maine and Vermont, the compact relieves either State from the need to develop its own facility. Given the relatively small volume of waste produced in Maine, developing such a facility would be disproportionately expensive.

These benefits are among the reasons that the compact received overwhelming support from the Governors and legislatures in all three States.

We should act now to approve H.R. 558 without amendments. It represents the States' best efforts to comply with a Federal mandate. It is not directly linked to the development of any specific site in Texas. It contains major benefits for all three States. I urge you to support H.R. 558.

Mr. MCINNIS. Mr. Speaker, I yield 15 minutes to the fine gentleman from the State of Texas [Mr. BARTON].

Mr. BARTON of Texas. Mr. Speaker, I will not use 15 minutes, I assure the Chair and the other Members of the body. I do want to speak for more than 1 or 2 minutes.

Mr. Speaker, when I was elected in 1984, I came to the Congress in January 1985, I had the honor to be placed on what was then called the Interior Committee, chaired by the distinguished gentleman from Arizona, Mr. Mo Udall. One of the pieces of legislation that that committee moved that year was the Low-Level Waste Policy Act Amendments of 1985, in which it gave States the authority to create interstate compacts with other States for the disposal of low-level nuclear waste.

At that time, the State of Texas chose to create a compact simply within its State boundaries and not to create an interstate compact with other States. Since that time, the State of Texas has been in negotiations with the State of Vermont and the State of Maine and has decided to take advantage of the 1985 act and create an interstate compact. Nine other interstate compacts have been approved by this Congress since the Low-Level Waste Policy Act Amendments of 1985.

When this bill first came to the floor earlier this year, it was defeated, and it was defeated primarily because many Members felt like that since one or two Members in the State of Texas on the Republican side were opposed to this legislation, that the State of Texas itself and the Republican delegation in general was opposed.

Nothing could be further from the truth. The Governor of the State of Texas, the Honorable George Bush, strongly supports the passage of this act. The former Governor, the Honorable Ann Richards, formerly when she was Governor supported this act. So both our Democrat former Governor and Republican Governor support the passage of H.R. 558.

When it comes to a vote later this week, my guess is that almost, not every Texan, but almost every Texas Member will support this act. On the Republican side, all but one or two will support it.

This bill does not site the low-level waste depository within the State of Texas. It simply gives the State the authority to contract with Vermont and Maine for their low-level waste. It will be a State decision within Texas where to put the depository.

The Members from our State delegation that oppose this legislation apparently oppose it because they oppose where the State has so far decided to locate the depository. But this act in and of itself is not site specific. It simply gives the State of Texas and the State of Vermont and the State of Maine the right to enter into a compact as this Congress or other previous Congresses have given nine other compacts.

So I want to strongly support the rule. I hope we pass the rule, and then I would hope that all Members would vote positively on the underlying bill, H.R. 558. It is simply giving these three States, Texas, Vermont, and Maine, the right, as other States have, to enter into an interstate compact for the transmission and disposal of low-level nuclear waste.

□ 1330

Mr. BEILENSON. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. GENE GREEN].

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of the rule and the bill, H.R. 558, the Texas low-level radioactive waste disposal compact.

Low-level waste is a by-product of many industrial and medical activities that contribute to our economy in Texas and also enhance our lives. For example, it is not in my district but it serves my community, our hospitals in the city of Houston and around the State are national leaders in health care and medical research, and we have this low-level waste now literally on the property of the hospitals because they have to have someplace to put it. We have an agreement now with two other States, and that is why H.R. 558 is so important.

Responsible management of this waste that the hospitals produce include clothing, the laboratory supplies, and paper requiring permanent disposal in a site specifically designed for that purpose.

The States of Texas, Maine, and Vermont have all agreed to proceed with this compact which, by law, Congress must approve; however, the implementation and site selection is a State matter. And I believe the States who sign this compact should be allowed to proceed with it.

I know in Texas, Mr. Speaker, we have done that. Governor McKernan of Maine signed the compact in 1993 and the Maine voters approved it by referendum later that year. Governor

Dean in Vermont in April 1994. In Texas, both the previous Governor, Governor Anne Richards, and current Governor Bush also strongly supported this compact. In fact, in 1991, as the State senator representing part of the Harris County area in Houston, I supported the compact as a State senator.

This law allows us to maintain control over this issue for the States and just simply allows the process to go forward.

We cannot continue to stick our head in the sand and say we do not have a place for this. By allowing this compact it would allow the State of Texas, a large geographic State with a great deal of urban area that produces this low-level waste, a place to store it other than the urban areas that is close to all of our homes.

Again, Mr. Speaker, we need this because our hospitals and our medical centers are contributing to it and they need to have someplace that is the least affected environment for it. That is why, Mr. Speaker, I rise in support of the rule and also in support of H.R. 558.

Mr. COLEMAN. Mr. Chairman, will the gentleman yield?

Mr. GENE GREEN of Texas. I yield to the gentleman from Texas, who, frankly, he and I served in the State legislature together, but not in the 1990's, because he was in Congress then.

Mr. COLEMAN. Mr. Speaker, I guess my question for the gentleman is, since he was for this legislation when he was in the State Senate in the State of Texas, I guess my question is, would he agree to an amendment, if we were to offer an amendment, and under this rule we would be allowed to offer an amendment, that would restrict this compact to only these three States?

Mr. GENE GREEN of Texas. Mr. Speaker, I would say to the gentleman that that was the intent when we voted for it in the State of Texas in the legislature; and as a Member of Congress, I would agree to that.

I am glad my colleague brought this up. If that would get my colleague from El Paso on board, I would be more than happy to support that amendment that would limit it to only those three States.

Mr. COLEMAN. Well, Mr. Speaker, maybe I should ask this question.

Mr. GENE GREEN of Texas. I gave the gentleman the right answer, did I not?

Mr. COLEMAN. It was a good answer.

As I understand the compact, however, I wonder whether or not this Congress would be willing to restrict those commissioners in any vote they might subsequently take to allow other States to join the compact? Can we do that in this legislation; is that the gentleman's understanding?

Mr. GENE GREEN of Texas. Again, I do not know. I would think the rule would allow that amendment to be considered, but the State legislature and the State of Texas would be the one that would actually vote on that. Again, I do not have any fear about the State legislature dealing with this issue because I worked on it then.

Mr. COLEMAN. So then the gentleman understands, if Connecticut, for example, which already has made some approaches to this compact, or proposed-compact States, if Connecticut wanted to join the compact, then, of course, the gentleman's statement is that we cannot prohibit that here in the Congress; that that would be up to the commissioners only who serve on the commission; is that right?

Mr. GENE GREEN of Texas. It is not my bill, but I would support limiting it to the waste of the three States.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. COLEMAN].

Mr. BARTON of Texas. Mr. Speaker, will the gentleman yield for an answer to the question?

Mr. COLEMAN. I am happy to yield to the gentleman from Texas.

Mr. BARTON of Texas. Mr. Speaker, I would say to the gentleman that I was one of the authors of the amendments in 1985, and it is the intent of the legislation to give the States the right to negotiate between themselves for these compacts. It would, in my opinion, be outside the scope of this particular bill to try to limit any of the legislatures in what they could do.

I would oppose the gentleman's amendment if he were to offer such an amendment. I personally do not have a problem limiting the States, but the underlying legislation gives the States the right to negotiate these compacts, and the Congress' role is simply to ratify or to not ratify the compact.

Mr. COLEMAN. Mr. Speaker, reclaiming my time, I would say to my colleagues in the Congress that this is exactly the issue. The issue here is simply one we call back home greed. Texas decided they would get a whole bunch of money from a couple of States if they would take their waste and dump it. And, of course, everybody says, well, these will just be these three States.

The minute I suggest we make sure it is only these three States, everybody goes, oh no. We just heard my colleague from Texas a minute ago, just now, say, oh, no, we sure would not want to do that. After all, Texas could get more money for this.

So what if it is out in west Texas, in a poor little old town called Sierra Blanca; right? It is not in his backyard. Not in my colleague's backyard, Mr. GENE GREEN'S backyard, in Houston, TX, or up near Dallas. No, it is just out in west Texas. So who cares, other than those 900 people that live in that county. Who cares?

Well, I will tell my colleagues what. Putting it in an unsafe place, which they are doing, they are putting it near the epicenter of an earthquake that occurred just last April, 5.6 on the Richter scale, and everybody says we do not care. Heck, I am in Dallas, or I am in Houston. We do not care, it is out in west Texas. Who cares.

The point is, we are finally going to get to the truth of the matter, and the last gentleman who addressed this House told us what the truth of the matter is. What they do not care about is the consequences. If there is an earthquake or an accident that occurs in the next 300 or 400 years, they do not care. They do not care if they are on record because they will not be here. If it occurs in the next 5 or 10 years, my colleagues may care.

It may not look too good that they were willing to put this dump site where it should not be in the first place; and, second, that they are willing to take a nuclear reactor from Connecticut, because that is the next thing that is coming. I hope everybody understands that.

All of my colleagues in Texas that think this is smart better start thinking ahead just a little bit. This is not about Maine and Vermont and Texas only. Once they open this site, these commissioners will elect to put radioactive nuclear waste from every State, if they want to, because only they will be doing it.

We are told it is outside the scope for this Congress to act for the health care and welfare of the American people, and that is flat wrong.

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I may consume.

I would remind my colleagues that the issue we are talking about right now is the rule, and we have an open rule. It came out of the Committee on Rules on a unanimous voice vote. I do not want everyone's attention being diverted away from the fact that the debate on this issue will take place when the bill comes up. Right now the issue is the rule.

I respect the gentleman's arguments, but I would point out, let us focus back on the rule. It is an open rule. There is no reason anyone in here should object to the rule because it will allow the kind of healthy debate we have just seen.

Mr. COLEMAN. Mr. Speaker, will the gentleman yield?

Mr. MCINNIS. I yield to the gentleman from Texas.

Mr. COLEMAN. Mr. Speaker, I thank the gentleman for highlighting that. In fact, it was my intention to come here and only to speak on behalf of the rule.

I think the rule is fair and it gives us an opportunity to offer the very amendments that I was speaking about. But I came up here and all of a sudden I heard one of my colleagues from Maine tell us what a great bill this was.

Maybe we can make it a good bill, if we are allowed to amend it and we get the support we had last time of a majority of this Congress to permit us to do that. I thank the gentleman for pointing it out and giving me the opportunity to say I, too, am in support of the rule.

Mr. MCINNIS. Mr. Speaker, reclaiming my time, the gentleman will have that opportunity to amend, and I certainly appreciate where the gentleman

comes from and his purpose in affording that debate, but I do want to remind all of us that we will have a lot more time for debate, so I think we should try to wrap this rule up.

Mr. Speaker, I reserve the balance of my time.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman very much and I rise to make several brief points because I support both the rule and the bill.

I think it is important to focus our attention where it should be focused, and that is, one, this is an environmentally driven bill. This is a question of what to do do with low-level radioactive waste, something that raises enough question for many of us. Whenever we hear of nuclear reactors or radioactive waste we are concerned.

I am concerned about the research and the medical services done at the Texas Medical Center and the inability of that facility, that brings about good health and saves lives, to be able to find a safe and environmentally protected area to eliminate low-level radioactive waste.

The other point is that this is a bipartisan effort. The Governor of Texas, Anne Richards, supported this, as well as the present Governor.

Lastly, let me say that this is not a matter that is a question of sites, or one site that has already been selected. I think there should be reasonable discussion and a fair discussion that no poor area, no poor neighborhood should be biasly selected as the site for this. The commissioners should take into consideration the very safest of locations being driven by the environmental aspects of what we are trying to do here.

I think it is particularly important to instruct the States to work these arrangements with the requirement that safety and the environment be crucial issues to be addressed. In fact, no State, I hope, would want to jeopardize communities with a site that would not be environmentally safe, focusing on the question that there is low-level radioactive waste, we must do something with it, but it must be safely done.

H.R. 558 provides an open rule. I think that is extremely positive. I hope we can draw on more bipartisan discussion to make this the best bill, because this is something that should not have the tensions of disagreement when we all realize that this is a national problem that is impacting our States across the country. If there is a question of other States being involved, I think hard questions should be asked, but this particular Texas, Maine, Vermont low-level radioactive waste compact has reasonably been reviewed by the respective Governors, as I said, both Democratic and Republican alike.

The compact limits Vermont and Maine to 20 percent of the total volume. It is a question of medical radioactive waste that is a prime concern for all of us in the State of Texas, and particularly, as I said earlier, the question dealing with the site selection should be carefully reviewed. I think it is important that we realize that there will be no site selection in Texas without full public hearings. In that instance, all of those communities that may ultimately be impacted will have the complete access to those public hearings. the commissioners should be sensitive to this.

I would ask my colleagues to make this truly a bipartisan piece of legislation, for it is for the safety of all of us, and it certainly is for the safety of those of us who are concerned about how we eliminate, and safely and environmentally secure low-level radioactive waste.

Mr. SPEAKER, I rise today in support of H.R. 558, the Texas-Maine-Vermont low-level radioactive waste compact. This bill has received considerable attention since it concerns the issue of States' rights, the issue of protecting the environment and the rights of citizens to determine the quality of life in their communities.

Since the 1985 amendments to the Low-Level Radioactive Waste Policy Act, the 50 States have been responsible for managing their low-level radioactive waste program because the Federal Government recognized that States are better suited to implement such policies due to their close attention to local concerns.

There are already nine State compacts in existence representing agreements among 42 States. Congress passed the bills approving those compacts under the Suspension Calender. The House Commerce Subcommittee on Energy and Power unanimously passed H.R. 558. The full committee passed the bill by a vote of 41 to 2.

The Governors of Texas, Maine, and Vermont strongly support this legislation. The State Legislatures in Texas, Maine, and Vermont have approved the compact. The majority of the Texas congressional delegation supports this bill.

Contrary to popular belief, a specific disposal site has not yet been designated. The appropriate agencies in Texas have been considering various sites. It will be located in Texas, however, since Texas would have the vast majority of the low-level radioactive waste. The compact limits Vermont and Maine to 20 percent of the total volume. The Texas medical center is without available alternative.

No site will be selected without public hearings that give concerned citizens the opportunity to express their views on the location of the facility. Environmental agencies will conduct the appropriate review and resolve environmental concerns in accordance with current law and regulations. No radioactive waste from States other than Texas, Maine, and Vermont would be stored at the facility. The future facility must meet Federal regulatory standards developed by the Nuclear Regulatory Commission relating to safety in the construction and operation of the facility.

I urge my colleagues to support this bill, which approves this compact among Texas, Maine, and Vermont and permits those states to manage their low-level radioactive waste in compliance with Federal environmental law and regulations.

□ 1345

Mr. BEILENSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. BRYANT].

(Mr. BRYANT of Texas asked and was given permission to revise and extend his remarks.)

Mr. BRYANT of Texas. Mr. Speaker, first with regard to those Members from Texas and those who are concerned about this issue from Texas, in the dialog with the gentleman from Texas [Mr. BARTON] a moment ago I think for the first time we saw what really is going to happen if this thing passes. And maybe nobody else should care, but if Members are from Texas, they ought to care.

Mr. Speaker, what it means is that this commission is going to be able to accept nuclear waste from every State of the Union. It is, in my view, very regrettable.

We are going to offer an amendment to say that it is limited to the two States involved, Vermont and Maine. I see no way to justify doing otherwise. The bill has been lobbied to Members of Congress from my region to say that it just involved the two States. The fact of the matter is that it does not. If it did, I think no one would mind if we offered an amendment that said this would be a compact between the three States.

Mr. BARTON of Texas. Mr. Speaker, will the gentleman yield?

Mr. BRYANT of Texas. I yield to the gentleman from Texas.

Mr. BARTON of Texas. Mr. Speaker, I appreciate my good friend for yielding to me.

Mr. Speaker, I want to point out that there are 9 compacts that cover 41 States. My understanding of the Federal law is that if 1 of those 41 States want to get out of their existing compact and come into this compact which has not yet been approved, that that would take congressional approval. I could be proven wrong on that, but it is a fact that there are 41 States that are in these types of compacts.

Mr. Speaker, I have not received any information in my office from the Governor's office, or anybody in the Texas Legislature, that they are trying to enlarge the compact.

Mr. BRYANT of Texas. Mr. Speaker, reclaiming my time, if that is the case, then surely the gentleman will support us in our amendment that will say this compact will be limited to Texas, Maine, and Vermont. Would the gentleman support us in that amendment?

Mr. BARTON of Texas. Mr. Speaker, if the gentleman would continue to yield, on a personal level I do not have a problem with that.

Mr. BRYANT of Texas. Mr. Speaker, I mean on the big board when we vote.

Mr. BARTON of Texas. Mr. Speaker, if the gentleman would continue to

yield, my problem with that particular amendment, if offered by the gentleman from Dallas, TX [Mr. BRYANT] and the gentleman from El Paso, TX [Mr. COLEMAN], is that the underlying law that gives the Congress the right to approve or disapprove the compact, gives the States the right to negotiate the compact, and we would be stepping into the State area.

Mr. BRYANT of Texas. Mr. Speaker, reclaiming my time, it is just a plain and simple concept. If the gentleman wants the entire United States to be able to dump nuclear waste in our State under approval from this commission, then he would vote against our amendment. If the gentleman believes we ought to limit it to just the two States, and I cannot imagine why he would not want to do that, why would the gentleman not vote for the amendment and let us make this thing do what everybody has promised that it would do?

Mr. BARTON of Texas. Mr. Speaker, if the gentleman would continue to yield, does the gentleman have information that leads him to believe that these other 41 States are going to get out of their existing compacts and want to come into this particular compact?

Mr. BRYANT of Texas. Mr. Speaker, again reclaiming my time, in the first place there are 50 States, so there are 9 unaccounted for that would obviously be interested, No. 1.

First, I cannot predict the future, but I do know this, no matter what the situation might be, I do not want them to come and dump their nuclear waste in Texas. So the amendment will simply say that, and I would hope to have the gentleman's support of that amendment.

Second, I would call the Members of the House to look at this from a national perspective. We do not wish to avoid responsibility under the law to deal with this problem of siting a nuclear waste depository. But from the standpoint of the national interest, this is not a small matter.

The site that has been chosen is one that is on an international border, very close to the Rio Grande River in an area that is a volatile earthquake zone. This area experienced an earthquake scoring 5.6 on the Richter scale on April 13 of this year. The epicenter was less than 100 miles away and the quake was felt by individuals several hundreds of miles away.

Mr. Speaker, numerous earthquakes have occurred in this area. The largest was 6.4 in 1931, with its epicenter only 40 miles from the site, and the U.S. Geological Survey has concluded that quakes of 7.5 in magnitude could occur at any time along 14 faults in the immediate vicinity.

Mr. Speaker, it is not in the national interest to ratify this knowing that the State of Texas plans to locate this in this place. If it were to pollute the Rio Grande River, we would have an enormous problem with Mexico; a problem not only for the people of Texas, but all the people of the United States who would have to help pay this liability.

Mr. Speaker, the fact that we have it in an earthquake zone is preposterous. In effect, the legislature and other parts of the Texas State Government decided to put it in a place that has no political power, hardly any people, rather than putting it in a place that has people and political power, and they did so regardless of the illogical nature of their decision.

Mr. Speaker, we will oppose it and will offer an amendment to provide that if this is approved, that this cannot be located in a seismically active area and an amendment that it will be limited to the three States mentioned, Texas, Maine, and Vermont. Mr. Speaker, I hope when we do, Members will support us on those amendments.

The SPEAKER pro tempore. The gentleman from California [Mr. BEILENSON] has 6 minutes remaining.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I also rise in support of the rule. I wanted to really point out that this legislation did come out of our Subcommittee on Energy and Power on a bipartisan basis. I do support it as the ranking member.

Obviously, this is an open rule, as has been mentioned, and there is no reason why Members cannot bring up any substantive amendment that they would like. Obviously, some of the amendments will be brought up.

Mr. Speaker, I just wanted to mention, as I think has been brought out, that this is the 10th compact to receive congressional approval. Basically, the compact system envisions that low-level radioactive waste policy is developed with the strong support of the National Governors' Association, and under the law the task of selecting the disposal sites is the States' responsibilities. So, the subcommittee, in reporting out the bill, was cognizant of the fact that the States involved in the compact do support it.

Traditionally, Congress' responsibility is to simply act quickly on the compacts' request by the respective States and if all is in order, to approve it promptly.

Mr. Speaker, I do not really relish getting involved in a Texas battle here. I guess I learned a long time ago not to do that, and I think I am about to be. One of the Texas Members already suggested to me that perhaps they could bring up an amendment moving the site to New Jersey. I hope that does not happen.

Mr. BRYANT of Texas. Mr. Speaker, will the gentleman yield?

Mr. PALLONE. I yield to the gentleman from Texas.

Mr. BRYANT of Texas. Mr. Speaker, I am not going to propose that. I think the gentleman from New Jersey has been constructive in his effort to deal with this issue. But I would point out to the gentleman that it is not possible to imagine that it does not bother this Member, or any ranking member somewhat, that the decision has been made to locate this in a seismically active zone.

Now, recognizing that, and the national implications of that since it is on the Rio Grande River, an international border with Mexico, would not the gentleman agree that we ought to at least amend the bill to say that it cannot be put in an obviously irresponsible place just so that local legislators can avoid the inconvenience of making the tough decision?

Would the gentleman not see the logic in at least saying this is unique with regard to this compact, We are not going to let you locate it there, but you will have to locate it some place else?

Mr. PALLONE. Mr. Speaker, reclaiming my time, as the gentleman knows, I did not support any amendments like that in the subcommittee and I would not support it on the floor. Again, because my understanding is that this has been looked into and that those on the State level that looked into it took that into consideration.

That is not to in any way to prejudice the gentleman from Texas [Mr. BRYANT], obviously, from bringing that up and arguing it. But my position is that the States and the legislatures that looked at this looked into those problems and, therefore, made that decision to support it.

Mr. COLEMAN. Mr. Speaker, will the gentleman yield?

Mr. PALLONE. I yield to the gentleman from Texas.

Mr. COLEMAN. Mr. Speaker, I think the reason the gentleman from Texas asked the question is simply because it will be taxpayers in New Jersey and Kansas and California and New York that will be participating in the clean-up of an accident when it occurs. It is not going to just be Texas, Maine, or Vermont.

I hope that the gentleman and my colleagues understand that, that it will be the responsibility of all of us, because it is an international river and an international boundary that belongs to the United States as well as to Mexico.

Mr. PALLONE. Mr. Speaker, reclaiming my time, I would just say that I see no reason why that should not be brought up on the floor and discussed, but again I would say that these issues were brought up in the subcommittee and our opinion was that they were decided on the State level and that we should respect that.

Mr. MCINNIS. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. FIELDS].

(Mr. FIELDS of Texas asked and was given permission to revise and extend his remarks.)

Mr. FIELDS of Texas. Mr. Speaker, first of all, let me apologize to my colleagues. We were trying to wrap up our telecommunications conference, and so

I could not get here as quickly as I would have liked.

Mr. Speaker, this is an extremely important piece of legislation for the State of Texas and the other two States involved. It is important because it involves the issue of waste and there has been a decision by three State legislatures on what to do in this particular compact, as the States are allowed in the underlying Federal statute. The process has been pristine in terms of meeting what is allowed under the statute.

Mr. Speaker, I think it is very important for my colleagues to understand that the site that has been chosen by the State of Texas will be used as a waste site regardless of what the House of Representatives does. That decision has been made. That is where waste generated in the State of Texas will be disposed.

Mr. Speaker, the advantage of our State entering into a compact with other States is basically we put a lock on what waste our State at any point in the future would have to accept. That is why it is so important that the State has made the decision, entered into the compact and made the ironclad decision that that site is going to be used, whether this compact passes or not.

Mr. Speaker, I would just ask my friends and my colleagues to look at this not only in terms of process, process that has been met both in the State legislatures and in regard to the Federal statute, but also in terms of this being a final decision. The only thing the House would do, if they overturned this particular decision, is set a very bad precedent for other States wishing to enter into similar compacts. If this decision by the three States is overturned, it is the first time that States having made a decision will have that decision contradicted by an action of the House, and I think that is tragic.

Mr. COLEMAN. Mr. Speaker, will the gentleman yield?

Mr. FIELDS of Texas. I yield to the gentleman from Texas.

Mr. COLEMAN. Mr. Speaker, I would only hope that the gentleman understands that there is a distinction with a difference. Just because the Texas House and the Texas Senate made a decision to place a dumpsite near an international boundary, I do not happen to think should obligate taxpayers from the rest of the country to have to be involved in the cleanup. I see that as a huge difference.

Mr. FIELDS of Texas. Mr. Speaker, reclaiming my time, when we get into the debate on this particular issue, we will talk about the specifics of what the State of Texas has done in constructing this particular facility. The safeguards that have been built in to meet any possible contingency are more than adequate.

The State has gone far beyond what science and engineering would necessarily dictate. To think that there is going to be some sort of disaster that is going to burden the rest of the country I think goes beyond reason.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, the concern in many parts of Texas about this bill is that after it passes, it will not just be poor old Rudolf whose nose is all aglow. There are many Texans who are not eager to have our State change its name from the Lone Star State to the Lone Dump State.

It has become very apparent in the course of the debate thus far that that is exactly what is going to happen, because the sponsors of this measure are unwilling to limit it to the three States of Texas, Vermont and Maine. They envision a vehicle here where an unelected commission will be able to expand this compact to include an unlimited number of States.

Mr. Speaker, I think that there is some question as to why we are here today debating this rule in the first place. It has only been about 3 months since this House overwhelmingly rejected this compact and all the problems that it poses. The only thing that has changed between the time that this House rejected this compact and now is that we have had more lobbyists swarming around this Capitol than we will find gnats on the banks of the Colorado River on a June morning. They have been working overtime to set up a compact that can be expanded to make Texas the Lone Dump State.

There have also been developments since that time in our neighboring partner with reference to environmental issues throughout the Southwest, and that is the country of Mexico. It was earlier in 1995 that the Governor of the neighboring State of where this site will be located wrote to the Governor of the State of Texas to express his great concern over the news that there would be the construction of what the Governor quite properly referred to as a nuclear cemetery in Sierra Blanca, TX.

Mr. Speaker, he went on to say the confinement of radioactive material in that place endangers the health of the population due to the possible emissions of radioactivity into the air, soil, and water.

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Of course, that letter was sent a couple of earthquakes ago with reference to this site. Just within the past few days, the Commission on Ecology and Environment of the Mexican House of Delegates has also expressed its concern saying, and I quote, that this low level waste contains dangerous concentrations of radioactivity that are contaminated with plutonium, a material that has a radioactive life of 240,000 years. The latent danger for our population is represented by the fact that the land indicated by the State of Texas for the project is over a geological fault known as the Apache Fault, the largest one in the State of Texas. There have been movements there that have registered an intensity of 5.3 on the Richter scale which, if they occur again, cause fissures in the storage sites and consequently contaminate the underground deposits of water that feed the sister cities of El Paso and Juarez.

This is not a matter for short-term decision. It will affect generations and generations to come.

The SPEAKER pro tempore (Mr. UPTON). The gentleman from Colorado [Mr. MCINNIS] has 15 minutes remaining.

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I may consume.

What is the rule doing down here? I would once again remind my colleagues it is down here because we passed it by unanimous consent on a voice vote. It is an open rule. We should not have this kind of debate on this rule, which is what everybody has an opportunity to amend.

Let me go back just a second. I would ask the gentleman from Texas to respond to a question, and I will yield to the gentleman for that response, and it is, does he support the open rule? That is, I think, the crux of what we are arguing here.

Mr. Speaker, I yield to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, I supported the rejection of this whole measure by the House last time, and I guess we will have another opportunity to do the same thing. I think the open rule is a good one, if we are going to consider this, but it should not be here at all.

Mr. MCINNIS. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. FIELDS].

Mr. FIELDS of Texas. Mr. Speaker, I want to emphasize one point, that with the approval of this compact, there will be 10 compacts covering 45 States. It was the decision of our State legislature to enter a compact with Maine and Vermont. In my view and obviously the view of the legislature and our State leadership, it is much preferred if Texas is already designated a site. Again I want people to understand the site is going to be where the legislature has decided, whether this House acts or not.

Is it better for us to have a partner like Maine and Vermont or should we be subject to anyone's waste? Should we be subject to the waste of California or New York or Illinois or some other larger State? We have had a concerted effort to obfuscate what is the real issue here. The real issue is whether we are going to stand with the decision made by three legislatures on a decision that solely should be within the province of those State legislatures, as long as it meets the Federal statute, which they have.

Mr. BEILENSON. Mr. Speaker, I yield the balance of my time to the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Speaker, let me just first of all say that I am in strong

agreement with the rule. It is an open rule and will allow for a substantive debate.

Let me recapitulate some of the main points that are involved in this legislation. No. 1, we hear a lot of discussion on the floor of this House about local control and respecting the rights of the people back home. This legislation was discussed intensively in three different State legislatures. The people of Texas through their legislature approved this compact. The people of Maine did the same. The people of Vermont also approved this compact.

I should point out the Governor of Texas is a Republican; the Governor of Vermont is a Democrat and, as it happens, the Governor of Maine is an Independent.

Second, as has already been stated, there are nine compacts that have already been approved by the Congress, impacting 42 States. This will be the 10th compact. I think from a precedent point of view, it is important for this Congress to pass this compact.

Third, what has also, I think, not been made clear is this Congress is not designating a specific disposal site. That is not what we are doing. Presumably, the people of Texas have a process to determine what is in the best interest of their own people. Frankly, I would hope and expect that the people of Texas would not do anything that is environmentally dangerous to the people of their region. We in Congress are not making that decision. The people of Texas are making that decision, and I hope that we could respect that process.

I would simply suggest that from a precedent point of view, from respect for local control, we should support this rule and we should eventually support the bill.

Mr. COLEMAN. Mr. Speaker, will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from Texas.

Mr. COLEMAN. Mr. Speaker, since the gentleman is a member from Vermont, maybe he could give us some idea. I heard my colleague from Houston, TX a minute ago suggest that it has been reviewed by three different State legislatures. Did the legislature of Vermont get to hold hearings on the siting of the facility in west Texas?

Mr. SANDERS. Mr. Speaker, I believe that is left to the people of Texas.

Mr. COLEMAN. Mr. Speaker, if the gentleman will continue to yield, so it was really only one legislature, not three; we cannot speak for Maine, but obviously just one.

Mr. SANDERS. Reclaiming my time, Mr. Speaker, there is no secret that the depository is going to be in Texas. That is a decision for the people of Texas.

Mr. McINNIS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. FIELDS].

Mr. FIELDS of Texas. Mr. Speaker, just to amplify on what my good friend just said, and he may want to retake the mike. Under the compact, Texas has full control of the site, the development, the operation and management and the closure of the low-level waste disposal facility. It really would not matter for his State to come and review where Texans decided to put a particular site, whether the House passes this or not. We will dispose of our waste at that particular site. If we do not pass this compact, we are going to be subject to the entire country's waste coming to hat particular site.

Also the gentleman raised a question about the procedure in Texas. Let me just point out, our house of representatives passed the site decision and the compact by a voice vote, voice vote in the Texas House of Representatives. The Texas Senate passed this by a vote of 26 to 2. The legislature wants this particular compact as does our Governor. It is important, if one is concerned about the environment and they are a Texan, they should want this particular compact.

I thank the gentleman for yielding time to me.

Mr. McINNIS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. HALL].

(Mr. HALL of Texas asked and was given permission to revise and extend his remark.)

Mr. HALL of Texas. Mr. Speaker, I would like to point out that a lot of statements that have been made here have very little to do actually with H.R. 558. These statements I think go toward and should go toward the proposed low level site and will be the subject of a lengthy and detailed permit review process that the Texas Natural Resources and Conservation Commission is to conduct in Texas this coming year. It is there I think that the statements that have been made here regarding the site should be expressed and probably not on the floor of this House.

H.R. 558 is a compact between Texas, Maine and Vermont. That has been said over and over again. It was the subject of many legislative hearings, how many I really do not know, floor debate, negotiations by the Governors of these States, including the Statewide referendum. All of these actions were taken because we here in Congress directed the States to do this by legislation action passed in 1980 and 1985.

The States have complied with their directive, and I think we ought to honor there good-faith efforts by vote to go ratify this compact. I urge Members to vote for H.R. 558.

Mr. COLEMAN. Mr. Speaker, will the gentleman yield?

Mr. HALL of Texas. I yield to the gentleman from Texas.

Mr. COLEMAN. Mr. Speaker, I guess the only thing that question about what the gentleman says that we are going to have hearings next year. That is after the site has already been selected. So it does not do us a lot of good out there.

I will say I am proud of those two Senators since the country that is concerned here, called Hudspeth County, TX does not have a State Senator from that county. The one Senator that represents that area may or may not have voted no, and certainly we only had one representative, again not from that county. So I am not surprised by the vote in Texas. It is that county does not have a lot of population, and it is out in the desert, and I understand the gentleman's saying that, well, Texas has made the decision. All I would hope is that we try to not feel that we have to rubber-stamp an act that was a mistake. I do not think the Congress ought to be called on to do that.

Mr. McINNIS. Mr. Speaker, I yield 30 seconds to the gentleman from California [Mr. BEILENSON] from the Committee on Rules.

Mr. BEILENSON. Mr. Speaker, I ask unanimous consent to insert extraneous material at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The material referred to is as follows:

FLOOR PROCEDURE IN THE 104TH CONGRESS; COMPILED BY THE RULES COMMITTEE DEMOCRATS

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 1*	Compliance	H. Res. 6	Closed	None.
H. Res. 6	Opening Day Rules Package	H. Res. 5	Closed; contained a closed rule on H.R. 1 within the closed rule	None.
H.R. 5*	Unfunded Mandates	H. Res. 38	Restrictive; Motion adopted over Democratic objection in the Committee of the Whole to limit debate on section 4; Pre-printing gets preference.	N/A.
H.J. Res. 2*	Balanced Budget	H. Res. 44	Restrictive; only certain substitutes	2R; 4D.
H. Res. 43	Committee Hearings Scheduling	H. Res. 43 (OJ)	Restrictive; considered in House no amendments	N/A.
H.R. 2*	Line Item Veto	H. Res. 55	Open; Pre-printing gets preference	N/A.
H.R. 665*	Victim Restitution Act of 1995	H. Res. 61	Open; Pre-printing gets preference	N/A.
H.R. 666*	Exclusionary Rule Reform Act of 1995	H. Res. 60	Open; Pre-printing gets preference	N/A.
H.R. 667*	Violent Criminal Incarceration Act of 1995	H. Res. 63	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 668*	The Criminal Alien Deportation Improvement Act	H. Res. 69	Open; Pre-printing gets preference; Contains self-executing provision	N/A.
H.R. 728*	Local Government Law Enforcement Block Grants	H. Res. 79	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 7*	National Security Revitalization Act	H. Res. 83	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 729*	Death Penalty/Habeas	N/A	Restrictive; brought up under UC with a 6 hr. time cap on amendments	N/A.
S. 2	Senate Compliance	N/A	Closed; Put on Suspension Calendar over Democratic objection	None.

FLOOR PROCEDURE IN THE 104TH CONGRESS; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 831	To Permanently Extend the Health Insurance Deduction for the Self-Employed.	H. Res. 88	Restrictive; makes in order only the Gibbons amendment; Waives all points of order; Contains self-executing provision.	1D.
H.R. 830*	The Paperwork Reduction Act	H. Res. 91	Open	N/A.
H.R. 889	Emergency Supplemental/Rescinding Certain Budget Authority	H. Res. 92	Restrictive; makes in order only the Obey substitute	1D.
H.R. 450*	Regulatory Moratorium	H. Res. 93	Restrictive; 10 hr. Time Cap on amendments; Pre-printing gets preference	N/A.
H.R. 1022*	Risk Assessment	H. Res. 96	Restrictive; 10 hr. Time Cap on amendments	N/A.
H.R. 926*	Regulatory Flexibility	H. Res. 100	Open	N/A.
H.R. 925*	Private Property Protection Act	H. Res. 101	Restrictive; 12 hr. time cap on amendments; Requires Members to pre-print their amendments in the Record prior to the bill's consideration for amendment, waives germaneness and budget act points of order as well as points of order concerning appropriating on a legislative bill against the committee substitute used as base text.	1D.
H.R. 1058*	Securities Litigation Reform Act	H. Res. 105	Restrictive; 8 hr. time cap on amendments; Pre-printing gets preference; Makes in order the Wyden amendment and waives germaneness against it.	1D.
H.R. 988*	The Attorney Accountability Act of 1995	H. Res. 104	Restrictive; 7 hr. time cap on amendments; Pre-printing gets preference	N/A.
H.R. 956*	Product Liability and Legal Reform Act	H. Res. 109	Restrictive; makes in order only 15 germane amendments and denies 64 germane amendments from being considered.	8D; 7R.
H.R. 1158	Making Emergency Supplemental Appropriations and Rescissions	H. Res. 115	Restrictive; Combines emergency H.R. 1158 & nonemergency 1159 and strikes the abortion provision; makes in order only pre-printed amendments that include offsets within the same chapter (deeper cuts in programs already cut); waives points of order against three amendments; waives cl 2 of rule XXI against the bill, cl 2, XXI and cl 7 of rule XVI against the substitute; waives cl 2(e) od rule XXI against the amendments in the Record; 10 hr time cap on amendments. 30 minutes debate on each amendment.	N/A.
H.J. Res. 73*	Term Limits	H. Res. 116	Restrictive; Makes in order only 4 amendments considered under a ''Queen of the Hill'' procedure and denies 21 germane amendments from being considered.	1D; 3R
H.R. 4*	Welfare Reform	H. Res. 119	Restrictive; Makes in order only 31 perfecting amendments and two substitutes; Denies 130 germane amendments from being considered; The substitutes are to be considered under a ''Queen of the Hill'' procedure; All points of order are waived against the amendments.	5D; 26R.
H.R. 1271*	Family Privacy Act	H. Res. 125	Open	N/A.
H.R. 660*	Housing for Older Persons Act	H. Res. 126	Open	N/A.
H.R. 1215*	The Contract With America Tax Relief Act of 1995	H. Res. 129	Restrictive; Self Executes language that makes tax cuts contingent on the adoption of a balanced budget plan and strikes section 3006. Makes in order only one substitute. Waives all points of order against the bill, substitute made in order as original text and Gephardt substitute.	1D.
H.R. 483	Medicare Select Extension	H. Res. 130	Restrictive; waives cl 2(1)(6) of rule XI against the bill; makes H.R. 1391 in order as original text; makes in order only the Dingell substitute; allows Commerce Committee to file a report on the bill at any time.	1D.
H.R. 655	Hydrogen Future Act	H. Res. 136	Open	N/A.
H.R. 1361	Coast Guard Authorization	H. Res. 139	Open; waives sections 302(f) and 308(a) of the Congressional Budget Act against the bill's consideration and the committee substitute; waives cl 5(a) of rule XXI against the committee substitute.	N/A.
H.R. 961	Clean Water Act	H. Res. 140	Open; pre-printing gets preference; waives sections 302(f) and 602(b) of the Budget Act against the bill's consideration; waives cl 7 of rule XVI, cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Makes in order Shuster substitute as first order of business.	N/A.
H.R. 535	Corning National Fish Hatchery Conveyance Act	H. Res. 144	Open	N/A.
H.R. 584	Conveyance of the Fairport National Fish Hatchery to the State of Iowa.	H. Res. 145	Open	N/A.
H.R. 614	Conveyance of the New London National Fish Hatchery Production Facility.	H. Res. 146	Open	N/A.
H. Con. Res. 67	Budget Resolution	H. Res. 149	Restrictive; Makes in order 4 substitutes under regular order; Gephardt, Neumann/Solomon, Payne/Owens, President's Budget if printed in Record on 5/17/95; waives all points of order against substitutes and concurrent resolution; suspends application of Rule XLIX with respect to the resolution; self-executes Agriculture language.	3D; 1R.
H.R. 1561	American Overseas Interests Act of 1995	H. Res. 155	Restrictive; Requires amendments to be printed in the Record prior to their consideration; 10 hr. time cap; waives cl 2(1)(6) of rule XI against the bill's consideration; Also waives sections 302(f), 303(a), 308(a) and 402(a) against the bill's consideration and the committee amendment in order as original text; waives cl 5(a) of rule XXI against the amendment; amendment consideration is closed at 2:30 p.m. on May 25, 1995. Self-executes provision which removes section 2210 from the bill. This was done at the request of the Budget Committee.	N/A.
H.R. 1530	National Defense Authorization Act FY 1996	H. Res. 164	Restrictive; Makes in order only the amendments printed in the report; waives all points of order against the bill, substitute and amendments printed in the report. Gives the Chairman en bloc authority. Self-executes a provision which strikes section 807 of the bill; provides for an additional 30 min. of debate on Nunn-Lugar section; Allows Mr. Clinger to offer a modification of his amendment with the concurrence of Ms. Collins.	36R; 18D; 2 Bipartisan.
H.R. 1817	Military Construction Appropriations; FY 1996	H. Res. 167	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; 1 hr. general debate; Uses House passed budget numbers as threshold for spending amounts pending passage of Budget.	N/A.
H.R. 1854	Legislative Branch Appropriations	H. Res. 169	Restrictive; Makes in order only 11 amendments; waives sections 302(f) and 308(a) of the Budget Act against the bill and cl. 2 and cl. 6 of rule XXI against the bill. All points of order are waived against the amendments.	5R; 4D; 2 Bipartisan.
H.R. 1868	Foreign Operations Appropriations	H. Res. 170	Open; waives cl. 2, cl. 5(b), and cl. 6 of rule XXI against the bill; makes in order the Gilman amendments as first order of business; waives all points of order against the amendments; if adopted they will be considered as original text; waives cl. 2 of rule XXI against the amendments printed in the report. Pre-printing gets priority (Hall) (Menendez) (Goss) (Smith, NJ).	N/A.
H.R. 1905	Energy & Water Appropriations	H. Res. 171	Open; waives cl. 2 and cl. 6 of rule XXI against the bill; makes in order the Shuster amendment as the first order of business; waives all points of order against the amendment; if adopted it will be considered as original text. Pre-printing gets priority.	N/A.
H.J. Res. 79	Constitutional Amendment to Permit Congress and States to Prohibit the Physical Desecration of the American Flag.	H. Res. 173	Closed; provides one hour of general debate and one motion to recommit with or without instructions; if there are instructions, the MO is debatable for 1 hr.	N/A.
H.R. 1944	Recissions Bill	H. Res. 175	Restrictive; Provides for consideration of the bill in the House; Permits the Chairman of the Appropriations Committee to offer one amendment which is unamendable; waives all points of order against the amendment.	N/A.
H.R. 1868 (2nd rule)	Foreign Operations Appropriations	H. Res. 177	Restrictive; Provides for further consideration of the bill; makes in order only the four amendments printed in the rules report (20 min. each). Waives all points of order against the amendments; Prohibits intervening motions in the Committee of the Whole; Provides for an automatic rise and report following the disposition of the amendments.	N/A.
H.R. 1977 *Rule Defeated*	Interior Appropriations	H. Res. 185	Open; waives sections 302(f) and 308(a) of the Budget Act and cl 2 and cl 6 of rule XXI; provides that the bill be read by title; waives all points of order against the Tauzin amendment; self-executes Budget Committee amendment; waives cl 2(e) of rule XXI against amendments to the bill; Pre-printing gets priority.	N/A.
H.R. 1977	Interior Appropriations	H.Res. 187	Open; waives sections 302(f), 306 and 308(a) of the Budget Act; waives clauses 2 and 6 of rule XXI against provisions in the bill; waives all points of order against the Tauzin amendment; provides that the bill be read by title; self-executes Budget Committee amendment and makes NEA funding subject to House passed authorization; waives cl 2(e) of rule XXI against the amendments to the bill; Pre-printing gets priority.	N/A.
H.R. 1976	Agriculture Appropriations	H. Res. 188	Open; waives clauses 2 and 6 of rule XXI against provisions in the bill; provides that the bill be read by title; Makes Skeen amendment first order of business, if adopted the amendment will be considered as base text (10 min.); Pre-printing gets priority.	N/A.
H.R. 1977 (3rd rule)	Interior Appropriations	H. Res. 189	Restrictive; provides for the further consideration of the bill; allows only amendments pre-printed before July 14th to be considered; limits motions to rise.	N/A.
H.R. 2020	Treasury Postal Appropriations	H. Res. 190	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; provides the bill be read by title; Pre-printing gets priority.	N/A.
H.J. Res. 96	Disapproving MFN for China	H. Res. 193	Restrictive; provides for consideration in the House of H.R. 2058 (90 min.) And H.J. Res. 96 (1 hr). Waives certain provisions of the Trade Act.	N/A.
H.R. 2002	Transportation Appropriations	H. Res. 194	Open; waives cl. 3 Of rule XIII and section 401 (a) of the CBA against consideration of the bill; waives cl. 6 and cl. 2 of rule XXI against provisions in the bill; Makes in order the Clinger/Solomon amendment waives all points of order against the amendment (Line Item Veto); provides the bill be read by title; Pre-printing gets priority. *RULE AMENDED*.	N/A.
H.R. 70	Exports of Alaskan North Slope Oil	H. Res. 197	Open; Makes in order the Resources Committee amendment in the nature of a substitute as original text; Pre-printing gets priority; Provides a Senate hook-up with S. 395.	N/A.

FLOOR PROCEDURE IN THE 104TH CONGRESS; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.R. 2076	Commerce, Justice Appropriations	H. Res. 198	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Pre-printing gets priority; provides the bill be read by title..	N/A.
H.R. 2099	VA/HUD Appropriations	H. Res. 201	Open; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; Provides that the amendment in part 1 of the report is the first business, if adopted it will be considered as base text (30 min.); waives all points of order against the Klug and Davis amendments; Pre-printing gets priority; Provides that the bill be read by title.	N/A.
S. 21	Termination of U.S. Arms Embargo on Bosnia	H. Res. 204	Restrictive; 3 hours of general debate; Makes in order an amendment to be offered by the Minority Leader or a designee (1 hr); If motion to recommit has instructions it can only be offered by the Minority Leader or a designee.	ID.
H.R. 2126	Defense Appropriations	H. Res. 205	Open; waives cl. 2(l)(6) of rule XI and section 306 of the Congressional Budget Act against consideration of the bill; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; self-executes a strike of sections 8021 and 8024 of the bill as requested by the Budget Committee; Pre-printing gets priority; Provides the bill be read by title.	N/A.
H.R. 1555	Communications Act of 1995	H. Res. 207	Restrictive; waives sec. 302(f) of the Budget Act against consideration of the bill; Makes in order the Commerce Committee amendment as original text and waives sec. 302(f) of the Budget Act and cl. 5(a) of rule XXI against the amendment; Makes in order the Bliely amendment (30 min.) as the first order of business, if adopted it will be original text; makes in order only the amendments printed in the report and waives all points of order against the amendments; provides a Senate hook-up with S. 652.	2R/3D/3 Bipartisan.
H.R. 2127	Labor/HHS Appropriations Act	H. Res. 208	Open; Provides that the first order of business will be the managers amendments (10 min.), if adopted they will be considered as base text; waives cl. 2 and cl. 6 of rule XXI against provisions in the bill; waives all points of order against certain amendments printed in the report; Pre-printing gets priority; Provides the bill be read by title.	N/A.
H.R. 1594	Economically Targeted Investments	H. Res. 215	Open; 2 hr of gen. debate. makes in order the committee substitute as original text	N/A.
H.R. 1655	Intelligence Authorization	H. Res. 216	Restrictive; waives sections 302(f), 308(a) and 401(b) of the Budget Act. Makes in order the committee substitute as modified by Govt. Reform amend (striking sec. 505) and an amendment striking title VII. Cl 7 of rule XVI and cl 5(a) of rule XXI are waived against the substitute. Sections 302(f) and 401(b) of the CBA are also waived against the substitute. Amendments must also be pre-printed in the Congressional record.	N/A.
H.R. 1162	Deficit Reduction Lock Box	H. Res. 218	Open; waives cl 7 of rule XVI against the committee substitute made in order as original text; Pre-printing gets priority.	N/A.
H.R. 1670	Federal Acquisition Reform Act of 1995	H. Res. 219	Open; waives sections 302(f) and 308(a) of the Budget Act against consideration of the bill; bill will be read by title; waives cl 5(a) of rule XXI and section 302(f) of the Budget Act against the committee substitute. Pre-printing gets priority.	N/A.
H.R. 1617	To Consolidate and Reform Workforce Development and Literacy Programs Act (CAREERS).	H. Res. 222	Open; waives section 302(f) and 401(b) of the Budget Act against the substitute made in order as original text (H.R. 2332), cl. 5(a) of rule XXI is also waived against the substitute. provides for consideration of the managers amendment (10 min.) If adopted, it is considered as base text.	N/A.
H.R. 2274	National Highway System Designation Act of 1995	H. Res. 224	Open; waives section 302(f) of the Budget Act against consideration of the bill; Makes H.R. 2349 in order as original text; waives section 302(f) of the Budget Act against the substitute; provides for the consideration of a managers amendment (10 min.) If adopted, it is considered as base text; Pre-printing gets priority.	N/A.
H.R. 927	Cuban Liberty and Democratic Solidarity Act of 1995	H. Res. 225	Restrictive; waives cl 2(L)(2)(B) of rule XI against consideration of the bill; makes in order H.R. 2347 as base text; waives cl 7 of rule XVI against the substitute; Makes Hamilton amendment the first amendment to be considered (1 hr). Makes in order only amendments printed in the report.	2R/2D.
H.R. 743	The Teamwork for Employees and managers Act of 1995	H. Res. 226	Open; waives cl 2(l)(2)(b) of rule XI against consideration of the bill; makes in order the committee amendment as original text; Pre-printing get priority.	N/A.
H.R. 1170	3-Judge Court for Certain Injunctions	H. Res. 227	Open; makes in order a committee amendment as original text; Pre-printing gets priority	N/A.
H.R. 1601	International Space Station Authorization Act of 1995	H. Res. 228	Open; makes in order a committee amendment as original text; pre-printing gets priority	N/A.
H.J. Res. 108	Making Continuing Appropriations for FY 1996	H. Res. 230	Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee.	.
H.R. 2405	Omnibus Civilian Science Authorization Act of 1995	H. Res. 234	Open; self-executes a provision striking section 304(b)(3) of the bill (Commerce Committee request); Pre-printing gets priority.	N/A.
H.R. 2259	To Disapprove Certain Sentencing Guideline Amendments	H. Res. 237	Restrictive; waives cl 2(l)(2)(B) of rule XI against the bill's consideration; makes in order the text of the Senate bill S. 1254 as original text; Makes in order only a Conyers substitute; provides a senate hook-up after adoption.	1D.
H.R. 2425	Medicare Preservation Act	H. Res. 238	Restrictive; waives all points of order against the bill's consideration; makes in order the text of H.R. 2485 as original text; waives all points of order against H.R. 2485; makes in order only an amendment offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5© of rule XXI (⅗ requirement on votes raising taxes).	1D.
H.R. 2492	Legislative Branch Appropriations Bill	H. Res. 239	Restrictive; provides for consideration of the bill in the House	N/A.
H.R. 2491 H. Con. Res. 109	7 Year Balanced Budget Reconciliation Social Security Earnings Test Reform.	H. Res. 245	Restrictive; makes in order H.R. 2517 as original text; waives all points of order against the bill; Makes in order only H.R. 2530 as an amendment only if offered by the Minority Leader or a designee; waives all points of order against the amendment; waives cl 5© of rule XXI (⅗ requirement on votes raising taxes).	1D.
H.R. 1833	Partial Birth Abortion Ban Act of 1995	H. Res. 251	Closed	N/A.
H.R. 2546	D.C. Appropriations FY 1996	H. Res. 252	Restrictive; waives all points of order against the bill's consideration; Makes in order the Walsh amendment as the first order of business (10 min.); if adopted it is considered as base text; waives cl 2 and 6 of rule XXI against the bill; makes in order the Bonilla, Gunderson and Hostettler amendments (30 min.); waives all points of order against the amendments; debate on any further amendments is limited to 30 min. each.	N/A.
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 257	Closed; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee.	N/A.
H.R. 2586	Temporary Increase in the Statutory Debt Limit	H. Res. 258	Restrictive; Provides for the immediate consideration of the CR; one motion to recommit which may have instructions only if offered by the Minority Leader or a designee; self-executes 4 amendments in the rule; Solomon, Medicare Coverage of Certain Anti-Cancer Drug Treatments, Habeas Corpus Reform, Chrysler (MI); makes in order the Walker amend (40 min.) on regulatory reform.	5R.
H.R. 2539	ICC Termination	H. Res. 259	Open; waives section 302(f) and section 308(a)	.....
H.J. Res. 115	Further Continuing Appropriations for FY 1996	H. Res. 261	Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr).	N/A.
H.R. 2586	Temporary Increase in the Statutory Limit on the Public Debt	H. Res. 262	Closed; provides for the immediate consideration of a motion by the Majority Leader or his designees to dispose of the Senate amendments (1hr).	N/A.
H. Res. 250	House Gift Rule Reform	H. Res. 268	Closed; provides for consideration of the bill in the House; 30 min. of debate; makes in order the Burton amendment and the Gingrich en bloc amendment (30 min. each); waives all points of order against the amendments; Gingrich is only in order if Burton fails or is not offered.	2R.
H.R. 2564	Lobbying Disclosure Act of 1995	H. Res. 269	Open; waives cl. 2(l)(6) of rule XI against the bill's consideration; waives all points of order against the Istook and McIntosh amendments.	N/A.
H.R. 2606	Prohibition on Funds for Bosnia Deployment	H. Res. 273	Restrictive; waives all points of order against the bill's consideration; provides one motion to amend if offered by the Minority Leader or designee (1 hr non-amendable); motion to recommit which may have instructions only if offered by Minority Leader or his designee; if Minority Leader motion is not offered debate time will be extended by 1 hr.	N/A.
H.R. 1788	Amtrak Reform and Privatization Act of 1995	H. Res. 289	Open; waives all points of order against the bill's consideration; makes in order the Transportation substitute modified by the amend in the report; Bill read by title; waives all points of order against the substitute; makes in order a managers amend as the first order of business, if adopted it is considered base text (10 min.); waives all points of order against the amendment; Pre-printing gets priority.	N/A.
H.R. 1350	Maritime Security Act of 1995	H. Res. 287	Open; makes in order the committee substitute as original text; makes in order a managers amendment which if adopted is considered as original text (20 min.) unamendable; pre-printing gets priority.	N/A.
H.R. 2621	To Protect Federal Trust Funds	H. Res.	Closed; provides for the adoption of the Ways & Means amendment printed in the report. 1 hr. of general debate.	N/A.
H.R. 1745	Utah Public Lands Management Act of 1995	H.Res. 303	Open; waives cl 2(l)(6) of rule XI and sections 302(f) and 311(a) of the Budget Act against the bill's consideration. Makes in order the Resources substitute as base text and waives cl 7 of rule XVI and sections 302(f) and 308(a) of the Budget Act; makes in order a managers' amend as the first order of business, if adopted it is considered base text (10 min)..	N/A.

FLOOR PROCEDURE IN THE 104TH CONGRESS; COMPILED BY THE RULES COMMITTEE DEMOCRATS—Continued—Continued—Continued

Bill No.	Title	Resolution No.	Process used for floor consideration	Amendments in order
H.Res. 304	Providing for Debate and Consideration of Three Measures Relating to U.S. Troop Deployments in Bosnia.	N/A	Closed; makes in order three resolutions; H.R. 2770 (Dorman), H.Res. 302 (Buyer), and H.Res. 306 (Gephardt); 1 hour of debate on each..	1D; 2R.
H.Res. 309	Revised Budget Resolution	H.Res. 309	Closed; provides 2 hours of general debate in the House.	N/A.
H.R. 558	Texas Low-Level Radioactive Waste Disposal Compact Consent Act	H.Res. 313	Open; pre-printing gets priority	N/A.

* Contract Bills, 67% restrictive; 33% open. ** All legislation, 55% restrictive; 45% open. *** Restrictive rules are those which limit the number of amendments which can be offered, and include so called modified open and modified closed rules as well as completely closed rules and rules providing for consideration in the House as opposed to the Committee of the Whole. This definition of restrictive rule is taken from the Republican chart of resolutions reported from the Rules Committee in the 103rd Congress. **** Not included in this chart are three bills which should have been placed on the Suspension Calendar. H.R. 101, H.R. 400, H.R. 440.

Mr. MCINNIS. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. FIELDS].

Mr. FIELDS of Texas. Mr. Speaker, I was not able to yield just a moment ago to my friend. If he wants me to yield, I will, after I make the one statement. Not only is Governor Bush, our current Governor, endorsing this, but former Governor Ann Richards endorses not only the process but the site that was selected.

Mr. COLEMAN. Mr. Speaker, will the gentleman yield?

Mr. FIELDS of Texas. I yield to the gentleman from Texas.

Mr. COLEMAN. Mr. Speaker, I want to thank the gentleman. I understand the politics of doing what they did. What I have to tell the gentleman is, however, it is something I hope that we will have during the course of the debate. I hope to be able to show this House the geological findings concerning not just this site but others that were far more suitable. But politically, both the Governors the gentleman just cited, and politically the legislature would refuse to site it where it was the safest. I understand that.

Mr. FIELDS of Texas. Reclaiming my time, Mr. Speaker, let me ask the gentleman, is he glad this is an open rule?

Mr. COLEMAN. Mr. Speaker, absolutely. As I told my colleagues on the Committee on Rules, I intend to support this rule and hope it passes.

Mr. FIELDS of Texas. Mr. Speaker, I appreciate the gentleman's comment.

Mr. MCINNIS. Mr. Speaker, I yield 1 minute to the gentleman from Maine [Mr. LONGLEY].

(Mr. LONGLEY asked and was given permission to revise and extend his remarks.)

Mr. LONGLEY. Mr. Speaker, this process that we are debating today stems from a 1985 Low Level Radioactive Waste Disposal Policy Amendment Act. In full compliance with the procedures established under that statute, the States of Maine, Vermont, and Texas entered into negotiations that were approved by citizens groups and by legislative bodies and by executives in each of the three States.

This is a win/win situation for all three States. In particular, the State of Texas is going to benefit to the extent of $50 million that will be contributed by the States of Maine and Vermont. I think it is a positive for all three parties involved.

Mr. MCINNIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as we wrap up the debate here, I would just want to remind my colleagues that the issue in front of us is the rule. The rule came out of the Committee on Rules on a unanimous vote. It is an open rule.

Today we have heard some very good debate. We have heard healthy debate. There is going to be an opportunity if this rule passes, which I fully expect it to do on voice vote here on the House floor, then all of this debate can be presented again at the proper time.

With that, Mr. Speaker, I thank my colleague from the State of California, my colleague on the Committee on Rules, and would urge a ''yes'' vote on the rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1415

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. UPTON). The Chair will begin special orders without prejudice to further legislative business.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

PARTIAL LIST OF MOST RECENT CASES OF INTIMIDATION AND ARRESTS BY THE CUBAN REGIME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. DIAZ-BALART] is recognized for 5 minutes.

Mr. DIAZ-BALART. Mr. Speaker, the Cuban dictator just returned from a trip to Asia. He was disappointed. The Japanese gave him a credit of $100,000. I think he wanted a little bit more than that.

He is in poor health. Things do not seem to be going right for him. But nevertheless that does not keep him from engaging in his traditional repression.

Castro has initiated a new campaign of terror and aggression against all of his internal opposition and his henchmen have been attacking the members of a new group that has formed that has brought together over 130 of the opposition groups within the island. It is Concilio Cubano, Cuban Council. So Castro is paranoid, and he is cracking down on them, and in, for him traditional, but nevertheless unacceptable manner.

Dissidents of all ideological tendencies have joined together in this Cuban Council. So I think Castro has reason to be worried.

In the last few weeks, Jose Martinez Puig, executive secretary of the Proconstitutional Democracy Association has been detained numerous times by Castro's henchmen.

Castro's henchmen have also harassed Felix Fleites Posada, president of the Proconstitutional Democracy Association.

Agents of the dictatorship have invaded the home of the well-known opposition leader Elizardo Sanchez Santa Cruz, obviously seeking to intimidate him.

Amado Gonzalez Paz and Lazaro Garcia Torres have both been arrested and their families' physical safety has been threatened if they remained in Cuban Council.

Recently, Nerys Goristoza Campo Alegre and Marta Ramirez Jerez, both members of the Popular Democratic Alliance, were also arrested. Another member of the Popular Democratic Alliance, Maria de la Caridad Salazar Ramirez was thrown in a prison cell with 14 common criminals.

Radamaes Alfaro Garcia was arrested and told that he had to convince his mother, Beatriz Garcia Alvarez, and brother, Rinaldo Alfaro Garcia, to resign from the Cuban Council.

Lazaro Miguel Rivero de Quesada was arrested along with his mother, Dulce Maria de Quesada. This is within recent weeks, Mr. Speaker.

Sergio Aguiara Cruz was sentenced to 4 years in prison under the charge of predelinquent dangerousness. Aguiara is the president of the Union of Cubans for Liberty.

In Camaguey Province, well-known dissident Antonio Femenias Echemendia, has been continuously harassed by Castro's state security for the last 5 weeks.

Also, in Camaguey, Alberto Hernandez Frometa, from the group Man's Human Rights, was arrested.

The regime has consistently sought to intimidate Marcelino Soto, Jose Nieves Arrieta and Bernardo Fuentes Cambior on a regular basis for their activities on behalf of human rights.

The list goes on, Mr. Speaker. This is just the tip of the iceberg. Some dissidents issued a statement in support of the conference that was held in Beijing, the World Conference on

Women, and Ileana Somellan Fernandez, her home was ransacked by state security on August 25 for doing that. Also, September 1 and September 2, several members of the group called Mothers for Solidarity were arrested.

Marta Maria Vega Cabrera was summoned to appear at headquarters of state security in Havana, where she was interrogated, also, for a statement she made to an international journalist.

On September 2, state security agents visited Mercedes Paradas Antunez, where she was accused along with Aida Rosa Jimenez, of ''planning a protest march'' on Havana.

On the same day, Raquel Naranjo Ruize and Aida Rosa Jimenez were continously followed by state security agents in Havana in a manner that they subsequently describe to the international press as insolent and incessant.

Moises Rodriguez Quesada, Leonardo Calvo, and Manuel Cuesda Morua also have been victims of threats and interrogations from state security. And, of course, Carmen Arias Jose Miranda, Francisco Chavino, Omar del Pozo, and Colonel Enrique Labrada and Reverend Orson Villa, these are all political prisoners. they remain incarcerated.

I want to see where the international community is, Mr. Speaker. Where is the Clinton Administration? Where is that State Department that we pay those salaries to? Where are they denouncing this? Where is the international community? Where is the United Nations denouncing this, Mr. Speaker? Where are they? Earn your salaries, bureaucrats. Earn your salaries. At least denounce this every once in a while.

This is going on now in Cuba, and I want to hear one condemnation by the international press or the international organizations.

Where are they Mr. Speaker? We will continue talking about this.

CRUNCHING NUMBERS, CRUNCHING PEOPLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. DOGGETT] is recognized for 5 minutes.

Mr. DOGGETT. Mr. Speaker, I would tell the last speaker that where some of those people from the State Department are is that they are at home or maybe they are out doing their Christmas shopping because under the orders of Speaker NEWT GINGRICH we are paying our Federal employees not to work again this week, just as we paid them not to work in November.

You see, this is part of an extremist approach to Government that, if you hate Government so much, as some of these Republicans do, the way to demonstrate how much you dislike the Government is to pay the Government workers not to do any work, and so some, I think it is 9,000 members of the State Department, are not at work today, even though I am confident that the vast majority of them would like to be at work doing their job for America, dealing on issues with Cuba and dealing with issues even closer to home.

But our Republican colleagues have decided to shut down the Government and to pay our Federal worker not to work.

I guess perhaps all of this is designed to focus national attention on the whole concept of a Republican Christmas. You know, the Republican Christmas, it is probably just like the Christmas that you celebrate in your hometown. The only difference is that the only stockings that Santa stuffs are the silk stockings, and that is the way that the Republican Christmas proposed in this Republican budget would be presented to the American people were it not for the steadfast position that President Clinton and others of us within the Democratic Party have taken with regard to its misplaced priorities.

You see, it is my position that our Republican colleagues have, to this day, not ever come forward with a budget that is truly balanced. Yes; they do know how to crunch the numbers and calculate it all out so that that part will become even, and that is an important part of having a balanced budget.

But balancing the budget is being concerned with more than just crunching the numbers. It is also as a set of national priorities, a matter of considering how much you crunch the people. And when it comes to crunching the people, this Republican balanced budget is way out of balance because it crunches a good many middle-class families in this country. It crunches many seniors in this country because its objective is to stuff those silk stockings with one tax advantage after another.

Indeed, even that very gross tax loophole that we attempted to close earlier this year that lets those people who have prospered the most from America, who have made literally billions of dollars and who can celebrate this Christmas in Belize or in the Bahamas or somewhere in the Caribbean, having renounced their American citizenship and burned their citizenship card, torn it up, at the same time having burned the American Treasury and the American taxpayer, renouncing their citizenship to avoid paying their taxes, that loophole is still largely present under this Republican budget.

Of course, on the eve of the elections next year, our Republican colleagues propose with their eat-dessert-first budget to provide the checks to people on the eve of the election, not unlike some old ward heeler passing out hams just prior to the election time, to try to sell the idea that the only way to get the deficit down is to make it go up next year, which is the approach that is taken in this Republican budget.

But the vast majority of the tax breaks, though there is an occasional sweetener, is designed to go to those at the top of the economic ladder, who have benefited from America.

We have heard that we have had nothing but horrors in this country for the last six decades, to hear the majority leader speak the other day. Well, some people have done rather well in America during those six decades of evil. They prospered. They have become millionaires and billionaires, and now the Republicans would reward them with huge tax breaks, tax breaks that will drive the deficit up next year, that will cause it to explode in the year 2002, in the last part of this decade, and all of that is going to be paid by the impact that it has on middle-class families.

A commentator just earlier this week reported on the impact on middle-class families that suddenly find a parent, a loved one who has to go into a nursing home either because of a disability or because of advanced years, and it is going to be possible under the Republican budget as proposed to require the children to pay for the nursing home expenses which can run up to $30,000, $40,000 a year of the senior, to tap into the assets of those middle-class families at the same time they may be trying to get a young person through school, through college, trying to struggle to make ends meet themselves, but to force them to have to pay those expenses.

That is the way people get crunched under this Republican budget. We need a truly balanced budget that is balanced to the people of America.

TRIBUTE TO THE BRAVERY OF MARIETTA POLICE OFFICER MIKE POWELL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. BARR] is recognized for 5 minutes.

Mr. BARR of Georgia. Mr. Speaker, I rise before the House today to pay tribute to the brave actions of Marietta GA, police officer Mike Powell, a 6-year veteran of the department, a constituent, and a friend. Officer Powell's quick response to a 911 call this past Saturday saved the life of a local woman while placing himself in great danger.

Approaching the apartment building in which this woman and her husband lived, officer Powell heard screams from the woman upstairs as she hid from her attacker in a bedroom. Upon entering the stairwell leading to the apartment, he found the husband already dead. Then suddenly Mike started receiving gun fire. He quickly returned fire on the man until back-up arrived and subdued the perpetrator.

While making this extraordinary stand, officer Powell was hit two times. Thankfully he escaped serious harm, with one shot grazing his side and the other ricocheting off his gun and hitting him in the arm. The woman was able to flee the apartment unharmed

during the commotion. It is certain the quick response of officer Powell saved the woman's life.

Every day the heroic actions of men and women serving in police departments across the country save lives. The job is stressful, dangerous, and frightening, yet thousands put their lives on the line so that all of us may live more securely. Mike Powell's bravery is a tribute to him and a reminder to all of us of how much the man and women in blue do to protect and to serve. On behalf of the citizens of Marietta and the entire Seventh District of Georgia, I commend Officer Powell for his selfless actions in the line of duty and at great personal sacrifice.

□ 1430

The SPEAKER pro tempore (Mr. COBLE). Under a previous order of the House, the gentlewoman from California [Ms. WATERS] is recognized for 5 minutes.

[Ms. WATERS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

RTC REPORT EXONERATES CLINTONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. FRANK] is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, we live, as we all know, in an era in which good news is no news. So the recent report issued by Jay Stevens on behalf of the Resolution Trust Corporation which exonerates President Clinton and Mrs. Clinton from any liability to the RTC involving Madison Guaranty has gone largely unnoticed in the press. People who have an interest in perpetuating inaccurate accusations against President Clinton and Mrs. Clinton have understandably ignored this.

People will remember that Jay Stevens is the Republican who was a U.S. Attorney appointed by the previous Republican administrations who was considering running for the U.S. Senate as a Republican. He is a deeply committed conservative partisan, but also an honest man, not that there is any inconsistency there. He was hired by the RTC to investigate President Clinton and Mrs. Clinton. Indeed, it was the fact that so committed a Republican partisan had been hired that caused the uproar in the White House, when people said to the Treasury Department, how could you let this happen?

Well, Mr. Stevens has now given his final report.

The RTC has asked that grand jury information not be released, and I have none here. They have asked that their future litigation strategy not be discussed, and I would not do that here. I will quote from Mr. Stevens' report.

''The foregoing list contains essentially all the documents regarding Whitewater that seem to have been addressed to or written by the Clintons.'' I skip a little bit. It says, ''Therefore, on this record, there is no basis to assert that the Clintons knew anything of substance about the McDougals's advances to Whitewater, the source of the funds used to make those advances, or the source of the funds used to make payments on bank debt. In particular, there is no evidence that the Clintons knew anything of substance about the transactions as to which the RTC might be able to establish liability as to people other than the Clintons.''

Skipping again to the summation, ''On this record,'' this is Jay Stevens, the very committed Republican who was hired by the RTC over the objections of the Clinton administration to investigate the Clinton involvement with RTC, Madison Guaranty, Whitewater, here is his final recommendation based on his extensive survey of all of the evidence: ''On this record, there is no basis to charge the Clintons with any kind of primary liability for fraud or intentional misconduct. This investigation has revealed no evidence to support any such claims, nor would the record support any claim of secondary or derivative liability for the possible misdeeds of others.''

Skipping a little, ''There are legal theories by which one can become reliable for the conduct of others—e.g., conspiracy and aiding and abetting. On this evidentiary record, however, these theories have no application to the Clintons. To hold one liable for conspiracy or aiding or abetting, the RTC must plead and prove the elements of these theories. These elements include a general awareness of the wrongful acts being committed by others and an intention to assist in the commission of the primary offenses. There is no evidence here that the Clintons had any such knowledge or intent. Accordingly, there is no basis to use them.''

Mr. Speaker, partisan Republicans, extreme right wingers, and others have been engaged in a desperate, unyielding, incessant search for evidence to tarnish the Clintons with regard to Whitewater. They have found none. There is no evidence, and here we have a comprehensive report by a Republican prosecutor, a would-be candidate for office, who thoroughly investigates this and, as conclusively as you can get an investigator to say, he says there is no basis for this.

Pirandello wrote a play, ''Six Characters in Search of an Author.'' Our Republican colleagues have collaborated on a more fantastic creative work. It is hundreds of accusations against the Clintons in search of any evidence. And Mr. Stevens, a professional investigator and Republican charged with looking into not just criminal liability, but civil liability, has concluded that after all of the evidence is examined, there is no basis whatsoever to make an accusation against the Clintons.

Will this stop our colleagues from their accusations? No. But it ought to mean that the public will receive those accusations with the total lack of respect to which Jay Stevens says they are entitled.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. GEKAS] is recognized for 5 minutes.

[Mr. GEKAS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

ORDER OF BUSINESS

Mr. TIAHRT. Mr. Speaker, I ask unanimous consent to exchange places in the special order list with the gentleman from Pennsylvania [Mr. GEKAS].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

PROBLEMS IN THE CLINTON ADMINISTRATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas [Mr. TIAHRT] is recognized for 5 minutes.

Mr. TIAHRT. Mr. Speaker, we have heard a lot of nonsense about the Republicans ruining Christmas for some of the Government workers. I want to talk a little bit about the Fourth District of Kansas. We have 1,038 Federal workers subject to furlough. This week the President vetoed legislation that would have put 940 of them back to work, 940, but the President vetoed Christmas for those employees and their families. Thank you very much, Mr. President.

You know, there is struggle going on here about balancing the budget, and we have come to a real critical point, because if we are unable to balance the budget now, then when will we balance it? We have a future to think about for our children. We are $5 trillion in debt. It is a tremendous amount of money. We are trying to strengthen our economy.

We have seen two dramatic moves in our economy. No. 1, when we went through the 5,000 mark on the New York Stock Exchange, it was the same week when we thought we had an agreement to balance the Federal budget in 7 years. This week, when we thought the balanced budget had failed, the stock market dropped dramatically, over 100 points, and then bounced back the next day, when Alan Greenspan, Chairman of the Federal Reserve, said that he hoped that we could get to a balanced budget, and in good faith he was going to lower interest rates a quarter of a percent.

But it is going to be very difficult for the President to concede to a balanced budget, because his liberal agenda does not include balancing the budget, only

paying off liberal interest groups. Plus he is being dragged down by members of his own Cabinet.

Currently Secretary O'Leary in the Department of Energy is falling under fire. It started out with GAO reports as early as the first part of this year when they reported that she had a ''mission a minute,'' quote-unquote, a mission a minute, that there were very large management problems within the Department. Then Vice President Gore's National Performance Review came out, which said that portions of the Department of Energy, like of the environmental management portion, was 40-percent inefficient, and it could cost taxpayers $70 billion over the next 30 years.

Then we started to see travel problems, with the Secretary of the Department of Energy having the highest travel budget per trip of anyone inside the President's Cabinet, staying at four-star hotels, traveling first class, taking along large staffs for her domestic travel. But that was all based on her current responsibilities in the Department of Energy, which are all domestic.

Then we started to hear about the international trips. Secretary O'Leary has taken 16 international trips, taking along as many as 50 staff members, as many as 68 guests, often CEO's who do not pay their portion of the travels. One trip cost $720,000. With 16 of them, it is in the millions of dollars, the costs of this. Often she travels on the same plane as Madonna leases. So the material girl of Clinton's Cabinet is spending unwisely taxpayer dollars in these travels.

She hires photographers and video crews to come along, because she wants to be caught at her best. She is very worried about the public image she is presenting and has been quoted as trying to bring the second term of the President's campaign, the ideals of it, to the forefront now.

In the zeal to project a good public image, Secretary O'Leary has hired a personal media consultant at a cost of $75,000 per year to the taxpayers. She also employs inside the Department of Energy more than 520 public relations employees at a payroll of over $25 million per year. She has even hired a private investigative firm to investigate reporters and Congressmen who are tarnishing her favorable image. She has developed a list of unfavorables.

Well, it is going to be hard to hit the budget target, especially when you are unable to control spending like this. This is excessive, it is unnecessary, and it is a waste. We are so concerned about the poor, and yet we allow first-class travel within members of the Cabinet overseas, on the same airplane that is leased by Madonna. That is not the lifestyle that is projected by the administration when they are trying to speak for the poor. It is quite the opposite.

So, Mr. Speaker, I would encourage President Clinton to ask for the resignation of Secretary O'Leary. I would urge him to get back into some honest negotiations on the Federal budget, so that we can enjoy Christmas as a government, get everyone back to work, and also preserve a future for our children, strengthen our economy, and just plain do the right thing. Balancing the budget is the right thing to do.

PRESIDENT RIGHT TO STAND FIRM ON BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Connecticut [Ms. DELAURO] is recognized for 5 minutes.

Ms. DELAURO. Mr. Speaker, let me just comment on one thing that the prior speaker mentioned at the beginning of his remarks, and that was that the President was holding out, was hanging tough, whatever phrase you want to use, on the budget, because of the people that he cares about, or the interests that he cares about.

I have got to tell you I am very proud of the President and his holding firm on this budget, because of in fact who he is holding out for, and that is for the folks who are on Medicare, those elderly who are in nursing homes, that get their health care paid for through either in whole or in part by Medicaid, by concerning himself with the environment, and by concerning himself with the working families of this country.

By the same token, Speaker GINGRICH is trying to hold the President hostage on this budget because of the special interests that he has, and I will match the President's commitment to the working people of this country with Mr. GINGRICH holding out for those special interests, those who are going to get the benefits of $245 billion in tax breaks, those richest of American corporations who are going to see a $17 billion windfall with the repeal of the alternate minimum tax.

Last month Speaker GINGRICH shut the Government down. He shut it down, and, in his own words, he shut it down because he did not like his seat on Air Force One. Now he is at it again. This time the Speaker has shut the Government down because he is not getting his way on the budget, even though the overwhelming number of Americans reject Speaker GINGRICH's budget, and I might add, that 60 percent of the American public wanted President Clinton to veto the Gingrich budget because of the issues of Medicare, Medicaid, education, and the environment.

The Speaker is not getting his way on this budget. He would like to cut Medicare, Medicaid, education, and the environment, all to help finance that tax break for the wealthiest Americans. Those may be the Speaker's priorities, but in fact they are not America's priorities. But instead of listening of the American people and fixing this unbalanced budget, the Speaker has chosen to shut the Government down for the second time in a month. His decision to shut the Government down has thrown more than 200,000 people out of work 1 week before the Christmas holidays.

Yesterday my colleague from Virginia, Mr. MORAN, was on the floor, and he put the Government shutdown into human terms that I think everyone who is listening can understand. He said he visited a school in his suburban Washington district where the teachers told him that the children are not enjoying Christmas this year as they have in the past. Why? Because many of their parents are Federal employees who are out of work today, people who want to go to work, people who take on personal responsibility for themselves and their families. They are out of work today, thanks to Speaker GINGRICH. Their parents are fighting more, worried that they will not get paid, and afraid to spend money on the Christmas holiday gifts.

We should not be surprised that Speaker GINGRICH is willing to go to such extreme lengths to get his way if you take a look at what the Speaker said in September about shutting the Government down. This is a quote from the Washington Post on September 22. It says, ''I don't care what the price is. I don't care if we have no executive offices and no bonds for 30 days—not at this time. I don't care what the price is.''

□ 1445

Quite honestly, that sums up the philosophy of the Speaker. It explains why he is willing to shut down the Government and ruin the holidays for thousands of hard-working families in this country.

This is someone who talks about a budget that is good for our children. What happens to these youngsters who are watching their parents worry about their jobs and what they are going to be able to do in the future? It explains why Speaker GINGRICH's budget cuts health care for the elderly and the poor while providing massive tax breaks for the wealthiest people and corporations in this country.

Believe it or not, this is the same man who last week was named Times ''Man of the Year,'' leaving America to wonder who was the runner up, Ebenezer Scrooge?

BALANCING THE BUDGET IS A MILESTONE FOR AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. FOLEY] is recognized for 5 minutes.

Mr. FOLEY. Mr. Speaker, to respond for a moment to the prior speaker, it is not about ruining the holidays for Federal Government employees, it is about restoring faith in America. It is about people coming to Washington and honoring their commitment to balance the budget.

It is interesting when we have votes on the board whether Democrats and

Republicans will seek to balance the budget. Overwhelmingly, both parties join in saying, yes, we want a balanced budget. The President wants a balanced budget. He said it many times.

In reviewing the document that the President submitted to this Congress, the only difference is that it incurs hundreds of billions of dollars of budget deficits for the next 7 years. That is not balancing a budget. Maybe in Washington spending $115 billion more than we have next year is balancing a budget, but in real America, in the real business community that is bankruptcy. That is out of business.

So as we approach the season of Christmas, the Speaker and Members of Congress have committed to staying here as long as it takes. That is not good news for families. It is not good news for anyone that Congress would work in session through Christmas. But I think we must honor the tradition of this House.

When we run for elections we tell voters if they will send us to Congress, that we will do the heavy lifting; that we will bring back a balanced budget and restore fiscal unity and dignity to this Nation. So we cannot just say, oh, well, it is almost Christmas. We have to be home. We have to leave Washington. We cannot be here. We cannot be away from the house, our districts, because certainly the balanced budget can come later.

This is a milestone in our Nation. This is a unique opportunity. As Mr. GINGRICH says, this is gut-check time, whether we have the fortitude to bring down overspending or do we want to just keep playing games.

We have heard the Medicare scam, and many people have talked about it, but we have seen the tapes, we have seen the visuals of Mr. and Mrs. Clinton saying we should bring it down to 6 or 7 percent a year. Well, we are doing 7-plus percent a year in Medicare spending per recipient. So it is not a cut. We know that. We have proven that. We will go on to the next issues.

Wasting taxpayers' dollars, though, is legendary around this process. We have appropriators, authorizers, the Committee on the Budget, all working somewhat together and then, at times, apart.

Mr. Speaker, I had an interesting opportunity to kill the gas turbine this year, which was an exciting year for me and an exciting project for me, because it had spent hundreds of millions of dollars a year. Always killed in the Senate, denounced by three Presidents, but here in the House it survived year after year. We killed it here in the House, went over to the Senate and killed it there, and, finally, the gas turbine no longer finds its way into our budget. The same Government that had the Department of Defense procurement system paying $450 for a hammer.

We just heard from one of my colleagues, the gentleman from Kansas [Mr. TIAHRT], talking about Secretary O'Leary's trips. As I recall, we started the Department of Energy during the Carter administration because we had a gas shortage, a crisis, and they wanted to make certain that the thermostats would stay at 78 degrees. Now we are traveling the globe trying to seek out whatever we are trying to look for and spending hundreds of millions of dollars to do it.

I think the Cabinet Secretary needs to reexamine her priorities, reexamine why the Department was created and show some leadership and some frugality and not spend the taxpayers' money as if she is, in fact, a corporate executive on the shareholders' nickel.

Yes, Congress has failed to act. Many people look back at the Reagan years and say, oh, it is Reagan's fault for running up massive deficits. Hey, the buck stops here in Congress, folks. The buck stops here in Congress. The Congress are the appropriators. They are the authorizers. They are the check writers. They are the fiscal clearinghouse for this Nation. So Congress has to accept the responsibilities.

The President submits a budget, and we have sure seen his. It does not look like it is going to reduce the debt, but, no, he gets a chance to submit it and he gets a chance to veto, which he has done.

I was proud today, Mr. Speaker, when we came to the securities legislation, that a number of our colleagues, both Democrats and Republicans, overrode his veto. We are sending him a message that it is time to start working and stop vetoing messages and then sending hollow bills back to this floor suggesting he is committed to deficit reduction.

We have a lot of problems in America and we have a lot of problems we can solve together, and I think there has been a great bipartisan spirit on a number of issues. But I do think it is time for all of us to end the charade, end the political games, end the characterizations and assaults against the Speaker, and on both sides of the aisle. The Republicans do not need to fire missiles over to the Democrats, and I think the Democrats need to cease and desist.

Mr. Speaker, I listened to the gentleman from Massachusetts [Mr. FRANK] talk about the exonerations of the Clintons. The same thing is happening to the Speaker on the numerous charges being filed by the other side of the aisle, in order to tie up the process, in order to try to impugn his reputation and trying to do a number of things.

So I think if this Congress is serious about Christmas, about the holidays, and about the future of this Nation, that we will put aside personalities and get down to balancing the budget initiative, and we will work on it successfully, like we should. We have all voted for it, we have all supported it, and now let us do the heavy lifting and provide the leadership necessary in order to pass it.

ORDER OF BUSINESS

Mr. MILLER of California., Mr. Speaker, I ask unanimous consent to exchange special order times with the gentleman from Michigan [Mr. STUPAK].

The SPEAKER pro tempore (Mr. COBLE). Is there objection to the request of the gentleman?

There was no objection.

FRESHMEN REPUBLICANS DO NOT CARE ABOUT FAMILY VALUES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. MILLER] is recognized for 5 minutes.

Mr. MILLER of California. Mr. Speaker, the previous speaker said that this was not about ruining the holidays for the families of Federal employees; that that really was not important and what was important was a balanced budget.

I think that that shows such incredible lack of respect for those families, for their relationships with their children at a time of the holidays, for their religious beliefs. I think it shows such an incredible lack of respect for our families and our religious beliefs. This is more than shopping days. This is a religious holiday. It is a time when we gather with our families and we think of our fortunes and our misfortunes, and we take stock of the year we have and the year we look forward to and we pay respect to our God.

The suggestion somehow is that that can all be held ransom, that can be held ransom and somehow that will make the negotiations more serious; that, apparently, the Speaker of the House of Representatives is incapable of negotiating unless he has a hostage. He shut down the Government a month ago because the President of the United States would not talk to him. Now he is shutting down the Government because the President is talking to him.

Last night the President agreed to sit down with Senator DOLE and with Speaker GINGRICH, they would roll up their sleeves and they would negotiate a balanced budget that would be scored, the numbers would be guaranteed so it truly came into balance by the Congressional Budget Office.

They walked out of that office with that agreement: and, apparently, the Speaker brought that back to the Hill and the freshmen Republicans told him, no; that that was not good enough to release the Federal hostages; that that was not good enough to let people enjoy Christmas; and that was not good enough to put people back to work.

Maybe we were wrong. I assume that the President assumed that when the Speaker said he wanted to negotiate vis-a-vis the President, that he assumed he had the authority to negotiate. The President was speaking for the Presidency, the executive branch and the people he represents. Senator

DOLE seemed to think he was representing the people in the Senate from the Republican Party. Apparently, the Speaker did not have negotiating authority from the freshmen in the House of Representatives.

So apparently, the Government will remain shut down through Christmas. We will or will not be here through Christmas, and families will have to go through that kind of trauma. It is terribly unfortunate, but it shows such a basic flaw in all of the rhetoric and all of the debate and all of the hot air from the Republicans about family values, about the importance of families, about how this was going to be a Congress that took that into consideration when we recognize the importance of the Christmas season to our families.

Now, what is the debate about? The debate, apparently, is that the freshmen Republicans told the Speaker there will be no give on the $245 billion tax cut; that that was sacred to their sense of a balanced budget. So at the time that we are cutting the seniors' health care benefits, at a time that we are limiting the amount of money to be made available for the elderly in nursing homes, at a time that we are cutting back on health care benefits and abolishing the Medicaid Program for children, for poor women in this country, the first time that we have put children back into poverty instead of lifting them out of poverty, at a time that we are cutting back on access to student loans and increasing the cost of education, at a time that we are making those fundamental changes and cutbacks that affect every family in America, the bottom line for the Republicans is that if they do not get the tax cut for the wealthy in this country, if they do not get that, then there can be no negotiations.

To hold on to that position, they have decided, for the second time, to take hostages from the Federal work force. This is a little bit like a family that sits down, as we must do to balance a budget, and decides that they will only go to the show once a week, they will not eat out any longer, they will drive the car for a longer period of time, they will not buy a new house, they will take an extra job, maybe the kids will have to work, but then, all of a sudden, they turn around and say, but we are going to give the children a raise in their allowance.

We do not have the money for this tax cut. We do not have the $245 billion when we are cutting $270 billion out of seniors' health care and $180 billion out of Medicaid. I think the freshmen Republicans ought to quit being so selfish and start thinking about America's families and families that need their help.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky [Mr. LEWIS] is recognized for 5 minutes.

[Mr. LEWIS of Kentucky addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

A BALANCED BUDGET IS THE MOST SERIOUS CRISIS OF THIS GENERATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado [Mr. MCINNIS] is recognized for 5 minutes.

Mr. MCINNIS. Mr. Speaker, we need a Government that keeps on ticking, but we do not need a Government that keeps on giving. This balanced budget is the most serious crisis of this generation. there is not a family in America that finds themselves in a situation where they spend more money than they bring in that they do not call it a crisis. There is not a family in America that if they got them selves into the same kind of situation as this Government, spending more than they bring in, would not sit down at a table and say, you know something, somewhere we are going to have to reduce the amount of money that we are spending.

Our problem back here in Washington, D.C., by the way, is not a lack of money. We have plenty of money in Washington. We have twice as much as we did 10 years ago. Our problem back here in the Nation's Capital is spending. We are spending more money than we bring in. Our problem back here is not a lack of taxes. In fact, the average person in this country spends the first 2 hours and 45 minutes of every working day just paying their taxes.

Like an old farmer one time told me, before you put more water in the bucket, you better plug the holes. That is what is happening in this Government. We need to plug the holes. We need to reduce this spending. You cannot tax the American people anymore.

□ 1500

And the American people have every right to expect this Government to conduct its business as we expect them, the constituents, our bosses, to conduct their business.

Mr. Speaker, what will happen if we can balance this budget? First of all, let me tell my colleagues that the President, regardless of all of the rhetoric that goes on, regardless of what the President says right now, I can guarantee my colleagues that this President will be forced to accept a 7-year balanced budget; I can guarantee my colleagues that this President will be forced to have that scored by the Congressional Budget Office; and I can guarantee my colleagues that the President is going to have to address entitlement programs.

Mr. Speaker, if my colleagues think entitlement progarms in this country are run well, ask anybody how well our welfare system is run. Imagine winning $100 million in the lottery and wanting to give $50 million of it to the poor people in this country. Would anyone send that to Washington, DC for distribution to the poor people in this country? Of course they would not. The system is broken, and the President is going to have to be part of the solution in fixing that.

Mr. Speaker, another thing we have got to do is we have got to restore confidence in the American people. How confident can the American people be that business in Washington is changing when we have the Secretary of Energy traveling around the country in one of her jet rides that costs $400,000 just for the jet, taking an entourage of 50 or 60 or 70 staff people with her, having 500 people to handle public relations?

We cannot allow that to go on. How confident can the American people be when we stand by and let that happen? The President should immediately ask for, and the Secretary of Energy should immediately submit, her resignation. We need to look at the scare tactics that are being deployed, and we have heard some of them on this floor today.

Mr. Speaker, we are not ending Medicaid. We are doing it in a different way. We are sending the money to the States and bypassing the bureacruacy in Washington, DC. Medicare is not being eliminated.

Mr. Speaker, if we listened to some of the scare tactics, we would think there will be no more school lunches for kids. That is obviously false. Not one kid who got a lunch this year is going to be denied lunch next year. We would believe that students will not get loans and the senior citizens are going to be thrown out in the street to starve. We would think all of these dramatic things are going to happen.

Mr. Speaker, a year from now, after this President is forced to accept a 7-year balanced budget and after this President is forced to have it scored by the CBO, a year from now we are not going to find any of that having occurred.

In fact, what we are going to find is lower interest rates. We are going to find that the next generation has got this generation paying off its credit card so that we do not send that debt on to the next generation. That debt right now accrues at a rate of $30 million an hour. This next generation is watching our generation overspend the budget by $30 million an hour.

What will we see a year from now? We are going to see that come to an end. We are going to see the U.S. Government in Washington, DC do as 48 States do, and every family in America is expected to do, and that is to balance their budget, to not spend more money than they bring in.

Mr. Speaker, let me say that our issue back here is spending. We are not cutting Medicare; we are reducing the growth of Medicare. The President's proposal, by the way, on Medicare is very similar to ours. If some of these people get up talk about the Republicans and want to use the word ''cut,'' they better talk about their own President.

Mr. Speaker, we need to stop the spending in Washington and we need to

control. With that, I would just urge and tell the American people I am positive and optimistic that we will have a balanced budget and all of us, including the next generation and especially the next generation, will be better off for it.

The SPEAKER pro tempore (Mr. COBLE). Under a previous order of the House, the gentlewoman from Florida [Ms. BROWN] is recognized for 5 minutes.

[Ms. BROWN of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

SPEAKER AND HOUSE REPUBLICANS SHOULD NEGOTIATE WITH PRESIDENT AND END GOVERNMENT SHUTDOWN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. GEPHARDT] is recognized for 5 minutes.

Mr. GEPHARDT. Mr. Speaker, the President reached an agreement with the Republican leadership last night, both to begin intensive discussions about how to balance the budget on a rapid timetable and also that the Congress would pass a continuing resolution today to reopen the Government. Evidently, the extreme elements of the House Republicans have rejected this agreement and prevented the Government from reopening today.

Mr. Speaker, the President is committed to balancing the budget in 7 years and doing so in a way that reflects our values and also our priorities: health care, education, the environment, tax fairness. He is prepared to talk with the Republican leaders today, tomorrow, the next day, as long as is necessary to get the job done.

But Congress in the meantime should reopen the Federal Government. We cannot achieve this important goal through threats and ultimatums. The Republicans in Congress have threatened to keep the Government shut down unless the President agrees to deep and unconscionable cuts in Medicare and Medicaid. The President will never give in to these kinds of threats, nor should he.

Mr. Speaker, this country has a responsibility not only to balance the budget, but also to protect our values and our interests as people. We must act in the interest of the 3.3 million veterans who will not receive their benefits checks due December 29 unless the Congress passes a continuing resolution by tomorrow morning.

Our first obligation must be to these people, not to confrontational tactics or extreme agendas. Let me last say this. I believe that if this cannot move forward today, we are in a constitutional crisis. This is the first time in memory that the Speaker of the House and a majority in the House has said that the President's veto, being an extraordinary power, must be met on the side of the majority in Congress if they disagree with that veto, not with a two-thirds majority to override the veto, not with another bill that might gain the President's signature, but with shutting the Government down.

Mr. Speaker, there is no language in the Constitution that says that is what the majority in Congress should do if they are displeased with the veto. The Constitution says we override the veto or we pass another bill that the President may or may not sign.

It is irresponsible, it is unconscionable, it is immoral to have taxpayers' money to pay for services and then to say we are not going to give those services to people or, in the case of veterans, their checks for their pension, because we are in a pique with the President with his priorities on the budget.

Mr. Speaker, I cannot believe this is happening to our country. In the name of sense, in the name of morality, in the name of logic, in the name of decency, I ask the Republican majority and the Speaker of this House to come to this floor today to pass a continuing resolution, to open this Government back up and to get in a room with the President of the United States and the other leaders in Congress and try to see as hard as we can if we can find a budget for this country for the next year, if not 7 years.

Mr. DOGGETT. Mr. Speaker, will the gentleman yield?

Mr. GEPHARDT. I yield to the gentleman from Texas.

Mr. DOGGETT. Mr. Speaker, the Leader is obviously here, as are many Democrats, ready to work this afternoon. I am advised that unless this Congress, which went into a kind of recess at 2 o'clock eastern time today, unless by 8 o'clock in the morning it has approved a continuing resolution, thousands of veterans in Austin, TX, and I believe you said 3.3 million across the country, people that have served our country, who have put their lives on the line, many of them disabled veterans, will not get their checks on time if that resolution is not passed within just a matter of hours.

Mr. Speaker, does the gentleman from Missouri [Mr. GEPHARDT] know of any reason why those veterans should be asked to sacrifice and should be caught in the middle of all the crisis that is going on here in Washington?

Mr. GEPHARDT. Mr. Speaker, reclaiming my time, there is absolutely no justification for it. It is immoral. It is immoral to say that they will not get their benefits because there is a disagreement between the Congress and the President on a budget. That is not the adult way, the sensible way to handle this disagreement.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mr. BARTLETT] is recognized for 5 minutes.

[Mr. BARTLETT of Maryland addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

GOVERNMENT SHUTDOWN UNNECESSARILY INCONVENIENCES CONSTITUENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I wanted to follow on the remarks of our distinguished minority leader here. This is a serious moment for our country. Our congressional office has now been in receipt of phone calls from constituents who are not able to get their passports processed because of the shutdown of the Government. So, in addition to veterans, whose checks are being threatened at this point because this Congress and this Speaker chooses not to move legislation through this body that will keep the various agencies operating, and not inconveniencing the public during this very busy travel season, it is truly a tragedy what is happening here just to make some sort of political point.

Mr. Speaker, I think it is time for people here to grow up or get out, and to deliver the kind of services to the American public that they expect of us. We have thousands of families across this country who have filed for home mortgages that have a relationship to HUD where they insure and process those mortgages. Mr. Speaker, 20,000 of those a month cannot be processed because of this Government shutdown.

We are inconveniencing the American people from coast to coast. We have tourists all around this country that cannot get into the monuments. Think of when in recent history my colleagues ever remember this happening. This does not need to happen, especially during this very important season of the year when so many people are traveling and expecting the goodwill that this season represents to govern our actions toward others.

YES! TOLEDO WINS IN OVERTIME

Mr. Speaker, I came to the floor this afternoon on a little bit lighter subject, and I would like to say that my good colleague from the State of Nevada has elected not to join me here this afternoon, but I am compelled to rise to tell my colleagues that if they happened to miss the first college bowl game of the 1995 season, they may have missed the best, most historic bowl game of the year.

Mr. Speaker, in the Las Vegas Bowl, the still undefeated University of Toledo Rockets beat the University of Nevada Wolf Pack 40 to 37 in the first overtime game in the history of postseason college football.

It was a close game, as evidenced by the 34 to 34 fourth quarter score sparkling with flashes of offensive brilliance on both sides. But in overtime, Reno's Wolf Pack defense could not withstand the onslaught of Rocket star Wasean Tate's powerful running game.

Tate scored a touchdown and the game, as it is often said and this time never more true, was history.

Mr. Speaker, I want to thank my colleague, the gentlewoman from Nevada [Mrs. VUCANOVICH], for graciously honoring our friendly wager by awarding our team this Nevada Wolf Pack sweatshirt, which I intend to present to the team at an appropriate moment, for it was they who won it fair and square.

Mr. Speaker, I want to say to the Rockets, because I know many of them are listening, and as this particular T-shirt indicates over here, are undefeated champs of the mid-American conference. Our newspaper had a complete front page headline: ''Toledo Rockets Win Vegas Bowl.'' We are so extremely proud of them and their hard work.

Go Rockets and Go Toledo and thank you, Mrs. VUCANOVICH.

NOW IS NOT TIME FOR BUSINESS AS USUAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona [Mr. HAYWORTH] is recognized for 5 minutes.

Mr. HAYWORTH. Mr. Speaker, I thank the Speaker and I thank many of our colleagues for joining us here on the floor today.

Mr. Speaker, I listened with great interest to the gentlewoman from Ohio [Ms. KAPTUR], and indeed would offer in the spirit of bipartisanship, congratulations to the Toledo Rockets for their great victory. I am sure I am speaking for my colleagues from the great State of Nevada. She was more than happy to supply the Tee-shirt and she is equally proud of the Wolf Pack of Nevada, Reno, even though they came up on the short end of the score.

Mr. Speaker, again, on that bipartisan remark, let me address the remarks of my colleague from Ohio and other remarks in this Chamber earlier today with reference to what is transpiring here in Washington, DC, and indeed throughout the country.

There has been a plea from the other side of the aisle, a request to go back to business as usual. Indeed, this morning, my dear friend from New Jersey, who is also here on the floor, basically said that in his opinion, what is transpiring now is not the way a majority should govern in the United States.

□ 1515

Let me simply offer these thoughts. It is precisely because of business as usual and the constant drumbeat of taxing and spending and spending a little more and making special accommodations and spending more and more and more and more that we never come to grips with the central issue we must confront. And that is we are committing fiscal suicide upon this Nation and upon future generations if we fail to stand now and respond to the clarion call of the American people who say enough is enough. Balance the Federal budget now. Put into place the framework today is that in 7-years time we can have a balanced budget and start to eliminate this national debt that will suffocate generations to come.

There is nothing moral about taking the money from generations still to come simply because they do not have a vote. Good people may disagree, and my good friend from Massachusetts is here on the floor, and I am sure he will get a chance to speak here in a few moments. Good people may disagree on how money may best be spent. But for the executive branch of this Government to walk away from a public commitment and, moreover, a public law, signed 30 days ago by the Chief Executive, committing this Nation, committing this Government as terms of the previous continuing resolution to use the framework of a commitment to a balanced budget in 7 years using the honest numbers of the Congressional Budget Office, but for the President to walk away from that statement, to walk away from that public law is absolutely patently wrong.

Now, others may try to massage the wording, and there may be countervailing philosophies, but the undergirding part of that public law was a commitment to work for a balanced budget within 7 years using the honest, nonpartisan numbers of the Congressional Budget Office.

Are there differences in philosophy? Of course, but there should be no difference on that board bedrock of principle.

Mr. Speaker, I freely acknowledge that good people can disagree and, indeed, we are here to debate those differences. But surely, certainly the bounds of common decency suggest, that, even though good people may disagree, there should be a basic framework upon which to work out the disagreement. Now this White House and this administration and regrettably some others in this Chamber want to walk away from that basic agreement.

Much is made of the holidays. Much is made of the hardship that many Americans face. But again, Mr. Speaker, the greatest Christmas present that we can give the American people is to make sure that we have a Nation fiscally sane and sound, morally responsible for generations to come, saving the health care system for our grandparents, ensuring fiscal responsibility and no to business as usual, trying to find a way to always tax and spend and spend some more.

The SPEAKER pro tempore (Mr. COBLE). Under a previous order of the House, the gentleman from California [Mr. KIM] is recognized for 5 minutes.

[Mr. KIM addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

TRIBUTE TO AARON FEUERSTEIN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. KENNEDY] is recognized for 5 minutes.

Mr. KENNEDY of Massachusetts. Mr. Speaker, as we face a kind of conflagration in Washington, a meltdown, a fire storm that seems to be taking place both on the House floor and in Washington in general tonight, the truth is that there was a real fire that took place in the State of Massachusetts last week that I think can act as kind of a moral for all of us in this Chamber to take some advice and some lessons from.

I rise today to pay tribute to a remarkable man in Aaron Feuerstein. Aaron is the owner of the Malden Mills in Methuen, MA. He saw his family business go up in flames last week. Over 2,400 families worked in that company.

Against all odds, Aaron Feuerstein built up a company in Massachusetts that has for the last several decades lost tens of thousands of mill jobs to other countries. Tens of thousands of mill jobs have moved down to the South and have left Massachusetts because of high wages, because of the high cost of energy. But while others were abandoning the State, Aaron Feuersten was building up the State. He pays union wages. Ron Alman, the head of the International Ladies Garment Workers, has nothing but kind words to say about Mr. Feuerstein.

Mr. Feuerstein, at a time when his company and his life savings were burning, stood and made a commitment to his workers that he would continue to pay them through the Christmas season, would continue to pay them on into next month and committed himself to rebuilding that plant. Maybe the Congress, maybe the President, maybe the House and Democrats and Republicans can learn a little something about Mr. Feuerstein's commitment to this country, to his community.

This is an individual who employs immigrant workers as well as people that have lived in this country for generations. He has invested in their education. He spent millions of dollars of his own funds to teach people English, to give people job training. He has worked with the Government. It is through that kind of partnership and commitment that he has built up his company. He has made a recommitment to making certain that we in this Nation can have the kind of high wage, high skilled jobs that mean the future of America is going to be safe.

Yet, as that goes on in Methuen and Malden and other parts of the State of Massachusetts, what we see is divisiveness and name calling and a tearing apart of the future of this country. We are saying, as this guy is standing in Boston making certain that his workers, when he has no income, are going to get paid. We are saying, we are going to cut off the workers in this country today.

There should be a lesson that we all take about how we can try to get

along, how we can try to make this country grow and prosper in the future by recognizing that these companies do not have to just line their pockets with their profits. We do not have to measure our degree of growth in our country just by how Wall Street does, but we can look at how American workers do and how families do and whether we build up communities. That is what this individual is doing.

That is why I hope that the Congress of the United States would join with me in honoring Aaron Feuerstein and his legacy to the company that he has built, that his workers have helped him build. That means that there is going to be a happy Christmas, a happy Chanukah, a happy holiday season for so many families in Massachusetts that last week looked like they were burned out and had no hope and no future. His commitment means they do have hope, they do have a future, and all of us can learn something from his example.

Mr. VOLKMER. Mr. Speaker, will the gentleman yield?

Mr. KENNEDY of Massachusetts. I yield to the gentleman from Missouri.

Mr. VOLKMER. Mr. Speaker, I want to join with the gentleman and his words, as one who is not even close to Massachusetts, but I saw it on the news. The gentleman stood up and said: All of my employees are going to continue to receive their wages, even though the plants are not operating, and we are going to start up some of those plants—I think it was—within 30 days.

Mr. KENNEDY of Massachusetts. That is exactly right.

Mr. VOLKLER. Then soon thereafter they were going to be in full production. It is such a positive mode, just the opposite of what we have here today. This is a negative mode that we have here that we are going to reduce the Federal Government. We are going to shut it down if we do not have our way. He did not have his way. He got burned out.

Mr. KENNEDY of Massachusetts. The gentleman is exactly right.

Mr. VOLKMER. I think it is a very good example of the differences in the way we just think about things.

GRANTING OF SPECIAL ORDER

Mr. LINDER. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

Mr. VOLKMER. Mr. Speaker, reserving the right to object, I just wondered if there are others that are waiting to be heard here on the floor. And those of us who are not on the list anymore, I lost my turn, I am willing to wait until all the rest of them are finished.

Mr. LINDER. Mr. Speaker, will the gentleman yield?

Mr. VOLKMER. I yield to the gentleman from Georgia.

Mr. LINDER. Mr. Speaker, what we are trying to do, under unanimous consent, is to agree to have alternating speakers, is all.

Mr. VOLKMER. Mr. Speaker, the gentleman is just filling in for the gentleman from Maine [Mr. LONGLEY].

Mr. Speaker, I withdraw by reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

BUDGET NEGOTIATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. LINDER] is recognized for 5 minutes.

Mr. LINDER. Mr. Speaker, let me just say that I just came upstairs from a Republican conference meeting, and it was very discouraging. There seems to be a whole lot less progress on this budget than we thought would be there.

This President has said on so many times that he was in favor of a balanced budget. During the campaign it was 5 years. Later it was 10 years, and then 8 years, and then between 7 and 9, and then 9 years, and then 7 years. And last night our leadership believed, and the press reported, that the President was prepared to put his numbers, his specific numbers for spending on the table for discussion using Congressional Budget Office numbers.

Subsequent to that, this morning the Vice President goes live on C–SPAN at the press room of the White House and, when asked that specific question, when will you have a budget, the Vice President responded, well, we will put all the budgets on the table, our OMB-scored budget, the Congress's CBO numbers, and other budgets that may be offered. And under insistent questioning by the media, he was asked, are you going to do what was said last night, put a budget on the table with CBO scoring numbers? And the Vice President said no.

This is very, very discouraging. If we cannot even get in the same rules, play in the game with the same rules, we cannot get to the end of this. Each of us would like to be home with family for Christmas and New Year's and the work that we have to do in our districts during January. But I believe we are prepared to stay through Christmas until this is done, that what we insist happening is that we are going to not go home until we have a balanced budget now.

The interesting thing about this is that we are not all that far apart. For all the talk we have heard about Medicare and gutting Medicare, we wanted to spend in year 7 on Medicare $289 billion. The President wants to spend $294 billion. That is not a large difference. It can be bridged easily.

We want to grow the spending in this budget by 3 percent. The President wants to grow it by 4 percent. We want to use numbers that presume an increase in revenues of 5 percent. The President wants numbers that would presume an increase in revenues of 5.5 percent.

None of these differences are too broad to sit down at the table and just cut a deal and go home with their families for the holidays. No, this is not about numbers. This is not about numbers. This is about a basic philosophy, because we believe and have believed all year that Medicaid and welfare can be handled more efficiently and more effectively by the States. So do the Governors, including many of the Democrat Governors.

We want to take that money that we have been spending and turn it back to the States for them to handle in the community person to person, face to face. We think that welfare and Medicaid ought to be more in the form of caring than caretaking. The President disagrees. This is all about who decides, who chooses on behalf of others, who sets the power.

In 1958, John Kenneth Galbraith published a book entitled The Affluent Society. I always thought it was ironic that 7 years after he published a book entitled The Affluent Society, he enlisted in the War on Poverty. But in his book in 1958, the entire book was essentially this. It is not that Americans have too little or they have too much. But they make bad choices with their dollars. And it is the obligation of an educated government to tax those dollars from them and make better choices on their behalf.

□ 1530

I submit that is what the issue is about.

The first 2 years of the administration the budget, welfare, health care, virtually everything proposed, was for more taxes, more Federal bureaucracy, more deciding on behalf of the American citizens. Indeed Mrs. Clinton said in the house of the gentleman from Ohio [Mr. KASICH] one evening, ''We have an obligation to make better choices on our citizens' behalf.''

That is what it is about, the left versus the right. The left thinks that we should decide for the future and shape a future that our children and grandchildren will be secure in; it will be fair and warm. The right says if you gave us every lever of governance tomorrow, we would not have the slightest idea of what to do. I could not satisfy 10 percent of the Members of this House because we all come to the table with different hopes, and dreams, and aspirations.

I do know this: I could build a future that my daughter would love and my son would hate. So our side says return those choices to the people, let them keep more of the dollars in their pockets, and 260 million Americans acting in their own behalf hundreds of times every day will shape the future, and it will be one with which most of them will be happy, Mr. Speaker.

This is not about money. It is about the direction in the country. It is very

serious, and I am prepared to stay here until we are done.

The SPEAKER pro tempore (Mr. COBLE). Under a previous order of the House, the gentleman from Arizona [Mr. SHADEGG] is recognized for 5 minutes.

[Mr. SHADEGG addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

STOP THE REVOLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California [Ms. WATERS] is recognized for 5 minutes.

Ms. WATERS. Mr. Speaker, and Members, we just heard from the minority leader that the negotiations have broken down, that the talks, rather, that were going on to try and get this Government going have broken down. I was hopeful, but I guess I am not surprised. I am not surprised because I have kept up and watched very carefully what has been going on, and I suppose, as I thought about this, I was reminded that Speaker NEWT GINGRICH said he is a revolutionary and this is a revolution, and I suppose Speaker GINGRICH is leading a revolution, and in order to do that you must disrupt, you must block, you must impede, you must deny, you must do whatever is necessary—I guess by any means necessary—you must even take extreme means to keep anything from happening. I guess that is what revolution is all about.

It is unfortunate that the Speaker has decided to lead this revolution against the American people. Government, for all intents and purposes, has stopped. It is closed down. We cannot get a continuing resolution because the revolutionary has stopped everything.

Now I was led to believe that there were some agreements. Now, if you will recall, we got a continuing resolution that carried us up until December 15. How did they get that? They got that because there were some agreements. They got together, and the revolutionary said, ''Mr. President, if you will agree to a 7-year balanced budget and CBO numbers, then we can talk,'' and the President, in order to get a continuing resolution so that we could keep going, we could keep Government open and get on with the negotiations, essentially agreed to that. So that is off the table, that is already agreed to, a 7-year balanced budget and CBO numbers.

So what is stopping the negotiations?

The revolutionary GINGRICH also agreed that he would recognize and respect our priorities. The President said to him, ''I cannot allow you to dismantle Medicare, I cannot allow you to gut Medicaid, I cannot allow you to do away with education in this country, and we must, we must, protect the environment.''

And the revolutionary, NEWT GINGRICH, said, ''All right, we will respect that.''

So, Mr. Speaker, they came together and agreed on those basic principles in order to get to the negotiation table.

Now revolutionary NEWT GINGRICH is saying, ''Unless you agree to gut Medicare and Medicaid, I don't want to play, I don't want to negotiate,'' and so we are past December 15 now, the Government is closed down, we cannot get a continuing resolution, and the revolutionary will not go back to the negotiating table.

That is where we are, my colleagues. That is what it is all about. I am convinced that this really is a revolution; I just did not think it would be so extreme. I never dreamed, not in my wildest imagination did I dream, that revolutionary NEWT GINGRICH would be willing to stop this country dead in its tracks in order to prove that he is a revolutionary.

So I suppose, when the veterans do not get their paychecks, when people cannot use their public parks, I suppose when people cannot get passports, when all of this is taking place, that revolutionary NEWT GINGRICH is willing to sit here and say, ''That's all right, I want my way.''

We have seen some of the actions of the revolutionary in the past, and we know that the revolutionary gets very upset when he does not have his way. If you can recall what happened just a few weeks ago when there was a plane that went to a most important funeral in Israel, and the revolutionary could not have his way, he came back, he pouted, he made statements, he went on and on and on.

Mr. Speaker, I hope the revolutionary will stop this revolution on the people and allow Government to work.

BALANCING THE BUDGET IS THE MOST IMPORTANT THING WE CAN DO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. TORKILDSEN] is recognized for 5 minutes.

Mr. TORKILDSEN. Mr. Speaker, I appreciate the chance to talk a little bit. I want to applaud my colleague, the gentleman from Massachusetts [Mr. KENNEDY], who was here a few minutes ago when he talked about Aaron Feuerstein who runs and owns the Malden Mills in Methuen, the factory that very tragically burnt down and literally hundreds of people, thousands of people were left without a job. Several people lost their lives in that fire, and Mr. Feuerstein very generously, first, committed to rebuild the factory in Massachusetts; second, the next day told employees that they would be paid for at least 30 days and also that their health insurance would be continued for at least 90 days, and in the holiday season everyone in Massachusetts appreciated that. Even though the factory is not in my district, many of my constituents work in the that factory because it neighbors the Sixth District of Massachusetts, and I just wanted to, first, applaud Mr. Feuerstein for what he has done. I have not met him personally, but I have called to congratulate him and offer assistance, and I think it is something that all of us nationally do across the country. Any time there is a tragedy like that, we all pull together.

I would disagree with my colleague from Massachusetts though in just what enables a very generous employer to do what was done in this particular case. In the case of the United States we have had a deficit in this country now for 26 consecutive years. If any company had run a deficit for 26 consecutive years, they could not have offered employees pay for 30 days, they probably would not even be in business. And so the situation for the United States of America is something that we have to address because instead of a one-time immediate calamity, the calamity for the United States has been a long time in coming and will not be resolved overnight.

I give people the analogy of the situation with the debt in the United States and why it is so important to balance the budget. I compare it to someone's personal finances. Imagine that you had four credit cards and you had charged the maximum amount you could on each of those four credit cards. Well, if you wanted to go and make payments, you would hope to pay down the balance, but if you, instead of doing that, you went out and applied for a fifth credit card so you could start paying the other four credit cards, it would not take someone long to figure out that indeed it would be a very quick amount of time before that fifth card was also run up and, indeed, the debt would be much, much worse.

That is very close to the situation where the United States is right now. It has borrowed and borrowed and borrowed. Now the debt is officially just below $5 trillion, but if you add all the money that has been promised to Social Security recipients and others, the debt is even larger than that, and at some point there will not be enough money to make all those commitments which have been made, those things which are called mandatory spending, and that is why it is so important that now we take steps necessary to have a balanced budget. I am someone who believes that we could not do it in 1 year; I mean even that would be too drastic, and that is why a 7-year plan is very reasonable. If we can do it in 5, all the better, but a 7-year plan certainly would be very, very positive.

Now we are in a situation now where we are debating the 7-year balanced budget, and not too long ago we thought we had an agreement between the White House and Congress that we would use Congressional Budget Office numbers, that we would protect certain things like Medicare, education, the environment, provide for an adequate defense, provide for fair tax policy for working families, and even though we

thought we had that agreement, the White House did not respond with Congressional Budget Office numbers, and instead came back and said, well, no we have what is called a rosy scenario, we think everything is going to be better. Indeed when you cannot even agree on the parameters, it is very difficult to have negotiations if one side comes to the table with apples and the other side comes to the table with oranges, and you cannot figure out why you cannot have any type of negotiation. I think it is probably because the two sides have come to the table with different measures of what they are talking about.

That is why I think that resolution, the continuing resolution we have voted for, was so important, and I would call on the White House to go back to its agreement and say please live up to your agreement. If you do not like the budget that passed the House and Senate, and that is your option, please submit your own balanced budget using the same estimates. If you do not want any tax cut, take the tax cut out. If you do not want any defense spending, take defense spending out. If you want a lower amount of defense spending, put in a lower amount of defense spending. But please submit your own balanced budget so we can have a comparison and we can actually have legitimate negotiations.

Now a lot of people say, well, the Government shut down at least some departments; is that not the fault of the Congress? Well, the President was sent the appropriations bill for the Interior Department, and he vetoed that. That was his option, but if he had signed it, the Interior Department would be open now. The President would sign the appropriations bill that covered the Veterans Administration. If he had signed that, the VA would be opened now. He choose to veto it. The President was sent the appropriations bill for Housing and Urban Development. He vetoed that bill as well, and HUD remains closed. He was sent the appropriations bill for the Commerce Department. He vetoed that bill, and Commerce is closed. Also with the Department of Justice and the Department of State.

I would call on the President to submit an honest balanced budget so we can balance the budget for our children's future. That is the most important thing we can do.

HOLIDAY SPIRIT IN THE CONGRESS; WHERE IS IT?

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina [Mrs. CLAYTON] is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, I would remind our colleagues in the spirit of Christmas and the observation of Hanukkah there are certain words or feelings that come to us. There are feelings of joy. In fact, the whole religious experience of being a Christian is the advent, is the spirit of expectation, looking forward to something. Also we have feeling of caring and feeling of responsibility, feeling of families and friends. I would just ask you, what joy is there to the more than 250,000 Federal employees who we are holding hostage this Christmas because of our failure to pass budgets? Why should we make them victims of the fight that we have going on? Certainly does not seem to be in the spirit of Christmas, it certainly is not consistent with religious feelings of that.

In terms of responsibility, who is responsible for the situation? One would say that, well, the President is the only one standing between American people and a balanced budget. Truth be known, as far as the shutdown, it is Congress' responsibility. On October 1 we were to have a budget, and we did not have that budget reconciliation. It is our fault because we could not come to that.

What is this debate about?

□ 1545

What is this debate about? It certainly is not about what the Republicans will say over and over again: ''It is about balancing the budget, about balancing the budget in 7 years.'' It could not be about that because the majority have already agreed upon that.

Why do they repeat that? Simply to confuse or to persuade the American people that the debate is not about real issues, is not about who wins and who loses, it is not about our commitment to compassion, it is not about whether the wealthy succeed at the expense of the poor. It is not about our lack of commitment or commitment to the environment or education. They would rather have you think of this principle that they are willing to die on the sword for and say, ''We promise, now, and we are going to keep our promise, come hell or high water.''

What they are saying to you, Americans, is that ''We will allow you to die on the sword. So we get our provision, or what we perceive to be, we are willing to allow 250,000 employees to have no Christmas.'' That is what they are saying. They are not standing up for principle. They are saying, ''It is my way or no way.'' No compassion in that position, and certainly nothing to be lofty about.

This whole idea that a balanced budget is sacrosanct escapes me. A balanced budget is because it makes sense to balance the budget, but we balance the budget how? I was told if I want to make a good living, I want to be honorable. I can make a living several ways, but I would rather do it in an honest way. It is as important how we balance the budget as to balance the budget.

It is important in my sight if those Americans who are senior citizens have the opportunity at the end of their lives to make sure that they are not frustrated and in pain because of lack of health care. It is important in my life to think that I would like to prepare for the future, and the future means we want to invest in education. I hear my colleagues get up and say, ''You know, I want my grandkids to grow up in a society where they do not have to pay all of this debt.''

I have three grandkids too. I want my three grandkids to grow up so they do not have to pay for a lot of debt, too, but I also want my grandkids and other peoples' grandkids—I happen to be privileged, and have been not because I came to Congress, but because I just happened to be, but I know there are those who are not. America is not just great because of its defense, its technology. America is also great because it makes a place for those who are least among us. We are also great because we have a sense of compassion.

I would say to you, I do not know a better time to show compassion other than in the Christmas season. Surely, there is no compassion in closing down Government. Veterans may not get their checks, welfare mothers may not get their checks. Surely there isn't any compassion with those Federal workers who will not know whether, indeed, they will be paid.

I think, Mr. Speaker, our colleagues need to know the spirit of Christmas is the spirit of joy, caring, and responsibility. We have been ill responsible, and I certainly know we have not been compassionate.

THE SPIRIT OF GIVING, AND THE DIFFICULTY IN MAKING TOUGH BUDGET DECISIONS

The SPEAKER pro tempore (Mr. COBLE). Under a previous order of the House, the gentleman from Michigan [Mr. SMITH] is recognized for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, it is a season to be very conscious of giving and what we can do for other people. It seems to me that the President and some of the Democrats feel they are gaining politically by calling Republicans mean-spirited in their efforts to whether we are going to reduce the growth of Government and end up with a balanced budget. It is easy for the President, I think, and some of the Democrats to say they want a balanced budget, but it is hard to come up with the specific cuts and reductions in growth that are necessary to achieve that balanced budget.

If we are going to give a present, it seems very, very important that we start considering the tremendous obligations that we are putting on our kids and our grandkids by spending the money today to satisfy what we consider our today's problems with money they have not even earned yet, so we are obligating them to pay our today's bills. I think all of us, collectively, must believe that their problems are going to be as difficult and as great as our problems today, if not greater.

It seems to me that there are two things that are going to have to happen before we can break this budget impasse: First, the President is going to

have to stop playing politics, and doing what is right for the future of our country. I think that is sort of what he is doing. He sees his poll numbers gaining by saying, ''No, I am not going to allow these cuts.''

I think here is the other second option, that the American people spend some really tough, hard studying time learning about the budget of the U.S. Government, and what it is really doing to their future, what it is doing to their future standard of living, what it is doing to their obligation they are going to have when they start paying off this debt.

Mr. Speaker, it has been politically damaging to many Republicans to go home, because the PR battle has probably, there has been greater success on the part of the Democrats in saying that, ''Look, Republicans are taking away school lunches, they are going to put poor people out on the streets,'' and so when we go home, it is politically damaging.

Let me tell you, Democrats, Mr. President, if we do not succeed this go-around in achieving a balanced budget and start living within our means, my guess is there are not going to be politicians willing to even try it again for the next 15 or 20 years. It is not easy. On the other hand, it is so easy for the President and some of the Democrats to say, ''Look at these mean-spirited Republicans as they try cutting this program and cutting that program and reducing the growth in this other program.'' It is not politically easy to reduce the growth in Government.

The bottom line is this: We either do it now, or we are going to wait until the baby boomers start retiring, around 2011 to 2019. Then we are going to have to do it. If we wait that long to make these decisions, those decisions are going to be drastic.

Let me just give you one example that sort of puts it in perspective, the difficulty of making these decisions. If it was easy, we would have made the decisions a long time ago. If you go back to after World War II, there were 45 people working for every 1 Social Security retiree recipient. Today there are three people working for every one retiree. People are living longer. The ratio of those working to those retired is becoming greater, and therefore, more difficult to charge more to those working in taxes to pay for some of the benefits of those that are retired. We have increased the FICA tax 29 times in the last 21 years, in either the rate or the base, so we continue to tax those that are working more and more to pay for our overspending.

The interest on the national debt this last year was $320 billion, the interest on the total debt, subject to the debt limit. That is the largest expenditure of the Federal Government. We cannot go on, Mr. Speaker, we cannot continue to overspend and run this country deeper and deeper into debt, and jeopardize the success, the economic success of the future.

Mr. Greenspan, our top banker in this country, came to our Committee on the Budget. He said: ''Look, if you guys and gals do it in Congress, if you balance the budget, interest rates will be going down 1½ to 2 percent.'' Such a dramatic increase in the economy.

Let us do it now. Let us stick to our guns, if we have to stay here every day. I am hoping I am going to spend Christmas Eve and Christmas with my family. Other than that, I say, let us stay here every day, negotiate, get this done, have a budget that balances, and gives our kids and our grandkids a good Christmas present.

THE BUDGET IMPASSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Mr. GEJDENSON] is recognized for 5 minutes.

Mr. GEJDENSON. Mr. Speaker, there are a couple of issues that I think need to be focused in on. The first is that the outlays in this year's budget are virtually the same between the President's budget and the Republican Congress' budget. Would the gentleman agree with that? The gentleman agrees with that. So what we are doing is we are shutting down Government on no difference; a 7-year difference, but in the meantime, we are causing injury to American citizens.

On the other hand, what we could simply do is what we have done in the past, to say ''Government will continue to operate even at a lower figure than either the Republicans or the President has asked for, and we will continue to negotiate.''

Why are we having this impasse? The impasse is because the Republicans believe that they cannot give up their tax break; that everything else ought to be discussed: that student loans for kids ought to be cut, or worse than ought to be cut. On student loans, their proposal shifts billions of dollars to bankers, and makes it harder for kids to go to school by ending the direct loan program.

They say that seniors ought to pay more for health care; that poor people get no health care at all, possibly; that seniors get thrown out of nursing homes; that the environment is degraded. But let me tell you something; one thing they will not talk about is why we cannot shrink the tax break for billionaires.

Mr. Speaker, $245 billion in tax breaks, that is what is holding this process up. The difference between having people go to work and people not working is whether or not the tax break is sacrosanct. Mr. Speaker, what is going to happen here? Some 3.3 million veterans who have their checks due on December 29 may not get them. We are having problems in the Northeast with cold weather and snow. Programs that help the needy are going to be cut and stopped so that the greediest among us can be benefited.

Let us think about how you run a family. If you have a family and there is a crisis, you call the family together. You do not tell the kids they are not eating for a week until mom and dad can get together on a decision. You sit down and you start talking and you talk until there is a solution, but you also do not say ''Well, our youngest son just got married. He has a mortgage, he is in trouble. We are going to cut him. Our two other kids in college, we are pulling them out. Our oldest kid is in Beverly Hills, living in a $10 million mansion. Do you know what we are going to do? We are going to send that child a little extra money.'' That is not how you run a family, that is not how you run a business. The responsibilities that we have in this institution are not simply to take our ball and go home if we do not get it our way.

Mr. SMITH of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GEJDENSON. I yield to the gentleman from Michigan.

Mr. SMITH of Michigan. My understanding is that the gentleman from Ohio [Mr. KASICH] and the gentleman from Georgia [Mr. GINGRICH] say everything is on the negotiating table except a true, real balanced budget in 7 years.

Mr. GEJDENSON. Mr. Speaker, what we have seen is that the one place your side has refused to budge on is the tax break. We have even said, bring the tax break down to working families. Get rid of the guys at the top, the people who make $200,000, $300,000 a year, and then we are closer. ''No, we want to protect them,'' is what the Republicans say.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. GEJDENSON. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I say to my friend, the gentleman from Michigan [Mr. SMITH], you had an opportunity to do that yesterday. The gentleman from Texas [Mr. STENHOLM], who has been the most outspoken advocate of a balanced budget on this floor in either party, I suggest to you, and in fact it was the Stenholm constitutional amendment that passed this House this year, as the gentleman knows who got up on the floor yesterday and said, ''Let us defeat the previous question, put the coalition budget on the floor with an open rule.''

The coalition budget, as you know, cuts more money than the Republican budget that we passed. It has less of a deficit. Next year, the year after, as a matter of fact, as you know, your budget has a very substantial deficit in the first 2 years. It does not cut taxes. It preserves, as the President has indicated, Medicare and Medicaid at numbers that the President, I believe, could sign. It is a cut, as you know, substantial, more than some on my side could support, but the fact of the matter is every Republican Member voted against allowing that on this floor.

Mr. SMITH of Michigan. That is not true. Some Republicans voted for it. Only 60-some Democrats voted for it.

Mr. HOYER. I stand corrected, it was four.

□ 1600

UNINTERRUPTED NEGOTIATIONS FOR BALANCED BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. SAXTON] is recognized for 5 minutes.

Mr. SAXTON. Mr. Speaker, earlier this afternoon the House Republican Conference passed by a unanimous majority a resolution calling on Speaker GINGRICH and Leader DOLE to proceed with uninterrupted negotiations until this budget matter is resolved.

I would like to be home with my family, as I am sure all of you would, but I think there are some matters that take precedence from time to time, and in this case in a historic time, over matters of personal interest. This is a matter of personal interest to many Americans across the country.

Now, when we talk about the national debt and that it is $5 trillion, it is kind of easy for people's eyes to glaze over because none of us can relate to a sum of money that is that large. So sometimes we say, well, if you divided it by 280 million, you could see how much that is for each man, woman, and child in the country. Of course, that number of $18,000 for each of us, our share of the responsibility; but that is somewhere off somewhere else, and we do not have to worry abut it immediately.

I would say to all of my colleagues on both sides of the aisle, it is important to stay here and keep these negotiations going, which I am convinced we are going to do, because April 15 comes around every year, and look at it this way: If you went to the bank or if I went to the bank to get a loan and, let us say, I borrowed $18,000 and the bank was kind enough to make that loan to me, they would charge me interest, and that interest probably would be in the neighborhood of 6 or 7 or 8 percent, depending on conditions at the time. And that would cost me, if it were 7 percent, that would cost me $1,260 a year as an individual in interest.

Now, I would submit to you that when America's families sit down at the kitchen table and fill out their income tax forms each year, they write a check for the interest on $18,000, which is probably about 7 percent, and send the check for each member of the family for $1,260 to Washington, DC, so that we can pay our interest on the national debt. So it is something that families relate to, and it is something that has a monetary pocketbook-type importance to American families.

Recently the Joint Economic Committee did a report, and published it, on further costs to the American family. This chart represents the cost of not balancing the budget to each American family for things other than interest on the national debt, an additional $2,308. Let me just suggest how we got to that figure.

Most families have a mortgage on their house; not everybody, but most families have a mortgage on their house. It would not be unusual today to have a mortgage for, say, $100,000. The economists tell us that the interest on mortgage rates would be reduced by about 2.2 percent a year, in other words, coming down from an average of about 8 percent to about 6 percent; and that would be pretty neat, amounting to a savings of $1,456 a year for a family. That is not bad by anybody's standards.

It is not unusual also for middle-class families to have students in school, and it is not unusual for them to have a loan to send that student to school. If we got that interest rate reduction because we balanced the budget, families would save an additional $50 a year.

It is not unusual for families to have car loans, either; $15,000 would be a modest car loan today, and if we got that 2 percent reduction in interest because we balanced the budget, the family would save an additional $108 a year.

Now, part of the Republican tax cut package that the Democrats have referred to here as cuts for the rich, part of that package, a substantial part of that package, is a $500-per-child tax credit; and so if our family that we are talking about had one child, they would save an additional $500 because they would get the child deduction.

So all of these things added together, plus what we might anticipate in higher wages and more jobs, which could produce an economic growth which some estimate could be just under $200 a year for this family, another $194, all adding up to over $2,300 a year in savings for the family.

So if we balance the budget and people did not have to send their $1,200 to Washington for each member of the family to pay interest on the national debt, and if we arrived at savings something like this, we would have a very significant savings for each family. That is why it is important to balance the budget. That is why we released this JEC report.

We would be happy to send it out to any Member or anyone else who wants this report, simply by calling my office.

RECESSION LIKELY FOR 1996

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. VOLKMER] is recognized for 5 minutes.

Mr. VOLKMER. Mr. Speaker, it has been interesting to listen to the various speakers today, especially from this side of the aisle, talking about how they are going to balance the budget.

Earlier today we had a gentleman from Colorado [Mr. MCINNIS], and I think it was a slip of the tongue, I hope so, but we will find out what is in the CONGRESSIONAL RECORD tomorrow, and he says that we are going to have about a $200 or $300 billion deficit this year.

Next year, he says, next year, we are going to have a balanced budget. Well, baloney. Next year under the Republican budget, the deficit goes up, it does not go down. This whole idea that they are saying, we want a balanced budget now, I have heard that so many times on this floor: We want a balanced budget now. Baloney.

There is no balanced budget now. They are talking about down the road, and it is all projected; and all kinds of things can happen in that 7 years, and you will not have a balanced budget.

Mr. Speaker, as one who was here in 1981, I can remember another group of people, including former President Reagan saying, under my budget in 4 years, it is going to be balanced. It is going to be balanced. Guess what, folks? Guess what? We had the largest deficit in the history of this country in that fourth year.

Now, all of this yakity-yak, that is all it is, that in 7 years we are going to have a balanced budget, that is a bunch of yak-yak, a bunch of baloney. There is no truth to it at all. They do not know for sure that it is going to be balanced. If we have a recession next year, and I dare say, the way this majority is going under our imperious Speaker, NEWT GINGRICH, the way it is going right now, we could very easily have a recession next year. Because in my opinion, if our President stands where I think he should stand, and the Republicans stay where they say they are going to stay, we are going to hit the debt limit sometime in January, and then we will see what happens to interest rates.

Then we will see what happens on interest rate. Because of activity of this Republican blackmail position of the majority, and that is just what it is, a blackmail position, you could very well end up with a recession this next year.

I will guarantee you, going back in history again, going back and remembering our great President Ronald Reagan, in 1982, folks, I do not know how many of you remember, guess what happened? Because of his tight money policy, because of the Reagan tight money policy, we had a huge, a horrendous recession.

We had parts of this country, including my district, parts of my district, 13 and 14 percent unemployment. Government revenues just went to pot, went way down. Expenditures, because of all of those people being out of work, went up. The deficit went way, real high, and what was the other part of that deficit? Well, remember the old theory that we could really stimulate the economy with a big tax cut? You have heard that again, too. That was Reagan's cause of the big recession.

A guy named Bush, remember him? Back when he was running in 1980, he called it voodoo economics. They are playing the same game all over again. Voodoo economics did not work then; it is not going to work again, and this whole idea that this is all because we are going to help our children at the same time you are going to tell children they cannot eat, they are not

going to get enough to eat, the poor kids, the school lunches, the food stamps, we are going to take care of our kids because we are going to balance the budget. That is a pipe dream.

They say, according to their projections they are going to balance the budget. Let us be truthful about it. According to the projections of CBO, you are going to balance the budget in 7 years. Well, folks, you have not taken the time to look at those projections. You need to do that. You need to look at those projections, and if you do not agree with them, like I do not agree with them, and I do not agree with the cuts in Medicare and all of those things, you are not going to have a balanced budget. They are not going to have a balanced budget, but yet they want to shut down the Government.

BALANCED DEBATE GOOD FOR BALANCED BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. EWING] is recognized for 5 minutes.

Mr. EWING. Mr. Speaker, I come here to this floor to add a little balance to the debate. The rhetoric that you have heard from the other side of the aisle, I think has been very strong, many times stretching the believability of almost anyone who would be listening. I think the American people can see through this debate.

The last speaker, my good colleague from Missouri, has a selective memory. His selective memory forgot about the Carter administration and double-digit inflation, unemployment, and interest rates. He can go back only a little ways, and of course I would have to defend Ronald Reagan, who had a very liberal, a very spending Congress who certainly never helped to balance the budget.

The time has come to try and balance the budget. We know we have a tough job to do it even in 7 years. But this party, the Republican Party in this Congress is dedicated to doing that.

I want to talk about the shutdown. We have heard some very, very strong words about the shutdown and revolution. Well, many people back in the country do not realize any of Government is shut down, and the part that is shut down, if we look at it, we might say, those employees have the best of all worlds. They will probably get paid and have the week off before Christmas. I do not think that is so mean-spirited to those employees.

Then we have to look at why we have even a partial shutdown of Government. Well, most of it is because the President vetoed the spending bills that we sent to him. He did not like those; they were not spending enough. Very basically, the disagreement between the President's budget and Congress' budget is that we want to spend $3 trillion less over the next 7 years.

We are going to spend more on every program of importance to this country for environment, for education, for senior citizens, for health care, more money, in many cases, a high percentage of increase in the spending.

Why have we not reached a budget then? Why have we not reached an agreement? Well, the White House is too interested in talking about talking. They do not want to talk about anything specific; they only want to talk about how we are going to talk about the specifics if and when we can get to the specifics if the President is in town and if it can be done, and it is on and on like that; and then the President makes an agreement with the leadership, and before they can get back to the Capitol, he sends the Vice President out and reneges on every agreement.

The American people are surprised, I think, about all this talking and no action. They want something to happen, and so does this caucus. And that is why the Republicans have said, no more temporary spending, Mr. President. Come to the table. The budget could be put together before Christmas.

There is only one viable document on the table, and that is the Republican version that we have worked on for months; no one else has one that is so complete, and changes can be made in that. Within 2 days the President and the leadership of this Congress, if they would stay at it continuously, would have a budget and we would be on the road to balancing the budget; we would be on the road to funding social programs in this country, yes, at a higher level, and we would be on the road to a balanced budget.

□ 1615

I do not think that we could give the American people a better Christmas present, if we would put away the cruel, mean-spirited, yes, the rhetoric from the other side, and sit down and start talking about the issues. We are here, we are ready to do that. We will stay ready to do that right through the holiday if necessary, so that we can accomplish what is good for America, and to it at this time of good will, this Christmastime when we all should be thinking not only of our families but what we can do for our neighbors and everyone in our society.

IN MEMORY OF STEVE ROULETTE

The SPEAKER pro tempore (Mr. COBLE). Under a previous order of the House, the gentleman from Ohio [Mr. BROWN] is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, as Americans celebrate the holiday season with their families and friends, my thoughts turn to the family of a young man in my district in my hometown of Lorain, OH.

This Christmas season will be an especially difficult time for Steven Roulette's family. Steve, a seemingly very healthy 23-year-old, was playing basketball with friends when he collapsed. He died a short time later.

It is always disturbing when a young person dies. In Steve's case it was even more tragic. A native of Lorain, Steve believed in giving back to his community. He worked diligently in my campaign in 1994. Prior to that, he had worked at the Nord Family Foundation that supports social services in Lorain County.

Steve Roulette believed in public service in the best sense of the term. He always had a twinkle in his eye and a passion in his voice when he talked about commitment, when he talked about involvement, when he talked about helping his fellow men and fellow women. He cared deeply about his family and passionately about his community.

So many in Lorain whom Steve's life touched were so saddened by his untimely death. I would like to offer at this Christmas season my sincere condolences to his family. Steve left behind his fiancee Denise, his parents Orah and Kathryn, his stepmother Alice, his brother Alan, and his sister Angela. As a father of two young daughters, I cannot begin to imagine their grief but my thoughts and prayers are with his family and his friends during this holiday season.

WELCOMING A NEW REPUBLICAN, THE BUDGET, AND NATIONAL DEFENSE BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. CHAMBLISS] is recognized for 5 minutes.

Mr. CHAMBLISS. Mr. Speaker, I was not aware of the situation the gentleman from Ohio [Mr. BROWN] had reference to there, but I commend him for taking the floor to recognize this young man and all our best wishes for this holiday season go out to his family.

Mr. Speaker, I rise to talk on a couple of things here. First of all, I had a very special point of pride today when I received a phone call from my hometown advising me that in spite of all the lambasting of Republicans by folks on the other side, that this morning the sheriff of my county, the Honorable Billy Howell, a two-term Democratic incumbent, switched to the Republican Party.

I commend Sheriff Howell on what I think is a very wise decision for him. I welcome him to the party. He is a good friend, and I know will continue to serve the people of my county in a Republican manner the same as he did in a Democratic manner.

I cannot help but make one quick comment about my good friend, and he is truly my good friend, who serves on the Committee on Agriculture with me, the gentleman from Missouri [Mr. VOLKMER], who was critical of the Republican budget, saying that our budget is not a balanced budget because it does not balance the budget now. Well, by golly, we could balance the budget now but the best way to do that is to

cut out all congressional pay and send all of us home. That would certainly go a long way toward balancing the budget now.

Everybody understands we cannot balance the budget now. We presented a budget that will balance the budget of this country in the year 2002. Everybody knows and understands that, I hope, and I hope the gentleman from Missouri [Mr. VOLKMER] will better understand that. He said he has been here since 1981 and frankly that is part of the problem. We have had too many people who have been here too long, who have spent too much money over the years and, by golly, it is just time we stopped spending so much money.

I really got up here, though, to talk about another matter that I am extremely excited about and something that took place on the floor of this House several days ago, and that is the passage of the national Defense authorization conference report. The report passed in the House, it also passed in the Senate yesterday, and it is headed to the White House as we speak.

The President has given every indication that he is going to use the same veto pen that he used on several other authorization bills and veto this bill. I hope he changes his mind. I want to encourage him to change his mind, because in my opinion the national Defense authorization conference report that we passed in the House, has been passed in the Senate, is a good bill. It is not a perfect bill. There are a lot of ways that perhaps we could improve it. But it is a good bill, and it does a lot of things that are absolutely necessary from the standpoint of the national security of this country that have needed to be done for many years.

First of all, one thing this bill does is give all of our active military personnel a pay raise. Admittedly, it is only 2.4 percent, I wish it could have been 24 percent, but it does give the military personnel of this country an immediate pay raise.

I am very pleased, when I go on the three military bases that are located in my district and have an opportunity to talk to the young men and women, all of whom are volunteers in the military, when I talk to those young men and women and find out that without question they are absolutely the finest young men and women that America has to offer. It gives me a real sense of pride, and I am extremely proud of those young men and women. If anybody deserves a pay raise at this very difficult time in our budget process, it is the men and women in military service.

Right now here we are at Christmastime. Here we are dealing with a very serious crisis in a very cold and distant land called Bosnia, a country which a lot of folks in this country had never heard of before 30 or 60 days ago. We are sending 20,000 of our finest to Bosnia at this time of year. The President has an opportunity to give those folks a very special Christmas present, to say thank you for a job well done. That Christmas present will be a 2.4-percent increase in their pay.

Another thing that this bill does is it provides a 5.2-percent increase in what we call BAQ housing allowance. What BAQ housing allowance is, it is a provision which pays to military personnel a certain amount of money to allow them to rent an apartment or rent a home that is off the military base where they are serving.

If we do not have military housing on base, a lot of times our personnel are required to go off base, and we provide them some money to do that with. It is never enough to fully fund what it costs for an apartment or a house but it does help out. We provide an increase in that. Mr. President, that increase is needed. I urge you to sign it.

Another thing we do is we equalize the retired military COLA's to retired civilian COLA's. That is something that is an extremely important aspect of this bill. Mr. President, I urge you to look at this bill. If for no other reason than from these standpoints, please sign the Defense authorization bill.

THE BUDGET PROCESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia [Mr. WISE] is recognized for 5 minutes.

BOSNIA

Mr. WISE. Mr. Speaker, let me pick up where the previous speaker left off in the sense of talking about Bosnia for a second. The first West Virginians are now passing through Fort Dix, NJ, Mr. Speaker, en route to Bosnia.

As Reserve units are called up and others are activated and, of course, active duty, I think it is most likely that we will see a lot of West Virginians going to Bosnia. West Virginians always answer the call. Certainly the C–130 squadrons, the 167th in Martinsburg and the 130th in Charleston, are just about everywhere on the globe anytime there is a problem. They have been to Bosnia as well before.

And so at this Christmas time we need to reflect on what is happening, and as these West Virginia troops pass through Fort Dix and as the others activate or are shipped out.

I voted against the initial military involvement, not because I questioned the good intentions of the policy, and certainly it is well-intentioned, but I questioned whether or not the military would have the ability and means to carry it out.

That question has been answered in an affirmative vote here on the House. The decision has been made. The troops are going, and we must now all stand behind our troops and I am going to make sure they have whatever is necessary to carry out their mission.

I am encouraged by the fact that the rules of engagement for these troops are different than we have seen in Somalia, than we have seen in other areas, where we have now the ability to hit back and hit back hard should our troops be threatened in any way.

But as these troops leave this country, millions of American citizens are asking, what about the other parts of our Government? We know these troops are going to operate efficiently and effectively and carry out their mission. Why are not other parts of Government?

Why do we have parts of our Government shut down? That is a fair question. We are now in our 11th day cumulative this year, the Federal Government or parts of the Federal Government not working. That is an all-time record, I believe, for the Republic, certainly for this century.

There are two parts really that have to be dealt with. Unfortunately the two processes have been brought together by the leadership of this House. One part is the annual budget, what you do to fund the Government on a day-to-day basis for a year at a time, for the fiscal year 1996.

The other part is the budget debate that is taking place in negotiations between the White House and the Republicans and Democrats in the House and the Senate for a 7-year balanced budget. Running the Government day-to-day, one process. Balanced budget, the next. Regrettably, the leadership under Speaker GINGRICH have chosen to tie these two inextricably, and so the Government is held hostage while these important negotiations take place.

So what happens to those who say, well, really are we seeing much of a shutdown in Government? Yes, we are seeing cumulative right now about 60,000 students who will not be able to fill out applications for Pell grants and other student loans as the next semester comes on. We are seeing thousands who had vacation plans turned away.

Well, vacation plans, is that very important? No, but what about people who call the EPA hot line for drinking water violations and want some assurances about the environment? We are finding that those folks are not going to have their calls answered.

When this leadership, the Republican leadership, took over in the spring, I complimented them, not because I agreed with the Contract with America, but I thought that they brought it to the floor in an orderly way and in a very purposeful way and they moved it through quickly. It was not much fun for anybody but they did it. They demonstrated an ability to command the floor.

Unfortunately I have to say, in the same vein, I have seen a total breakdown of that ability in the appropriations process. I recognize this is a complicated area. It sounds like it ought to just be beltway gobbledygook except for this.

The appropriations process is very important. We have 13 appropriation bills that fund the Government on a yearly basis. October 1 is the deadline to get them all passed. We had a handful at best, three or four, that had

passed and been signed into law on October 1.

By just this week, I believe we now have seven that have been signed into law. We still have six, and they are fairly big ones, that have not been signed into law. Some of them have not even been taken up by the other body.

I yield to the gentleman from Illinois [Mr. DURBIN], a member of the Committee on Appropriations.

Mr. DURBIN. I would like to report to my colleague from West Virginia that I just left the conference committee on the District of Columbia. The gentleman would not believe what is going on there.

The Republicans have failed to enact the District of Columbia appropriations bill which was due October 1. We are now almost 3 months into this fiscal year. The District of Columbia Government, their local funds as well as Federal funds, are all appropriated funds, so this government is literally running without authority.

In providing police protection, they are trying to keep the streets safe for us to drive on, they are trying to keep the community as safe as they can for the tourists who are visiting Washington, and some of my colleagues who have just joined me on the floor here from the State of Georgia as well as from the State of Wisconsin blame President Clinton for this. They said the President is responsible, and yet the fact is we have not sent the appropriation bill to the President, almost 3 months into this fiscal year.

A REPUBLICAN VIEW OF THE BUDGET PROCESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Mexico [Mr. SCHIFF] is recognized for 5 minutes.

Mr. SCHIFF. Mr. Speaker, I want to take up where the gentleman from West Virginia just left off. That is, when we talk about in the short term why is the Government in this partial shutdown mode, as it has been called, the gentleman is mechanically correct when he explains how our systems work, that a number of agencies are funded through a total of 13 separate appropriations bills, and of those 13 appropriations bills, 7 have been passed by Congress and signed by the President.

□ 1630

Once that occurs, there is no longer a need for a continuing resolution to be passed to keep these agencies open, which is to say the agencies function whether there is or whether there is not a continuing resolution.

However, the gentleman did not mention the fact that with respect to the other six appropriations bills, three of them were passed by the Congress and were just recently vetoed by the President of the United States. The appropriations bill for the Veterans' Administration and independent agencies, for the Department of the Interior and for the Departments of Commerce, State, and Justice, those are contained in three bills that the President vetoed. If the President of the United States had signed the appropriations bills for those agencies, they would be open right now regardless of the impasse over a continuing resolution.

Now, it is important to say that the Democratic side has continually said why does the Congress not do its job and pass appropriations bills, but when we do pass appropriations bills, the President vetoes them.

The gentleman is suggesting that is up to the President of the United States to sign appropriations bills as part of his duties. I do not think they are going to suggest that.

I would like to make the further point, Mr. Speaker, that the President vetoed these bills, these three bills because he felt the amount of spending or other policies within them does not fit his long-term view of where the Government should be going. The President has that prerogative under the Constitution to veto appropriations bills, or any other bills, for that matter. There is a specific procedure in the Constitution for that.

The point I am making is there is no difference, no difference at all, between the President tying long-term policy to his vetoing three appropriations bills which would have reopened those agencies today and the Congress tying the continuing resolution for the rest of the agencies or these agencies, too, without an appropriations bill to Congress' view of a long-term policy for the Government. Both sides are now doing the same thing.

The brings me to the central point of where why I took the floor right now, which is to talk about that long-range policy. Both sides, both the President and the Congress, have said we want to reach a balanced budget, and I hope that goes without saying. The national debt right now is almost $5 trillion that our children and grandchildren will have to pay back someday.

Further, the interest we have to pay on this borrowed money, and we pay interest on money we borrow like any individual would or any business would, the interest we pay is over $200 billion a year. That is more than 10 percent of our current budget.

When I talk about the effect, when I hear talk about the effect of spending on programs, imagine how much we could spend on important programs or allowing tax reductions if we had the use of $200 billion plus a year that taxpayers already send to Washington and, from an economic point of view, we throw out the window because interest buys you nothing. But we have to pay it in order to borrow more, just like anyone else would.

When the Government went through this partial shutdown a month ago, the Government was reopened under an agreement between the President and the Congress that said, among other things, that by the end of the year the parties would reach a balanced budget in 7 years, using the Congressional Budget Office economic projections, although the Congressional Budget Office was expected to, and I believe has, consulted with other agencies and other individuals, and protect certain spending programs. The Congress passed a budget that the Congress believes meets all of those requirements.

Now, I do not agree with every single item and every single choice in that budget. But the Congress as a whole, the majority, believes that it meets the requirements of our agreement of a month ago.

As everyone knows, the President vetoed that budget, vetoed it on the basis it did not adequately protect his spending priorities. Again, that is the President's prerogative.

What the Congress is saying now is, Mr. President, if you believe that the budget we passed does not comply with your priority of spending, show us what your priority of spending is under the terms of an agreement; in other words, put out a budget proposal which is balanced in 7 years and which uses Congressional Budget Office economic projections, and then show us how you would protect your priorities. There is nothing in that that says how the President of the United States has to set spending levels. There is nothing in there that says he has to cut spending for programs or anything else, only that the President of the United States abide by the agreement he made a month ago.

Today the Vice President of the United States said the President refuses to comply with the agreement he made a month ago, and that is why we are at this impasse right now.

THE BUDGET IMPASSE

The SPEAKER pro tempore (Mr. COBLE). Under a previous order of the House, the gentleman from Maryland [Mr. HOYER] is recognized for 5 minutes.

Mr. HOYER. Mr. Speaker, the American public must be very perplexed. In addition, of course, we know that they are very angry and, very frankly, a number of us that sit in this body are very angry.

We began this session with the election of a new leadership. Speaker GINGRICH annoiunced a new order, an order committed to revolutionary change. We have had, to some degree, a revolution. It is not, as so many revolutions are, not a pretty thing to watch.

The Contract With America, which was the plan of this so-called revolution, talked about, in two of its first three items, responsibility, personal responsibility, and fiscal responsibility. Personal responsibility was urged on all Americans to do that which would make their lives better and, consequently, the lives of their families and their communities and their State and Nation better and more productive, more successful.

We have been debating that contract for the last 11 months, and very frankly it has not gone very far. One of the reasons it has not gone very far is because the Republicans in the Senate could not agree with the Republicans in the House. Frankly, the Democrats have not been able to defeat or pass much on their own. We understand that, we are in the minority.

Now we come to funding Government. Personal responsibility would say that each and every one of us ought to share the most efficient and effective operations of the people's Government; reduce it, change it, eliminate some activities, do all of that, but ensure that those activities that we support operate in an efficient and effective manner. The Republican leadership has failed miserably in that effort. Because of Democrats? No. In the first instance, when this fiscal year ended September 30, the Republican leadership had failed to pass any appropriations bills to fund Government. Not 1 of the 13.

My colleague points out that perhaps we passed the legislative bill prior to the first of October, and that was, of course, vetoed because the President thought it unseemly that we take care of ourselves first before we took care of other people's business, and he made a good point.

The Republicans passed a short-term CR that expired, and they had yet to pass the appropriation bills that the President would sign and, indeed, as of today have seven bills that have yet to be passed into law.

Now, ladies and gentleman, we have come to a point where the President, President Clinton, the majority leader BOB DOLE, and the Speaker, NEWT GINGRICH, sat down together at the White House last night and said, ''As reasonable people, let us work this out,'' and the reports I received this morning were that the Speaker thought that was a positive meeting. Senator DOLE, the majority leader, thought that was a reasonable meeting. The President of the United States thought that that was a positive, productive meeting, and the three leaders came out and said, ''We think we have a construct to move forward.''

And then what happened? The Republican freshmen apparently thought that was not enough. The Republican freshmen want a guarantee that the President would agree to certain things that he believes are not in the best interests of this country, cutting Medicare deeply, cutting Medicaid deeply, cutting education for young people, which he believes, and I share his views is an investment in the future of America, undermining programs that protect our environment.

In point of fact, in the last legislation we passed to keep Government working, both parties agreed that that would be part of it. Unfortunately, Mr. Speaker, the freshmen Republicans have demanded that Government shut down until the President gives up.

That is not right.

PARLIAMENTARY INQUIRY

Mr. VOLKMER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. VOLKER. Mr. Speaker, is it out of order that anyone in this 5-minute time be given additional time under unanimous consent?

The SPEAKER pro tempore. Under special order speeches extensions of time are not allowed.

Mr. VOLKMER. I thank the Chair.

THE EFFECTS OF THE GOVERNMENT SHUTDOWN ON FEDERAL EMPLOYEES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia [Mr. MORAN] is recognized for 5 minutes.

Mr. MORAN. Mr. Speaker, there is no good reason why 260,000 Federal employees should be shut out of their jobs, particularly at Christmastime. This is unprecedented to punish Federal employees because they chose to be civil servants. But that is what this body is doing. And to do it at Christmastime, when virtually all of these Federal employees have children, have been looking forward to Christmas, would like to be out shopping after they finish work each day, but they cannot. They do not know whether they will be paid.

They are aware of the press conference that the Speaker had where he alluded to the fact that a great many Republican Members of this body, particularly freshman, are opposed to reimbursing Federal employees for this period of time when they have been locked out of their jobs. Imagine the strain, imagine the anxiety, imagine the sadness on the part of their children when they see the toll this is taking on their parents.

I have been told by teachers, by one of the principals, in fact, of an elementary school in my district where a lot of Federal employees send their children, that their children are not acting like this is Christmas. Normally, you have pageants and children jumping up and down and squealing with laughter and looking forward in anticipation of Santa Claus. But we have stolen their Christmas from them this year, because their parents cannot afford to go out and buy presents. Their parents have no reason to be happy. Their parents do not know what is going to happen to them, because it is in our hands.

We control what this Christmas will be like for these thousands of Federal employees. And it is wrong. It does not have any reason to be tied to a 7-year balanced budget.

You know, you look back at history, when we have had conflicts between the majority in the Congress and the executive branch, when President Reagan had a conflict with the Democratic Congress in 1987, we went the whole year on a continuing resolution. President Reagan never thought of sending Federal employees home and punishing them and locking them out of their job just because he could not agree with the Congress. Certainly, the Democratic Congress never for a moment thought that they would punish Federal employees like that.

In 1988 we had the same situation, a continuing resolution all year. And now we cannot even get a continuing resolution for the 3 days of Christmas, for this Christmas weekend. We cannot even get this continuing resolution to let Federal employees function and to open up the Government.

□ 1645

Why? Because certain Members on the Republican side of the aisle are saying ''It is our way or no way.'' They just passed a resolution, I am told it was unanimous, I cannot believe it was unanimous because there are good people on the Republican side of the aisle, to say that there will not be a continuing resolution unless the President agrees to the entire 7-year balanced budget. It is wrong, it has got to stop, and the American people have to got to say no, this is not what we want from our Government.

AMERICANS SUPPORT PRESIDENT ON BUDGET IMPASSE

The SPEAKER pro tempore (Mr. COBLE). Under a previous order of the House, the gentleman from Pennsylvania [Mr. FATTAH] is recognized for 5 minutes.

Mr. FATTAH. Mr. Speaker, I do not rise as normally when Members ask for an opportunity to revise their remarks and extend them. I would like my remarks to be recorded as I speak them. In this case, because I think that what we need to focus on is the simplest assertion of the truth.

We have a Republican majority that is trying to sell something that no one is buying. The American public has rejected, almost 2 to 1, their budget proposal for this Nation. They offer us on one hand a budget that would cut education, Head Start, Pell Grant opportunities for youngsters to go to college, increase the cost of student loans, and cut teacher training programs.

In every poll that has been done, the American public indicates that they do not agree with this budget. They are trying to sell a budget to the President of the United States, and he has vetoed it. He has said that he will not add his signature, he will not join in a conspiracy to rob this great country of ours from developing its fullest potential. He will not join in attempts to cut millions of young people in terms of their needs, in terms of health care and Medicaid, to further burden senior citizens and their families when they are in need of nursing home care. So, because the Nation and the President have rejected their budget product, they have

folded their hands and are now stuck in the same position they started out in, refusing to compromise, refusing to move toward some shared consensus about what direction our budget priorities should be as a country.

The U.S. Constitution is clear, and that is that laws have to be passed by the House and the Senate and signed by the President. I am not proud of the fact that I have been a Member of the least productive Congress in the history of our country in terms of actually passing legislation that moves on to the upper Chamber, or the other body, depending on how you like to phrase it, and then on to the President for his signature.

What we have here is a group of people who are now in the majority that seems to lack the maturity to be productive participants in shaping the course of public policy in our land. So, because their budget product has been rejected by the American people, they have decided to hold hostage 75 percent of the U.S. Government domestic programs.

So we come now on the eve of a holiday season, and many of my colleagues have pleaded for sympathy for Federal workers. I really would hope that we would understand their plight, but I think it is even more a compelling case to feel sympathy for the misguided priorities of the Republican majority. This is a defining moment I believe in this Congress. This shows clearly that they do not have what it takes in terms of being able to govern the people's house, to be responsible and reasonable in their actions.

So I would ask that as we reflect upon this moment in time, that we would think clearly about the opportunities that the new year will bring; for the American public to think anew about what type of person they would like to have in the U.S. Congress; to think anew about how we can further develop a more perfect union; to think anew about our responsibilities, as so eloquently outlined in the Declaration of Independence and the U.S. Constitution, in the preamble where it says to promote the general welfare, being our essential priority.

We have a lot to be thankful for in this land, and one of the things we have to be thankful for is that there is an election for Congress every 2 years, and that we will arrive at a point in which the American public will hold the trump card, and they will have an opportunity to make choices about what kind of country we really want to be and what kind of Nation we really want to move toward.

I would challenge each of us as we continue our work in this body to try to be more reasonable, to try to accommodate the differences of opinion that truly exist in terms of how to move our country forward, but always to be prepared, even in a moment in which we lack some degree of comfort, to stand firm for what we believe in, to stand up for our principles, and for the democratic majority and for a President who has struggled to try to reason with an unreasonable majority of the Congress. I think we owe President Clinton a great degree of gratitude for his leadership for our Nation in our hour of need.

REASONS FOR THE BUDGET TURMOIL

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I think this is an important time in this country. Many of our citizens are turning toward a very spiritual time. Many having been in the midst of celebration of Hanukkah, and others who are looking toward a celebration and commemoration of the birth of Christ.

The value of this Nation is that this holiday will be celebrated differently in many homes across this country. It is the wonderfulness of America, diversity of thought and religion, but a Constitution that applauds differences and recognizes the three branches of government. I think it is important to tell the American people why we are here today, on December 20, 1995, in the midst of turmoil without a budget.

This Congress started on January 4, 1995. I was sworn in as a new freshman, running on the issues of accountability and accessibility, and yes, responsibility, values that I hold very dear and very near to my heart and to my principles, and values that I represent to my constituents at every moment in interacting with them in my district visits.

But what happened to us that time in January and February and March? We were faced with something called a contract. Oh, it is so well for a while, but let me tell you, it was a gimmick. I do not know of any American who can say to me that they engaged and entered into a contract with anyone who was elected to the U.S. Congress.

There was some flag waving on the Capitol steps, and wannabees and others who were running for Congress at that time came up and made some sort of false representations about signing some document. But I would venture to say that even constituents in those districts did not sign any dotted line.

Oh, yes, they might have found exciting some very popular political issues that were raised about tort reform and crime off the streets, bashing the liberals and other such talk. But that is what it was, it was political gimmickry. And 37 percent of the people voted, so it was not that exciting anyhow.

But we spent 100 days and more in turmoil over the so-called contract, I call it on America. In the meantime, serious health reform did not occur. Many of us came here saying that we could reasonably reform Medicare and Medicaid, not on the backs of senior citizens and children who need immunization and preventive health care, but really sit down to the table of reason and bargaining.

But out of this 100 days came a bashing and elmiminating of the environmental protection laws that most Americans, Republicans and Democrats and Independents have grown to respect, the Clean Water Act and the Clean Air Act, and then the bashing of Medicare and Medicaid.

We should have had bills passed in April. We should have had all the appropriation bills passed by September or October 1. But what we have now is a quagmire of confusion. Republican proposed block grants which go to States, and when the money runs out and the needs of the people rise up, as we find in the natural disasters that have faced California, Texas, and Florida, among others, that have what we call natural disasters, we would not be prepared to assist those people. Do you think that is reasonable and the American people want that?

We now come to December 20 with no budget. That is what it is, plain and simple, folks. We had a gimmick called a contract. Out of that came one bill that was passed, and we now have no budget. And we have people trying to appropriate away America's values by intimidating us, by saying they stand for what America believes in.

The President, regardless of what your party may be, has an actual constitutional right to engage in this process. He has sat down with the leaders of the House and the Senate, and I might add, if you saw the media accounts, and they sure do reflect accurately many times people's expressions and views, those that came out of the meeting said we are on track.

Today we find out about an extremist position by freshmen Republicans that say all or nothing. We want to take the $270 billion tax cut right now and we will stand on the backs of seniors and children, Medicaid and Medicare, and we do not want to reason. Yet the President spoke to the leadership and they said we are ready to sit down. Who is leading the leadership at this point? I am a Democratic freshman, and I am not going to let some other guy take the moral high ground on people in my community, Federal employees who give services, children who have sicknesses who need Medicaid. We must come together to recognize political gimmickry goes out the door, leadership stands up, get a budget, open the doors of this Government, right now, today. Pass a clean continuing resolution to open the doors of the Government and engage in budget talks that do not ask for $270 billion out of Medicare and Medicaid simply to give the rich a tax cut.

That is the moral high ground.

ALL OUT OF PATIENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Colorado [Mrs. SCHROEDER] is recognized for 5 minutes.

Mrs. SCHROEDER. Mr. Speaker, I must say, in my religion we are in the season of Advent, and on one of these Advent Sundays, we light a patience candle. I fear that patience candle may not even do it for me this year. I have totally lost patience with the extremism of the New Republican freshmen. They appear to have the Speaker on a very short leash. But I am here today, joining the gentleman from Massachusetts, Mr. JOE KENNEDY, and others, in signing a letter to both Senator DOLE and to our Speaker asking for a Christmas trust in this budget war. Can we please have a Christmas trust for the 3.3 million veterans who went wherever they were sent, whether it was whatever holiday, whatever family situation, they went where they were sent. And I do not think they are going to appreciate figuring out tomorrow morning that if we have not done this Christmas trust for at least those 3.3 million, they are not going to get their checks on time on December 29. That is outrageous. That is why I have no patience.

Everybody knows today is the busiest mail day. People are using the mails to get through their holiday packages. So these checks have got to be in the mail tomorrow if they are going to be timely. And you cannot write checks if you do not have anybody there to be there and put them in.

Now, let me say, in hot wars we have insisted on trusts over Christmas. Why in the world in this budget war can we not get the Republican leadership down here and at least get our veterans out of the crossfire in this stupid little budget tantrum that some of the new Members are having?

I guess I just do not understand who is leading whom. But I think we really look pathetic. Here it is, 5 o'clock in the afternoon, we have not really done anything since 2 o'clock except yap, yap, yap, yap, yap. Yesterday they named post offices. We have not done anything of substance. We discussed some budget that the President had like 9 months ago that was like a dead dog. Nobody has talked about it since, he has moved way beyond. He has agreed to the 7-year balancing of the budget.

I must say, here is a group of people who cannot even get this year's budget done. Hey, we are three Mondays into the fiscal year, and they cannot get this budget done. Seventy-five percent of the domestic spending has not been done, 25 percent of the way through this year. And what are they arguing about? They are arguing about projections 7 years out. Imagine, any American refusing to pay their bills this year because they have not put their budget together because they do not like the budget projections 7 years out? It will not work, America. It will not work.

□ 1700

And yet somehow people here are caving and allowing it to work on the other side of the aisle.

They have no credibility. If we cannot get this year's budget together, how do we ever anticipate getting to the next 6 years? So I really hope that very soon we can get through to the Republican leadership, that they answer the letter so many of us signed, that we see a Christmas truce, and we at least get our veterans out of the crossfire.

Mr. VOLKMER. Mr. Speaker, will the gentlewoman yield?

Mrs. SCHROEDER. I yield to the gentleman from Missouri.

Mr. VOLKMER. Mr. Speaker, I would say to the gentlewoman that it is my information that within a short period of time, supposedly, the Committee on Rules is supposed to meet and bring forward a continuing resolution just for those people, that they can go to work in order to get those checks out for the veterans.

That is great, but that bothers me.

Mrs. SCHROEDER. I agree. The gentleman is absolutely right. We still have students. We have 60,000 students who have theirs to be processed. We can list all those others.

Mr. VOLKMER. Homeowners, trying to get loans from HUD, and everything else. All that will not be done.

What it does is, it tells me that they want to be very political. The majority of the Republicans are very political. They do not want the veterans mad at them, but they do not care about the rest of the people and the Federal workers and everything.

Mrs. SCHROEDER. Mr. Speaker, reclaiming my time, I do not know about the gentleman's veterans, but the veterans in my area did not come to town on a turnip truck. They realized that had a lot of us not signed that letter to them, and pointed out that these veterans were being held hostage and we should at least have a Christmas truce, they would not be going to the Committee on Rules right now. My veterans have figured that out. They are not dumb.

Mr. VOLKMER. If the gentlewoman would further yield, why do we not have a Christmas truce for all the Federal Government?

Mrs. SCHROEDER. I certainly agree. And I think we should have a Christmas truce for students. They did not cause this. They are totally innocent. They could not even vote in these last elections, and we could go on and on. But especially veterans.

The fact they were going to roll right over them, until a lot of us made some noise, is absolutely unbelievable. As I say, I think all of our patience has been tried. Let us hope they hurry up and get this down here, and I thank the gentleman for his comments.

Mr. VOLKMER. Mr. Speaker, I want to commend the gentlewoman for her leadership in this effort.

LET US NOT MAKE THE POOR THE SCAPEGOATS IN BALANCING THE BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. POSHARD] is recognized for 5 minutes.

Mr. POSHARD. Mr. Speaker, I am grateful for the opportunity to come to the floor in this special order here. And let me say before I begin any of my remarks that I would consider myself to be a fairly moderate to conservative member of my caucus, as a Democrat.

Mr. Speaker, I have been reading the welfare reform conference report this afternoon, and I wanted to just make a few remarks on it, because I have some concerns about it, frankly, and I wanted to express those concerns to the body.

I favor welfare reform. I know that we have to do certain things to make sure that people exercise their self-responsibility in our society and that Government cannot be the keeper of everyone. I was reading this afternoon, however, and I could not help but think of a time when I was in the State Senate back in Illinois, several years ago, and we were going through a proposal then that I believe the Governor had initiated to cut back on some of the benefits to some of the neediest in our State.

I remember there was a little lady, a nun in the church, who brought a bus load of folks down to Springfield. And they came into our committee room, and we were considering, I believe at that time perhaps the override of this initiative that was going to cut back funds for these folks. These were all folks that lived in a rundown part of Chicago. They were ragtag. They did not have good clothes. They did not seem to be very clean. Some of them were pretty smelly.

They came into our room, and the little nun who ran the program had some of them come up and testify before our committee about how important it was just to have the extra $10 or $12 or $15 a month to help them survive.

We were all sitting there listening to this, and I think pretty moved by some of the stories that these folks who lived on skid row were telling us. And I remember very specifically there was this one little guy that came up to the testimonial table and began to speak to our committee. He told us about how difficult it was to get through the winter and how he really did not have a place to stay, and he said those few extra bucks that we were taking away from them meant a lot to him. He said, ''I like to get a pack of cigarettes every now and then.''

The minute he said that, all the air just went out of the committee room. We were all just kind of sitting there waiting on somebody to validate every prejudice we had in our heart against poor people, and he did it for us. He said the wrong thing. I could just feel the tension begin to rise again in the

room and members of the committee sitting there and saying, yeah, well, we told you so. Those welfare cheats. That is all they want the money for is so they can buy cigarettes.

I wrote all that down, I remember specifically, because I thought it was such a tragedy. I do not want us to make the same mistake out here in our welfare reform package. The poor among us are really important. They do not have a lot and they only take up a very small part of our budget. If we look at the whole budget, and we consider Medicaid and housing and food stamps and family support, and those sorts of things, it takes up a very small part of our budget. Yet somehow in this country we want to make the poor the scapegoats for all the problems that we are having here with respect to balancing our budget. Let us not do that, please.

I recall a very important scripture where it said in the end time we will all come before the judgment and the Lord will say, ''Enter my good and faithful servant. You have been faithful in a few things; I am going to make you master over many.'' And we will say, ''Well, when did I do that?'' And it says that He will say, ''Well, when you did it unto the least of these, My brother, you did it unto Me. When I was hungry, you gave Me food. When I was without clothes, you clothed Me. When I was thirsty, you gave Me drink. When I was in prison, you visited Me.''

That is what is important, too. We should not, any of us here, just because we need to crunch numbers, or because we need to satisfy ourselves that the poor are the cause of our troubles, forget that we have a responsibility to be our brother's keeper.

DISCUSSIONS BETWEEN DEMOCRATS AND REPUBLICANS SHOULD REFLECT REALITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. COBLE] is recognized for 5 minutes.

Mr. COBLE. Mr. Speaker, I will say to my friend from Illinois, before he leaves the floor, he is one of the most gentle, one of the kindest persons on this floor. And oftentimes when a Member comes to the mike on the floor, Mr. Speaker, it is an advantage to follow someone who is not very popular and who is a scoundrel. I have the unlucky draw today to follow the most gentle Member of the House, but I do that nonetheless.

Mr. Speaker, I did not plan to speak today. As the Speaker knows, I have been in the Chair for the past 3 hours and I have had the benefit of listening to discussions on both sides of the aisle.

My friend from Missouri, Mr. VOLKMER, says what a benefit, and it has been beneficial. Not surprisingly, both sides are subjective, as I am. I am guilty of that. But I want to try to add some balance to this in my brief 5 minutes.

One of my friends who sits here to my left now conveniently remembered some of the bad fiscal times under President Reagan. But as was mentioned subsequent to his speech, he conveniently forgot about the fiscal chaos that occurred in the Carter years. Well, this is only natural, I think. I think it is convenient for Democrats to remember the bad for Republicans, and the Republicans to remember the bad for the Democrats. That is only natural, and that is part of the nature of the beast, but I think when we do it so consistently then we are seeking out a balance that we need to retrieve and bring it back into the realm of discussion.

When I was last home, Mr. Speaker, a woman came to me, one of my constituents, and she said answer a question for me. She said, as best I remember the last time the Government was shut down, prior to this last time, she said it was in 1991. And I think it was, indeed, in 1991. And she said to me, the spin from the media then was that President Bush shut down the Government. And she said, even I blamed him. But she said, now, virtually no one from the media is pointing an accusatory finger to the President. They are saying NEWT GINGRICH or the majority Republican Congress has shut it down.

I am wondering, and I do not want to sound paranoid, Mr. Speaker, but I am wondering, is it convenient to blame a President when he happens to be a Republican and to exonerate a Congress when it happens to be controlled by the Democrats? I am afraid that is the spin that we are taking. What is good for the goose is good for the gander.

Many people today have blamed the Congress for veterans not receiving their checks, if they, in fact, do not receive their checks. President Clinton had every opportunity to sign the appropriations bill into law this week and those checks would have been forthcoming. I cannot for the life of me figure why that would be the fault of the Congress.

Am I missing something, America? As my friend from Ohio says: Wake up, Congress.

Mr. HOKE. Mr. Speaker, will the gentleman yield?

Mr. COBLE. I yield to the gentleman from Ohio.

Mr. HOKE. Mr. Speaker, I was going to ask the gentleman that very question, if I had missed something.

Correct me if I am wrong, is it not true that the President vetoed three appropriations bills, and that had he signed them, the Government would be up and running again today, right now?

Mr. COBLE. Mr. Speaker, reclaiming my time, I know of two. It may well be three. Two comes to my mind. Is it three?

Mr. HOKE. The third was vetoed.

Mr. COBLE. So it is three. So my friends and the viewers who are watching C–SPAN now, let us come back into reality here and let us add balance to this discussion.

Mr. Speaker, as is obvious, I am not prepared, because I am doing this impromptu, but I am grateful for having had this time and I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WHITE). Members are reminded to direct their remarks to the Chair and not to the President or the viewing audience.

PRESIDENT SAYS IT IS POSSIBLE TO BALANCE BUDGET BY 2002 AND MEET GOP GOAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. HOKE] is recognized for 5 minutes.

Mr. HOKE. Mr. Speaker, I saw this morning in the Baltimore Sun this report, and it was so stunning to me that I just have to read part of it to you, Mr. Speaker. I want to be sure not to offend the gentleman from Texas, and I want to make it clear that I am addressing my remarks to you, Mr. Speaker.

In the paper it says, ''In a positive signal, Clinton told reporters before the meeting'', this is before yesterday's meeting with Speaker GINGRICH and with Majority Leader DOLE, says ''In a positive signal, Clinton told reporters before the meeting that he now thinks it is possible to reach the GOP goal of a balanced budget by 2002 using the conservative economic calculations by CBO.''

Let me read that again, Mr. Speaker, It says, ''In a positive signal, Clinton told reporters before the meeting that he now thinks it is possible to reach the GOP goal of a balanced budget by 2002 using the conservative economic calculations by CBO.'' He said this yesterday. At that point, it had been 29 days since he had personally signed his name to a piece of legislation known as a continuing resolution that included the language that said that he agreed to work with the Congress to achieve a CBO-scored balanced budget by 2002 and that he would do this before the end of this term.

Now, here he told reporters yesterday that now he thinks it is possible to reach that goal using CBO numbers. What is going on? Did he not read the legislation that he himself had signed?

□ 1715

Was the President not aware of what he had signed? Did the President not read that paragraph in the continuing resolution that said that he was agreeing to actually come forward with a CBO-scored balanced budget by the year 2002? Did he not read it? Does not he read the legislation he signs?

Mr. Speaker, I cannot understand this. Here he acts with complete surprise that now he is saying that gosh, he thinks it is possible to reach that

goal of a balanced budget by the year 2002.

Mr. DE LA GARZA. Mr. Speaker, will the gentleman yield?

Mr. HOKE. I yield to the gentleman from Texas.

Mr. DE LA GARZA. Mr. Speaker, I keep hearing about CBO and OMB, and they are all projections. No one for a certainty can say what the accurate final result would be. But I would like to inject into the discussion the name of Sister Rosa. He tells the future by reading cards. I think she could do better than OMB and CBO.

Mr. HOKE. Mr. Speaker, I thank the gentleman for his suggestion.

Mr. DE LA GARZA. Mr. Speaker, she is a lady that does that back in my district.

Mr. HOKE. Mr. Speaker, reclaiming my time, I think that maybe Sister Rosa do a better job than CBO or OMB. But the fact remains that the President did not agree in a piece of legislation that he signed into law to take the projections of Sister Rosa. He did not agree to take the projections of the OMB. He agreed to use the projections of the CBO, and then yesterday he acts as though it is a completely novel idea and he says: Gosh, maybe it will be possible to reach that goal. I think maybe we will do that. This is something new. I had not thought about that. I think we can put it all together.

Well, for heaven's sakes, Mr. Speaker, that is what he agreed to 29 years ago. It seems to me that what is really going on here is a stalling tactic. It is an amazing thing. The President thinks that for his own political good that he will do better by putting this off longer and longer and longer and longer.

We see the same thing going on right now with respect to the subpoena on the Whitewater papers in the Committee on the Judiciary or the Whitewater committee over in the Senate. What the President has done is that he has said: I am invoking an attorney-client privilege. He knows there is no good attorney-client privilege on this matter, but he has invoked the attorney-client privilege, knowing that he will spin that one through.

Mr. Speaker, that will take some time, and then he will go to an Executive privilege that he will call up and ask to spin that one through, all the while, delaying, delaying, delaying.

The President seems to think that time is on his side, but the fact is that he did agree to and we will insist on and we will come up with a balanced budget using honest numbers.

BUDGET IMPASSE REQUIRES COMPROMISE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. KANJORSKI] is recognized for 5 minutes.

Mr. KANJORSKI. Mr. Speaker, I yield to the gentleman from Texas, Mr. DE LA GARZA.

Mr. DE LA GARZA. Mr. Speaker, I thank the gentleman for yielding briefly to me. The previous speaker, I guess, inadvertently mentioned that the President said that 29 years ago, and he meant 29 days. But the one that introduced a balanced budget amendment 31 years ago was this gentleman from Texas. So it is not new. Everyone is climbing on board now. I did it 31 years ago.

Mr. HOKE. Mr. Speaker, if the gentleman would yield, the gentleman from Texas [Mr. DE LA GARZA] should be commended for that. We appreciate it and we appreciate his support working for a balanced budget now. But the fact remains, we have got this agreement and the President should honor his word. That is all we are saying.

Mr. DE LA GARZA. Mr. Speaker, I think we ought to bring Sister Rosa into the picture. She has got better figures than OMB and CBO.

Mr. KANJORSKI. Mr. Speaker, reclaiming my time, I enjoy the fact that we can sit here particularly with the Members of the freshman and sophomore class, and participate in this open discussion. It is worthwhile for those individuals across America who may be bored with Christmas shopping and watching C–SPAN, or perhaps going through some therapy that they are undergoing trying to understand what is going on down here in the asylum.

Mr. Speaker, the fact of the matter is that probably for the first time in the history of the United States, we have extreme polarization of positions on the passage of the budget. A lot of people who are not necessarily informed with the process may think that we are indeed insane, or that what the House of Representatives of the Congress or the entire Federal Government is going through right now is a form of insanity, but in reality we all know that it is a very serious thing and it has to do with very honest and real differences of my friends on the Republican side and our side.

Mr. Speaker, if I could just address for a few moments what those differences are and maybe encourage some of my friends on the other side to talk about it.

Mr. Speaker, the previous speaker talked about some contract. Having been a lawyer, particularly having dealt with Philadelphia lawyers, although not claiming to be a Philadelphia lawyer myself, there is a great deal of respect paid to contracts; that supposedly any time we have a contract, that says something that in reality will take place in accordance with the word of the contract, or that that has some superforce above and beyond anything else.

Well, there are several ways to interpret contracts and I think we have to accept that as a given. Very clearly in the situation of the President and whatever contract is interpreted by the majority party of the House, there is a definitely wide distinction as to how they interpret the meaning of what was agreed to some 29 days ago.

Second, just because we have the Contract for America, or on America, I am never sure, but just because we have that, that does not pass the value of the Constitution and how we interpret that, nor does it pass good sense for what we do this year, next year, for the next 7 years of this Republic, and for as long as this Republic endures under this Constitution.

The one certainly that we have is that government in a democracy is very expensive; it takes a great deal of time; it is very inefficient, because there is the necessity that if 250 million people are to exist in this world with different thoughts and philosophies, different political positions, different social positions, and coming from different cultural backgrounds, it takes a requirement of that ugly word which some of my younger friends on the other side of the aisle seem to find a great deal of distaste for and that is the word called ''compromise.''

I have heard the Speaker talk much earlier, I think maybe as long as 6 months ago, that with the new revolution that occurred in the House of Representatives, that there would be cooperation but not compromise. If my colleagues have extreme views, I do not know how we get to a final solution without compromise.

Mr. Speaker, let me talk about what those extreme views are. We can all write a budget that will balance in 7 years, which is a projection of time with no certainty, all dependent on variables that are so complicated and uncertain in their nature that at best it is a guesstimation. We could arrive at a balanced budget in 7 years under the numbers scored by the CBO, the Office of Management and Budget, Morgan and Stanley, the Harvard Business School, the Wharton School, we could find any number of people who would be willing to score it and we could agree that it should be CBO.

FEDERAL WORKERS UNFAIRLY BURDENED BY BUDGET IMPASSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia [Mr. DAVIS] is recognized for 5 minutes.

Mr. DAVIS. Mr. Speaker, I would be happy to yield to the gentleman from Pennsylvania [Mr. KANJORSKI] to finish his point.

Mr. KANJORSKI. Mr. Speaker, our point is that we could all come up with this type of budget. We could have 435 different budgets taking into consideration various conditions. Right now we have what is called the coalition budget that has no tax cut in it and that does balance the budget, so clearly the Democratic side or the President could put that budget on the table or some various of that, which the Senate seems to have put together on their side.

It requires, however, a decision as to whether or not we are going to have a tax cut, a smaller proportional tax cut,

or no tax cut at all to arrive at that balance. That is what we call in common political parlance, and legal parlance, compromise.

Mr. SCARBOROUGH. Mr. Speaker, would the gentleman yield?

Mr. KANJORSKI. It is the time of the gentleman from Virginia [Mr. DAVIS].

Mr. DAVIS. Mr. Speaker, I would be happy to yield to my friend, the gentleman from Florida [Mr. SCARBOROUGH].

Mr. SCARBOROUGH. Mr. Speaker, let me state, the problem is not compromising between Republicans, even freshman Republicans and some conservative to moderate Democrats. We have the numbers to pass a balanced budget right now through this House if the administration would just get on board.

The votes last night, where not one person supported the President's budget. The vote two nights ago, where an overwhelming number of Democrats supported 7-year CBO showed that we could work together. We are willing to put everything on the table, but it has to be in the President's best interest to pass a balanced budget before he gets engaged in this.

Mr. DAVIS. Mr. Speaker, I have to reclaim my time. If I have time, I will yield for a question. Let me say to my friend from Pennsylvania, I do not know if it is extreme polarization on the budget. Clearly, among 435 Members, we have all kinds of opinions.

Some Members do not feel that we ought to balance the budget. Some want to balance the budget their way or no way, and we have some of that. We cannot all stand completely on principle, or we would never get anything out of here. We have to compromise, and I recognize that.

The difficulty that we have on our side of the aisle is that the President whether he was campaigning in 1992, said he was not balancing the budget in 5 years. In 1993, he got up here at the State of the Union and said CBO numbers were the most reliable numbers. Now we come up with CBO 7-years and we have yet to see a plan from him that balance in 7 years, and that has caused us some confusion.

Mr. Speaker, when we see that plan, I think it is going to be easier to compare the President's vision with numbers that balance and our plan.

Mr. KANJORSKI. Mr. Speaker, if the gentleman would yield, I would say but, you realize that 5 years, 7 years, all depends what you want to do. Look, I can give you a budget today, and you can too, that balance the budget in year.

Mr. DAVIS. Mr. Speaker, reclaiming my time, I recognize that, but I think it is key if we could get in that box of 7 years, with honestly scored numbers, then we are all talking off the same song sheet. Right now we are not there.

Ours has been scored by the Congressional Budget Office. We know what it does. If my Democrat colleagues do not like the values or what it does to people, that is fine. But how would my friend do it within the same box?

Let me make a couple of other points. Federal employees have really, during this whole debate, been an unintended victim of this debate. Over the last several years they have seen the Federal Government downsized and many Federal employees have been losing their jobs and having to go elsewhere.

We have seen their benefits cut. We saw them cut in the last Congress. This time, there were resolutions up here to have them give up another 2½ percent of their pay to put in their retirement. We saw an effort to bring their retirement down so that their standards would not be the high 3 years, but the high 5 years. That would basically reduce their retirement.

We saw some proposals up here that would cap the Federal payment for the Federal Employees Health Benefit Plan, which would mean they would be paying more for their health insurance. We saw another proposal here that would charge Federal employees for parking, even in buildings where nobody else was paying a parking fee. We were able to defeat most of those as we were moving ahead, but the unsettling thing is that working for the Federal Government is not what it used to be.

We used to say, ''Give me your best and your brightest.'' Now it is come work for us; we will cut your benefits, we will downsize you, we will furlough you. Now they are experiencing furloughs and it is the Christmas time. Today is December 20. Many Federal employees would have received their paychecks today, but because of the shutdown in some agencies, that is not going to happen.

Mr. Speaker, the good news today, and I would like to ask unanimous consent to put in the RECORD a letter to Senator JOHN WARNER, to myself, to the gentlewoman from Maryland, Mrs. MORELLA, the gentleman from Virginia, Mr. WOLF, my colleague from Virginia, a letter from Speaker NEWT GINGRICH and Senate Majority Leader BOB DOLE, where they say in here that, and I will put the whole letter in the RECORD, but they basically assure Federal employees that when this is over, they will be paid retroactively.

Mr. Speaker, this has always been done before; this will be done this time. Having the House leadership on board, and the Senate leadership on board at this time, is very important.

Mr. VOLKMER. Mr. Speaker, will the gentleman yield?

Mr. DAVIS. I am pleased to yield to the gentleman from Missouri.

Mr.VOLKMER. Mr. Speaker, I am pleased to hear the news that the Federal employees are going to be paid, but they are not going to be working.

Mr. Speaker, I submit the following letter for the RECORD.

CONGRESS OF THE UNITED STATES,
December 20, 1995.

Hon. JOHN WARNER,
U.S. Senate.

Hon. FRANK R. WOLF
Hon. CONSTANCE A. MORELLA
Hon. TOM DAVIS
U.S. House of Representatives.

Dear Colleagues:

Because of your interest in the ongoing budget negotiations and your strong support for federal employees, we wanted to take this opportunity to reaffirm our letter of November 10, 1995, in which we made clear that employees furloughed through no fault of their own should not be punished.

It is unfortunate that President Clinton has chosen to veto appropriations bills that would have funded the salaries of federal employees at the Departments of Justice, State, Commerce, Veterans Affairs, and Housing and Urban Development, as well as independent agencies such as the Environmental Protection Agency. Similarly, procedural objections by Democrats have prevented the funding of salaries at the Departments of Labor, HHS and Education.

The direct result of those actions is that furloughed federal employees at those particular agencies cannot be paid. However, we would like to reaffirm our commitment to restoring any lost wages for federal employees in a subsequent funding bill.

Thank you for your continued and strong leadership on behalf of federal workers.

NEWT GINGRICH,
Speaker of the House.
BOB DOLE,
Senate Majority Leader.

CONTINUING RESOLUTION IS CONGRESS' RESPONSIBILITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. DICKS] is recognized for 5 minutes.

Mr. DICKS. Mr. Speaker, I was very surprised and disappointed today to learn that negotiations to get the Government operating again have been broken off. I just want to make sure that my constituents in the State of Washington know that I believe that this impasse is not justified; that it is, I believe, time for the senior Members of the House, both on the Democratic side, and the Republican side, to come together and to insist that we get a continuing resolution enacted which can only be done by this House and by this Congress.

It is not the President of the United States's fault that the Republican Congress has refused to enact a continuing resolution. They have precipitated this crisis. As we remember, Speaker GINGRICH said many months ago that he intended to do this very thing in order to try to get the President to capitulate and to accept his budget priorities which clearly are not acceptable to the American people.

□ 1730

I feel very strongly as someone who has served in this body for 19 years that we have a responsibility as Members of this institution to keep this Government running. We have veterans who may possibly not get their checks in the next few days unless we get a

continuing resolution passed. I am going to support that. If the leadership of the House brings it to the floor, we ought to vote on it and get it done. But I do not think it should stop there.

I am concerned about the people who work in the Forest Service, who work in the Park Service, who work in the Department of the Interior and the people who work at Health and Human Services, all these other agencies who are not going to be taken care of. It is very obvious that, when there is a little heat put on, the majority is willing to make some adjustments. So if the American people want this Government to operate, they are going to have to make sure that the new Members who were elected last time hear from their constituents that they want this Government reopened and started.

This is ridiculous, and then there is no justification for it. This is the worst crisis we have had in terms, I think, of the confidence of the people of this country about our Government. What the Republican majority wants is for Bill Clinton to capitulate and accept their very radical prescription for the budget. The American people do not accept the levels of cuts in Medicare and Medicaid. I think it is preposterous to have a $254 billion tax cut when we are trying to balance the budget. That tax cut makes it incumbent upon the majority then to make these very large cuts in Medicare and Medicaid and also in education and other very sensitive and important programs to the American people.

I just hope we can bring some common sense back. I hope that the senior Members in the Democratic Party, the senior Members in the Republican Caucus can bring some sense back to this institution and do our job. We should initiate a continuing resolution to get these people back to work.

I feel sorry for the Government workers and their families who at this Christmas time are being denied their work, their opportunity to earn a living, because of this impasse.

I also urge the President to stand his ground. He should not capitulate. He should not accept this radical agenda. I am very upset about this. I am very upset and feel very badly for the people and their families who are being forced out of work because of this inability to reach an agreement.

Mr. VOLKMER. Mr. Speaker, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Missouri.

Mr. VOLKMER. It becomes very obvious to me at least, maybe not others, that there are those, especially among the freshman group, after listening to one of the freshman speak earlier today, that they almost relish the Government shutting down. The Federal Government is the enemy. They want to take it down to nothing.

I can remember back when I had a conservative tell me that the Federal Government should defend our shores, deliver the mail, and get out of our pocketbooks. In other words, that is all the Federal Government should do. That is what I am hearing here, especially among the radical ones, that they want to shut the Federal Government down. To them there is nothing wrong with it. That is what one of the freshmen said earlier today.

JUST THE TRUTH

The SPEAKER pro tempore (Mr. WHITE). Under a previous order of the House, the gentleman from Florida [Mr. SCARBOROUGH] is recognized for 5 minutes.

Mr. SCARBOROUGH. Mr. Speaker, people are talking about how disappointed they are and how sad they are. Let me say what saddens me, that people can get on this floor with a straight face, with a straight face, mind you, and still spread the untruth that we are cutting Medicare. I hear that we are slashing Medicare. It is a radical agenda.

I had a member of my district call and say, please, will somebody tell me who is telling the truth up in Washington. The President keeps saying that he is shutting down the Government, and he is not going to pass the first balanced budget in a generation because you are radically cutting Medicare.

I do not want to call the President of the United States a liar, and I will not. I will let the Washington Post, the New Republic, and members of the President's own staff, former staff do this. This is the front cover of the New Republic. It says why the Democrats' demagoguery is even worse than you thought. The New Republic is one of the most liberal publications in America since 1914. It is flat out saying the President is not telling the truth.

The Washington Post writes an editorial. What saddens me, what deeply saddens me is every person that comes up and says that we are slashing Medicare is, A, either knowing that that is not true or, B, is ignorant of the facts. Ignorant of the facts that the Washington Post points out, when they say that the Democrats led by the President have chosen instead to present themselves as Medicare's great protectors, they have shamelessly used the issue, demagogued on it because they think that is where the votes are and the way to derail the Republicans.

The President was still doing it this week. A Republican proposal to increase Medicare premiums was the reason he alleged to veto and shut down the Government. But never mind the fact that the President himself would countenance the same increase. The Washington Post—this is not from NEWT GINGRICH. Wake up, America. Wake up. This is from the Washington Post, the New Republic: We are being called radical.

Do you know what is so radical about our plan, that on Medicare, we are doing the same exact thing that President Clinton and Hillary Clinton said we needed to do 2 years ago. Hillary Clinton, shake your head, Hillary Clinton testified on Capitol Hill that we needed to slow the growth in Medicare to twice the rate of inflation. She suggested 6½ percent. The Republican plan increases it to 7 percent. Furthermore, spending on Medicare explodes to 65 percent over the next 7 years.

The press knows it. The press has stated as much. The markets have stated as much. Everybody knows the truth. Do not believe me, do not believe NEWT GINGRICH, do not believe the Democrats. Listen to what neutral observers are saying. They are trying to scare senior citizens because they are devoid of any plan to balance the budget in 7 years.

The New Republic has said it. The Washington Post has said it. The Washington Times has said it. The Wall Street Journal has said it. Editorial boards around America have said it. They said it this past week when they called Leon Panetta on the carpet on This Week with David Brinkley.

Do my colleagues know what Leon Panetta's final remark was? Well, it is just to give the rich tax cuts. Let me tell my colleagues, check it out. Eighty-nine percent of these tax cuts for the so-called rich, 89 percent as scored by CBO, goes to families earning under $75,000. Check it out. Check out the truth.

Is $75,000 or less for a family the way that Bill Clinton defines rich these days? If so, I think he needs to lead a Third World country instead of America, because there are a lot of people with three or four children making $75,000 or less that have trouble getting by. If that is a tax cut for the rich, label me guilty. I am sick and tired of what is going on. I just want to hear the truth. Give me some truth.

REPUBLICAN PROPOSAL ON MEDICARE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Dakota [Mr. POMEROY] is recognized for 5 minutes.

Mr. POMEROY. Mr. Speaker, that was quite a display we just saw, for all the fire and volume, kind of a temper tantrum really at the rostrum. I think it is very unfortunate that we are not proceeding in more of a thoughtful way reflective of the weighty issues that we have responsibility to resolve.

The gentleman hollering, describing how nothing is impacted under the Republican-passed budget regarding Medicare, in point of fact that is simply not the case. The part B premium alone, Mr. Speaker, $46.10 a month today, in the final year of the Republican plan that will be $88.90, compared to $46.10.

Mr. SCARBOROUGH. Mr. Speaker, will the gentleman yield?

Mr. POMEROY. I yield to the gentleman from Florida.

Mr. SCARBOROUGH. Would the gentleman also admit that under the

President's plan there is only a $4 difference between the Republican plan and the President's own plan?

Mr. POMEROY. Reclaiming my time, it is not at all clear to me where the administration is on the part B premium number. But I will tell the gentleman this. The only plan that virtually doubles the part B premium is the GOP-passed budget resolution.

Let me tell my colleagues another thing. I used to regulate insurance. I spent a lot of time dealing with the insurance needs of senior citizens in the State that I represent. There is an issue called balanced billing. In the old days, I mean back just now a decade, even less than that, Medicare would pay a portion of the bill, but the physician could bill the senior citizen that amount. Then any amount more, Medicare would pay the Medicare part, but the senior citizen out of pocket would be eligible for the difference.

Congress in its wisdom a few years ago in a bipartisan vote voted to say, no, no, no, doctors, you cannot charge unlimited amounts over Medicare. You can only bill in fact when fully implemented, I believe the difference is 15 percent over what Medicare approves as an appropriate charge. If you are in an indemnity plan under the Republican budget, you are again exposed to that virtually unlimited amount over what is a Medicare approved charge.

So we can talk differences in part B premium. I believe they are very serious differences, new out-of-pocket costs for seniors. But I think even more serious is this whole business of balanced billing, the physician billing over and above what the Medicare has said is an acceptable charge.

Mr. SCARBOROUGH. Mr. Speaker, if the gentleman will continue to yield, please just clarify for me. The administration proposal is scored, shows a $4 difference in the year 2002 between the Republican plan. I mentioned that before, and then the gentleman said that he did not know if that was the case, but said the Republican plan was the only plan that doubled premiums. If in fact that is the case and that has been documented in the Post and other publications, then the President's plan too would double it, would it not, if there is only a $4 difference in premiums in 2002?

Mr. POMEROY. Reclaiming my time, Mr. Speaker, the only plan that causes part B premiums to double is the GOP budget plan. The things that the gentleman does not consider Medicare cuts in fact to a senior citizen that suddenly has to pay a lot more out of pocket because Medicare does not pay it anyone, I am telling the gentleman, they think their benefits have been cut. They think it in a very real and personal way.

I yielded happily to my friend from South Carolina, and we had an interesting exchange. In fact I wish we had a lot more of that going on right now in constructive circumstances, most particularly at a negotiating table.

I have been in public life a long time. It has been my opportunity, I have not been in Congress long, but I have got the opportunity to work for public issues on behalf of North Dakotans in the State legislature and for the insurance commissioner. In addition to that, I was in the private sector practicing law in my hometown. I have been involved in lots of negotiations, lots and lots of negotiations.

What I learned is, you come to the table with the position. You care deeply about it. The other side comes to the table with a position. They care deeply about that. And then you start to deal. I do not mean callously, just cutting deals willy-nilly. But you begin to negotiate, engaging the other side, talking about the things that really matter to you, trying to find common grounds.

I think it is a tragedy that this afternoon, with the Federal Government, portions of it shut down, with budget talks at an impasse, we do not have this kind of negotiation under way. I urge all of my colleagues to insist we get negotiations underway and let us fund Government while these important talks proceed.

DO NOT PLAY POLITICS WITH MEDICARE OR THE BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. WELDON] is recognized for 5 minutes.

Mr. WELDON of Florida. Mr. Speaker, prior to coming to the U.S. Congress, I used to practice medicine. I practiced internal medicine and half of my patients were senior citizens. I do hope someday to be able to go back to my practice and resume taking care of senior citizens because I very much enjoy that type of practice. I have always like caring for seniors.

□ 1745

They are all in the Medicare program. The Medicare Program has been a tremendous success. I think it has been instrumental in prolonging lives of seniors. And one of the key components of our balanced budget plan that we put on the President's desk is maintaining the solvency of the Medicare plan that makes sure that it will be there for seniors, and all we have done with this plan is we have done exactly what the President and the First Lady said needed to be done in 1993 when they were pushing their health care plan. They said, and if I may paraphrase them if I do not quote them exactly right, is that all you need to do is lower the inflation rate in the Medicare plan from where it is right now, 10 or 11 percent down to about 7 percent, and the plan comes into balance.

Now there has been a lot of stuff said about the Medicare Part B premium. The GOP plan is going to double the Medicare Part B premium over the next 7 years. Well, guess what, my colleagues. Under the Democrats who have controlled this House for 40 years, guess what? Over the last 7 years the Medicare Part B premium doubled, they doubled the premium the last 7 years. Under the President's proposal it is going to much double. But, you know what? Next year, in the election year, under the President's proposal, he wants to reduce the Medicare Part B premium, and then he will increase it steadily every year thereafter once he is firmly ensconced in the White House for another 4 years.

I believe this is wrong, that you should not play politics with a program as important as Medicare which provides health care for our seniors. I also think you should not be playing politics with an issue as important, as crucial, as balancing our budget in 7 years.

Mr. Speaker, I ran on a campaign that says you must balance the budget in 7 years, and there was a very, very high degree of frustration amongst the voters in my district because they heard about Gramm-Rudman, they heard about the budget deal of 1987, they heard about the budget deal of 1990, and the tax increase of 1990 and how that was going to balance our budget, and then they heard again about the 1993 program, how this was finally going to do it.

Here we go again in 1995. We have got $200—$180 billion deficit, and the budget that the President presented to us scored by the CBO, an agency that the President himself said is the group that should be scoring the budgets, says that his budget is going to be in debt, show deficits $200 billion a year out of 5 to 7 years into the plan. He finally produced a slightly better budget that was only going to have a deficit of about $100–120 billion a year.

Now what we are saying, what the Republican freshmen are saying, is enough is enough, no more smoke and mirrors. We want a budget that is going to balance in 7 years.

Now there are a lot of people getting up here and saying, ''Oh, we need to do a continuing resolution and get the Government open.'' I have got a lot of Government workers in my district. I have got Kennedy Space Center. I have got engineers who are furloughed, and guess what, my colleagues on that side of the aisle? They call me up, and they send me letters, and they say, ''Don't give in. I know I'm laid off, I know I'm not working, but you have got to balance the budget. We cannot continue to run these deficits.'' Mr. Speaker, they tell me it is immoral, they want me to hang tough, they do not want me to cave in. They want the budget balanced, and they want the budget balanced in 7 years.

Indeed I got a phone call yesterday from a Democrat who told me that everything we are doing is right. He said, ''Don't give in.''

Now I am not going to vote for another CR. We signed a CR 3 or 4 weeks ago, and what happened? That gave the President the chance to waffle for 3 or 4 weeks and the AFL–CIO 3 to 4 weeks to run million-dollar-a-day ads trying to get us not to balance the budget.

I will tell you what I think we need to do. Half of your conference over there agrees we need to balance the budget in 7 years, and what I say is the President will not come around, let us forget about the President, let us sit down with the conservative side of the Democratic Caucus with us and come to terms on a 7-year balanced budget so we can do a veto override, and we can reopen the Government, and we can all go home for Christmas.

But I bought a Christmas tree, and I brought my wife and daughter up here, and I am willing to stay as long as it takes.

THIS IS A HOSTAGE SITUATION

The SPEAKER pro tempore (Mr. WHITE). Under a previous order of the House, the gentleman from Florida [Mr. PETERSON] is recognized for 5 minutes.

Mr. PETERSON of Florida. Mr. Speaker, this is a hostage situation. I know from which I speak. I was a hostage of the Vietnamese Government for six Christmases. I knew what was going on at that time. As a hostage in Vietnam I knew what my options were. I really had a feel of the paralysis of the circumstance, and I could live with that. I was a volunteer, just like so many of our brave men and women that are in Bosnia right now are volunteers to serve their Nation, and I would take my hit. I did not have any problem with that. But what we have here is a nation, an entire nation, every citizen of the United States, being held hostage to the radical extremist portion of the Republican Caucus conference.

Now maybe they can justify that. Maybe that is OK. Maybe they are OK out there writing the new Dickens Christmas Schrooge Carol based on new circumstances, modern circumstances. Maybe in fact they all wish to be the Christmas Scrooge because they are holding not only the Federal employees who have been furloughed, they are holding this entire country hostage to an ideology that the country is not buying into.

The United States citizenry is not extreme, they are not radicals. They are God-fearing, compassionate, logically thinking people, and they cannot understand why it is that we as a House of Representatives cannot sit down and agree to disagree; first of all, to get down to some negotiations, but then to get to the point of compromise, yes, compromise, the word ''compromise'' which has been for whatever reason essentially destroyed in its definition. In fact we are using the term ''compromise'' in its worst categorization, which would be to suggest to compromise one's values.

We are ultimately going to have to compromise, my colleagues. We are ultimately going to have to do the people's business. We are ultimately going to have to answer to the mainstream of America as we deal with this budget issue.

Extremist, radical ideas are not America's ideas. There will be a price to pay if the radical elements continue, and that price will be paid at the ballot box next November because that is how it works here.

The question is who, in fact, is in charge? Who is in charge? Who is leading here in this national government? We have lost our leadership. Clearly the Republican side has lost its leadership because they have failed to keep the motors of government working, which is their contract with America as a majority. It is their contract to keep the offices of the government running. They have purposefully shut them down, and they have done so, in fact I believe, with malice. We need to move on.

THE BLAME GAME

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky [Mr. LEWIS] is recognized for 5 minutes.

Mr. LEWIS of Kentucky. Mr. Speaker, today I listened to the President in his news conference, and he was talking about essentially in the same way and with the same terms as the previous speaker about extreme freshmen, 73 individuals that are holding up the Government, and you know it is the same old story: the blame game.

By the way, I remember a President by the name of John F. Kennedy, and I remember when the Bay of Pigs tragedy happened, and President Kennedy stood up and said, ''I take the blame, the buck stops here.'' But what I heard from President Clinton today was that it is the freshmen that are causing this problem, those extremists.

It reminded me not too long ago when we had the tragedy in Waco. The President said, ''It is not my fault,'' and the Attorney General had to take the blame.

He is never to blame. It is never his fault.

He has offered four budgets that do not keep his word with CBO scoring, but it is not his fault. There were three bills on his desk that he could have signed that would have got the Government up and running again, Commerce, Interior, and VA–HUD, that would have put the people back to work, but he vetoed them, and he blames the freshmen.

Mr. Speaker, let us talk about those extreme freshmen just for a minute. What is extreme, and I asked this the other day, what is extreme about wanting a balanced budget in 7 years? Seven years, not tomorrow, not next year, not 2 years from now, but 7 years. A glidepath for 7 years that is going to actually spend basically $3 billion more than what we are spending now. There are no cuts. We are going to be spending more money. As I said, a glidepath towards a balanced budget that will provide a future for our children and our grandchildren, that will not allow this country to go bankrupt. What is extreme about that? Trying to save the economic viability of this country.

Medicare. The President said we are extremists, that we are going to cut, slash, kill Medicare. There is only a 2-percent difference between the Republican plan and the President's plan. Basically $138 difference over a year period of time in the year 2002 on what would be spent per individual.

What are we talking about here when we are talking about extremists and radicals? Individuals that want to save Medicare for their mothers and fathers. My mother and father are 78 years old. I want to save Medicare.

□ 1800

Why would I do anything to hurt the most precious people that I know? I do not know when this rhetoric is going to stop, but it is time that we get serious about balancing the budget. It is time we do have serious negotiations, but the President is not willing. He is the one that is not willing. He is the one that broke it off last night. He is the one that said, in one instance through the Vice President, that, ''Well, we cannot go specifically by the CBO. We have to have other numbers in there.'' Then he comes back later and he said, ''That was not what we meant. We are willing to go by CBO scores now.''

What are we dealing with here? Mr. President, Mr. Speaker, I wish the President would just come forth, put a budget on the table that would provide for a balanced budget in 7 years and that would allow the CBO to score it to see if the numbers are right. I think we would be willing to then look at, what is he talking about, Medicare and taxes? We are willing to look.

WE CANNOT FORGET THE POOR IN OUR NATION IN ORDER TO MAKE THE WEALTHY WEALTHIER

The SPEAKER pro tempore (Mr. WHITE). Under a previous order of the House, the gentlewoman from Texas [Ms. EDDIE BERNICE JOHNSON] is recognized for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I have listened with interest. I, too, am tired with the rhetoric. No matter which way you put it, there are real people out there being affected. I am from a regional city with many, many, many Federal employees. I, too, have gotten messages: Stick with the President.

I am from a city and a district that has one of the most well-known medical schools, one of the most well-known dental schools. A medical school that has four Nobel Prize winners there now in my district. None of them are for these cuts. All of them understand that when we put the bottom line to it, there are a few more dollars being added. So no, there is not a cut as such; but what we have forgotten to be honest with the people about, there are a million more people going into the system to share these dollars. When you put that many more people

into a system, those dollars will not spread broadly enough.

When these dollars do not spread, the individuals see it as a cut because the services are simply not there. We can call it whatever we want to call it, but when the services are not there, the choices are not there, and people are having to pay more out of their pockets. When offsprings of these senior citizens are having to pick up the tab, when spouses are having to give up their job security and their homes to pay bills, they see it as a cut. We can count the dollars, whatever we want to do, it is a cut for the people. They feel it. They know it when they feel it.

Mr. Speaker, we are doing this just the opposite than what America has promised. We are punishing the poor and the most vulnerable to help the rich. That is not the way it has been intended. You can say that we are giving a tax break to persons making $75,000 a year, but when you are taking away from those who are making $25,000 or less, that is punishment of the most vulnerable population. When we take away Head Start, when we take away education funds, we are doing just the opposite of what our society needs to cope with tomorrow. Any way you look at it, that is hurting all of us, because we hurt our future.

Every nation that is doing better economically has a history of investing in their human resources. That is their people. We are refusing to do that. We are in the shape of a Third World nation, but it is OK if you are rich. It is the poor, the disabled, the elderly, that are being affected, and our children, which is this Nation's future.

Anyone who thinks the rich children are safe while we let poor children wander around in the wilderness of poverty, hunger, and the lack of education is in a different world than reality. Every child's future is at stake, not just the wealthy. We can get up here and talk all we want to talk about saving the future for our children, taking away the price tag. Let me assure you, when we remove food, when we remove shelter, when we subject the poorest children to water that is not safe, food that is not safe, and continue to dump in the neighborhoods where air is not safe, do not think we are not going to pick up the tab. We are going to pick it up through hospital bills, we will pick it up through prisons, but we have the responsibility and we will pick it up somehow.

We simply cannot forget the poor in our Nation just to keep making the wealthy wealthier. It does not work. It does not work, no matter what gender, no matter what color, no matter what the origin of birth. It does not work for any of us.

It is time for all of us to come to the table, forget the rhetoric, forget we are going to do just a revolution for the sake of revolution. We have to think about human beings. These are human beings we are affecting. These are living, breathing people. I say to you, it is time, it is time for us for give attention to the most vulnerable.

PASSING A CONTINUING RESOLUTION WOULD LET PEOPLE HAVE A MERRY CHRISTMAS AND A HAPPY NEW YEAR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. HEFNER] is recognized for 5 minutes.

Mr. HEFNER. Mr. Speaker, I would like to maybe digress here. I wish some of the speakers who have spoken earlier were here. I have been around here for quite some time, and some people have a tendency to kind of rewrite history here.

The people that continually come to this well, and the good gentleman from Florida who practiced medicine in Florida, he said he was so concerned about his parents, and I feel sure he is, and is glad he still has his parents with him. Some of us do not have that privilege. But their rhetoric does not match up with the record of the Republican Party.

I remember back early on when Ronald Reagan first came to office, the first budget David Stockman sent to this House called for the $125 cut for the oldest, neediest senior citizens in this country, to cut out the $125 for these senior citizens. I can also remember, and I look at the RECORD back when Medicare was established, and it got no support. In fact, the majority leader in the Senate said he fought, he fought very, very hard to try to see that Medicare would never become a reality. Social Security was not supported by the Republican Party. Certainly Medicaid was not supported by the Republican Party.

The folks say to me, they say, ''We are going to give senior citizens a bigger choice. We are going to let you do, and you are going to get an insurance policy. We are going to give you some choice.'' One of the things that they crucified Hillary Clinton and President Clinton for was to try to get people to move into HMO's and these areas. I can just imagine if I go to Prudential or some carrier that carrier health insurance and I say, ''I want to get some insurance,'' and they say, ''How old are you?'' I say, ''I am 66 years old. I have had open heart surgery. I have heart disease. It will get progressively worse.'' ''Well, I'm sorry about that, but we cannot handle you,'' and the anxiety that it gives to our senior citizens.

One of the gentlemen mentioned it is only like $100 or $150 a year. That does not sound like much to a Member of Congress here, but I have people who come into my district offices in North Carolina every day, senior citizens living on fixed incomes that have to make a determination whether they are going to pay their monthly bills or whether they are going to get a prescription filled. It is not just the Medicare and the Medicaid that is so wrong with the budget that the Republicans have passed. It goes to other areas. Unless they have taken it out recently, you have the spousal impoverishment that is in the bill. If one of the couple has to go into the nursing home, the existing spouse no longer can protect their property. Their children can be liable for that homestead or what have you. It is just a cruel hoax, this entire bill. It is not just the Medicare and Medicaid portion of it. It is all across. There is a mean spirit through this entire budget.

The gentleman spoke down here and said the President sent up a bill which we voted on the other day which was a total hoax. There was not one day's hearing. They took some quotes out of some statements that had been made months and months ago and put together a bill with not one day's hearings. It did not even go to the Rules Committee, and they brought it here on this floor and try to pan it off. It was a charade, it was a phony bill, it was a phony vote to embarrass the President of the United States.

Mr. Speaker, I would like to get to another point. My grandkids, if you will permit me to be personal, my grandkids are coming here this weekend. They are going to spend Christmas with me. I do not have to leave this town. The gentleman made the remark his kids are coming. He is probably going to fly his wife and kids up from Florida to be here for Christmas. We can stay here for Christman. But there are thousands and thousands of American citizens out there that do not take part in this debate, they had no part in this, and they are going to be absolutely frustrated during the holidays. They are going to be concerned about it.

Let me just remind my colleagues on the other side, they talk about a revolution that took place in November. Let me just remind my colleagues that 60 percent of the American people said, ''A pox on both of your parties. We did not vote for any of you.'' Your Contract With America said when you were going to balance the budget, you did not go far enough and say we are going to balance the budget, but we are going to cut Medicare, Medicaid, we are going to do away with clean water, all these things. Had you added that into the contract, the numbers would have gone down drastically.

Why do we not do a continuing resolution, let people have a merry Christmas and a happy new year, and same to you, Tiny Tim.

AMERICANS WANT AN HONEST BALANCED BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. UPTON] is recognized for 5 minutes.

Mr. UPTON. Mr. Speaker, I would like to say a couple of things during this span, as we wait for the rule to come down from the Committee on

Rules. On this side we want a balanced budget. I believe a lot of Members on that side want a balanced budget, too. They want it honestly scored, and that means by the Congressional Budget Office. We are tired of smoke and mirrors and phony numbers and the CR that we had last time. A lot of us were optimistic that something was going to happen, and it did not. That is why we are in the situation that we are in today.

Mr. Speaker, I reminded a colleague of mine earlier this afternoon that I was one of those who voted against the Bush budget back in 1990. I remember being down in the White House and meeting with a number of his advisers, and I said then that his assumptions and statistics that he was showing us in 1990 were wrong, because he told us that if that budget passed in 1990, and it did, despite my opposition, that we would have a surplus in 1995 of $65 billion. The OMB was off $225 billion.

We are tired of that. We are tired of trying to hoodwink the American public in terms of making tough decisions, and when the pie is finally taken out of the oven, it is not done. We want it done. The end product every one of us on this side wants and a good number on your side, and I hope including yourself: that pie done in a balanced fashion by the year 2002.

One of the things we are trying to do now is to get the sides together, put them in a room, lock the door, call out for Domino's Pizza on whatever you are going to do, and not let them out until we get a deal.

Mr. HEFNER. Mr. Speaker, will the gentleman yield?

Mr. UPTON. I yield to the gentleman from North Carolina.

Mr. HEFNER. Mr. Speaker, just to make two points on the scoring, I do not think the American people are sitting out there having dinner and saying they are talking about a score by OMB rather than CBO. But CBO was off $135 billion. I will agree with you, get some people together that want to balance this budget. I am for balancing this budget. But we are being told they are not going to pass a budget in this House unless it is Democrats that go your way. You say, ''You do it our way, or it will be no way,'' and that is no way to negotiate.

Mr. LAHOOD. Mr. Speaker, will the gentleman yield?

Mr. UPTON. I yield to the gentleman from Illinois.

Mr. LAHOOD. Mr. Speaker, I agree with the gentleman about the point, I think there are probably a lot of people out there eating dinner and probably some of them watching C–Span, and I doubt if very few of them understand all the scoring. But I will tell you one thing the American people understand. I think it is reflected in votes that have been made on this floor throughout the year. The fact that we passed a balanced budget amendment with 300 votes, it included a lot of Democrats, and maybe some of the people who are sitting here this evening. We passed a balanced budget resolution with the vast majority of Democrats voting with us.

The reason is that our people who are elected to these jobs, whether they be Republicans or Democrats, know that the American people want a balanced budget. The reason is because of the fact they balance their budget year in and year out, they know how to do it, they look at their ledgers, they see how much money is coming in, and they say, ''Why can't you do this in Washington? What is the problem? Why do we have a $5 trillion debt?'' Because we have overspent.

So the average person watching television out there, eating dinner, for those people that are, they understand how this works.

Mr. HEFNER. If the gentleman will yield further, Mr. Speaker, I am not disagreeing with him. But it boils down to this: we can have negotiations, but it cannot be ''My way or no way.''

□ 1815

That is no way to negotiate.

Mr. UPTON. Reclaiming my time, I think that we can reach a bipartisan accord. The vote that we had here 2 nights ago, it passed big time: 7 years, CBO numbers, most of us, again. I think only 40 Members voted against it. I think that there is room for a bipartisan agreement, and there are a number of us that want to do that.

Mr. HEFNER. Mr. Speaker, I do not mean to sound sarcastic, but if we could put together a budget, get to a budget in 7 years scored by CBO, is the gentleman at liberty to deliver some Republican votes if it met with your approval?

Mr. UPTON. I believe so, and I think that is what we all ought to be working here tonight to try and do, and tomorrow night and the next night, until it is done.

Mr. HEFNER. Because we understand and have been told that the only budget we are going to get will be a Republican budget with enough votes over here to override a veto. If we cannot get some support to where we can come as a bipartisan group, we have very serious reservations about it. But I am asking if you and I could sit down as honest brokers.

LET THE LEADERS LEAD

The SPEAKER pro tempore (Mr. WHITE). Under a previous order of the House, the gentlewoman from Connecticut [Mrs. KENNELLY] is recognized for 5 minutes.

Mrs. KENNELLY. Mr. Speaker, I rise to come down here on the floor and say that all week I have stayed away from the floor. I felt that there was really nothing that could be said at this point in time, that the American people mostly, those that are fortunate enough to be with their families and about to enjoy a holiday with shopping and getting ready for Christmas and trying to have a family occasion where there could be happiness and good cheer, that they probably thought that we in Washington, Members of the House of Representatives and the Senate, that we could not get our job done.

They pay us well, they send us to Washington to represent them, and they would like us to carry out our duties. Yet we hear this more or less ''blame game.'' I do not think that is going on in the country. I think they are saying, all of us are not doing our job.

I reached a point of frustration this afternoon, listening to the conversation on the floor, because things get mixed, what is happening here. We have appropriation bills that are passed on this floor and on the floor of the Senate that go to the President and are signed, and those bills fund, through taxpayers' money, the various agencies of the U.S. Government. Six of these bills have not been finished.

That has happened in other years, and then we have what is called a continuing resolution. It comes to both floors and is passed, and then the problems within the different bills are hammered out and worked out, and then eventually we have an appropriations bill. Of course, that is not what happened 2 weeks ago and that is not what is happening now.

The continuing resolution does not pass and, therefore, those agencies stop, and the result is that 200,000 people cannot go to work.

I do not understand it. This is not the budget. The budget is another whole process. The budget, there are a lot of differences, differences about values, differences about priorities, differences about the budget of the United States of America and about the size of the Federal Government. That is all in the budget.

But the continuing resolution is different, and I do not see why we hold the continuing resolution hostage to the budget.

We as Members of Congress are fortunate. We have an office down here and at home. In that office, I think each and every one of us works very hard on casework, and yet we are saying to 200,000 Federal workers, we are not letting you go to work. I just think that goes against everything I have ever worked for.

We are saying to people who want to go to work at the Smithsonian and other museums and our art galleries, at our monuments that we are so proud of, at our parks that are so beautiful, no, you cannot go. Yet, as Members of Congress, we work very hard so that people who want to come to Washington can get their tickets, can go to the Washington Monument and the Mint, yet we have closed all of these. It is beyond me.

So I would just like to say tonight, can we not pass a continuing resolution, open up the Government to the people who pay for it, the citizens of the United States of America, and not hold it hostage to the budget of the

Federal Government which has different philosophical thinking and priorities. I just do not understand why we do not respect our Federal worker more.

Some of us have traveled in other countries; we have read about other countries, we have dealt with other countries, and we know that their federal governments, their government workers are not respected to the extent they should be because they have not been treated correctly. They work at a lower rate of pay, they do not get the respect that they deserve over the years, and as a result, they do not function like our Federal Government has always functioned and its workers.

Our workers are proud of what they do, they go to work in the morning, they do a full day's work, they go home at night, they are with their families and they are very, very good citizens. They should not be put in the vise of this budget resolution.

Tomorrow we should have a continuing resolution on this floor and on the Senate floor, and our Government should go on.

Then I hear people saying, well, what is happening about the budget; and it is said, you know, that there is a group that does not want the budget, the new freshman class, they are saying, no, you cannot have this particular budget unless it has what we want in it. you cannot do it that way.

First I heard a young man down here talking tonight and he was talking about the President of the United States, the President, another President, a former President saying, ''The buck stops here.'' We did have a former President that said that. But they are not letting the buck stop here with this President.

Yesterday we had the President of the Senate, Mr. DOLE, and the speaker of the House, Mr. GINGRICH, go to the White House. All of the television cameras were on, and the two gentleman walked in and sat down with the President and they began some discussion; they came out, and it looked like we were going to have some progress, and we all felt so good.

Yet today we hear that, no, the 73 freshmen are not exactly satisfied with what happened there.

Well, you cannot have it both ways. You cannot have it: ''The buck stops here,'' and the: ''We want to all be involved.'' The negotiations, any negotiations, breaking it down to a smaller group with only the leaders. In Dayton, they sent the Presidents of those countries and they sat down at the table and they figured out what was going on. They could not bring all of the countries with them.

So what I am saying is why do we not all step our of the way and decide what is happening and come back and vote on it. Let us let the leaders lead.

PRESIDENT SHOULD GET SERIOUS ABOUT BALANCED BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. CHRYSLER] is recognized for 5 minutes.

Mr. CHRYSLER. Mr. Speaker, 31 days ago, President Clinton committed to balancing the budget in a signed contract with Congress that stated: ''The President and the Congress shall enact legislation in the first session of the 104th Congress to achieve a balanced budget not later than fiscal year 2002 as estimated by the Congressional Budget Office * * *.'' Since that time, however, it has become more apparent that this President has no intention of living up to the agreement.

Last October, the 104th Congress passed a balanced budget, one that finally reforms the Nation's welfare system, provides pro-family and pro-jobs tax relief, and saves Medicare from bankruptcy. For 26 years our Federal Government has continued deficit spending, crippling the Nation with a national debt of nearly $5 trillion and jeopardizing the future prosperity of our Nation. This is our last, best hope to do the right thing for the future of our children and grandchildren.

The President claimed he could not agree to our budget and used his Constitutional authority to veto it. This is his right, but in exercising his power to veto he has a moral obligation to present the American people with an honest alternative.

After 4 weeks we are still waiting for him to present us with a budget that balances in accordance with the terms agreed to last month.

Instead of a comprehensive budget proposal, we have received press releases and rhetoric. Instead of negotiating in good faith to seek an agreeable compromise, the President and his allies produced and aired commercials bashing our proposal even before sitting down at the negotiating table. The President talks about compromise but in reality has only engaged in confrontation and demagoguery.

Last Friday, President Clinton submitted yet another budget that comes no where close to balance in 7 years according to the honest, nonpartisan CBO. In 2002, when our budget would produce a surplus, his plan remains at least $75 billion short. This is the same ''we'll get to it some day'' mentality that has overshadowed this issue for decades and left us in the current deficit mess we have today.

When put to a vote before this House, the President's budget did not get one single vote—not one Republican vote, not one Democratic vote.

The day before the vote on the President's budget, the House voted overwhelmingly, by a vote of 351 to 40, to reaffirm our commitment to a 7-year balanced budget as determined by the Congressional Budget Office signed by December 31, 1995.

Taken together, that should be a clear signal to the President to get serious about a balanced budget.

Today, however, we get another sign that the President still has not gotten serious. Today the President once again broke his word and broke off negotiations, continuing the partial shutdown of the Federal Government.

I, for one, will not support another continuing resolution until the President lives up to the agreement he made law.

In 1992, President Clinton campaigned on a balanced budget, ending welfare as we know it, and providing tax relief for America's middle class working families—our proposal simply follows through on what this President could not. We have kept our word to the American people and attempted to negotiate in good faith for an agreement both sides could live with. Has the President? Strip away the rhetoric and there is little evidence he truly wants a balanced budget.

NO LINKAGE BETWEEN CR AND BALANCED BUDGET

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. ENGEL] is recognized for 5 minutes.

Mr. ENGEL. Mr. Speaker, my colleagues, let us make no mistake about this. It is the Republicans who are shutting down the Government. Clearly and simply, the Republicans, by refusing to vote for a continuing resolution to keep the Government open, are shutting down the Government. They have the majority of votes here and in the Senate, they could easily keep the Government open by voting for a clean continuing resolution with no strings attached, no blackmail attached, and the Government would open and 250,000 Federal workers would go back to work, and then we could negotiate a budget.

But no, they will not do that, because they are trying to link the two issues together; they are saying they will vote for no continuing resolution until there is a 7-year balanced budget.

Now, I want everybody to understand that there is no linkage to keeping the Government open with a continuing resolution and a balanced budget. The Republicans are the ones who are linking it. The reason we are in trouble in the first place is because they did not do their job.

October 1, 1995 was the start of the new fiscal year, and there are 13 appropriations bills which the Republicans were supposed to have sent to the President of the United States, and by that time they had sent only 3 So it is their fault that the Government could not continue and that the Government had to shut down; and the only way you can keep the Government open under those circumstances, when the majority party does not do its job by sending the appropriations bills to the President, is by passing a continuing resolution. They are refusing to do that.

All of this talk and rhetoric about balancing the budget in 7 years is a separate issue from the continuing resolution and from the Government shutdown. The President of the United

States has said, and rightfully so, that he will not be blackmailed into accepting the Republican mean-spirited and extreme agenda.

Yes, the majority of Americans want to see a balanced budget, but when you ask the majority of Americans, do you want to see a balanced budget at the expense of Medicare and Medicaid, if it means devastating Medicare and Medicaid, the American people overwhelmingly say no. Well, on the Democratic side of the aisle we say that Medicare and Medicaid and education and the environment and helping working people and not giving a tax break for the rich are Democratic priorities.

□ 1830

While the President did agree 31 days ago to have a 7-year balanced budget, CBO-scored, the Republicans also agreed to protect the Democratic priorities of Medicare, Medicaid, education, the environment, and student loans.

It seems to me that the President, by accepting the concept of a 7-year balanced budget, CBO-scored, has done more to compromise with what the Republicans want to see than the Republicans are doing to compromise with the Democrats. Instead, we get this mean-spirited, extreme attitude, ''We're going to shut the Government down if we don't get our way.''

NEWT GINGRICH came to the Republican Conference this morning attempting to compromise, apparently, and he was told, ''No, we are not going to have a continuing resolution, we're going to shut the Government down.'' This from the party that talks about family values. A quarter of a million American workers before Christmas are thrown out of work, and they talk about family values.

Congress is going to be in session next week, so we cannot be with our families. They talk about family values. Now, I do not mind Congress being in session if we are actually doing something, but we have been sitting around here all day long today and yesterday while the Republicans are caucusing and not getting anything done, not doing the people's work, arguing, quibbling, passing ridiculous, irrelevant resolutions instead of passing the continuing resolution to get Government open again.

That is the truth. So do not talk to me about family values, do not talk to me about balanced budgets, when you are the ones that are not allowing compromises to be made.

We talk about health care, whether it is a cut in Medicare or just a lessening of an increase, the bottom line is senior citizens in my district and in everybody's districts are on Medicare and Medicaid. The health care coverage is inadequate now. They do not have enough money now to buy medicine.

But let us look at the health care that seniors are getting now in 1995, and what kind of health care will they be getting in 2002 under the Republican plan? The answer is seniors will be paying more and getting less. They will not have the choice. They will be thrown into HMO's. They will not have a choice.

So let us stop the nonsense, let us pass the continuing resolution, let us open up Government again, and then let us negotiate on a balanced budget. One issue has nothing to do with the other.

BOTTOM LINE IN BUDGET BATTLE

The SPEAKER pro tempore (Mr. LAHOOD). Under a previous order of the House, the gentleman from Connecticut [Mr. SHAYS] is recognized for 5 minutes.

Mr. SHAYS. Mr. Speaker, I would like to respond to my colleague and say to him that this is about everything that is important. I have waited 8 years to see my Government finally balance its budget and get its financial house in order, and that is what we are attempting to do.

We are attempting to do three basic things. Get our financial house in order, balance our Federal budget, is one. The second issue is to save our trust funds, particularly Medicare, from bankruptcy. It starts to become insolvent next year and becomes literally bankrupt in 7 years. The third thing we intend to do and are working very hard to, is to change both the social and corporate welfare state into a caring opportunity society.

That is our objective. I know my colleague feels very heated about this issue, but it is really a distortion to talk about cuts to education when education loans are going to go from $24 to $36 billion. That is a 50-percent increase in education loans.

Mr. ENGEL. Mr. Speaker, will the gentleman yield?

Mr. SHAYS. If I could just make some points first. Then if I have some time, I would be glad to.

Again, let me say that we intend to have this go from $24 to $36 billion. Only in Washington when you spend 50 percent more on student loans do people call it a cut.

Our Medicaid number is going to go from $89 to $127 billion. Again, only in Washington when you spend so much more do people call it a cut.

We are increasing the school lunch program. We are increasing the student loan program. We are increasing Medicare, we are increasing Medicaid.

We are absolutely determined, and this is not something which one part of our party feels strongly about, we, this Republican Conference, have been working all year long to balance our Federal budget. That is what we are going to do. We are going to get our financial house in order.

It is just amazing to me that we have had such a struggle throughout the year.

Ms. BROWN of Florida. Mr. Speaker, will the gentleman yield?

Mr. SHAYS. No. I will not yield yet. I will be happy to yield later if I have time. I only have 5 minutes.

I do want to make the point and I think it is very important to be made. We are not saying that it has to be the Republican balanced budget. We do not even come close to saying that.

Yes, we would like to see tax cuts, if it is going to be extended over 7 years. I would be happy to give up any tax cut if we balance the budget in 5 years, but if it is going to take 7 years, I cannot understand why we cannot balance the budget in 7 years with a tax cut. Balance it in 4 or 5 years without a tax cut, it makes sense.

It does not have to be our spending priorities on discretionary spending. Obviously the President and this Congress, Democrats and Republicans, have to weigh in. It is just wrong, in my judgment, for anyone on that side of the aisle to suggest that it has to be our budget. No, it does not. It just has to be balanced in 7 years using the nonpartisan numbers of the CBO.

I would be happy to yield to the gentleman from New York.

Mr. ENGEL. Mr. Speaker, I just want to say to my good friend from Connecticut, when he spoke about taking care of Medicare and not letting Medicare go bankrupt, the actuaries said that it would take $89 billion to ensure that Medicare would not go bankrupt. Why then under the Republican plan are there $270 billion worth of cuts?

Mr. SHAYS. Reclaiming my time, the gentleman needs to recognize that we need to make it solvent for many more years, and we want to bring it up to the year 2010, 2011, which is the start of the baby boomers. Your plan brings it to solvency for a few more years but does not get it up to the year 2010, which is our objective. We want to balance our Federal budget, we want to save Medicare, and we want it to be solvent to the year 2010.

I would be happy to yield to my colleague.

Ms. BROWN of Florida. Mr. Speaker, I have a question on the shutdown. You and I had a lengthy discussion yesterday. I raised the issue to you that this shutdown is costing the American people over $800 million. You indicated to me that you all felt that this was the only way you could get the attention of the President of the United States. So the purpose of this shutdown has nothing to do with the balanced budget but with trying to get the President's attention.

Mr. SHAYS. Mr. Speaker, reclaiming my time, and I plead this not be used against my time. It is very simple to respond. I wish that 10 years ago this Congress had shut down the Government and balanced our Federal budget, and we would not be in the mess we are in today. Our big regret on this side of the aisle is that we gave the President 30 days to come forward with a balanced budget and he chose not to. That is the bottom line to this issue.

Mr. HEFNER. Mr. Speaker, will the gentleman yield?

Mr. SHAYS. I am happy just to continue with the time that I have left.

The bottom line to this issue, Mr. Speaker, is that we need to get our budget balanced. We would like to do it in less than 7 years. We are determined to save Medicare in particular.

Mr. Speaker, we are determined to balance our budget, get our financial house in order, and save our trust funds.

THE DEMOCRATIC RESPONSE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mr. WYNN] is recognized for 5 minutes.

Mr. WYNN. Mr. Speaker, over the last few days we have been having a momentous debate on this floor and in this country. We have been debating the balanced budget, not whether to have a balanced budget but how to have it. What are the proper priorities?

A lot of people come to me and say, ''Why are you guys going back and forth on this?'' I tell them, no, it is a good debate, we ought to have this debate. But the question tonight becomes, why do we have to shut down the Government in order to have this debate?

As a point of fact, I believe in a balanced budget, a 7-year balanced budget with CBO estimates. That is not the problem. The question before us tonight is why are we shutting down the Government, why are we putting millions of Federal employees out of work, why are we then paying them not to work on the eve of Christmas?

That is the issue before us tonight.

Well, I will tell you why. The reason why we are shutting down Government is because the Republicans cannot get their budget. Not because they cannot have this debate but because they cannot have their way.

You see we were making progress. The President and the Republican leadership and the Democratic leadership were making good progress and they said, since we are making this progress, why do we not pass a continuing resolution to keep the Government up and running?

The gentleman from Georgia [Mr. GINGRICH] took this issue back to his Republican colleagues and the radical freshman Republicans said, ''No, it's our way or no way.'' So instead of having a reasonable compromise, a continuing resolution while this debate continues, we have shut down the Government.

I was particularly irritated when I heard one of our smug freshman colleagues comment that, ''Well, I've got my Christmas tree and I'm bringing my family up, so I really don't care.''

Well, I think that speaks for itself, but it is certainly a sad statement.

Mr. LEWIS of Kentucky. Mr. Speaker, will the gentleman yield for a second?

Mr. WYNN. I would be happy to yield in just a minute.

Let us talk about the merits of this issue. Let us talk about their notion of a balanced budget. First of all they cut $270 billion out of Medicare. Now, a gentleman got up a little earlier on the Republican side and said, ''Oh, no, this isn't a cut. We're just slowing the increase.''

Let me tell you, ladies and gentlemen, try this on the Defense Department. Take $270 billion out of a Defense Department budget that is below projected needs and then tell them that is not a cut. I do not think it would fly.

We all know this is a cut. It is a significant cut. It means that by the year 2002 seniors will be paying on average $138 more per year just in additional premiums, not to mention the loss of choice of their doctors.

They say, ''Well, that's not all that significant.'' Keep in mind these same seniors only average about $25,000 or less in annual income. So the Medicare question is significant. We do not need the big cut in Medicare. As was indicated, the actuaries say we only need to cut about $89 or $90 billion and we could solve the solvency problem.

Then we go to Medicaid, and in their budget they want to cut 8 million people off the rolls by the year 2002. They want to eliminate the guarantees that we have for the sick, the elderly, the poor, the blind, and the disabled. They want to take 3.8 million children off the Medicaid rolls and deny them the safety net guarantee that we have now.

We have a problem with that. We do not think it is necessary. The reason it is not necessary is because they have hidden in their budget a little poison pill in the form of a $245 billion tax break for the wealthy.

You cannot see this chart out there in America but I will tell you what it says. It says that about half of the tax breaks, half of the $245 billion, go to people making over $100,000 a year. I do not see any reason why we in this Congress ought to be giving a tax break to people making over $100,000 a year. But apparently they do. That is why we are having this problem.

Mr. HEFNER. Mr. Speaker, will the gentleman yield?

Mr. WYNN. I would be happy to yield to my colleague from North Carolina.

Mr. HEFNER. I want to ask you a question, because I heard you say that you believe in doing the CBO scoring. Is that right?

Mr. WYNN. Absolutely.

Mr. HEFNER. Let me ask you this and see if it makes sense. You are going to have a $245 billion tax cut, basically going to the wealthiest people in the country. Unless they get the $270 billion reduction in Medicare, and it gets scored that way, you cannot have the $245 billion tax cut. Does that make sense?

Mr. WYNN. That makes sense to me.

Mr. HEFNER. Is that not the way the scoring works?

Mr. WYNN. That is the way the scoring works.

Mr. HEFNER. Unless you get the cuts in Medicare, you cannot have the $245 billion tax cut?

Mr. WYNN. That is right.

Mr. HEFNER. And that ain't fair in any State in this country.

Mr. WYNN. Absolutely. That is why they want to do it, so they can deliver this big tax break to people making over $100,000 a year.

Mr. HUTCHINSON. Mr. Speaker, will the gentleman yield?

Mr. WYNN. In just a minute.

That does not make any sense. They come down and they say, give us honest figures, give us 7 years.

Gentlemen, I will make you a deal. We will give you honest figures and 7 years. You get rid of the tax break for the wealthy, and I think we can work this out.

Mr. HUTCHINSON. Mr. Speaker, will the gentleman yield?

Mr. WYNN. In just a minute.

The gentleman said, why do we not put all these people in a room, order pizzas and all that. Maybe we could do that, but you do not need to shut down the Government. You have got Scrooge and the Grinch that stole Christmas. Add to that list the Republican freshmen.

REPUBLICAN REBUTTAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas [Mr. HUTCHINSON] is recognized for 5 minutes.

Mr. HUTCHINSON. Mr. Speaker, I am going to yield my time in just a moment, but I do want to respond to the previous speaker.

We repeatedly hear this demagoguery that there are tax cuts for the wealthy, and repeatedly during his comments when I asked an opportunity to enter into a colloquy, we heard that these tax benefits are for people making over $100,000 per year.

Well, I have had a lot to do with that $500 per child tax credit. It is something that I have worked on from day one when I entered this Congress, something I totally believe in, because the American family is overtaxed, squeezed to the limit.

For the family making $30,000 a year, I say to the gentleman, to the family making $30,000 a year with two children, they will see their Federal tax liability cut in half. That is not a tax break for the wealthy.

Mr. WYNN. Mr. Speaker, would the gentleman yield on that specific point?

Mr. HUTCHINSON. No, sir, I believe I have the time and since you would not yield to me, I would like to complete my statement.

The family making $30,000 a year with two children will see their Federal tax liability cut in half. That is a tax break to the wealthy? That family with $30,000 income and two children? I suggest to you no. They are not wealthy at all.

□ 1845

Mr. Speaker, they are the very people who most need tax relief. For that couple with two children making $25,000 a year, they will see their entire Federal

tax liability eliminated. I suggest to you that there are millions and millions of families out there right now who are desiring this tax relief to become a reality. In fact, I was on a radio talk show this morning, one call after another saying, please, do not let the liberals back you down on family tax relief. They need it. We need it. America needs it.

I yield to the gentleman from Florida [Mr. SCARBOROUGH].

Mr. SCARBOROUGH. Mr. Speaker, what is so distressing to me is the fact that the numbers are just being misstated politically. I saw Leon Panetta this weekend say that the majority of the tax cuts that go to the families were for wealthy Americans.

The fact of the matter is, CBO has scored it that 89 percent, 89 percent of these tax cuts go to families making $75,000 or less. What frightens me about this is that this is the liberal view, I guess, and the President's view of what now constitutes a rich person in America, a family with three or four people now making $75,000 or less is, according to Leon Panetta on This Week with David Brinkley, is now a rich person in America. That is a truly sad view of America.

Mr. SHAYS. Mr. Speaker, if the gentleman will continue to yield, I would like to point out that the $500 tax credit applies to a single person whose income is less than $75,000. Only then would her child be given a $500 tax credit and a married couple of 110. It is income sensitive to those families at that number and below.

I want to reiterate the fact that we have tax cuts in our 7-year plan. We actually eliminate some programs. We slow the growth of other programs. We take entitlements and we definitely slow the growth of entitlements. But with Medicare, Medicare was to grow at 10 or 11 percent. We did what Hillary Rodham Clinton suggested, that we get the growth of Medicare down to 6 to 7 percent. In fact it is actually 7.2 percent. It is .2 percent higher than the First Lady suggested it should be.

So what we are trying to do is slow the growth of certain programs. But if our colleagues on the other side of the aisle and the President do not agree to that, it is a concept of opportunity cost. If you do not slow the growth of one program, where are you going to slow the growth of another program ultimately to balance the budget in 7 years?

So I would just say it is just a misrepresentation of the fact if someone suggests that we are saying they have to agree to our budget. The President does not have to agree to our budget. He has to, for the first time, submit a balanced budget. If I had my wallet in my hand, I would take it out and I would offer it to my colleagues on the other side if they could show me a budget from the President of the United States that is balanced in 7 years using the Congressional Budget Office numbers. It simply has not been done.

In fact, when the President submitted his last budget we put it up for a vote and only a very few Members on either side of the aisle supported it. What we are asking is a balanced budget in 7 years, scored by the Congressional Budget Office. It does not have to be our budget. It can be their tax cuts, with or without.

Mr. SCARBOROUGH. If the gentleman will continue to yield, this is an important point. Even though we believe that that is important to us, we will put that on the table. We will put everything on the table. All we want is a balanced budget for future generations. If we have to take up certain tax cuts next year, fine. I just want to see the President of the United States say that my children and future generations are important enough that the Federal Government finally spends only as much money as they take in. Everything is on the table but negotiating our children's future. We must balance the budget.

MEDICARE AND MEDICAID

The SPEAKER pro tempore (Mr. LAHOOD). Under a previous order of the House, the gentlewoman from New York [Mrs. MALONEY] is recognized for 5 minutes.

Mrs. MALONEY. Mr. Speaker, I yield to the gentleman from Maryland [Mr. WYNN].

Mr. WYNN. Mr. Speaker, let us get straight on these tax figures. The gentleman talks about the people who make $30,000. They only get 13 percent of the total tax break. We could balance this budget and have a deal. Cut out the tax breaks for the wealthy. Just give it to the folks that make $30,000. They are only getting 13 percent. The rich, over $100,000, are getting almost half, almost 50 percent of the tax breaks.

In addition, they repeal the family tax credit so they are actually increasing the taxes on the middle class and working poor. They also give another windfall to the rich because they eliminate the alternative minimum tax. What does that mean? That means $17 billion to the richest corporations in America. That is the truth about the so-called tax breaks.

Mrs. MALONEY. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. HEFNER].

Mr. HEFNER. Mr. Speaker, I want to say to the gentleman from Connecticut, he talks about demagoguery, there was a little bit of demagoguery that took place on this floor yesterday when they offered up the sham on the President's budget that had not been scored. It had not been brought here by the President. The President did not request it. It did not go to the Committee on Rules. It had not one day of hearing, not reported out of any committee. There were no comments on it. The gentleman from Connecticut, Mr. SHAYS, has been around here a long time. He knows that was a sham to embarrass the President of the United States, and we are better than that.

I could not let him get away with saying that all those Members voted against the President's budget, because it was a sham and it was a disgrace to the most deliberative body in this country.

Mrs. MALONEY. Mr. Speaker, the American people do not just want a balanced budget.

They want a balanced balanced budget.

And the Republican budget—which the President is rightfully resisting—is an unbalanced balanced budget.

The Republican budget is unfairly balanced on the backs of seniors on Medicare.

It is unfairly balanced on the backs of the poor, the disabled and middle class families whose parents benefit from Medicaid.

It is unfairly balanced on the backs of the children of our public schools and students with student loans.

The Republican budget is a load off the backs of corporate welfare recipients, defense contractors, polluters, and all the other Republican special interest groups.

No issue more clearly divides Democrats and Republicans than Medicare and Medicaid reform.

The proposal to block grant Medicaid takes away the guarantee that poor people will receive health care.

At this time in history—when the gap between rich and poor is wider than ever—that is inexcusable.

The block grant proposal is predicated on a blind-faith fantasy, that States will come up with a magic formula, to do much more in health care for the poor with much less money.

If there are any such miracle cures to health care in New York State, I've certainly never heard of them.

And neither has anyone else in the New York hospital system.

What's more, this block grant proposal has no flexibility.

It will be most effective in providing health care for the poor during good economic times, and least effective in recessions, when America needs Medicaid most.

That stands the very purpose of Medicaid on its head.

The Republican Medicare plan is just as reckless, and just as cruel.

Cutting $270 billion out of a program that needs a $90 billion cut to remain solvent—and is so important to so many seniors—is outrageous.

Just as this proposal will hurt Medicaid and Medicare clients/it will also devastate Medicaid and Medicare providers.

Estimates vary, but it is clear that if the Republican plans are enacted, New York State will lose between $40 and $50 billion dollars.

That would endanger the very survival of literally every public hospital in New York City.

Two provisions are of particular concern to the city and State of New York

under the Republican Medicare proposal.

They are programs which took decades to evolve and refine.

If they are gutted by these senseless cuts, these programs will be virtually impossible to reconstruct.

The proposal to cut formulas for Medicare graduate medical education and disproportionate share payments would devastate New York's hospitals.

Fifteen percent of all medical residents in the America are educated in New York metropolitan area hospitals.

New York City's hospitals also serve an unusually high proportion of special needs patients: the elderly, the disabled, the chronically ill, and the poor.

Overall Medicare payment rates determine indirect Medical education and disproportionate share payments.

If those payments are reduced because of smaller inflation adjustments, New York's hospitals would be hit with a double whammy.

Graduate Medical Education would be further devastated by new restrictions on training international residents, who comprise 45 percent of all residents.

What country a resident comes from is unimportant as long as he or she is saving American lives.

New York's world-renowned hospital system is struggling to stay afloat TODAY.

These cuts are far in excess of what that system can absorb without catastrophic consequences.

Medicaid cuts will especially hurt New York nursing homes and other long-term care providers, who rely on Medicaid for 90 percent of all payments.

That will trickle down to middle class families, who could be bankrupted by simply giving their parents quality care in their old age.

Mr. Speaker, it comes down to this.

New York State, with 7 percent of the population, would absorb 11 percent of the cuts in Medicare and Medicaid.

New York City, with 2.9 percent of the population, would absorb 6.5 percent of these cuts.

These numbers don't just represent dollars.

These numbers represent lives.

Thousands of lives lost, ruined or needlessly compromised.

There are numbers in this budget that we can cut which will NOT represent lives.

It's time to spare these critically important health care programs for our seniors, our poor, our disabled and our people.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 134, FURTHER CONTINUING APPROPRIATIONS TO ENSURE PAYMENT OF VETERANS BENEFITS

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 104–428) on the resolution (H. Res. 317) providing for consideration of the joint resolution (H.J. Res. 134) making further continuing appropriations for the fiscal year 1996, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 1655, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1996

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 104–429) on the resolution (H. Res. 318) waiving points of order against the conference report to accompany the bill (H.R. 1655) to authorize appropriations for fiscal year 1996 for intelligence and intelligence-related activities of the U.S. Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 134, FURTHER CONTINUING APPROPRIATIONS TO ENSURE PAYMENT OF VETERANS BENEFITS

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 317 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 317

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 134) making further continuing appropriations for the fiscal year 1996, and for other purposes. The joint resolution shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except one motion to recommit. The motion to recommit may include instructions only if offered by the Minority Leader or his designee.

The SPEAKER pro tempore. The gentleman from Georgia [Mr. LINDER] is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas [Mr. FROST], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 317 allows for consideration of House Joint Resolution 134, which will make further continuing appropriation to ensure that our veterans continue to receive the payment of their benefits during the budget negotiations and the current partial Government shutdown. The rule provides for 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations.

The rule also provides for one motion to recommit which may include instructions if offered by the minority leader or his designee.

Earlier this week, the President vetoed the conference report for the VA–HUD appropriations for fiscal year 1996, and as a result, put the Government in the position of reneging on its promise to pay veterans benefits checks. We cannot allow our veterans to lose these benefits, and this Congress will take any action to protect our service men and women and their families.

This is a simple resolution which deals with one specific issue in our Federal budget that we in Congress believe is important enough to merit this action. This resolution provides a temporary solution by ensuring the payment of veterans benefits in the event of a lack of appropriations through fiscal year 1996.

Mr. Speaker, the 3.3 million veterans in the United States and their dependents not only look forward to and need these benefits—they deserve these benefits. If we do not act on this temporary funding measure tonight, our veterans and their dependents who are expecting benefit checks will see a delay in the receipt of these critical funds.

I have co-sponsored this resolution and I strongly support this action to provide our veterans with the benefits that they have earned and rightly deserve. Despite the importance of the budget negotiations to the future of our Nation, there is no arguing that the men and women who have served this Nation do not deserve the financial uncertainty that may occur. Both parties are responsible for putting this Nation into the fiscal mess that we now face, but this resolution shows that we will not punish those who have put their lives on the line to protect the freedoms that we enjoy today.

This resolution was unanimously approved by the Rules Committee and it is a fair resolution that will assure that our veterans receive the benefits they deserve.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume. I thank my colleague from Georgia for yielding me the customary 30 minutes.

Mr. Speaker this continuing resolution is a very small step in the right direction.

This resolution says to American veterans that they should not have to pay the price for this ridiculous game of political brinkmanship my Republican colleagues are playing. What I do not understand Mr. Speaker, is why my republican colleagues believe the entire country should pay this price.

Why don't my republican colleagues tell the 383,000 people who are shut out of National Park Service facilities every day that Congress cares about them too?

Why don't my republican colleagues tell the 80,000 people who are shut out of the Smithsonian and the National Zoo every day that Congress cares about them too?

Why don't my republican colleagues tell the 2,500 people whose FHA home purchase loans aren't being processed that we care about them too?

As the gentleman from Massachusetts noted up in the Rules Committee earlier this evening, although the Speaker and the Majority Leader supposedly had a very productive discussion with the President, a funny thing happened to the Speaker at the Republican conference, he found out his radical colleagues would rather cut Medicare and Medicaid than keep the Government running. He found out that Members of the Republican Party won't let a continuing resolution come to the floor at all.

So, Mr. Speaker, I'm sure the country will support my attempt to defeat the previous question in order to expand this continuing resolution to the entire Government, not just the veterans.

I'm sure the country wants Congressional Republicans to stop these games, leave Medicare alone, and fund the entire Federal Government through January 26.

I urge my colleagues to defeat the previous question.

□ 1900

Mr. LINDER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is worth pointing out that the State of Arizona has kept the Grand Canyon open by working out an intergovernmental agreement.

Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. FOX.].

Mr. FOX of Pennsylvania. Mr. Speaker, I, too, rise to support House Joint Res. 134. This is a bipartisan effort under the leadership of the gentleman from Arkansas [Mr. HUTCHINSON], the chairman of the Committee on Veterans' Affairs' Subcommittee on Hospitals and Health Care, and our chairman of the Committee on Appropriations, the gentleman from Louisiana [Mr. LIVINGSTON]. This legislation would ensure, Mr. Speaker, the payments to more than 3.3. million veterans and their dependents will continue to be made on schedule during the current partial Government shutdown. The bill also ensures vendor payments to contractors who supply the Veterans Administration with products and services vital to the health and the safety of our VA patients.

The Hutchinson-Livingston bill currently has the support of nearly 30 Members of both parties and obviously, by the number of speakers here this evening, many more Members of the House are in support of this important legislation.

The President's veto of the VA–HUD appropriation bill means the veterans' benefit checks will not be paid on time next month, and veterans may be denied needed medical supplies if the partial shutdown continues. The President could have easily signed the bill and avoided putting veterans' benefits at risk and in jeopardy. However, this legislation would solve that problem, and I believe that the Hutchinson-Livingston bill will assure that GI bill benefits, compensation, and pension payments for veterans will continue, as well as dependency payments and indemnity compensation for survivors of veterans are made on schedule.

So, I support this legislation, and, Mr. Speaker, I urge my colleagues to unanimously vote for its adoption.

Mr. FROST. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. OBEY], the ranking Democratic Member on the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, there is not a day that goes by that when I pass the Capitol and take a look at the dome that I am not immensely proud of the privilege that I have of representing the people of my district in this Congress of the United States, in this great Capitol Building. I have profound respect and love for this institution and respect for every Member in it because of what they represent and who they represent. But I have to say there are some times when I get very disappointed about the conduct of this institution and people in this institution, and tonight is one such occasion.

Anybody who knows me knows that I have strong partisan views and I am not afraid to express them. But I think anybody who has worked with me through the years also knows that when it comes to my legislative responsibilities, in dealing with my committee work, that I have always tried to approach that work in a bipartisan way, and I think the record speaks for itself. We produced 9 appropriations subcommittee bills under my chairmanship, all of which were bipartisan, and when I chaired the Committee on Appropriations last year, we produced an allocation of budget resources to all 13 subcommittees, which was a bipartisan allocation.

I think we need that same approach tonight.

Last night the networks told the country that the President, and the Speaker, and Senator DOLE had begun talking again about the budget, and, as the networks showed tonight, Mr. Panetta came down here today expecting to try to negotiate on that and on the question of reopening the Federal Government. We are then told on the nightly news that the Republican caucus, led by the freshmen, decided to reject any effort whatsoever to reopen the Government until a total deal is consummated between the White House and the leadership of the Congress.

As anyone who understands anything about government knows, even if agreement on policy were reached tonight, it would take a good period of time to draft the legislation necessary to reflect that policy.

If we are truly interested in meeting our bipartisan responsibilities, what we would do is pass this motion before us tonight to allow veterans to be paid their benefits, but we would expand it so that all of Government, which is closed down, is opened. The taxpayers deserve to get the services they are paying for from all the workers in the Federal Government, not just those in the Veterans Department.

Mr. Speaker, that is why I will be asking at the appropriate time that we defeat the previous question on this rule tonight so that we can offer a resolution which would allow all of the Government to reopen.

I think it is just fine that this proposal would allow us to pay veterans' benefits, disability, pension, education benefits, but it will not allow us to process new claims for veterans' benefits, it will not allow us to deal with the same 2,000 claims a day that come for those benefits it will not allow us to tell our troops who are on the way to Bosnia that they will be guaranteed their military pay raise this year, their COLA, because we are not opening all of the Government under this resolution.

I have talked to many of you on the majority side of the aisle, and I know you as human beings, and I know that there are a good many of you who do not agree with the idea of keeping Government closed down. I understand the peer pressure that is being put upon you. But I ask you to rise above that tonight and do what is necessary to restore some semblance of respect in the country for our processes in this institution by reopening all of Government and dealing with our divisions on long-term budget policy in a restrained, disciplined, and adult manner. That is the only way in my view that we can earn our pay the way the public expects us to earn our pay.

Mr. LINDER. Mr. Speaker, I yield such time as he may consume to the gentleman from Glens Falls, NY [Mr. SOLOMON], the chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, I thank the gentleman from Georgia [Mr. LINDER] for yielding this time to me, and I would just say to my very good friend, the gentleman from Wisconsin [Mr. OBEY], who I have a great deal of respect for, he has been here longer than I have; I have been here for close to 18 years now, I guess; but I just want the gentleman to know, yes, the freshman feel very strongly that we are going to stay here, and we are going to get this job done, we are going to balance this budget. But, as my colleagues know, there are others, too. I feel like an 18-year veteran freshman because I feel the same way.

Mr. Speaker, I have been here during times when Ronald Reagan, when that great President, tried to bring about this revolution. He could not do it because he did not have the control of both Houses. And then I recall a time later on in 1985 when this body had the courage to pass something called Gramm-Rudman. As my colleagues know, that was a balanced budget. That was an attempt to do what we are doing now, to balance the budget over a 5-year period, and even though we did not have the right figures to work with, we were making those cuts.

As my colleagues know, I have a button in my pocket here that says, ''It is the spending, stupid,'' and that is the problem out here.

But my colleagues know we conscientiously, with good Democrats supporting us, passed Gramm-Rudman, and the only problem with it is that in bringing that to a balanced budget over 5 years, we did not make any cuts in years 1, 2, and 3. We only did it in years 4 and 5.

So what happened? The Congress sent out all their press releases, we are going to balance the budget. But then what happened in year 1? We did not have to make the hard cuts, so we got through that, we got through year 2, we got through year 3, and all of a sudden it became too difficult, and we abandoned that attempt to balance the budget.

I am going to say to my friends on the other side of the aisle that is not going to happen this time. No matter what, we are going to balance that budget, and that means staying on the glidepath, staying on that glidepath in the very first year.

Now having said that, that is what I guess I get so upset about, and I am going to be calm here tonight, but when the President then vetoes this bill which has all these benefits in it, it just irritates me because we have to say on that glidepath.

We had a part of the pie which was allocated for the Department of Veterans Affairs, Department of Housing, the Environmental Protection Agency, and all of these other sundry departments, bureaus, and agencies, and we were willing to say to the President, ''Please, you tell us how you would like to divide up that part of the pie,'' and he would not do it. He would not tell us. So we sent him our way that we would divide it up, and do my colleagues know what we did because there is not enough money there for all of these programs? We first determined that the medical care delivery system function of the VA Department of Veterans Affairs had to have about a $550 million increase in order to maintain the veterans hospitals outpatient clinics, et cetera, and in order to get that, then we had to cut and reduce the growth of the other programs like NASA, like EPA, like Department of Housing, and that was our way of staying on this glidepath.

Now the President has vetoed that bill, and that is why we are here today. In doing so we have not reached a conclusion, and the veterans' checks for medical compensation will not be going out unless we pass this piece of legislation.

That is why today, after hearing all this rhetoric out here, I believe everybody is going to come over here, and they are going to vote for this very important bill. We need to do it. We need to do it for these people that have sacrificed their lives for their country, that have come home wounded and disabled, and that is where most of this money will go. This continuing resolution would allow them to get their checks on time.

So let us put aside the rhetoric, let us go ahead and pass this bill and make sure that those checks go out on the lst of January.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. MOAKLEY].

Mr. MOAKLEY. Mr. Speaker, the rule we are considering today is a very good rule. American veterans should not have to pay the price for the Republican inability to pass appropriations bills, nor do I think the American people should be used as pawns in a political game.

That's why I will be supporting the effort to defeat the previous question so that we can expand this continuing resolution to the entire Government not just the veterans. And everyone in this Chamber will have a chance to vote for that amendment to stop these games and fund the entire Federal Government through January 26.

I look forward to seeing all of my colleagues put politics aside and vote against the previous question so we can offer an amendment to fund the entire Government.

Mr. LINDER. Mr. Speaker, for purposes of debate only, I yield 3 minutes to the gentleman from Florida [Mr. SCARBOROUGH].

Mr. SCARBOROUGH. Mr. Speaker, I thank the gentleman from Georgia [Mr. LINDER] for yielding this time to me, and I think it is important that we clarify a few things.

First of all, we are not here tonight because of Congress' inability to pass an appropriation bill regarding veterans. We have done that. It is the President who vetoed it for his own political purposes, and that is why the Republican Congress has had to come forward with help, with bipartisan help, on the Committee on Rules to pass this important rule.

The national parks. I heard somebody complain about the national parks being closed. We did our job, we passed the bill; the President vetoed it.

The employees of Commerce, State, and Justice did not work today, not because we did not do our job. We passed the bill; the President vetoed it.

VA–HUD, EPA, Independent Agencies; all of these agencies would be open today but for the fact that the President of the United States did not sign into law the appropriation bills that we passed.

We did our job, and now if I can address comments from the gentleman from Wisconsin who stated, and I quote, that he is disappointed in the conduct of Congress tonight.

□ 1915

I respectfully would state to the gentleman that Americans who elected me and Americans who swept the Republicans into Congress for the first time in 40 years have been disappointed in the conduct of this institution over the past 40 years, not just tonight, but over the past 40 years, when we only managed to balance the budget one time in 40 years.

As far as respecting, and I am quoting again, ''Respecting the process in Congress and moving forward in a restrained, disciplined manner,'' let me ask what is so restrained and disciplined about passing deficit bills for 40 years; of running up a $4.9 trillion debt? If that is discipline, if that is restraint, then count me out. There is nothing restrained or disciplined about that.

We are here tonight as part of a bigger showdown. The one thing that I hope all of us in this Chamber can agree on, and I see the gentleman from Mississippi, SONNY MONTGOMERY, a champion of veterans for years, a Democrat, who has been out front on it, what I hope we can all do tonight is unite together and make sure those veterans that sacrificed for this country to protect and defend the Constitution, hope that they will not be left out in the lurch tonight.

I hope we can join together, pass this important rule, and pass this bill. The veterans should not be part of this political battle simply because the President of the United states did not like environmental policies of the Republican party. We need to separate them. Veterans' benefits should not be held hostage. The veterans earned it, they sacrificed, they stayed away from their families.

I hear a lot of Members whining about not being with their families this year. Think about the future veterans who are in Bosnia tonight. That is the sacrifice veterans have been doing. We need to protect veteran's rights.

Mr. FROST. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. Mr. Speaker, we had an agreement.

Last night, the President agreed to sit down and talk. The Senate majority leader agreed to sit down and talk. Even the Speaker of the House agreed to sit down and talk.

They had a deal.

They had a commitment to go forward.

But the Speaker is not willing or able to keep that commitment today. Why?

Because a small minority in this House, who don't represent the views of the people, who don't represent the views of this House, who don't represent the mainstream of America, who want to shut down this Government, and force their priorities on the American people.

The only reason the Government is shut down tonight is because 73 militant freshman Republicans can't get their way.

And once again, national parks are closed.

Benefit checks for 3.3 million veterans are threatened; 60,000 students and parents applying for Pell Grants and student loans are being denied.

Small businesses have not received the loans they need.

And hundreds of calls to the EPA's hotline for drinking water contamination have gone unanswered.

All because a small group of extreme Republicans are holding America hostage.

And what are they holding out for?

Tax breaks for the wealthiest people and the wealthiest corporations in America, paid for by extreme cuts in Medicare, Medicaid, education, and the environment.

In other words, they are holding out for the biggest transfer in income—from the middle class to the wealthy—in the history of America.

The Speaker gave his word last night—that the talks would start—that we would move forward, but today, he can't or won't deliver.

Who is in control here?

Who speaks for the Republican Party?

Does the Speaker expect us to believe that he can't persuade his own membership to stand behind his word?

This is a sad and irresponsible act by a party who claims to be leading a second American revolution.

Mr. Speaker we are 5 days away from Christmas.

For many of us, this holiday is about more than just gifts and reindeer.

It's one of the most sacred and joyous religious holidays of the year.

It's a time to celebrate our faith and a time to hold close to our families.

It is a disgrace to watch this spectacle of partisan gamesmanship overshadow one of the most holy days of the year.

For over 200,000 families who have been shut out of work today, they are facing the Christmas season without another paycheck.

It is wrong to hold these people hostage.

It is wrong to hold our Government hostage.

It is wrong to hold this Nation hostage to the views of an extreme minority who are trying to force their way.

The American people deserve better.

Defeat the previous question and get America back to work.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I listened with great interest to our friend, the minority whip, who used the phrase ''partisan gamesmanship.'' I think that accurately describes the diatribe which he launched here from this well just a few moments ago; this mindless mantra, always dealing with fiction rather than fact, and now separating out the newest Members of the House, those who made a new majority and who, Mr. Speaker, if we are extreme, are only extreme in terms of making extremely good sense.

The gentleman noted the spiritual significance of the days coming now. At the risk of being politically incorrect, I would offer this scriptural admonition, for He whose birth we will celebrate in a few days said, ''It is more blessed to give than to receive.'' So let us give our children the chance for a meaningful future. Let us give this entire Nation a chance to survive and prosper into the next century and beyond. Let us also give our veterans, those who have served with distinction, the benefits they deserve.

No, the gamesmanship and the interesting interpretations of what transpires in this body are best left to the fiction writers. The American people will understand the fiction inherent in the comments of the gentleman from Michigan. Members of Congress will recognize their responsibility to pass this rule, and to pass this legislation, and to ensure that our veterans are provided for, and indeed, this entire Nation is provided for.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, the Republicans' problem is with the Constitution. They want to make very drastic, extreme changes in programs like Medicaid and environmental protection, and they do not have the votes, so they have decided to take the Government hostage. But they are getting a little heat. They did not have a game plan.

So what do they do? They come up now and say, ''We will let the veterans' checks get paid, but we will not let the EPA function, we will not let housing authorities function so veterans who live in housing will be hurt, but we will let the VA function.'' So now I understand their game plan. It is literally a game plan. This one is ''Red Rover, Red Rover, let the Veterans' Department come over,'' and then we will do that. Tomorrow, we will hear from another group that is complaining, and it will be time to ''Let the housing department come over.''

I do not know what has come over them, but it certainly is not rational government.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas [Mr. HUTCHINSON].

Mr. HUTCHINSON. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I would say to the previous speaker that it is not a game at all. The reason we are in the situation that we are in right now is because President Clinton determined that he would veto a very good and very fair veterans' appropriation bill. We did our job. We are faced with the dilemma we are tonight faced with because he chose to veto that bill.

A previous speaker referred to this as a game of brinksmanship. It is not a game of brinksmanship. It is not a game of dare. It is not a game at all. There are very high stakes about what this is all concerned with. That is the future of this Nation, the future of our children, the future of our grandchildren, what kind of hope we are going to give them, what kind of life and what kind of standard of living our veterans are going to have.

It has saddened me deeply that the President, who hails from my State, has chosen, has gone to the lengths of using every vulnerable part of our society as pawns in this budget debate: little children and their school lunches; students and their loans; the disabled, as if they are going to be thrown in the streets; senior citizens, as if they are going to lose their Medicare; and now, the veterans of this Nation, used as pawns.

Tragically enough, the usual bipartisan support that has existed for veterans of this country has begun to unravel as the VA has become more and more politicized, attacking those in good faith who want to tend and care for our veterans, a concerned campaign to scare the most vulnerable.

There was a veto. Had it not been for that veto, we would not face this situation that we face right now. We would have the veterans cared for. What was vetoed was this: An appropriation bill that in 1996 would have provided $399 million more for medical care than the 1995 level, a total of $16.5 billion; medical research would increase $5 million, to $257 million.

During the next 7 years, more than $275 billion will be spent on veterans' programs under our appropriation bill. That is $40 billion more than was spent during the last 7 years. We increase veterans' programs by $40 billion at a time that the VA population, the veteran population, will be decreasing. That reflects a deep commitment for the welfare of our veterans.

In spite of that appropriation bill being vetoed, tonight we will do the responsible thing and we will pass this CR to ensure that not one veteran's benefit check is delayed even 1 day, in spite of the President's veto. I urge support.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Speaker, I thank the gentleman from Texas for yielding time to me.

Mr. Speaker, I come to this floor to plead with people to please, please, let us have a Christmas truce. Yes, I am very pleased Members are going to open the gates finally for veterans, and not hold them hostage in this incredible war on the budget. But what are you going to say to small business men who cannot get their loans and need to be moving forward? What are you going to say to students who need to be making their plans for going on to school, over 60,000 of them? What about the Federal workers whose lives have been put into a total tailspin, not knowing what is going on. What about the parks? Why are these people guilty? Why are they the hostages of this budget war? Why should they be the hostages?

Mr. Speaker, I am from Northern Ireland. That is where my relatives come

from. They used to even be able to have peace during the Christmas period, and they have been fighting forever. We now see in Bosnia all sorts of groups met in Dayton, OH, and they were able to come up with some kind of a peace. These folks should not be held hostage while these negotiations go on and while people argue about how big is the table, how many people get to sit there, what kind of food, where are we going to have the meeting. What is going on? Petty, petty, petty stuff. We cannot even get the thing launched and going.

To say to Americans who all work for this same flag, who all pay money to this flag as taxpayers, and who all think it means something, they have got to be really asking questions when for the second time this year, 3 months into the fiscal year, we are slamming the door shut again. I am pleased that we are opening it for veterans, but please, vote against the previous question so we can open the door for all, and in the name of the season and in the name of shedding the rhetoric, let us not hold hostage innocent people who do not have a dog in this fight.

□ 1930

Mr. LINDER. Mr. Speaker, I yield 3 minutes to the gentleman from Alabama [Mr. BACHUS].

Mr. BACHUS. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, many years ago there was written on a wall in Gibraltar these words:

God and the soldier all men adore;
In time of trouble and not before.
When trouble is gone, and all wrongs are righted,
God is forgotten, and the old soldier slighted.

Mr. Speaker and my colleagues, today the President once again insulted and offended and slighted our military men and our veterans when he stood up and claimed that it was Republicans who were preventing their benefit checks from being mailed to them, their dependents and their widows.

Mr. Speaker, the President has offended our veterans on many, many occasions, and I think our veterans have tried to overlook this in the past. When he told his draft board many years ago that he was too educated to fight, to wear the uniform, they overlooked that. We all said, he was young, those of us who did serve, and we overlooked that. We excused the fact that he went to England and he led demonstrations. He was young. It was his right to lead demonstrations.

Then, when he became our President and we had doubts, then we started hearing that his staff and the staff of the First Lady showed open disdain for our military fighting men at the White House, and it again made us question this President and his respect for our fighting men.

Then sadly, recently, he sent our fighting men and women into harm's way in Bosnia, and many of us questioned that. We questioned the fact that when he was at the University of Arkansas, he told Colonel Holmes, we should not be involved in a civil war, they are dangerous. Yet, he sent our fighting men and women into an ancient civil war.

More recently, he wrote in his journal, and later affirmed that he still believed this, that:

> From my work, I came to believe that no government rooted in democracy should have the power to make its citizens fight and kill and die in a war they oppose, a war which, in any case, does not involve immediately the peace and freedom of the Nation.

Does he believe now that we should not send our fighting men and women into a war that does not involve immediately the peace and freedom of the Nation? Regardless, that is what he has done.

Mr. FROST. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, the previous speaker has brought into question the patriotism of the President of the United States. I would like to point out to the people on the other side the old saying that ''People in glass houses should not throw stones.''

Of the current elected Republican leadership of the House, not a single Member of the elected leadership of the Republican House has served in the military. The Speaker did not serve in the military. The majority leader did not serve in the military. The whip did not serve in the military. My counterpart, the chairman of the Republican Campaign Committee, did not serve in the military.

On the Democratic side, the minority leader [Mr. GEPHARDT] served in the military. The minority whip [Mr. BONIOR], served in the military. I served in the military.

I resent the remarks made by the previous speaker, directed at the President of the United States, and I would suggest that he direct those remarks to the Members of his own leadership who chose not to serve in the military.

Mr. LINDER. Mr. Speaker, I might point out that none of those Republican leaders sent people into a war zone.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. GOSS].

(Mr. GOSS asked and was given permission to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, I thank the gentleman from Georgia [Mr. LINDER] for yielding me this time.

I do not claim to have been in leadership here, but I did serve in the Army, and I was proud to do it, and I am very concerned about the veterans.

Mr. Speaker, Americans need to understand that the reason many Federal agencies—including the administrative services of the Veterans' Administration—are closed today is because our President, President Clinton, vetoed three major appropriations bills that were sent to him last week, before the shutdown began. It appears that he vetoed those bills to score political points. We can only assume that he did so in order to evade serious discussions about balancing the budget in 7 years. Regardless of all the propaganda coming out of the White House, there is no escaping the facts: If the President had done his job and signed those spending bills on time, we would not be facing yet another day of Federal shutdown of this magnitude, and our Nation's Veterans would not be worried about receiving their benefit checks on time this month. However, because our President vetoed those bills and because President Clinton still refuses to come to the table with a balanced budget proposal using real numbers and meeting the 7-year commitment that he agreed to, we now are taking steps to provide limited spending authority on behalf of our Nation's veterans. House Joint Resolution 134 will provide the funds necessary to keeping veterans' services up and running throughout this negotiations process. We know the shutdown has been difficult for many Americans besides veterans and we are willing to keep working at the discussions to bring this stalemate to an end. All we need is for the President to stop the posturing and come to the table in good faith—and remain true to his word.

If the President spent more time at the negotiating conference and less time at the press conference, I believe we would get the job done.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. DOGGETT].

Mr. DOGGETT. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I think if we needed any example of why it is we have the mess in Washington that we have tonight, it has been provided by some of the speakers among our Republican colleagues, people that come here wanting to even old political scores instead of trying to even up the budget and get the Government back to work. It is wrong.

America wants to put an end to the politics and to have a little good sense and maybe even a tad of goodwill at this time of the year.

It has been said that we would not have this problem if the President had not vetoed a particular piece of legislation. Thank heavens he had the courage to do that, because that is a piece of legislation that a majority of this House, including a number of Members from the Republican side, voted to recommit with instructions that over $200 million added in medical benefits and health care benefits for our veterans.

After a lot of arm-twisting, some of our Republican colleagues backed off of the bill and brought it back without those resources in it.

This is a bill our veterans can understand that the President vetoed. It is a bill that provided for unilateral disarmament. It required a tremendous cut

in the law enforcement powers to enforce our clean air and our clean water. Thank heavens the President had the courage to veto that bill and then to say, as with some of these other measures, let us keep the Government going. Let us protect our veterans and our clean air and our clean water by operating the Government instead of having a high-jack or a blackmail with reference to that.

Yet, I read, as did the thousands of veterans in Austin, TX in today's paper, that unless this Congress acted by tomorrow, they would not get the benefits that they worked for and deserve.

Mr. Speaker, they are not the only people. In Texas, because of the inaction of this Republican majority, Texas will not get $24 million for child support enforcement. I think our veterans are important, but I think it is important to take care of child support; an the same thing is true of ''workfare'' and child care as well. We need to get this Government going again, not just to take care of one problem, but take care of all of them.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. FRELINGHUSEN].

Mr. FRELINGHUYSEN. Mr. Speaker, I thank the gentleman for yielding me this time.

I rise in strong support of both the rule and the resolution. As a member of the Appropriations Subcommittee on VA–HUD and Independent Agencies that provides funding for our veterans, I want to make it clear, we did our job, we passed our bill, we provided for our Nation's veterans. For some to suggest otherwise, I think is an outrage.

Surely the President must have well understood when he vetoed the VA–HUD bill on Monday that in fact he was jeopardizing health benefit checks for our veterans. Frankly, we would not be here today had the President signed the VA–HUD bill and these other appropriations bills. Without the support of the President, we are taking this necessary action to honor our financial commitment to our veterans. Our veterans deserve nothing less. We need to support the rule and the bill.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. MILLER].

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, it has been suggested the last couple of days that the shutdown of the Federal Government by the Republicans is a matter of high principle, but apparently that is not so, because if you have the strength of the veterans' lobbies and you have the concerns of this Congress that we have for veterans, you can escape that. But if you are trying to refinance your home or you are trying to buy your first home or you are trying to provide for your family, you will be out of luck.

This is not a matter of high principle; this is again another temper tantrum. The first temper tantrum was thrown by the Speaker; the second is now by the Republican caucus that insists that if they do not get their way at the outset of the talks, then the Government must be shut down.

Mr. Speaker, we are here rewarding veterans for their service to this country to protect a democracy. Dictating the terms at the outset of negotiations is not in keeping with the democratic spirit or principles of this Government. So I think we ought to understand why we are here.

The President had the courage to veto a very bad bill; the Republicans do not have the courage to face the consequences, and yet they want to dictate the terms of the shutdown of the Federal Government.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. MORAN].

Mr. MORAN. Mr. Speaker, I would urge that we vote against this rule, because veterans, every veteran is a former public servant, every veteran is a citizen, every veteran is a taxpayer.

Veterans do not just care about their own benefit checks, they care about the Federal workers that have been locked out of their jobs that cannot provide Christmas for their families this week. They care about the other Americans who are denied services because the Government is shut down, and they care about the other taxpayers, taxpayers who will pay out, as of today, $900 million to Federal employees to not work.

Federal employees want to be on the job, and yet every Republican on the Committee on Rules voted against an amendment that I offered that would let Federal employees go to work and then get paid subsequently, and those who chose not togo to work would not get reimbursed, but at least we would not be paying money for people not to work. I cannot believe we are creating this situation where we now are going to pay almost $1 billion for no work performed.

We have an opportunity tonight to rectify an unconscionable situation, unconscionable to Federal employees, to taxpayers, to the entire American public. We ought to do it, do it now, add it to this rule. But without it being added to the rule, we ought to vote it down.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. DE LA GARZA].

Mr. de la GARZA. Mr. Speaker, I am getting tired of finger-pointing, blaming the President and Mrs. Clinton for everything that is happening.

My friends, we are here tonight on the verge of closing the Government because you did not pass the appropriations bills in time. That is the main reason. It is a legislative failure, Mr. Speaker; the Republicans failed.

I have told my colleagues, and I will tell them again, my colleagues waited 40 years to be in power and they have messed it up the first year.

□ 1945

You did not pass the appropriation bills in time. You are saying the President vetoed them this week.

Where were you when the fiscal year ended? You have the majority. You have an overwhelming majority, and the veterans and the people of this country should know it was a legislative failure.

It has nothing to do with the President. He does not legislate it. You, my friends, messed it up. You messed it up royally. You cannot blame it on the President. It was pure simple legislative failure and you made it fail.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, the President vetoed the bill. We did not veto the bill. The President vetoed the bill. I think America should know that.

Let me just talk about something else that came to may attention tonight that really concerns me. I went to a conference that the Republicans had today and we were unanimous, like a fist of steel, we are unanimous, 235, that we are going to get a balanced budget in 7 years using CBO figures. But I watched television tonight, and I saw Tom Brokaw and Dan Rather and their people saying that our party is split all to heck and that NEWT GINGRICH cannot lead, and it is all because of the freshmen that we have this problem.

Let me tell Dan Rather and Peter Jennings and Tom Brokaw and the Democrats and the President, and anybody else, we are united. We want a balanced budget in 7 years using CBO figures and we will not be deterred. I do not care what you guys tell the media. The media was spewing out exactly what the Democrats have been telling the people tonight. It is wrong.

We are united, we are not going to deviate. We are going to get a balanced budget in 7 years using CBO figures or else. I just want to tell everybody that I get a little bit concerned when I see the national media spewing out garbage that I know to be false. We had a conference today and when NEWT GINGRICH walked into that room, he got a standing ovation. Everybody applauded. And yet they keep telling us on television, he cannot lead our party.

He is leading our party, he is doing a great job. We are united. So, Mr. President, Mr. Brokaw, Mr. Jennings, Mr. Rather, my Democrat colleagues, we are united, we are going to get it one way or another, and we are not going to pass any more CRs until we do.

Mr. FROST. Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, evidently what the previous speaker is saying is they have not been able to fool the public, they have not been able to fool the President, they have not been able

to fool the press, and somehow it is somebody's fault but not their own.

If you want to know why your position is not selling, if you want to know why you are in trouble, look in the mirror. It is because of the way you have been acting. Do not blame somebody else for your own failure to meet your responsibilities. People know what you are doing. They have caught on. They do not like it and they want you to change it.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Speaker, this is a sad situation. I do not take any comfort in standing in this well realizing that a quarter of a million Federal employees have been sent home.

Some people on the Republican side of the aisle believe that this is part of a grand political strategy. They say it is a matter of principle. If it is a matter of principle, you should put your own paychecks on the line, not the paychecks of innocent Federal employees who showed up for work ready to do their job, and were sent home to an uncertain future and for many of them an unhappy Christmas season.

But the sad fact of the matter is, neither Speaker NEWT GINGRICH nor any of the Republican leaders has been willing to put his paycheck on the line and say, as a matter of principle, ''I will not get paid until this budget crisis is over.'' No, you will all be in line to get your checks but you say to a quarter of a million Federal employees, ''You are the ones who will have to sacrifice for principle.''

So tonight comes this resolution because, quite frankly, we all honor the veterans. We want to do our best by them, and maybe inadvertently, but certainly you have to admit it is a fact, the veterans are losing out because of the Republican strategy. They may not get their checks in time, and the Republicans are afraid of that. They are afraid of facing veterans' groups, trying to explain how this crazy strategy of theirs did not penalize any Republican Members of Congress but may have penalized some veterans unwittingly.

I will be with you on the veterans, but let me tell you, do not forget the other people you are hurting.

When you suspend medical research at the National Institutes of Health, you are hurting every family in America. When you suspend the awarding of Pell grants and student loans to kids from working families, you are hurting every family in America. When you suspend the activities of the Department of Housing and Urban Development, you are saying to families who have been dreaming for a lifetime that they might own their own home, ''Wait until Newt is ready.'' That is unfair.

If it is a matter of principle, put your own paycheck on the line. Do not put the paychecks of 250,000 innocent Federal employees on the line. Support ''no budget, no pay.'' It is the only way to end this crisis.

Mr. LINDER. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, what kind of message are we sending tonight to those currently stationed in various war zones around the world?

We really should not be blaming each other, no matter what party we are from.

All of us should urge passage of this legislation. I think it is clear tonight, if the President had signed the VA–HUD bill, we would not be in this sorry position that we are in here tonight. We would not have to have a continuing resolution to ensure that our veterans receive their rightful and hard-earned benefits.

I could sit here tonight and blame you and you could blame us. But tonight we should all come together and pass this continuing resolution. Maybe the President had a good reason to not sign the VA–HUD appropriations bill. Maybe he had his reasons and maybe a lot of your agree with him, but I have been here before when I saw you provide a VA–HUD bill that we did not like.

But now the bickering is over. There is no use screaming and hollering. Let us think about our veterans first and let us proceed and pass this continuing resolution. But, frankly, I think all of us should realize that this problem can be solved by the President signing the VA–HUD appropriations bill; we would not be here tonight this close to Christmas discussing this if he had signed the VA–HUD appropriation bill.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, I rise in support of our veterans and against the previous question.

I am pleased that America's veterans will not be held hostage to the budget impasse. What I do not understand is why Republicans are willing to make this concession for veterans but not for the 250,000 Federal employees who are out of work because of the shutdown.

As we embark on the holiday season, I ask my Republican colleagues to think about those 250,000 families.

The gentleman from Virginia [Mr. MORAN] came to the floor yesterday and put a human face on the Government shutdown when he told a story about his visit to a local elementary school. He said that the teachers told him that the children were not enjoying the holidays as they had in the past.

Why are these children not enjoying the holidays? Because many of their parents are Federal employees, hard-working men and women who now find themselves out of work at Christmastime. They want to be working.

And the children? They hear their parents fighting, they know that Mom and Dad are not working. They listen to their parents explain that this will be a lean Christmas because they do not know when or if they will get their next paycheck.

It is right that we are making certain that veterns do not suffer because the Republican majority failed to produce a budget. Now it is time to summon the same compassion for the 250,000 families who are the unfortunate pawns in Speaker GINGRICH's game of budget blackmail.

The Speaker would have you believe that he did not want to break his promise to the President to reopen the Government. He claims that the extremists in his party forced his hand. But we all know that this extreme agenda is the Speaker's agenda, to cut Medicare and Medicaid and education to pay for a tax break for the wealthiest Americans.

Mr. Speaker, give Americans an early Christmas present, a budget that reflects their priorities and not yours.

Mr. LINDER. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. WELDON].

Mr. WELDON of Florida. Mr. Speaker, yesterday the President of the United States had the opportunity to sign an appropriations bill that we presented to him which would have funded the Veterans Administration, as well as the Department of Housing and Urban Development, as well as NASA.

POINT OF ORDER

Mr. FROST. Mr. Speaker, point of order.

The SPEAKER pro tempore (Mr. LAHOOD). The Chair recognizes the gentleman from Texas for a point of order.

Mr. FROST. Mr. Speaker, the gentleman has removed the button from his lapel.

The SPEAKER pro tempore. The gentleman from Florida may proceed.

Mr. WELDON of Florida. I thank the Speaker.

Again I would like to resume and just point out that the President had the opportunity to fund NASA. He had the opportunity to fund the VA. And he chose not to. He chose to veto that bill. Today we have a good piece of legislation before us here which will at least keep the veterans' checks going to our needy veterans, the veterans in District 15 of Florida that need them.

Mr. Speaker, I rise in strong support of this legislation and I rise in strong support of the rule.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida [Mrs. THURMAN].

Mrs. THURMAN. Mr. Speaker, it is time to stop the suffering of the people. But, that can be done only if we bring a clean continuing resolution to the House floor tonight.

Is the other side afraid of the outcome of a vote on a straight, clean CR? If not, then give the House a chance. Straight. Up or down.

A month ago, we exempted from this Republican-imposed government shutdown the Federal workers who help people on social security. Tonight, we are helping veterans.

Who is next? What about the first-time home buyer whose HUD loan cannot be approved by the end of the month? What about the senior citizen who needs a simple hot meal once a day? Or the student applying for a college loan?

These programs also are affected by the inaction of the other side of the aisle. My Democratic colleagues colleagues and I are willing to keep vital functions operating during budget negotiations. A shutdown is not necessary for negotiations. Indeed, a shutdown could have been avoided if, as in the 103d Congress, the majority had passed its appropriations bills by mid-November.

Because I support not only veterans but also new home buyers, needy students, and senior citizens, I urge Members of good will toward their fellow Americans to pass a clean CR tonight.

Mr. LINDER. Mr. Speaker, I have one speaker left, and I reserve the right to close.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I would inquire the amount of time I have remaining.

The SPEAKER pro tempore. The gentleman from Texas [Mr. FROST] has 3½ minutes remaining.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut [Mr. GEJDENSON].

Mr. GEJDENSON. Mr. Speaker, by the action of the Republicans this evening, we see how easy it would be to make whole all the Federal employees, all the people out there looking for services, while we continue to negotiate an agreement for 7 years. There virtually is no difference in spending in 1996.

We are going to take care of veterans' benefits in this one instance. But if you are a veteran working for the Federal Government in one of the other agencies that shut down tonight, you are not getting a paycheck or you are in limbo at the moment. If you are a veteran trying to get a new student loan, you cannot get that student loan because we are taking care of one small group of veterans as compared to all the veterans out there asking Federal services.

□ 2000

If you are a veteran looking for an SBA loan to bridge some spending for your company or to help you reorganize so you can keep your business and your family together, you do not have any Government services today. Veterans who are waiting for the benefits of biomedical research are left out. We need to solve all our country's problems and the veterans and we could do it tonight.

Mr. FROST. Mr. Speaker, I yield 1 minute and 30 seconds to the gentleman from Maryland [Mr. HOYER].

My. HOYER. Mr. Speaker, Americans, as I said earlier today, are distressed. They are angry. They do not understand why adult presumably responsible individuals they have sent to represent them from 435 districts throughout America cannot honestly debate and come to resolve the differences between them and, indeed, to compromise.

Our Speaker has said that he will cooperate but not compromise. There is not an American who lives who has been in a family who knows that compromise is essential if those with differences are to make progress.

We have shut down a portion of the Government. Not only will it not solve the budget deficit problem, it will add to it. There is a cost to doing that. Those of you on your side of the aisle talk about privatize go and contracting out and in fact we have done that. A lot of people talk about Federal employees, but let me tell you, there are a lot of contractors out there for NASA, somebody mentioned NASA, who have been told, you cannot work. They and their employees are not drawing a salary. And notwithstanding Mr. GINGRICH's letter, nobody is saying they are going to be reimbursed. My colleagues, America expects of us responsibility. America expects us to act in a fashion which will bring credit to our Government and to our country. I am going to vote for this resolution but it ought to be a resolution affect go all of the Government that is shut down.

PARLIAMENTARY INQUIRY

Mr. TAYLOR of Mississippi. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman will state it.

Mr. TAYLOR of Mississippi. Mr. Speaker, I have a privileged resolution. When would be the proper time to bring it before this body?

The SPEAKER pro tempore. The Chair will not respond to that at this point without knowledge of the resolution.

The Chair recognizes the gentleman from Texas [Mr. FROST].

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker. I urge a note vote on the previous question. If the previous question is defeated, I shall offer an amendment to the rule which would make in order the text of House Joint Resolution 131. This resolution would provide for a clean continuing resolution that would fund the Government through January 26th and would also provide for the military pay raise and retiree COLA provided for in the Defense authorization bill that was passed by the House earlier this month. This amendment is in addition to the continuation of veterans' benefits. I include the text of the amendment at this point in the RECORD.

H.J. RES. 131

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FURTHER CONTINUING APPROPRIATIONS.

Section 106(c) of Public Law 104–56 is amended by striking ''December 15, 1995'' and inserting ''January 26, 1996''.

SEC. 2. MILITARY PAY RAISE FOR FISCAL YEAR 1996.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—Any adjustment required by section 1009 of title 37, United States Code, in elements of compensation of members of the uniformed services to become effective during fiscal year 1996 shall not be made.

(b) INCREASE IN BASIC PAY AND BAS.—Effective on January 1, 1996, the rates of basic pay and basic allowance for subsistence of members of the uniformed services are increased by 2.4 percent.

(c) INCREASE IN BAQ.—Effective on January 1, 1996, the rates of basic allowance for quarters of members of the uniformed services are increased by 5.2 percent.

SEC. 3. ELIMINATION OF DISPARITY BETWEEN EFFECTIVE DATES FOR MILITARY AND CIVILIAN RETIREE COST-OF-LIVING ADJUSTMENTS FOR FISCAL YEAR 1996.

(A) IN GENERAL.—The fiscal year 1996 increase in military retired pay shall (notwithstanding subparagraph (B) of section 1401a(b)(2) of title 10, United States Code) first be payable as part of such retired pay for the month of March 1996.

(b) DEFINITIONS.—For the purposes of subsection (a):

(1) The term ''fiscal year 1996 increase in military retired pay'' means the increase in retired pay that, pursuant to paragraph (1) of section 1401a(b) of title 10, United States Code, becomes effective on December 1, 1995.

(2) The term ''retired pay'' includes retainer pay.

(c) FINANCING.—The Secretary of Defense shall transfer, from any other funds made available to the Department of Defense, such sums as may be necessary for payment to the Department of Defense Military Retirement Fund solely for the purpose of offsetting the estimated increase in outlays to be made from such Fund in fiscal year 1996 by reason of the provisions of subsection (a). Notwithstanding any other provision of law, the transfer authority made available to the Secretary in Public Law 104–61 or any other law shall be increased by the amounts required to carry out the provisions of this section.

Mr. Speaker, I yield back the balance of my time.

Mr. LINDER. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman from Georgia, [Mr. LINDER], is recognized for 5 minutes.

Mr. LINDER. Mr. Speaker, one of the first persons to speak on this rule noted that the networks told the country last night that we would be working again. A two-hour meeting in the White House with our leadership led us to believe that was the case.

The morning papers all said that the President has agreed to put on the table his specific budget proposal using CBO numbers and shortly thereafter the Vice President spoke and said, no, we are not going to do that.

We have not just 73 Republican freshmen but 236 members of a caucus that is still growing that are very, very frustrated in trying to reach a balanced budget in 7 years using honest numbers. We are not only frustrated but we are united that we will balance

the budget using honest numbers in 7 years and we will do it now.

This administration has had so many different positions on this issue that it is hardly worth recounting, but it reminds me, dealing with this administration reminds me of duck hunting. You get off in the wind, because every time you see a target it moves and the wind changes it.

Virtually every speaker on this rule tonight voted against the balanced budget amendment, the coalition's balanced budget and our balanced budget. We are faced not with Members who want to balance the budget under different terms but with Members who want to spend more money, liberal extremists who want to spend more money. And that is what the whole thing is about.

We should have gotten off the discussion of whose numbers we use and just say we are not going to spend more than $12 trillion. Sit down at the table with us, argue priorities, but we are not going to continue to spend money that we have not raised. That is our children and grandchildren's money. There is not a program in this budget that cannot be defended by somebody, but we should not be spending it if we have not raised it.

We have for 30 years voted ourselves wishes and dreams over needs and passed the bill on to future generations. And this Republican majority said that is going to stop.

Much has happened; much movement has occurred. We now are all discussing a 7-year balanced budget and by the time this weekend or early next week passes, we will be talking about using the same numbers. I think by the end of the year, we will have passed and the President will have signed a 7-year balanced budget with honest numbers and we will have done our children and grandchildren a great service. It is time.

Frankly, the numbers are not that far apart. We want to increase spending 3 percent; the President wants to increase it 4 percent. We want to presume an additional 5 percent revenue; the President wants to presume 5.5. The numbers are not that far apart.

We can get together if we will just sit down and honestly and straightforwardly look each other in the eye and say, where are your priorities? The President's budget is not on the table using the same numbers, even though he has said he would do that. So this effort tonight under this rule is merely to say for those veterans who have served their nation, who have earned their benefits, we are going to pass a continuing resolution to assure that you will get your checks. We are not inclined to pass a continuing resolution for the rest of the government because it will take entirely the pressure off the President. The last time we did that, under certain assurances, 30 days went by where we were hammered and demagogued with our specific numbers; $30 million was spent by unions trashing our specifics in our districts where we have marginal districts for freshmen. We are not going to do that again. We are going to keep the feet to the fire.

It is unfortunate that decent, hardworking, honest Federal employees are caught in this pinch. But the President, seemingly to bolster the notion in this country that he believes something, has chosen to pitch a battle with the Congress of the United States. It seems to have helped him in the polls and he seems to think that is the thing to get reelected on so he will continue to veto and we will continue to have this problem. But I tell my colleagues, from our point of view, we are united. We were sent here to change the economic direction of this nation, to balance the budget for our children and grandchildren. We intend to do that.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FROST. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to the provisions of clause 5 of rule XV, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of agreeing to the resolution.

The vote was taken by electronic device, and there were—yeas 238, nays 172, not voting 23, as follows:

[Roll No. 871]

YEAS—238

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Morella
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Parker
Paxon
Peterson (MN)
Petri
Pickett
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—172

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Costello
Coyne
Cramer
Danner
Davis
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Gordon
Green
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Slaughter

Spratt	Thurman	Ward
Stenholm	Torres	Waters
Stokes	Torricelli	Watt (NC)
Studds	Towns	Waxman
Stupak	Traficant	Wise
Tanner	Velazquez	Woolsey
Tejeda	Vento	Wyden
Thompson	Visclosky	Wynn
Thornton	Volkmer	

NOT VOTING—23

Beilenson	Gutierrez	Rose
Chapman	Hall (OH)	Skaggs
Conyers	Istook	Stark
Edwards	Lantos	Weldon (PA)
Filner	Martinez	Williams
Flake	Myers	Wilson
Foglietta	Packard	Yates
Gilchrest	Payne (VA)	

□ 2028

Ms. BROWN of Florida changed her vote from ''yea'' to ''nay.''

Mr. SKELTON and Mr. PICKETT changed their vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 2030

Mr. PACKARD. Mr. Speaker, I was here during the entire last vote. I put my card in and pushed the button. It apparently did not record. If it would have recorded, it would have recorded a ''yes'' vote.

GENERAL LEAVE

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Joint Resolution 134, and that I may include tabular and extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

CONFERENCE REPORT ON H.R. 4, PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY ACT OF 1995

Mr. ARCHER laid before the House a conference report and statement on the bill (H.R. 4) to restore the American family, reduce illegitimacy, control welfare spending and reduce welfare dependence:

(The conference report on H.R. 4 will appear in a subsequent issue of the RECORD.)

REQUEST FOR PERMISSION TO AMEND HOUSE RESOLUTION 317

Mr. OBEY. Mr. Speaker, I ask unanimous consent that the rule just passed be amended to read as follows:

It shall be also in order to consider an amendment by the minority leader or his designee adding at the end of House Joint Resolution 134 a new title II consisting of the text of House Joint Resolution 131, continuing funds for many critical Federal departments through January 26, 1996, and authorizing a 2.4 percent pay raise for the Armed Forces of the United States. All points of order shall be waived against such an amendment.

The SPEAKER pro tempore (Mr. LAHOOD). Under the guidelines consistently issued by successive Speakers as recorded on page 534 of the House Rules Manual, specifically the guideline of November 14, 1991, the Chair is constrained not to entertain the gentleman's request until it has been cleared by the bipartisan floor and committee leadership.

Mr. OBEY. Mr. Speaker, I would urge the Speaker to clear that request.

FURTHER CONTINUING APPROPRIATIONS TO ENSURE PAYMENTS OF VETERANS BENEFITS

Mr. LIVINGSTON. Mr. Speaker, pursuant to House Resolution 317, I call up the joint resolution (H.J. Res. 134) making further continuing appropriations for the fiscal year 1996, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

H.J. RES. 134

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

Sec. 101. ENSURED PAYMENT DURING FISCAL YEAR 1996 OF VETERANS' BENEFITS IN EVENT OF LACK OF APPROPRIATIONS.

(a) PAYMENTS REQUIRED.—In any case during fiscal year 1996 in which appropriations are not otherwise available for programs, projects, and activities of the Department of Veterans Affairs, the Secretary of Veterans Affairs shall nevertheless ensure that—

(1) payments of existing veterans benefits are made in accordance with regular procedures and schedules and in accordance with eligibility requirements for such benefits; and

(2) payments to contractors of the Veterans Health Administration of the Department of Veterans Affairs are made when due in the case of services provided that directly relate to patient health and safety.

(b) FUNDING.—There is hereby appropriated such sums as may be necessary for the payments pursuant to subsection (a), including such amounts as may be necessary for the costs of administration of such payments.

(c) CHARGING OF ACCOUNTS WHEN APPROPRIATIONS MADE.—In any case in which the Secretary uses the authority of subsection (a) to make payments, applicable accounts shall be charged for amounts so paid, and for the costs of administration of such payments, when regular appropriations become available for those purposes.

(d) EXISTING BENEFITS SPECIFIED.—For purposes of this section, existing veterans benefits are benefits under laws administered by the Secretary of Veterans Affairs that have been adjudicated and authorized for payment as of—

(1) December 15, 1995; or

(2) if appropriations for such benefits are available (other than pursuant to subsection(b)) after December 15, 1995, the last day on which appropriations for payment of such benefits are available (other than pursuant to subsection (b)).

The SPEAKER pro tempore. Pursuant to House Resolution 317, the gentleman from Louisiana [Mr. LIVINGSTON] will be recognized for 30 minutes, and the gentleman from Wisconsin [Mr. OBEY] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Speaker, I yield myself such time as I may consume.

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, I bring to the floor a continuing resolution for certain activities of the Department of Veterans Affairs. This continuing resolution would only have effect in fiscal year 1996 during periods when appropriations are otherwise not available. This is the situation we are in right now. If the regular bill or another CR is enacted, then this particular continuing resolution would not be operable.

The activities provided for in this continuing resolution are payments for compensation, pensions, and educational benefits within the Department of Veterans Affairs. In addition, it also provides for payments to contractors for services that directly relate to patient health and safety. It also provides for the necessary administrative expenses to carry out these activities.

Mr. Speaker, this continuing resolution will assure that veterans benefits checks will be received on time, at the end of the month, and in the full amount authorized. Let me stress, had the President not vetoed the VA–HUD bill, this continuing resolution would not have been necessary and these benefits would have been paid. These benefits would have been paid and this CR would not have been necessary if the President had not vetoed the VA–HUD bill. Once again, these benefits would have been paid if the President had not vetoed the VA–HUD bill. I want everybody to understand it. He vetoed it. That is why we are here today. The President vetoed it.

Mr. Speaker, I urge all my friends and colleagues to support this resolution.

Mr. Speaker, two more points. This bill is necessary because the President vetoed the VA–HUD bill, but it would not be necessary to progress through both houses and be enacted into law if the President would, in good faith, come to the bargaining table, reach a final agreement on a 7-year balanced budget, according to Congressional

Budget Office numbers, and put this whole deal to bed and let us get out of here. But so far that is not happening. We cannot get a deal from the President, so we progress into the Christmas holidays.

Mr. Speaker, let me remind our colleagues, let me remind everyone here that the House went on record on Monday by a vote of 351 to 40 in favor of a balanced budget within 7 years as scored by the Congressional Budget Office. Yesterday, on Tuesday, the President's budget got zero votes, zero votes; none on the Republican side, none of the Democratic side. The President's budget got zero votes.

Now we are on record for a 7-year balanced budget as scored by the CBO. His budget got zero. That leaves only one alternative. That leaves the alternative of the President coming to the bargaining table with the leaders of the Congress and reaching a deal, reaching a deal that allows us to fund government, to score the budget according to the Congressional Budget Office with a balanced budget for 7 years, and to go home. I hope that happens, Mr. Speaker.

Today, today I might remind our colleagues, today we overrode his veto on the securities litigation bill. This place is not getting better for the President. He should come and cut a deal.

Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me simply say that nobody is opposed to this bill. This bill will pass, probably 435 to nothing. Our objection is not to this proposal. Our objection is to not going beyond this proposal.

We are here because the appropriations legislation was delayed for 90 days in this House because our friends on the Republican side of the aisle wanted first to adopt their contract. That is their privilege. They are in the majority. They run the House. But as a practical consequence of that, that meant that the appropriations bills were shoved back 90 days in the cycle. That meant that there was no possible way for the gentleman from Louisiana [Mr. LIVINGSTON] to produce all of the appropriation bills on time.

The when the bills were brought to the floor, a number of extraneous legislative items were added to the bills, and that slowed up consideration of those bills even more. That meant that by the time of October 1, the beginning of the new fiscal year, a huge number of appropriation bills had not yet become law. That and only that necessitated the passage of a continuing resolution. You do not need a continuing resolution to keep discussions going between the President and the Speaker on a 7-year budget proposal. You need a continuing resolution simply because the 1-year appropriations have not become law.

□ 2045

So tonight we have a proposition before us under which the majority party is saying that they will not allow the remainder of the Government to reopen; since they have been closed down this week, they only want us to allow the Veterans Department to reopen, and then only for certain purposes.

Now, we think it is fine that this bill will say, OK, let us pay veterans' benefits, let us pay veterans' disability benefits, let us pay veterans' pensions, let us pay their education benefits, and also let us pay some contractors with the VA. But we would also ask the following questions:

Why should we not also allow the Veterans Department to process legitimate new claims for veterans' benefits? Some 2,000 veterans will apply each week for benefits to which they are entitled by law. Why should not the Veterans Department be open to provide those services?

Why should the Veterans Department not be open, further, to provide services for home loans? Veterans have earned the right to those home loans. Why should they not be allowed to have those claims processed?

I would also ask, why should not veterans who want to go to Yosemite be able to get in?

Why should not veterans who need education loans be able to have those processed, or to have the Pell grants open for application for everyone?

Why should we only open up the Government for a very narrow band of American citizens?

The taxpayers have paid their hard-earned money so that they might get all of the Government services to which they are entitled, and unless we go beyond this resolution tonight, they will not get those services. That is our objection.

What is happening is very clear. There was an agreement yesterday that the President and the leaders of both parties would try to reopen discussions for a 7-year budget, and at the same time, they would explore ways to open the Government for all citizens. Instead, tonight, the network news tells us because that agreement blew up in the Republican caucus, again we face the prospect of not having any continuation of services from those departments shut down.

Mr. Speaker, the gentlemen in the well here likes to laugh every time somebody else is speaking. I would ask him for the same courtesy I give him every time he speaks.

Mr. HAYWORTH. Mr. Speaker, will the gentleman yield?

Mr. OBEY. No, I will not, until the gentleman demonstrates some degree of courtesy.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Wisconsin has the time, and the Chair would ask Members to extend the same courtesy to speakers when they are in the well, speaking on this bill to all Members.

Let us extend courtesy to one another.

The gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, let me simply say that I think what is at stake here is that the American public is simply being held hostage to the power agenda of the new 73 freshmen who have come into this place on the Republican side of the aisle. They have a perfect right to be here and do anything they think is in the interests of their constituents, but the American citizens will judge the balance and the temperament that they bring to those efforts.

I would simply say that what we really face was summed up by my very good friend, the chairman of the committee on Appropriations [Mr. LIVINGSTON].

When the President signed the Defense appropriation bill, against my advice, because I warned him that he would then lose whatever leverage he had on the remainder of the appropriations bills, the President signed that bill for two reasons: because he wanted a bipartisan consideration of his policy in Bosnia, and because he thought that it would be taken as a sign of goodwill to our Republican friends in the majority on other appropriation items.

Instead, the following day, the chairman of the Committee on Appropriations said as follows:

> The President is at our mercy. If the government shuts down on December 15 and 300,000 people are again out of work, most of the people going out will be his people. I think he is going to care more than we do.

Now, as everyone knows, I have a great deal of respect and affection for the chairman of this committee. We have been friends for years, and we have had a constructive working relationship for years. But I think that the leverage which other power centers in this body are bringing to bear on the appropriations process is making it very difficult for this House to do its duty to every single citizen in this country.

We have a duty not just to disagree on what we disagree upon; we also have a duty to agree on that which we can agree upon. Right now, we ought to at least be able to agree upon the idea that every citizen of this country has a right to the full range of services that he has paid for. He cannot have access to those services when the Government is shut down.

So what I ask my colleagues to do tonight is not only to support this resolution, but to support our efforts at the end of the debate in our recommittal motion to expand the services which are providing a narrow range for some veterans' programs, expand those to all veterans' programs and, indeed, all of the programs to which our citizens are entitled. if we do not do that, we are not earning our salaries; we are not providing the services which our taxpayers have a right to expect.

Forget the leverage games, forget the zeal, remember your duty; open up the entire Government for the benefit of the American people.

Mr. LIVINGSTON. Mr. Speaker, I yield 3 minutes to the gentleman from

New York [Mr. GILMAN] the distinguished chairman of the Committee on National Security.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I am pleased to rise in strong support of House Joint Resolution 134, a continuing resolution to extend veterans' benefits for the month of January. I commend the distinguished gentleman from Louisiana [Mr. LIVINGSTON] for his worthy efforts in bringing this important measure to the floor at this time.

In these days of fiscal debate and disagreement, it is crucial that we forget those who rely on us. There are millions of deserving veterans who depend upon their monthly pension or disability checks. It would be an injustice if we, in our current impasse over the budget, allow these veterans' checks, which contain a 2.6-cost-of-living adjustment, not to be processed due to a lack of authorized funds.

Our Nation's veterans answered their country's call, sacrificing their time, quite often their health. They loyally fulfilled their duty to their Nation. In this holiday season, their Nation should fulfill its obligation to them. This resolution will fulfill that obligation, even as we continue our important debate over a balanced budget.

Accordingly, I urge my colleagues to fully support this worthy measure designed to protect our veterans during this Government shutdown.

Mr. FAZIO of California. Mr. Speaker, I yield 1 minute to the gentleman from Rhode Island [Mr. KENNEDY].

Mr. KENNEDY of Rhode Island. Mr. Speaker, this continuing resolution for one segment of our society, one category of our citizenry is symbolic of the destructive nature of the politics of division that our Republican colleagues are practicing so successfully, but just because it is successful does not make it right.

This CR, for one group of our people over another, begins the Republican crusade to pit our American people against one another. It starts with this CR and it will end with the block grants. You will pit elderly people against poor kids. You are going to pit the veterans against children on AFDC.

Why are you not giving a CR for AFDC recipients? It is because you are making a value judgment here that veterans count more than young kids.

That is what is wrong with your approach, and that is what is wrong with your Contract With America.

Mr. LIVINGSTON. Mr. Speaker, I yield 30 seconds to the gentleman from Florida [Mr. SHAW].

Mr. SHAW. Mr. Speaker, I would say to the gentleman from Rhode Island [Mr. KENNEDY] that AFDC does not require a continuing resolution.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas [Mr. HUTCHINSON], the distinguished chairman of the Subcommittee on Hospitals and Health Care of the Committee on Veterans Affairs.

Mr. HUTCHINSON. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I would say to the gentleman who just spoke that there is nothing that we can do for our children that is more important than balancing the budget. If you want to talk about pitting something against the young people of this country, then please talk about the crushing load of debt that we are transferring to them because of our selfishness. Talk about the $187,000 in taxes that they are going to pay during their lifetime to pay for our profligacy and our unwillingness to discipline ourselves.

I say to my colleagues there is nothing more proveteran than balancing the budget. They know what it is to serve this country, and they could use the 2-percent lower interest rates that a balanced budget will mean.

One of the speakers on the other side referred to the veterans of this country, the 2.2 million veterans who are going to be affected by this resolution this evening, as a narrow band of our society. Well, 2.2 million veterans are not a narrow band, and they are the most deserving constituency in this country.

What we are doing is right, and what we are doing is responsible.

Mr. Speaker, 2.2 million veterans receiving compensation for their service-connected disabilities; 308,000 widows, children, and survivors of veterans who have died of service-connected disabilities; 450,000 veterans receiving pensions for their wartime service; and thousands of veterans receiving the Montgomery GI bill payments each month, that is no narrow band of our country.

It is a shame, it is a crying shame that what we are doing this evening is even necessary because this Congress did its business, it did its duty, it passed a VA appropriations bill, one that was good and fair to veterans, increasing veterans' spending over the next 7 years by $40 billion more than the last 7 years at the time that the veteran population is going down.

Let us support our veterans.

Mr. FAZIO of California. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mr. HEFNER].

Mr. HEFNER. Mr. Speaker, I do not understand why we are here just a few days before Christmas, and I hope some of the rhetoric that I am hearing around here is just that.

Let me just point out one thing. Sixty percent of the eligible voters in this country, where you hear about a mandate and a revolution, 60 percent of the eligible voters in this country sent ''a pox on both our Houses.'' That is not a revolutionary number.

Mr. Speaker, let me say one other thing. The gentleman talked about children. I would suspect that some of those 275,000 or 280,000 people that are going to be out of work have children and grandchildren that are going to be impacted because their parents and their grandparents are out of work; and I would suspect that there are some veterans, whom I strongly support and take no back seat to anybody in this building, that have children and grandchildren with jobs that are going to be impacted by this shutdown of government.

I was watching television the other night, and I was watching some of the freshmen on the Republican side, which shows what kind of life I lead. But a young man from Tennessee said, we want to close the Government down. That is what we want to do, close this Government down.

What do my colleagues have against those 270,000 people that have absolutely nothing to do with this budget argument? Absolutely nothing.

Now, what we can do, we can do a resolution that lets these people go back to work, go to their jobs; and we will stay here all weekend, and my colleagues can take turns thrashing the President. Will that not serve the same purpose?

These people have absolutely nothing to do with the budget negotiations. These people have been put out of work for absolutely no reason, and I challenge anybody on this side to give me a reasonable reason why we are putting these people out of work here 3 or 4 days from Christmas when they could be shopping with their children and their grandchildren and experiencing the spirit of Christmas.

So let us get on with the continuing resolution. Let the people go back to work, and then we can continue to work on the budget.

□ 2100

Mr. LIVINGSTON. Mr. Speaker, I yield 1 minute to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Speaker, I thank the gentleman for yielding me the time.

Let me just say, the gentleman from Wisconsin a few minutes ago, as others have, has made reference to the 73 freshmen we have on our side of the aisle, indicating that they are going off on a tangent and holding us all hostage and stopping progress on the negotiations.

Many of us have been waiting for a long, long time to head this country toward a balanced budget. I have been here 13 years. We have waited and we have waited and we have waited for that additional cadre of people who are willing to fight with us to get to a balanced budget.

We have heard all the rhetoric, all the arguments for years from the Democrat side of the aisle saying, ''We're going to do it, we're going to do it, we're going to do it'' but we never do it. The deficit continues to rise and rise and rise and we now have a $5 trillion national debt.

So I would just like to say to my colleague from Wisconsin, thank God for the 73 new Republican freshmen because they speak for what we have been speaking for the past 13 years. They do not speak by themselves. They speak for all of us. We are all together on this and we are going to get the job done.

Mr. FAZIO of California. Mr. Speaker, I yield 1½ minutes to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, the previous speaker in the well said that the most important thing we can do for our children is to give them this balanced budget.

It is a strange notion of Christmas, as you gather your children around, and you say you gave them a balanced budget. But when your children ask you what is the price to other children, you tell them the children in foster care will not be able to receive placement, children who are abused are likely not to receive placement in a safe home away from the abuse, children that need health care because their parents lost their jobs will find that not there because of your cuts in Medicaid.

They always say the children are not as cruel as adults, but they will find out how cruel it was. When you tell them the price for the other children in this Nation, they are going to say, ''Shame on you, Daddy. Shame on you, that you did that to the children of this Nation.'' Because children do not desire to see their colleagues hurt, to see their colleagues suffer that kind of pain, but that is what your budget does and that is why it should not be accepted.

I yield to the gentleman from Rhode Island [Mr. KENNEDY}.

Mr. KENNEDY of Rhode Island. Mr. Speaker, the gentleman from Florida [Mr. SHAW], who attempted to correct me, is not quite correct in his trying to correct me.

If we do not complete the work on the Labor-HHS bill, States will not get the money that they need to provide for these dependent children, and that was the point I was trying to make. In fact, the point seems to have been lost here that we are trying to make a value judgment in passing a CR for one group of Americans and not another, because we all perceive this group to have political legitimacy but the children do not. That is the point I was trying to make.

Mr. MILLER of California. The gentleman is exactly right.

Mr. LIVINGSTON. Mr. Speaker, yielding myself 15 seconds, I am concerned for all of the poor people that the gentleman from California referred to. But the point is that if he would get on the phone and talk to his colleagues on the other side of the building, so they might release their filibuster and that Labor-Health and Human Services bill that has been filibustered for the last 6 months by the Democrats in the Senate might go forward.

Mr. Speaker, I yield 1 minute to the gentleman from Mississippi [Mr. MONTGOMERY].

Mr. MONTGOMERY. Mr. Speaker I would really like to talk about what the resolution does. I rise in support of the continuing resolution that will assure that 3 million veterans will get their benefit checks on time. Two million of the 3 million veterans are service-connected either because of wounds or because of wounds or because they were hurt in the service. Also, the service-connected will get a 2.6 percent cost of living increase in their checks.

Mr. Speaker, I have felt very strongly about this, that the Federal Government has a stronger responsibility to the persons who marched off to war and came home, or to the widows and orphans of those who did not come home. So let us vote for this veterans' resolution.

Mr. FAZIO of California. Mr. Speaker, I yield 30 seconds to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, the distinguished chairman of the committee has made the point on a number of occasions that the Labor-Health bill is held up because of a filibuster. But he never says why, the reason being, because the Republicans have put a provision on the Labor-Health bill that will make it easy to fire people, easy to get rid of people, easy to get them out of jobs. Is it not ironic that the CR that you will not allow us to pass does exactly the same thing, keeping people out of jobs? That is why the Labor-Health bill has not passed.

Mr. LIVINGSTON. Mr. Speaker, I yield 1½ minutes to the gentleman from Florida [Mr. BILIRAKIS], a distinguished member of the Committee on Veterans' Affairs.

(Mr. BILIRAKIS asked and was given permission to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, I rise in strong support of this legislation to ensure that veterans' programs will continue to be funded in the wake of the President's recent veto. Because President Clinton vetoed H.R. 2099, the 1996 VA–HUD Appropriations bill, as has been said so many times here tonight, veterans' benefit checks will not be paid on time next month unless a short-term spending measure is passed by 8 o'clock tomorrow morning.

The President should have signed H.R. 2099 and avoided putting these benefits and services in jeopardy. However, since he did not, we in Congress must act to ensure this funding and protect the Nation's veterans.

The question has been asked a few times tonight: Why do this special thing for the veteran? I will tell why. Because if history has taught us anything, it is that the American serviceman has borne any hardship, has overcome any obstacle and has conquered any foe in the defense of liberty, justice and freedom.

I think that he and she, more than anyone, can understand our battle to balance the budget for the sake of our children and our grandchildren. We must maintain our commitment to them, and Congress is here tonight because we feel strongly that veterans' benefits must not get lost in the battle to balance the Nation's budget.

America can never really fully repay our veterans and we will never be able to express our feelings to our fallen soldiers, but we can act to ensure that veterans will receive the benefit checks that they have earned. Our Nation's veterans deserve nothing less. I urge my colleagues to support this legislation and ensure its passage.

Mr. FAZIO of California. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. FATTAH].

Mr. FATTAH. Mr. Speaker, first of all I would like to associate myself with the remarks of the gentleman from Rhode Island [Mr. KENNEDY]. Then I would like to get to this point at hand.

There is no veteran in this country who has exhibited bravery and courage on behalf of our Nation who did that to protect or to defend themselves. They did that to protect and defend this country and the people who live here, the women and children and senior citizens of our land who are being victimized by this budget impasse and by this Government shutdown.

So to come to the floor and say we want to honor the veterans by allowing their checks to go out, we should honor their bravery and their courage by putting this Nation's budget back in order and allowing the government to operate so that the children of these veterans, the parents and grandparents of these veterans, so that the communities that these veterans live in, can be the kind of Nation that may of them fought and gave so much for.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. BUYER], the chairman of the Subcommittee on Education, Training, Employment and Housing of the Committee on Veterans' Affairs.

Mr. BUYER. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I agree with the comments of my good friend, the gentleman from Mississippi [Mr. MONTGOMERY], who said we really should be talking about what is before us. That is, as chairman of the Subcommittee on Education, Training, Employment and Housing of the Committee on Veterans' Affairs, I take my duty and responsibilities very seriously to the 26 million veterans.

The bill which the President vetoed was very disappointing because we had over a $400 million increase in VA medical care. The research budget totaled $257 million. Veterans' benefits programs funding will increase from $36.9 billion in fiscal year 1996 to $41.8 billion in fiscal year 2002. So during the next 7 years, more than $275 billion will be

spent on veterans' programs, $40 billion more than the previous 7 years. I think that is very important.

The Budget which is being attacked here all of a sudden, it fully funds the important veterans' compensation, pension programs, the GI bill, vocational rehabilitation insurance, the home loan program, and a COLA increase of 2.6 percent.

The bill that is before us will ensure the on-time payment of benefits for compensation, pension, DIC, and the GI bill. It will also ensure that contractors who supply the services directly related to patient health and safety will be paid, and it will also ensure that such services as ambulance service and contract physician coverage for emergency care will continue.

I also would like to share with my colleagues, as I witnessed the debate on the rule, I would almost caution my colleagues, my Republican colleagues and my Democratic colleagues, that I was disappointed in some of the lack of civility shown here in the House.

No one in this Chamber by political party has a cornerstone on the concerns of veterans. Many of us in this body, when we wore the uniform, no one ever asked us were we a Republican or were we a Democrat. This is why we operate in the Committee on Veterans' Affairs in a tremendous bipartisan spirit, not only in the authorizing committee but in the appropriating committee.

Here is what is going to happen here tonight. We are going to continue to play a little politics, but America will receive a message here tonight. This body will overwhelmingly support this because we believe in bipartisanship for veterans.

Mr. FAZIO of California. Mr. Speaker, I yield 30 seconds to the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Speaker, of course I intend to support this bill. I was sitting in the back of the Chamber listening to the rhetoric, and some of it rather fiery and some of it rather tough, and here in this season, the season supposed to be that of good will and peace, and I think that we lack that element here in this whole debate, that of good will.

I hope that in the days ahead, not just for this body, a very special revered body in this country, but for the people back home, that we reexamine and have good will and work toether and get the people's work done.

Mr. LIVINGSTON. Mr. Speaker, in the spirit of good will, I yield 2 minutes to the gentleman from Alabama [Mr. EVERETT], chairman of the Subcommittee on Compensation, Pension, Insurance and Memorial Affairs of the Committee on Veterans' Affairs.

(Mr. EVERETT asked and was given permission to revise and extend his remarks.)

Mr. EVERETT Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, our Nation's veterans deserve better treatment than they have received from this President. President Clinton alone bears responsibility for the Government shutdown, since he vetoed the Veterans Administration appropriations bill earlier this week. This is a good bill. It added $400 million above last year's VA health care budget and increased overall VA spending while most departments of government face cuts.

Mr. Clinton had a choice to put veterans first. Instead, he put tree-huggers first. In his statement today, President Clinton spoke of protecting Medicare. He is going to leave saving Medicare to Republicans. Medicaid, education, and the environment. True to his principles, Mr. Clinton left out out Nation's veterans. He has lavished funding on his priorities, the paid volunteer AmeriCorps boondoggle, a Bosnian occupation, jet-setting Cabinet members, and a host of failed liberal social programs.

But, sadly, the President has chosen to play politics with our Nation's veterans and to jeopardize the balanced budget which benefits our Nation and all Americans. Our bill corrects this. Rather than shortcutting our Nation's veterans as the President was willing to accept, this bill ensures that payment to some 3 million veterans and their dependents will continue to be made on schedule.

Despite the utter lack of this President's leadership, Congress will look out for those who have worn our Nation's uniform. Though this President has avoided the tough choices required in restoring fiscal sanity needed to support our veterans, we will ensure their protection. I urge adoption of this legislation.

Mr. FAZIO of California. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. KLINK].

□ 2115

Mr. KLINK. Mr. Speaker, I thank the gentleman for yielding time to me.

I was in the district of the gentleman from Pennsylvania [Mr. MASCARA], my colleague, a couple of months ago. We were traveling with some hospital administrators in our area who were telling senior citizens the impact in a nonpartisan way. Many of them were Republicans. They were telling the senior citizens about the impact of the Republican cuts in Medicare and Medicaid on their hospitals. They were telling them in their own words. We did not coach them.

At the end of it this exsteelworker looked up at me with a big broad smile that turned into a very sad face, and he actually started to cry. And I said, What is the matter? He said, You know, I have never asked this country for much of anything. I laid in the snow and I laid in the mud and the rain for 5 years in Europe. I was not wounded. I was one of the the fortunate ones. I never asked this country for anything except keep its promise to me. Give me Medicare and Medicaid, if I need it. Do not make my children have to give up educating my grandchildren because they have to pick up the bill because we no longer prohibit that sort of thing to occur.

He was very sad. So I am glad that we are taking care of the veterans with this rifle shot CR. But there are so many things that we are doing that is hurting those same veterans. We are balancing the budget on their backs and they are being asked to fight again.

Mr. LIVINGSTON. Mr. Speaker, I yield 1½ minutes to the gentleman from Oregon [Mr. COOLEY], a member of the Committee on Veterans' Affairs.

Mr. COOLEY. Mr. Speaker, I rise today in favor of House Joint Resolution 134—a bill to ensure that our Nation's veterans receive their compensation checks during this shutdown.

I am firmly committed to balancing our Nation's budget, but our veterans are innocent victims of this shutdown.

Those who have risked their lives and liberty in service of this Nation—those who depend on the monthly benefits that our Federal Government has contracted to give them—should not be cut off at any time.

For all of us, this should be an easy vote. It would be immoral to turn our backs on our veterans.

That said—I must say one thing. Let there be no mistake about it.

This budget fight might be ugly—but the Republicans in Congress are waging this fight to preserve the strength and integrity of this Nation.

As a veteran myself, I cannot sit back and watch our Nation become weaker—racking up trillions of dollars in debt.

I hope and believe that other veterans throughout this great Nation agree with me.

Congress must—for once—exercise some fiscal discipline.

Meanwhile, we will provide for those who have served this Nation.

I urge a ''yes'' vote on the bill.

Mr. FAZIO of California. Mr. Speaker, I yield 1 minute to the gentlewoman from California [Ms. WATERS].

Ms. WATERS. Mr. Speaker, as a ranking member of the Subcommittee on Education, Training, Employment, and Housing of the Committee on Veterans' Affairs, I am ashamed to hear the staging and profiling by too many of my Republican friends on the other side of the aisle proclaiming their love for our veterans.

Where were they when the President needed them for resources for hospitals and medical care? He had to veto the VA–HUD bill and in his message he told them why he was doing it. They refused to support him for hospital resources for veterans.

Besides that, where were they when the Republican-appointed Clerk just fired a veteran of 23 years who helped to install the electronic voting system for this House? A veteran who served in Vietnam, who was fired without cause, they just kicked him out before Christmas without cause. They just let go a

veteran who served in Vietnam and told him they did not care about him or his family.

With friends like you, the veterans do not need any enemies.

Mr. LIVINGSTON. Mr. Speaker, wondering whether the preceding speaker voted for the defense appropriations bill, I yield 2 minutes to the gentleman from Arizona [Mr. HAYWORTH], a distinguished member of the Committee on Veterans' Affairs.

Mr. HAYWORTH. Mr. Speaker, I thank the chairman of the Committee on Appropriations for yielding time to me.

Mr. Speaker, I would like to endorse fully the remarks made in a bipartisan fashion by the gentleman from Missouri and the gentleman from Indiana. I, too, yearn for a return to civility, which is why I listened with great interest when my friend, the ranking member on the Committee on Appropriations, chose to attack me personally.

Mr. Speaker, I think it must be forgiven when a web of fiction is so intricately weaved and pronounced here on the floor of this House that quite often it is my natural reaction to chuckle. If a smile or a chuckle at the absurdity is inappropriate, well, then I suppose I am guilty of having a sense of humor, but a sense of humor born of the fact that we have to laugh to keep from crying. Because once again, Members of the minority get up with a straight face and they ignore reality.

The President of the United States vetoed veterans appropriations that were genuine increases in spending, $400 million over last year, fact. And the fact is that this new majority, working in concert with responsible Members of the minority, will pass this overwhelmingly. I dare say that was the one remark given by the ranking member of the Committee on Appropriations that I can agree with. This legislation will pass overwhelmingly because it is the right thing to do.

Mr. FAZIO of California. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. OBEY], former chairman of this committee, who would like to speak to the issue of veterans benefits.

Mr. OBEY. Mr. Speaker, I would simply comment on the comments of the previous speaker who addressed himself to something I said on the floor.

I would simply note, I have observed him on three occasions this week sitting in the front row of the Chamber and loudly laughing at whoever it was who was speaking at the moment, disrupting their ability to speak. I think the House deserves better conduct than that from any Member.

I would also make the point, if we want to talk about fiction, I would make the point that it was solid fact when we stated earlier in the day, and when I stated in that same statement, that the bill for veterans funding, for veterans health care was $213 million below the amount that the bill was when it left the House.

That conference report contained a billion and a half dollars more in total funding, and yet they managed to cut the veterans funding by $213 million.

The gentleman may feel that that is an adequate level of funding. That is his prerogative. I happen to honestly disagree. It would be nice if we could honestly disagree without constantly demonstrating physical disrespect for each other.

Mr. LIVINGSTON. Mr. Speaker, I yield 30 seconds to the gentleman from Arizona [Mr. HAYWORTH].

Mr. HAYWORTH. Mr. Speaker, good people can disagree. Good people can disagree about a great many subjects. But when repeated fiction is stated on the floor of this House, it is sad.

Once again, the ranking member has chosen to personally attack this Member of the Congress. I just simply want to say that it is shameful that these people would rather engage in shenanigans than to confront the problems we have today.

Once again, I reach out my hand to the minority side and indeed to the gentleman at the other end of Pennsylvania Avenue. Let us reason together and solve America's problems.

Mr. FAZIO of California. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania, [Mr. MURTHA], a senior member of the Committee on Appropriations, former chairman of the Subcommittee on National Security.

Mr. MURTHA. Mr. Speaker, one of the things I wanted to point out to the Members that I think is so important in the recommittal motion that we had, and this may not be the right time and I know the Members that voted for the authorization feel that they have taken care of the two problems that we have in this recommittal motion, but in this recommittal motion we have language which will take care of the disparity in the COLA between the military retiree and the civilian retiree. We think that is important. We also have in this legislation to take care of the increase in pay for the military.

Now, I know the President is going to veto the bill. I know it passed by a slight majority in the Senate. As I understand it, the majority leader on the other side may add this to their bill at some point, but I just want the Members to realize, this is something that has to be done by the first of the year. If we do not take care of it, if we do not put this type of language in one of our appropriations bills, if the authorization is vetoed, then it means that the members of the armed services would not get their first month's increase or whatever increase it was or the COLA disparity would continue.

For 3 years the Subcommittee on National Security has taken care of the COLA disparity. We put the money in, even though it was forced on the authorization. So I would hope as the Members vote they think about this one particular provision in this recommittal. It is a very simple provision that takes care of those two things.

As I say, since the authorization has not been vetoed at this point, my colleagues may feel that this is not the time to do it. but at some point we have to do this. I would hope that the majority would recognize this so we could get it done before the first of the year.

Mr. LIVINGSTON. Mr. Speaker, I yield 1 minute and 30 seconds to the gentleman from Georgia, [Mr. COLLINS].

Mr. COLLINS of Georgia. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, there is only one person who stands between a balanced budget in this town and that is the President of the United States because he vetoed the balanced budget. There is only one person that stands between those employees of the Commerce and Justice Department being at work, and that is the gentleman who vetoed that bill, the appropriations that would have paid their wages. That is the President of the United States.

There is only one person that stands between the national parks being open and the people who work for the Department of Interior, and that is the gentleman who vetoed that appropriation bill, the President of the United States. There is only one person who stands between those who work for VA and HUD and besides there would have been a 2.4-percent increase for our military had this bill been approved, and that is the President of the United States, the man who vetoed the appropriation bill.

Mr. Speaker, I was reading the other day in Reader's Digest a quote that I think fits this area, this time very well. It was by the late Harry Truman. He said, it is not the hand that signs the laws that holds the destiny of America; it is the hand that cast the ballot.

I think that we could say the same here. It is not the hand that vetoes the laws that holds the destiny of America; it is the hand that casts the ballot.

I urge support of this continuing resolution to fund the benefits of our veterans.

Mr. FAZIO of California. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I rise in support of this bill.

The untold story of the Gingrich budget process is that this Congress simply did not get its work done on time. Thirteen appropriations bills were supposed to be completed by October 1. Not one of them was signed by the President into law by that deadline.

This Congress has been badly run, poorly administered, extreme and radical. That is why we now have this absurd Government shutdown.

The other reason American taxpayers have had to bear this ridiculous Gingrich Government shutdown is that the Speaker personally threatened over and over and over to shut down the

Government so he could have his way to have a massive shift of money and resources from the poor and from the middle class to give to the rich; Medicare cuts so we could have tax breaks for the rich; student loan cuts so we could have tax breaks for the largest corporations in this country; education and environmental cuts so we could have tax breaks for billionaires who renounce their citizenship.

It is wrong, and the Gingrich Republicans know it is wrong.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida [Mr. MICA].

Mr. MICA. Mr. Speaker, I get confused. Is this the same President that went on TV tonight and said, after vetoing the VA appropriations bill, we are going to delay veterans benefits?

□ 2130

Is this the same President that I recall that cooked with the other side a bill to delay military COLA's for months and months and would permanently have to reinstate it? Is this the same President that proposes better benefits for a volunteer program, a new volunteer program, than he does for our veterans? Is this the same President—I keep getting confused—who proposes better benefits for welfare recipients than our veterans? My goodness, am I confused. Is this the same President who offers better and cooked with the other side better benefits for illegal aliens who wash up on the shore and have never served the country? Is this the same President who just a few weeks ago threatened to veto the appropriations bill until he was going to send our troops into Bosnia? I get confused. Is this the same President that my colleagues have said he, as a candidate, he was going to have a plan, and he would get elected, and he would have a plan to balance the budget in 5 years? I get confused. Is this the same President who called the 73 freshmen extremists, the businessmen and women, people who have worked for a honest living and come to this place to straighten up its messed-up finances?

Now who do my colleagues believe? I am telling my colleagues that there are over 230 of us who are prepared to stay here until Washington, or whatever, freezes over, until we get a balanced budget and until we treat our veterans right.

Mr. FAZIO of California. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE. Needless to say by the previous speaker's antics, Mr. Speaker, my Republican colleagues are mired in confusion for they believe that they have the moral high ground, and yet I find them someplace that we would not want to proceed.

The American people know where the trouble is. They realize that the President of the United States stands with opportunity. They also realize that there was a Congress here some years ago, a Democratic Congress with two Republican Presidents, and they recognize that there was great dispute on the budget, and under Reagan there was no historic shutdown, under Bush there was no long, extended shutdown.

So, Mr. Speaker, we realize that politics of Republicans is to bring the country to its knees. The people realize that the Democrats offered to increase the pay of those in Bosnia; the Republicans rejected it. They realize that we can have a clean continuing resolution, and the Republicans rejected it so that we cannot keep this Government open. They realize that disabled children will not have their benefits because of the Republicans.

This is not about the President of the United States. This is about no moral leadership with the Republicans.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Ohio [Mr. HOKE].

Mr. HOKE. Mr. Speaker, I was surprised to hear earlier the question from the other side, of the wonderment from the other side, that we would actually prioritize a particular rifle-shot continuing resolution for veterans, that we should not somehow be putting them at the top priority, and I just want to remind my friends on both sides of the aisle that, if there is one group that we ought to, for heaven's sakes, prioritize as being No. 1, that we should take care of without any question before, yes clearly before we take care of other groups in our society, those are veterans.

Think about the veterans who have spilled blood and are now on a pension, and think about that veteran's widow, that veteran's children. Why on Earth would it come as a surprise, why would it even be an issue? Where would the question ever come from?

Ms. KAPTUR. Mr. Speaker, will the gentleman yield?

Mr. HOKE. I yield to the gentlewoman from Ohio.

Ms. KAPTUR. Mr. Speaker, I have a great deal of respect for the gentleman from Cleveland, but I would like to ask him the question, ''If you truly want to serve the veterans of this country, would you vote with me to pass the VA–HUD–EPA bill with the amendments that we have been trying to offer in the committee?''

Mr. HOKE. Reclaiming my time, I did vote for the VA–HUD appropriations bill that was passed in this House that was vetoed by the President of the United States 2 days ago. I vote for it proudly. We would not be here tonight, we would not be doing this tonight, had the President not vetoed that bill.

Ms. KAPTUR. Would the gentleman yield further?

Mr. HOKE. No. I will not yield, but I will yield at the end if I have time.

Clearly what disturbs me is that there would be a question as to why we would be here this evening to prioritize the needs of the Nation's veterans. It seems to me absolutely and utterly appropriate that we would do that, and it is only a very mean-spirited, very extreme liberal agenda that would not put that first.

Mr. FAZIO of California. Mr. Speaker, I yield 30 seconds to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Speaker, there is absolutely nothing wrong with putting veterans at the head of a line. We ought to put all of the veterans at the head of the line. What is wrong with making available Government services so that new veterans who are entitled to housing benefits, who are entitled to disability benefits, who are entitled to pensions; why do we not handle this resolution tonight so they can also get the services they need in order to get the aid that they have a right to expect from their Government? Why are our colleagues shutting the Government down to them and only opening it to people who already have those benefits?

Mr. FAZIO of California. Mr. Speaker, I yield 1 minute to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Speaker, listening to this debate tonight reminded me of when I was a small child. In the Catholic school I attended there was a framed picture on the wall, and it said, ''Suffer little children and come unto me.'' I could not understand it. I asked by parents and teacher who would want children to suffer, and then it was explained to me that the third or fourth meaning of suffer was permit, allow, children to come unto me.

Listening to our colleagues exclude children from this continuing resolution goes to the first meaning of suffer little children, to hear our colleagues come to the well and say that they have to have it this way, only the veterans.

By the way, I agree that the question here tonight is not why should we be doing this for the veterans. Of course we should. The question really is why should we not be doing it for children and others as well? But to hear our colleagues come to the well and say they are doing this so their children do not have to pay interest on the national debt 20 years from now, some children do not have anything to eat 20 minutes from now.

The message is very clear, Republican majority: Suffer, little children.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia [Mr. GOODLATTE].

(Mr. GOODLATTE asked and was given permission to revise and extend his remarks.)

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman from Louisiana [Mr. LIVINGSTON], the chairman of the Committee on Appropriations, for yielding me the time, and I rise in strong support of this resolution to get payment to our Nation's veterans. They have sacrificed for our country, they have laid their lives on the line, and this is a very important continuing

resolution, and those on the other side of the aisle who pointed out that there are a number of other things that need to be resolved, they are absolutely right as well. As a matter of fact, there are a number of things that should be taken care of, and we pointed out on our side that many of them would have been taken care of if the President had signed into law the veterans appropriations, the Department of Housing and Urban Development appropriations, the Commerce Department appropriations, and State Department appropriations, the Justice Department appropriations, the Interior Department appropriations. But this week he vetoed every single one of those appropriation measures and has effectively closed down all of those agencies except for essential personnel.

Now the President of the United States has a constitutional right to veto every single one of those pieces of legislation, but he also has a moral obligation and an obligation based on the law he signed over 30 days ago to balance the budget in 7 years using real numbers, to come forward with his itemized response to everything he does not like in each one of those appropriations bills, in each one of the entitlement measures we have in the country, so that we can sit down with him and negotiate. It is time to stop name calling, it is time to get down and negotiate, but we have got to have a reasonable, responsible approach to do that, and both parties laying their cards on the table, and everybody sitting down and getting serious about this is exactly what is needed, and I call upon everybody, including the President of the United States, to stop the press conferences and start negotiating.

Mr. FAZIO of California. Mr. Speaker, I yield 1 minute to the gentleman from Texas, Mr. GENE GREEN.

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I am glad to follow the last speaker, because I hope we would put our cards on the table, and if the other side would do it and say, OK, let us take that tax cut off the table, $245 billion, $200 billion, we would not have to be worried about keeping the checks going to our veterans or veterans' widows.

I had the opportunity tonight to talk to a widow of a veteran. She said she could not pay for her food, she could not pay for her utilities unless her check is there, and I am glad we are at least dealing with that.

The reason we are here though is because this bill, the VA–HUD bill, was rejected by this Congress I do not know how many times because of the 20-percent cut in HUD, cuts in veterans' programs, cuts in lots of programs, and that is why we are here tonight on a stopgap measure.

I hope we pass this, but let us remember the reason we are here is because the majority could not pass these bills by October 1, not because the President vetoed it, because they could not pass them, and now they are having to take care of it on this. I would hope we would take care of our veterans, but I hope we would also be able to take care of those who need housing.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Georgia [Mr. KINGSTON], a member of the Committee on Appropriations.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman from Louisiana [Mr. LIVINGSTON] for yielding this time to me.

As my colleagues know, I hear a lot of partisan finger pointing tonight, but this is not about Democrats, it is not about Republicans. It is about veterans. Do my colleagues want to help those who have helped us? Do my colleagues want to honor what they have done for us in the past?

Samuel Johnson said we should always remember our forefathers and our future generations, but, more importantly, we should remember the sacrifices of the former on behalf of the latter, and that is what we are doing tonight. We are remembering our veterans.

Now I would say to the gentlewoman from San Francisco, CA [Ms. PELOSI] we are not forgetting our children, we are certainly not forgetting the children. Our colleagues are going to give them a $5 trillion debt when they are through with their left-wing spending policies. If a child is born today, he or she owes $187,000 as his or her part of interest on the national debt over a 75-year working period of time. That is $187,000 above and beyond local, State, and Federal taxes. I say to my colleague, ''Boy, you have not forgotten the children, I must say, and I tell you what. If that's your idea of compassion, that's your idea of caring, if that's your idea of a great Christmas present, fast forward me and my kids to groundhog day.''

Mr. FAZIO of California. Mr. Speaker, I yield 1 minute to the gentlewoman from New York [Ms. SLAUGHTER].

Ms. SLAUGHTER. Mr. Speaker, I rise today to join my colleagues in expressing my concern and dismay that we must be here tonight to debate this mini CR. As we all know, this work should have been completed months ago.

As we work tonight to ensure that our veterans receive the benefit checks they so deserve, I cannot help thinking about the over 250,000 federal employees who are sitting in their homes, wondering and worrying about their fate and wondering if we care.

Christmas is 5 days away. Yet the radical new Majority refuses to find a way to solve this budget impasse, and insists on holding hardworking federal workers—and their families—hostage to their misguided and unfair budget priorities.

Let us stop the nonsense. Let us open the entire government. And let us finish our work so Federal employees can do their work.

Mr. LIVINGSTON. Mr. Speaker, I only have one more speaker, so I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia [Mr. MORAN].

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Mr. MORAN. Mr. Speaker, I thank the ranking Democrat on the Committee on Appropriations for yielding time to me.

Mr. Speaker, let me explain why we have problems with this bill. It is certainly not that this bill provides benefits for veterans. The problem with this bill is that it is shortsighted and insufficient. If we do not pass a continuing resolution by December 22, this Friday, 13 million welfare checks cannot be processed by the Department of Health and Human Services. Are we going to pass a specific continuing resolution for welfare checks? I think not. But they cannot be processed if we do not have a CR by December 22. If we do not have a continuing resolution by next Wednesday, $11 million in checks cannot be sent to the States by the Medicaid program. The States cannot function without that $11 billion in Medicaid programs.

Between votes I checked my message machine. I just want to share with you a little message that was on it. It said: ''Please tell Congressman MORAN that we veterans have been hungry before, we veterans have been cold before, but we veterans have never put our interests ahead of the country's interests before.'' He said: ''As far as I am concerned, I do not want my benefit check until women and children get their checks first.''

Mr. OBEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me take this time to point out that the recommit motion that I will offer would simply do everything that the motion before us purports to do. Our motion would open up the government for all of the veterans services described in the motion before us. We would add to that all other services to be provided, that could be provided by the Veterans Department, so the Veterans Department is open for all programs, for servicing all programs. We would expand that to provide, in fact, a clean CR through January 26 for all other functions of government, and we would at the same time authorize the 2.4 percent military pay raise for our servicemen and eliminate the 6-month disparity between COLA payment dates for military and civilian retirees, so we can assure that our military personnel will in fact be treated fairly, and will in fact receive their full COLA.

As we know, Mr. Speaker, the authorization bill is expected to be vetoed. Without this language, we can, therefore, not guarantee our troops going to Bosnia that they will have the full COLA. We think we ought to do

that and, most fundamentally, we think we ought to open all of the services of government because the taxpayers have paid for those services and they are entitled to receive them.

Mr. LIVINGSTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have heard a number of arguments on this joint resolution. I am not sure they were in opposition to it, because it appears that everybody is going to vote for this bill. Some of the arguments were, ''We are not doing enough.'' Well, if the President had not vetoed the last three appropriations bills we sent him, we would be doing a heck of a lot more than we have done so far. The fact is, as was said in the well, the President has vetoed the Justice Department appropriation, the Commerce Department appropriation, the State Department appropriation, the Interior Department appropriation, the VA–HUD appropriation, the Judiciary appropriation, and the NASA appropriation. He has vetoed all of those in the last week. All the people that work for those agencies could have gone back to work and been paid. All of the benefits that accrue under those bills could have gone into effect if the President simply signed these bills. And for all of those people who say they are concerned about children, for crying out loud, do not direct your concern at us. Tell those people, your counterparts in the other body that filibustering the Labor-Health and Human Services bill in the Senate. It has been there for five months. It is about time to move that bill.

As a matter of fact, Mr. Speaker, it would be real nice if they would all of a sudden lift that filibuster, and we could dispose of it through a conference report, send it to the President, and maybe he might sign that bill and maybe he might not. Listening to his messages that we hear on television day after day about the Republicans being extremists, I get a little confused, as the gentleman from Florida earlier pointed out. Who is on first base here?

It is about time he starts getting the message. The Republican message is we want a balanced budget in 7 years, 2002. That is the only message. The rest of it is just quibbling about details. But the President has said on various times, ''I am for a 5-year balanced budget, I am for a 10-year balanced budget, I am for a 9-year balanced budget, I am for an 8-year balanced budget, and yes, I am even for a 7-year balanced budget, but not that 7-year balanced budget.'' He does not have any details. He has come to us, he has given us, one after another, budgets that were imbalanced year after year after year, and he has not come to the table and bargained in good faith to give us what we are asking for, a 7-year balanced budget.

Mr. Speaker, this is a good bill. It may not cover everything we want, but it is a start. It gives the veterans the benefit payments that they need, and hopefully, if the President comes to the table, we can take care of the rest of the unfunded activities as well.

Ms. BROWN of Florida. Mr. Speaker, I rise in support of this continuing resolution to make sure that veterans receive their checks on time at the end of this month. There is no doubt that this Congress is concerned about our veterans. It is clear that this continuing resolution is important and I will vote for it.

However, I must say that there is no reason why we can't pass a continuing resolution to keep the rest of the Government operating.

More than a quarter of a million Federal workers who have been furloughed are important, too. They have families. They have children. Federal workers matter.

Any yet the Republicans in this Congress refuse to pass a continuing resolution to keep our Government open because they want to force the President to accept their extreme agenda.

Mr. Speaker, we were sent to Congress to do the work of the people. We know what we need to do—pass a responsible budget that protects seniors, protects children, protects veterans, and sends our federal employees back to work.

Mr. Speaker, let's stop the partisan fighting. Let's get our work done and let's give the American people the best Christmas presents they could ask for—a holiday they can spend with their families and a Government that can work together to solve this budget crisis.

Mr. SMITH of New Jersey. Mr. Speaker, I rise in strong support of House Joint Resolution 134, legislation to ensure that veterans, dependents, and survivors will continue to receive their well-earned benefits during this Government shutdown.

I would like to recognize the dedicated efforts of TIM HUTCHINSON, who has been a tireless advocate for veterans and has introduced legislation to ensure that veterans receive the compensation they deserve even when the Government is closed. I would also like to thank Chairman STUMP and Ranking Member MONTGOMERY for their tireless work on behalf of this legislation.

Mr. Speaker, this legislation should never have been necessary. This week, the President had an opportunity to sign the VA–HUD appropriations bill, which would have secured the funding for veterans benefits. Instead, he vetoed it. President Clinton also has the unilateral authority to order the delivery of veterans' benefits during a Government shutdown. But he has not used it. Because of the administration's insistence on playing partisan politics with veterans, the livelihood of 3.3 million veterans, dependents and survivors is in jeopardy.

No one in this country has a greater claim to his Nation's Treasury than veterans who have been disabled as a result of service in the Armed Forces and the survivors of those who made the ultimate sacrifice and gave their lives in the defense of our Nation. Keeping faith with these heroes, their widows and their orpahns—whatever our Nation's fiscal circumstance—is as important as anything we do in Congress.

We must do what we can to guarantee that these brave men and women, who answered the call to duty and were willing to put their lives on the line in defense of their country, will receive what they deserve. This bill does that.

Our veterans deserve better than to be sacrificed at the altar of partisan politics. I urge my colleagues to vote in favor of this bill, which will put veterans ahead of politics.

Mr. LIVINGSTON. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 317, the previous question is ordered on the joint resolution.

The question is on engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. OBEY. Mr. Speaker, at the direction of the minority leader, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the joint resolution?

Mr. OBEY. At this point, in its present form, Mr. Speaker, I certainly am.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. OBEY moves to recommit the resolution to the Committee on Appropriations with instructions to report back forthwith with an amendment as follows:

Strike all after the resolving clause and insert:

SEC. 101. ENSURED PAYMENT DURING FISCAL YEAR 1996 OF VETERANS' BENEFITS IN EVENT OF LACK OF APPROPRIATIONS.

(a) PAYMENTS REQUIRED.—In any case during fiscal year 1996 in which appropriations are not otherwise available for programs, projects, and activities of the Department of Veterans Affairs, the Secretary of Veterans Affairs shall nevertheless ensure that—

(1) payments of existing veterans benefits are made in accordance with regular procedures and schedules and in accordance with eligibility requirements for such benefits; and

(2) payments to contractors of the Veterans Health Administration of the Department of Veterans Affairs are made when due in the case of services provided that directly relate to patient health and safety.

(b) FUNDING.—There is hereby appropriated such sums as may be necessary for the payments pursuant to subsection (a), including such amounts as may be necessary for the costs of administration of such payments.

(c) CHARGING OF ACCOUNTS WHEN APPROPRIATIONS MADE.—In any case in which the Secretary uses the authority of subsection (a) to make payments, applicable accounts shall be charged for amounts so paid, and for the costs of administration of such payments, when regular appropriations become available for those purposes.

(d) EXISTING BENEFITS SPECIFIED.—For purposes of this section, existing veterans benefits are benefits under laws administered by the Secretary of Veterans Affairs that have been adjudicated and authorized for payment as of—

(1) December 15, 1995; or

(2) if appropriations for such benefits are available (other than pursuant to subsection (b)) after December 15, 1995, the last day on which appropriations for payment of such benefits are available (other than pursuant to subsection (b)).

SEC. 102 FURTHER CONTINUING APPROPRIATIONS.

Section 106(c) of Public Law 104–56 is amended by striking ''December 15, 1995'' and inserting ''January 26, 1996''.

SEC. 103. MILITARY PAY RAISE FOR FISCAL YEAR 1996.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—Any adjustment required by section 1009 of title 37, United States Code, in elements of compensation of members of the uniformed services to become effective during fiscal year 1996 shall not be made.

(b) INCREASE IN BASIC PAY AND BAS.—Effective on January 1, 1996, the rates of basic pay and basic allowance for subsistence of members of the uniformed services are increased by 2.4 percent.

(c) INCREASE IN BAQ.—Effective on January 1, 1996, the rates of basic allowance for quarters of members of the uniformed services are increased by 5.2 percent.

SEC. 104 ELIMINATION OF DISPARITY BETWEEN EFFECTIVE DATES FOR MILITARY AND CIVILIAN RETIREE COST-OF-LIVING ADJUSTMENTS FOR FISCAL YEAR 1996.

(a) IN GENERAL.—The fiscal year 1996 increase in military retired pay shall (notwithstanding subparagraph (B) of section 1401a(b)(2) of title 10, United States Code) first be payable as part of such retired pay for the month of March 1996.

(b) DEFINITIONS.—For the purposes of subsection (a):

(1) The term ''fiscal year 1996 increased in military retired pay'' means the increase in retired pay that, pursuant to paragraph (1) of section 1401a(b) of title 10, United States Code, becomes effective on December 1, 1995.

(2) The Term ''retired pay'' includes retainer pay.

(c) FINANCING.—The Secretary of Defense shall transfer, from any other funds made available to the Department of Defense, such sums as may be necessary for payment to the Department of Defense Military Retirement Fund solely for the purpose of offsetting the estimated increase in outlays to be made from such Fund in fiscal year 1996 by reason of the provisions of subsection (a). Nothwithstanding any other provision of law, the transfer authority made available to the Secretary in Public Law 104–61 or any other law shall be increased by the amounts required to carry out the provisions of this section.

Mr. OBEY (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

Mr. OBEY. Mr. Speaker, I ask unanimous consent that I may be permitted to explain the amendment.

Mr. LIVINGSTON. Mr. Speaker, reserving the right to object, if the gentleman would explain which motion to recommit he is talking about.

Mr. OBEY. No. 1.

Mr. LIVINGSTON. Mr. Speaker, I reserve a point of order on the gentleman's motion.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER pro tempore. A point of order is reserved on the motion to recommit.

Mr. OBEY. Mr. Speaker, I think the purpose of this motion is quite clear. As I said earlier, this motion would incorporate the provisions of the Veterans Department which are included in the original legislation before us. We would open up the Government for those services, but we would add to that the following: We would add all remaining services to be provided by the Veterans Department.

Mr. LIVINGSTON. Mr. Speaker, I must insist on my point of order.

Mr. OBEY. We would also add all other remaining functions of the Government which have been closed down up until now. We would also, as I said, guarantee that the military receive their 2.5 percent pay raise, and correct the differential that now exists between civilian pay and military pay, so that the military pay would be provided in the same terms and conditions as civilian pay.

Mr. Speaker, I would urge the adoption of the motion to recommit.

POINT OF ORDER

The SPEAKER pro tempore. Does the gentleman from Louisiana [Mr. LIVINGSTON] insist on his point of order?

Mr. LIVINGSTON. Mr. Speaker, I make a point of order against the motion to recommit with instructions because it is not germane to the underlying resolution, and as such in violation of clause 7 of rule XVI.

Mr. Speaker, I quote from the Precedents of the House:

''It is not in order to do indirectly by a motion to commit with instructions what may not be done directly by way of amendment.''

Mr. Speaker, a specific proposition cannot be amended by another proposition broader in scope. The motion to recommit deals with funding and authorizing activities outside the Department of Veterans Affairs, and therefore is not germane to the underlying resolution which deals only with funding for selected activities in this department.

Mr. Speaker, the gentleman's motion to instruct is not germane, Mr. Speaker, and I ask for a ruling from the Chair.

The SPEAKER pro tempore. Does the gentleman from Wisconsin, Mr. OBEY, wish to be heard on the point of order?

Mr. OBEY. Yes, I do, Mr. Speaker, I would simply say the purpose of the resolution before us this evening is to provide additional services to taxpayers. The purpose of my motion is to provide additional services to taxpayers. It simply expands the number of services available. It is the same taxpayers we are talking about, and I think they are entitled to a full range of services. I would therefore urge the Chair support the germaneness of the proposition.

The SPEAKER pro tempore. The Chair is prepared to rule.

The pending joint resolution continues the availability of appropriations for a specified fiscal period to fund certain activities of the Department of Veterans' Affairs.

The amendment proposed in the motion to recommit offered by the gentleman from Wisconsin seeks to continue the availability of appropriations for a similar fiscal period to fund the activities of other departments and agencies for which regular appropriations for fiscal year 1996 have not yet been enacted.

One of the important lines of precedent under clause 7 of rule 16—the germaneness rule—holds that a proposition addressing a specific subject may not be amended by a proposition more general in nature.

For example, the Chair held on September 27, 1967, that an amendment applicable to all departments and agencies was not germane to a bill limited in its applicability to certain departments and agencies of Government. That precedent is annotated in section 798f of the House Rules and Manual.

The Chair notes another illustrative ruling that is recorded in the Deschler-Brown precedents of the House at volume 10, chapter 28, section 9.22. On that occasion in 1967 the House was considering a joint resolution continuing appropriations for a portion of a fiscal year. An amendment was offered to restrict total administrative expenditures for the fiscal year. Noting that the amendment affected funding beyond that continued by the joint resolution, the Chair sustained a point of order that the amendment was not germane.

The amendment proposed in the motion to recommit offered by the gentleman from Wisconsin addresses funding not continued by the pending joint resolution. Where the joint resolution confines itself to funding within one department, the amendment ranges to at least six others. As such, the amendment is not germane.

The point of order is sustained. The motion to recommit is ruled out of order.

Mr. OBEY. Mr. Speaker, I most respectfully and reluctantly appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is: ''shall the decision of the Chair stand as the judgment of the House?''

MOTION OFFERED BY MR. LIVINGSTON

Mr. LIVINGSTON. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana [Mr. LIVINGSTON] to lay the appeal of the ruling of the Chair on the table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 236, noes 176, not voting 21, as follows:

[Roll No. 872]

AYES—236

Allard	Armey	Baker (CA)
Archer	Bachus	Baker (LA)

Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Johnston
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Morella
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOES—176

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Bevill
Bishop
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Gordon
Green
Hall (TX)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (SD)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skelton
Slaughter
Spratt
Stenholm
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Wise
Woolsey
Wyden
Wynn

NOT VOTING—21

Beilenson
Berman
Chapman
Conyers
Edwards
Filner
Flake
Foglietta
Gilchrest
Gutierrez
Hall (OH)
Lantos
Myers
Payne (VA)
Rose
Skaggs
Stark
Weldon (PA)
Williams
Wilson
Yates

□ 2217

Miss COLLINS of Michigan changed her vote from ''aye'' to ''no.''

So the motion to table the appeal of the ruling of the Chair was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, at the direction of the minority leader, I offer a motion to recommit.

The SPEAKER pro tempore (Mr. LAHOOD). Is the gentleman opposed to the joint resolution?

Mr. OBEY. In its present form, yes, I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBEY moves to recommit the resolution to the Committee on Appropriations with instructions to report back forthwith with an amendment as follows:

Strike all after the resolving clause and insert:

Sec. 101. ENSURED PAYMENT DURING FISCAL YEAR 1996 OF VETERANS' BENEFITS IN EVENT OF LACK OF APPROPRIATIONS.

(a) PAYMENTS REQUIRED.—In any case during fiscal year 1996 in which appropriations are not otherwise available for programs, projects, and activities of the Department of Veterans Affairs, the Secretary of Veterans Affairs shall nevertheless ensure that—

(1) payments of existing veterans benefits are made in accordance with regular procedures and schedules and in accordance with eligibility requirements for such benefits; and

(2) payments to contractors of the Veterans Health Administration of the Department of Veterans Affairs are made when due in the case of services provided that directly relate to patient health and safety.

(b) FUNDING.—There is hereby appropriated such sums as may be necessary for the payments pursuant to subsection (a), including such amounts as may be necessary for the costs of administration of such payments.

(c) CHARGING OF ACCOUNTS WHEN APPROPRIATIONS MADE.—In any case in which the Secretary uses the authority of subsection (a) to make payments, applicable accounts shall be charged for amounts so paid, and for the costs of administration of such payments, when regular appropriations become available for those purposes.

(d) EXISTING BENEFITS SPECIFIED.—For purposes of this section, existing veterans benefits are benefits under laws administered by the Secretary of Veterans Affairs that have been adjudicated and authorized for payment as of—

(1) December 15, 1995; or

(2) if appropriations for such benefits are available (other than pursuant to subsection (b)) after December 15, 1995, the last day on which appropriations for payment of such benefits are available (other than pursuant to subsection (b)).

SECTION 201. PAY FOR FEDERAL AND DISTRICT OF COLUMBIA EMPLOYEES DURING LAPSE IN APPROPRIATIONS FOR FISCAL YEAR 1996.

(a) PROVISIONS RELATING TO THOSE WHO ARE PERMITTED OR REQUIRED TO SERVE.—Any officer or employee of the United States Government or of the District of Columbia government who is permitted or required to serve during any period in which there is a lapse in appropriations with respect to the agency in or under which such officer or employee is employed shall be compensated at the standard rate of compensation for such officer or employee for such period.

(b) PROVISIONS RELATING TO THOSE WHO HAVE BEEN FURLOUGHED.—

(1) IN GENERAL.—Any officer or employee of the United States Government or of the District of Columbia government who is furloughed for any period as a result of a lapse in appropriations shall not be entitled to basic pay with respect to any portion of such period, except as provided in paragraph (2)

(2) EXCEPTION.—Notwithstanding any other provision of law, any officer or employee referred to in paragraph (1) who is willing and able to serve during the period of the lapse in appropriations—

(A) shall be permitted to serve; and

(B) shall be compensated for any such service in accordance with subsection (a).

(c) DEFINITION.—For the purpose of this section, the term ''agency'' includes any employing entity of the United States Government or of the District of Columbia government.

(d) APPLICABILITY.—This section shall apply with respect to any lapse in appropriations for fiscal year 1996 occurring after December 15, 1995.

Mr. OBEY (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LIVINGSTON. Mr. Speaker, I make a point of order but reserve that point of order if the gentleman will make a brief explanation.

The SPEAKER pro tempore. The gentleman from Louisiana reserves a point of order.

The gentleman from Wisconsin [Mr. OBEY] will be recognized for 5 minutes.

Mr. OBEY. Mr. Speaker, I will not take the 5 minutes I will only take 1.

Mr. Speaker, as it now stands, government workers cannot volunteer to come in to work during the shutdown, but the Speaker has announced tonight that they will nonetheless be paid. What this motion would simply do, at the suggestion of the gentleman from Virginia [Mr. MORAN], is that we simply say that since workers will be paid, the ought to be allowed to come in and work if they want to. That is in essence all this does.

Mr. Speaker, let me simply, in asking for a ruling from the Chair, indicate that I think on both sides of the aisle we recognize that you have tried to do an extremely fair job tonight, and we congratulate you for it.

POINT OF ORDER

Mr. LIVINGSTON. Mr. Speaker, I echo the gentleman's remarks about the way the Speaker has maintained order throughout this debate.

Mr. Speaker, I make a point of order against the motion to recommit with instructions because it is not germane to the underlying resolution, and as such is in violation of clause 7, of Rule XVI.

Mr. Speaker, I quote from the Precedents of the House:

It is not in order to do indirectly by a motion to commit with instructions what may not be done directly by way of amendment.

Mr. Speaker, a specific proposition can not be amended by another proposition broader in scope. The motion to recommit deals with funding and authorizing activities outside the Department of Veterans Affairs, and therefore is not germane to the underlying resolution which deals only with funding for selected activities in this department.

Mr. Speaker, the gentleman's motion to instruct is not germane, and I ask for a ruling from the Chair.

The SPEAKER pro tempore. Does the gentleman from Wisconsin desire to be heard on the point of order?

Mr. OBEY. Mr. Speaker, I would simply say that the purpose of this resolution tonight is to open certain functions of the veterans Department so that the public can receive the benefit of the services from that department.

We are simply saying that since it has already been announced that government workers will be paid afterwards, whether they work or not, that we think they ought to be allowed to work, and I will leave the ruling in the hands of the Chair.

The SPEAKER pro tempore. Using the same reasoning as in the case of the previous point of order, the Chair finds that the amendment proposed in this second motion to recommit exceeds the relatively narrow ambit of the joint resolution by addressing the compensation of Federal employees on government-wide bases. Accordingly, the point of order is sustained, and the motion to recommit is ruled out of order.

MOTION TO RECOMMIT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, at the direction of the minority leader, I offer a third motion to recommit.

The SPEAKER pro tempore. The gentleman remains opposed to the joint resolution?

Mr. OBEY. I do, Mr. Speaker.

Mr. SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. OBEY moves to recommit the resolution to the Committee on Appropriations with instructions to report back forthwith with an amendment as follows:

Strike all after the resolving clause and insert:

SEC. 101. ENSURED PAYMENT DURING FISCAL YEAR 1996 OF VETERANS' BENEFITS IN EVENT OF LACK OF APPROPRIATIONS.

(a) PAYMENTS REQUIRED.—In any case during fiscal year 1996 in which appropriations are not otherwise available for programs, projects, and activities of the Department of Veterans Affairs, the Secretary of Veterans Affairs shall nevertheless ensure that—

(1) payments of existing veterans benefits are made in accordance with regular procedures and schedules and in accordance with eligibility requirements for such benefits; and

(2) payments to contractors of the Veterans Health Administration of the Department of Veterans Affairs are made when due in the case of services provided that directly relate to patient health and safety.

''(3) all other authorized activities of the Department of Veterans Affairs including processing of existing and new applications for benefits and pensions, processing of certificates of eligibility for homeownership loans and loan guarantees, and payment of salaries of federal government personnel providing health care for our nation's veterans, are continued at a rate for operations not to exceed the rate in existence on December 15, 1995.

(b) FUNDING.—There is hereby appropriated such sums as may be necessary for the payments pursuant to subsection (a), including such amounts as may be necessary for the costs of administration of such payments.

(c) CHARGING OF ACCOUNTS WHEN APPROPRIATIONS MADE.—In any case in which the Secretary uses the authority of subsection (a) to make payments, applicable accounts shall be charged for amounts so paid, and for the costs of administration of such payments, when regular appropriations become available for those purposes.

(d) EXISTING BENEFITS SPECIFIED.—For purposes of this section, existing veterans benefits are benefits under laws administered by the Secretary of Veterans Affairs that have been adjudicated and authorized for payment as of—

(1) December 15, 1995; or

(2) if appropriations for such benefits are available (other than pursuant to subsection (b)) after December 15, 1995, the last day on which appropriations for payment for such benefits are available (other than pursuant to subsection (b)).

Mr. OBEY (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. OBEY] is recognized for 5 minutes.

Mr. OBEY. Mr. Speaker, this amendment is very simple. The proposition now before the House allows the Veterans Department to open for the purpose of payments of existing veterans' benefits and to provide payments to contractors of the Veterans Health Administration of the Department of Veterans Affairs when due in the case of services, provided that those services directly relate to patient health and safety.

All we would do is add the following language. We would add language saying that the Veterans Department would also be open for all other authorized activities of the Department of Veterans Affairs, including the processing of existing and new applications for benefits and pensions, processing of certificates of eligibility for home ownership loans and loan guarantees, and payment of salaries of Federal Government personnel providing health care for our Nation's veterans.

And that they would be continued at a rate for operations not to exceed the rate in existence on December 15, 1995.

That is all it does. It simply says if you are going to open up the Veterans Department, open it up to everyone.

I would urge the Members of the majority, in the interest of comity, in the interest of rationality, to accept this amendment.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana [Mr. LIVINGSTON] for 5 minutes.

Mr. LIVINGSTON. Mr. Speaker, I am compelled to oppose this motion, and I ask that it be defeated. We have made a good-faith effort to address the specific veterans' problems that were included in this bill, so that they can get their checks next week. We should pass this bill.

We want to work with all parties, the White House, the minority, and various members of our committee to take care of the balance of the other concerns down the line. But let us defeat this motion, let us pass the bill, let us conclude our business and let us go home for the night.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 178, noes 234, not voting 21, as follows:

[Roll No. 873]

AYES—178

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Durbin
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Gordon
Green
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kleczka
Klink
LaFalce
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Mascara
Matsui
McCarthy
McDermott
McHale
McKinney
McNulty
Meehan
Meek
Menendez
Mfume
Miller (CA)
Minge
Mink
Moakley
Mollohan
Moran
Murtha
Nadler
Neal
Oberstar
Obey
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Poshard
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skelton
Slaughter
Spratt
Stenholm
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thornton
Thurman
Torres
Torricelli
Towns
Traficant
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Wise
Woolsey
Wyden
Wynn

NOES—234

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Montgomery
Moorhead
Morella
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—21

Beilenson
Chapman
Conyers
Edwards
Filner
Flake
Foglietta
Gilchrest
Gutierrez
Hall (OH)
Lantos
Myers
Olver
Payne (VA)
Rose
Skaggs
Stark
Weldon (PA)
Williams
Wilson
Yates

□ 2242

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the passage of the joint resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LIVINGSTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 411, nays 1, not voting 21, as follows:

[Roll No. 874]

YEAS—411

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Becerra
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Brownback
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clay
Clayton
Clement
Clinger
Clyburn
Coble
Coburn
Coleman
Collins (GA)
Collins (IL)
Collins (MI)
Combest
Condit
Cooley
Costello
Cox
Coyne
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
de la Garza
Deal
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Dooley
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Durbin
Ehlers
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Evans
Everett
Ewing
Farr
Fattah
Fawell
Fazio
Fields (LA)
Fields (TX)
Flanagan
Foley
Forbes
Ford
Fowler
Fox
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Frost
Funderburk
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Geren
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee (TX)
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence

Spratt	Thurman	Watt (NC)
Stearns	Tiahrt	Watts (OK)
Stenholm	Torkildsen	Waxman
Stockman	Torres	Weldon (FL)
Stokes	Torricelli	Weller
Studds	Towns	White
Stump	Traficant	Whitfield
Stupak	Upton	Wicker
Talent	Velazquez	Wise
Tanner	Vento	Wolf
Tate	Visclosky	Woolsey
Tauzin	Volkmer	Wyden
Taylor (MS)	Vucanovich	Wynn
Taylor (NC)	Waldholtz	Young (AK)
Tejeda	Walker	Young (FL)
Thomas	Walsh	Zeliff
Thompson	Wamp	Zimmer
Thornberry	Ward	
Thornton	Waters	

NAYS—1

Obey

NOT VOTING—21

Beilenson	Gibbons	Rose
Chapman	Gilchrest	Skaggs
Conyers	Gutierrez	Stark
Edwards	Hall (OH)	Weldon (PA)
Filner	Lantos	Williams
Flake	Myers	Wilson
Foglietta	Payne (VA)	Yates

□ 2258

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GOVERNMENT SHOULD BE OPEN FOR ALL CITIZENS

(Mr. OBEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OBEY. Mr. Speaker, I simply take this time to explain for the RECORD why I have cast the only vote against the proposition the House just voted on. I did not vote no because I was opposed to the proposition; as I said during debate, no one was opposed to the proposition. But House rules dictate if I were to be in a position to offer a motion to recommit that I needed to vote ''no'' on final passage.

I did so because I felt strongly that we should not only open the government for the services provided in the resolution, but should also open the Government for the purpose of other services that could be provided by the veterans department, and all other government employees as well.

The motion that I offered included all of the language of the original resolution, plus the additional language that would have opened up other functions of the veterans department, providing those services as well, and opened up all other agencies of the government which remained closed.

So for procedural reasons, to protect my right to offer that language which included all of the language provided in the original resolution, I was required by the House rules to vote ''no.''.

NOTICE OF INTENTION TO OFFER PRIVILEGED RESOLUTION PROVIDING DEFICIT REDUCTION AND ACHIEVE A BALANCED BUDGET BY FISCAL YEAR 2002

Mr. TAYLOR of Mississippi. Mr. Speaker, I have a privileged resolution at the desk.

The SPEAKER pro tempore (Mr. LAHOOD). Is the gentleman from Mississippi making a notice?

Mr. TAYLOR of Mississippi. I have a privileged resolution at the desk. As you know, the Chair can either bring this up immediately——

The SPEAKER pro tempore. The Chair would advise the gentleman from Mississippi that there is no privileged resolution at the desk.

PARLIAMENTARY INQUIRY

Mr. WALKER. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Pennsylvania will state his inquiry.

Mr. WALKER. Mr. Speaker, the inquiry that the gentleman from Pennsylvania has is, has his privileged motion been properly noticed?

The SPEAKER pro tempore. The Chair believes that the gentleman is trying to properly notice his resolution as privileged.

The Chair recognizes the gentleman from Mississippi [Mr. TAYLOR].

Mr. TAYLOR of Mississippi. Mr. Speaker, I am informing the Chair of my intention to serve a privileged resolution before this body, and as the Chair knows, under the Rules of the House, the Chair may bring this up immediately or may ask for a 2-legislative-day delay on this matter.

Since the matter involves the highest privilege of the Members collectively, and that is the privilege of doing our constitutionally mandated responsibility of providing for the budget in the appropriations of this country, I would ask for its immediate consideration.

As you know, Mr. Speaker, we have no budget before this country, and 300,000 good people are wondering whether or not they are going to get paid.

We have a job to do. We are 81 days late in fulfilling our legal responsibility of providing for a budget for this country. The budget that was passed has been vetoed by the President. There are not sufficient votes to get the two-thirds majority to override the President, and it is my intention to submit, as a result of that, privileged resolution H.R. 2530, commonly referred to as the coalition budget, in an effort to break this impasse.

I would like to point out that under rule IV of the Rules of the House of Representatives, Questions of Privilege, clause 1 states questions of privilege shall be, first, those affecting the rights of the House collectively. Article I, section 9, clause 7 reads, and I am guoting, ''No money shall be drawn from the Treasury but in consequence of an appropriation made by law.''

Obviously, we cannot solve this budget impasse until we have passed and the President has approved a budget. Today marks the 81st day that this Congress has been delinquent in fulfilling our statutory responsibility of enacting a budget into law; and again, one has passed, but short of the two-thirds majority needed to override the presidential veto.

Mr. Speaker, by failing to enact a budget into law, this body has failed to fulfill our most basic constitutionally mandated duties. This Congress has failed to appropriate the necessary funds to fulfill the vital functions of our Nation.

The SPEAKER pro tempore. Will the gentleman from Mississippi suspend?

The Chair would advise the gentleman, the gentleman needs to make notice to the House of his resolution. The Chair would ask the gentleman to state his notice.

Mr. TAYLOR of Mississippi. Mr. Speaker, I am doing so in telling my fellow Members.

The SPEAKER pro tempore. Could the gentleman from Mississippi read the title of his resolution in order to give notice to the House?

Mr. TAYLOR of Mississippi. Sir, as of today, I am introducing the coalition budget, H.R. 2530, to provide for deficit reduction and achieve a balanced budget by fiscal year 2002, as a privileged resolution and request its immediate consideration.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time or place designated by the Speaker in the legislative schedule within 2 legislative days of its being properly noticed. That designation will be announced at a later time.

In the meantime, the form of the resolution proffered by the gentleman from Mississippi will appear in the RECORD at this point.

The Chair is not at this point making a determination as to whether the resolution constitutes a question of privilege. That determination will be made at a time designated for consideration of the resolution.

Mr. TAYLOR of Mississippi. Will the Speaker recognize me for a unanimous-consent request?

The SPEAKER pro tempore. The Chair would advise the gentleman that the title will appear in the RECORD.

Mr. TAYLOR of Mississippi. The Chair has fulfilled my request.

PARLIAMENTARY INQUIRIES

Mr. BROWDER Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BROWDER. Mr. Speaker, the gentleman from Mississippi [Mr. TAYLOR] has filed a motion, and I understand that the Chair has ruled that this will be dealt with by the Speaker in the next 2 days.

My inquiry is this: Does this mean that before we leave this Friday that this request will be scheduled by the Speaker so that the people of this country will not go through Christmas without a budget for the U.S. Government?

The SPEAKER pro tempore. The Chair would advise the gentleman that consideration will be scheduled within 2 legislative days by the Speaker.

Mr. WALKER. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WALKER. In the action that just took place here a few minutes ago with regard to the privileged resolution, is the totality of the privileged resolution, namely the budget offered by the gentleman, going to be printed in the RECORD, or just the title?

The SPEAKER pro tempore. The Chair stated earlier the title of the resolution would be printed in the RECORD.

Mr. WALKER. So the totality of the resolution would not be printed?

The SPEAKER pro tempore. The title of the bill will be printed, not the totality.

Mr. WALKER. I thank the Chair.

Mr. TANNER. Parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. TANNER. Mr. Speaker, how much notice would the Chair give to the sponsor of the resolution? Would it be tomorrow or would it be Friday, or is it impossible for the Speaker to so advise at the moment?

The SPEAKER pro tempore. The Chair intend to give adequate notice to Members.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members are recognized for 5 minutes each.

TRIBUTE TO ROBERT WALKER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. FOX] is recognized for 5 minutes.

Mr. FOX of Pennsylvania. Mr. Speaker, I rise on this occasion to speak to my colleagues about someone very special who has been working very hard for this House and this country and the Commonwealth of Pennsylvania for 20 years. I speak of Congressman ROBERT WALKER who announced this week that he would not be seeking an 11th term in the House of Representatives.

There is no one I can think of presently, in Congress or in recent years, who has been more of a deficit hawk, a budget hawk, or a U.S. Representative extraordinaire. His expertise on parliamentary rules has been the best, and for many of us, like myself, he has been a role model for how to be a U.S. Congressman when it comes to constituent services and legislative advocacy.

His 10 terms of outstanding service to the people of Chester County and Lancaster County in Pennsylvania have certainly shown just what an outstanding Congressman can do for his State and his community. He is Pennsylvania's favorite son, ROBERT WALKER, a champion.

As chairman of the Committee on Science, he has worked to increase research for health care, for jobs, and for science. This is a man who loves this institution, who has respected its traditions, its history. It seems appropriate that the House now stands, Mr. Speaker, poised on the verge of passing a balanced budget for the first time since 1969, and that with Congressman ROBERT WALKER, his inspiration, his spirit, his drive, his enthusiasm have helped to sustain all Members of the House who believe that we can balance this budget, that we can in the next few days or weeks come to an agreement with the President of the United States and the Senate in helping our children, our grandchildren, to pass a balanced budget.

We know from Alan Greenspan that by passing a balanced budget we will reduce interest rates and thereby reduce the cost of home mortgages, car expenses and college costs. The balanced budget is what we need for our country, and ROBERT S. WALKER, the outstanding Congressman from Pennsylvania, will help lead us there, as he has through many fights, to make sure we maintain fiscal responsibility in this country.

I am proud to yield to the gentleman from Arizona [MR. HAYWORTH], for his comments.

Mr. HAYWORTH. I thank my good friend from Pennsylvania, and I would join him in the remarks of respect and affection for our colleague, BOB WALKER.

Mr. Speaker, through C–SPAN, millions of Americans have been able to see the expertise and the grace and the exemplary conduct with which ROBERT WALKER has comported himself on this floor. While it was his brother, Wally, who grew to a taller height and started, both at the University of Virginia and the National Basketball Association, and still labors in the front office of the Seattle Supersonics, I think it is safe to say that BOB WALKER has always stood tall, both for the people of Pennsylvania Dutch country, and more importantly, for the entire citizenry of the United States.

With that, I would yield back to my colleague from Pennsylvania, [Mr. FOX].

Mr. FOX of Pennsylvania. I would yield to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. I thank the gentleman for yielding, and let me just say that everybody holds BOB WALKER in great esteem.

I am reminded of a story by Jack Kemp when he was on a plane in the Caribbean, and somebody saw him and started to come toward him, saying, are you a Member of Congress. Jack figured here was another guy coming to recognize him, the potential Presidential candidate and a well-known sports star and Congressman; and when Jack Kemp said, I am, the guy said, well, then you must know BOB WALKER. I have seen him on C–SPAN.

All of us have seen BOB on C–SPAN, but what a lot of folks have not seen is that BOB WALKER is a guy who was always here to help anybody who comes out on the House floor, who has a legislative initiative. Whether you are a freshman or a Member who has been here for 16 years, Bob is always gracious, always willing to help, and maybe most importantly, always ready to fight for you.

I can remember when we did the all-night special orders, and BOB would always be the guy that volunteered for the slot from 2 a.m. to 3 a.m. in the morning. That takes a lot of guts.

A great American, and it is a real tragedy that he is leaving this House, a wonderful friend of all of us.

Mr. FOX of Pennsylvania. I am hoping this special order will change his mind.

I yield to the gentleman from Georgia, Congressman KINGSTON.

Mr. KINGSTON. I feel that I am a second-generation special order guy; I know that I am walking down a trail that was blazed by BOB WALKER and NEWT GINGRICH and JACK KEMP and DUNCAN HUNTER and a lot of guys before use who got a lot of people in the habit of watching C–SPAN, but more importantly got people to tune in to the issues of reducing the size of Government, providing tax relief, welfare reform, cutting down on Government, micromanagement out of Washington, and increasing personal freedom and responsibility, and I attribute that to BOB WALKER.

Mr. FOX of Pennsylvania. Thank you, Mr. Speaker, for your indulgence and thank you, BOB WALKER, for being a great American and a great Congressman.

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THE BUDGET DEBATE

The SPEAKER pro tempore (Mr. CHRYSLER). Under a previous order of the House, the gentlewoman from Florida [Ms. BROWN] is recognized for 5 minutes.

Ms. BROWN of Florida. Mr. Speaker, older Americans have fought this country's wars, built its cities, reared its children and tilled its soil. They deserve much and need much. So said the late Claude Pepper, who served Florida for 15 years in the Senate and 26 years more in the House. He was a true champion for the seniors of Florida and this country.

Mr. Speaker, we all agree that we were sent to Congress to pass a responsible budget. But I do not believe we

should balance the budget on the backs of the elderly, the sick, the poor, and the disabled.

Claude Pepper once said, ''My one great wish is to live long enough to see the day when this great and prosperous Nation can give every man, woman, and child every bit of health care he or she needs. I think this is a part of the American dream.''

Mr. Speaker, I share Claude Pepper's dream. Let us protect seniors. Let us pass a responsible budget, and let us do it now.

I yield to the gentleman from New Jersey [Mr. PALLONE].

Would the gentleman explain for the constituents of Florida why we are into this second shutdown. And I think the first one cost over $800 million?

Mr. PALLONE. Exactly.

I appreciate the gentlewoman from Florida bringing that to our attention. I think that much of that has been lost, unfortunately, during the debate.

The bottom line is that after the first shutdown, both the President and the Congress got together and passed what we call a continuing resolution which allowed the Government to operate for few weeks while the parties involved worked out their differences over the budget. The resolution that was passed not only called for the Government to continue to operate, it also called for a balanced budget in 7 years, and it recognized certain priorities that had to be protected as part of that budget, such as Medicare, Medicaid, education.

Ms. BROWN of Florida. School lunch.

Mr. PALLONE. Environment, nutrition programs, et cetera. The problem is that when that resolution ran out last Friday, the Republican leadership refused to bring up another continuing resolution. They have not done so Friday, Saturday, Sunday, Monday, Tuesday. Now we are into the fifth day, if you will, without a continuing resolution, which means that the Government continues to be shut down. They have refused so far to meet the agreement, if you will, of the previous continuing resolution.

Ms. BROWN of Florida. Does the continuing resolution have anything to do with the budget talks that we can pick up in January and go on until the November election of 1996? Because I really believe that the American people are going to have to resolve this. They have got to decide what kind of House do they want.

Mr. PALLONE. Exactly.

Ms. BROWN of Florida. And whether or not they want this House to be run by extreme radicals.

Mr. PALLONE. Exactly. I think the point is that we had agreed, with the previous continuing resolution, that while we worked out our differences on the budget, the Government would continue to operate. And it set forth an agreement that we would have a 7-year balanced budget, assuming that certain priorities were maintained, such as Medicare and Medicaid and some of the other programs that you mentioned.

The problem now is that the Republicans let that continuing resolution run out and have refused to bring up another one, and as a consequence, the Government shutdown is in a sense the hostage that is being held by the Republican leadership because they cannot get their way, if you will, on the budget.

Ms. BROWN of Florida. I heard some of the freshmen earlier said that they would never vote for another continuing resolution. Did we not just have one on VA?

Mr. PALLONE. We had one on VA.

Ms. BROWN of Florida. Did they not vote for it?

Mr. PALLONE. They voted for one just with the VA but they refused to bring up a larger continuing resolution that would prevent the rest of the Government from being shut down. Basically, what they are doing is playing politics, because they know that veterans' benefits will not go out tomorrow. So they agreed to let that go by, but they refused to worry about the other benefits, the other programs, whether it be education or some of the other social programs or agencies, whatever is necessary for various agencies.

Ms. BROWN of Florida. I was talking about Claude Pepper earlier, and I have a picture of Claude and Lyndon Baines Johnson together.

I have heard these Republicans get up here and talk about they want to tear this Government down, brick by brick. I think the American people need to weigh in on how they want this country to look, whether or not they just want this country for the rich and famous or for all of us.

Mr. PALLONE. I think you are absolutely right. This is the first time, and I think it is outrageous, that people have articulated that they are going to close the Government down because they cannot get their way on legislation.

Ms. BROWN of Florida. In closing, you can fool some of the people some of the time but you cannot fool all of the people all of the time.

A TITANIC BUDGET BATTLE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington [Mr. METCALF] is recognized for 5 minutes.

Mr. METCALF. Mr. Speaker, is there anyone in America that believes that there is no waste in our budget today? That we cannot make cuts or decrease the increases which have been projected, in a $1.6 trillion budget?

We spend over $1.6 trillion each year. Some say there is no way we can cut it at all. Every dollar we try to cut brings a chorus of screams. Any projected increase that we try to decrease, they say will devastate Medicare and will take food out of the mouths of children, it will put the poor right out on the streets.

This is a huge system that has been built, a spending system that has been built over many years. It is producing deficits of hundreds of billions of dollars. Now we have come to the time we have to make the decision.

Everyone in America knows that there is a lot that we can remove from this budget without serious harm to anything. What is going on, then? What is going on in this House? What is going on is a titanic battle that is being waged that will determine the destiny of this Nation.

The question that will be answered in the next 2 weeks, 3 weeks, month or so, will we in this time be able to balance the budget or will we continue with the deficits that are destroying this Nation? This huge $5 trillion debt is strangling America. The interest on this debt will surpass the defense spending, the huge defense spending bill. The interest will surpass defense spending next year in the budget that we start on in the next few months.

My wife and I have realized the American dream. We own our own home, free and clear. We run a small business in our home. It is not a large business, just a small business. But that, to me, and I think to most people, is the American dream.

But let us look to the future. What chance do our children, what chance do our grandchildren have to realize the American dream? A child born in 1995 will pay $187,000 in taxes just to pay the interest on the debt. Just to pay the interest on the debt—$187,000 will buy a pretty good house today. The previous spending has destroyed the American dream for a lot of the children that will be born in 1995, because it is that $187,000 house that they are not going to get, because they had to pay that $187,000 just to pay the interest on the national debt.

Every vote for an unbalanced budget over the last 40 years was a vote to destroy the American dream for our own children.

We have got to look at this interest thing and the amount of money that we pay in interest. England is still paying interest on the money that they borrowed to fight Napoleon. They have paid that principal in interest over 15 times and they still owe that principal.

Mr. Speaker, we have to balance the budget. We have no choice. This is not really negotiable. A balanced budget with honest numbers is the only way that we will protect the American dream for our children and grandchildren, and we must succeed at that.

PARLIAMENTARY INQUIRY

Mr. KINGSTON. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. KINGSTON. With both the Democrat and the Republican leaders having an hour left and there being less than 1 hour remaining, we would like to split the time. That being the case, I would like to know how much time each side would have.

The SPEAKER pro tempore. Each side will have 17½ minutes.

Mr. KINGSTON. It is my intention to split that time with the gentleman from New Jersey [Mr. PALLONE].

FAILURE TO PASS CONTINUING RESOLUTION A REAL TRAGEDY

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from New Jersey [Mr. PALLONE] is recognized for 17½ minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, I wanted to use my time tonight to point out what I consider to be a real tragedy in what has happened here today in the House of Representatives. This morning when we began the session, I was particularly upset because the gentleman from Texas, who is part of the Republican leadership, got up and made a point of the fact that it was incumbent, if you will, on the Republican majority to shut down the Government until they were able to get agreement on the budget.

I strongly disagree with the message that was sent in that regard. As the day went on, we saw speaker after speaker on the Republican side get up and say basically the same thing, which is that if the Republicans cannot get their way on the budget, if the President and I guess the Democrats in the House do not agree on the policy of the budget that the Republicans have put forth, then we should simply shut down the Government and it should not continue to operate until that agreement is reached.

That is totally the opposite of what I believe we should be doing here and what I believe the obligation of the majority is.

The majority that was elected in this House of Representatives in November of 1994, like any majority, has the obligation to govern. The obligation to govern means that the Government continues to operate while you work out your differences with the minority or with the President about what the budget should be.

Speaker GINGRICH actually articulated a few weeks ago exactly what the position is that the Republicans represented today. He said, ''I don't care what the price is, I don't care if we have no executive offices and no bonds for 30 days, not at this time.''

It is totally irresponsible in my opinion to hold the Government hostage, in essence, and say that unless we get our way on this budget, unless our priorities are met, we are going to keep this Government shut down. That is exactly what we have in front of us.

This evening there was a continuing resolution passed, a continuing resolution, which is what allows the Government to continue to operate, only on one aspect of the government shutdown and that was with regard to veterans' benefits.

But it should be pointed out, as it was today by many of the Democrats, that the price of the Government shutdown is not only millions of dollars that are lost because Federal employees will get paid for doing nothing, and also the fact that the Government has to keep certain essential services going, but also that many Americans who have paid taxes all along simply do not have the benefit of Government services that for many of them are very important or are very necessary.

We only dealt with one aspect of that this evening, and that was with veterans' benefits. Thankfully the Republican majority was willing to bring up the provision that would allow veterans' benefits to be paid starting tomorrow. But for whatever political reasons they saw fit to do that so as not to offend the veterans, the same should be done for every other Government agency and every other Government program. They should be allowed to continue to operate.

Just as an example, we have as of day 5 of this shutdown, this second shutdown now, almost 2 million people who have been turned away from National Park Service facilities. Four hundred thousand people have been turned away from the Smithsonian museums and the National Zoo just here in Washington. Sixty thousand students and parents applying for Pell grants or student loans have not had their applications processed and may not be able to pay for college. Over 780 small businesses have not received SBA guaranteed financing totaling over $120 million in loans. And about 720 calls made to the EPA, the Environmental Protection Agency's hot line for drinking water contamination outbreaks, have gone unanswered.

I could go on. There is a long list of the various Government services that are not functioning now with the shutdown. Again, I would say, what is the reason for this? What possible reason is there to hold the government hostage and to not allow the taxpayers who have paid for these services to receive them and thus be inconvenienced?

□ 2330

We could talk about passport offices, we could talk about many other things that are not being accomplished here.

The problem is that the President and the Democrats in Congress together have a very different sense of a priority for a balanced budget than the Republican majority, and what I have maintained all along is, if there are those differences, and there are, we should continue to operate the government while we work out the differences, and do not misunderstand that the Republican majority, because they control the Congress, they are the only ones that can bring up a continuing resolution and send it to the President so that government can continue to operate. So, if anyone suggests to you that somehow the President is shutting the government down, it is simply not true. The legislative responsibility for passing the continuing resolution exists with the Congress and with the majority party that governs the Congress.

Today it was my understanding actually that the leadership in the Republican Party, both Speaker GINGRICH and the House, as well as the Senate leadership in the Senate, were willing to go along with a continuing resolution to reopen the government, and the President articulated and said that that was the case, and they, both of the gentlemen who lead the House and the Senate, indicated to the President that they were willing to go along with that. But our understanding is that when Speaker GINGRICH went back to the Republican Caucus, he was told mostly by the less senior members, the freshmen and some others perhaps, that that was unacceptable, that the government should not continue to operate until the budget is signed by the President.

I think that those on our side who have characterized many of the new members of the Republican Party as extremists because of their position on the budget realize now that those extremist elements, if you will, within the Republican Members of Congress are now controlling the show and that even the Speaker, who has the responsibility, if you will, to represent the majority party, does not have the ability any more to control those extremist elements within the Republican Party, the less senior members who want to hold the government hostage because they cannot get their way on the budget.

Now in the time that I have left I would like to talk about these priorities that the President has set forward and that he insists must be maintained in the context of a 7-year balanced budget before he would sign the bill, before he would sign a budget bill, and I want to stress that these are important priorities, these are priorities that effect every American in some way.

One of the most important, of course, is Medicare.

The problem is that the Republican budget would take so much money out of Medicare that Medicare as we know it essentially would not be able to continue to operate. And for those who doubt that that is the case I will go back to a statement that Speaker GINGRICH made awhile ago on Medicare where he said, ''We don't do not get rid of it in round one because we don't think that's politically smart, and we don't think that's the right way to go through a transition period, be we believe it is going to wither on the vine because we think people are voluntarily going to leave it.'' He said that; it was quoted in the Washington Post on October 26 of this year.

This is the problem. So much money is cut out of the Medicare program under the Republican budget, and the way that the Medicare program is transformed essentially so that those who now have a choice of doctors are essentially pushed into managed care

or HMOs where they do not have a choice any more, the changes to the Medicare program are going to be so radical, if you will, and the money is going to be so much less in terms of what is needed to operate a quality Medicare program that Medicare will essentially wither on the vine and eventually cease to exist. That is the major reason why the President and the Democrats in the Congress are so concerned not to go along with this Republican budget.

And, secondly, there is also the Medicaid program which is the health care program for low income individuals, mainly again seniors, the disabled, children, and, in many cases, pregnant women. The Medicaid Program under the Republican budget, $163 billion is cut out of it essentially making it so that it cannot cover all the people that are now eligible for Medicaid, and then it is block granted or sent to the State, that money that is essentially cut back is block granted and sent to the States, and the States have to decide whether or not those who are now covered by Medicaid will continue to be covered. And so Medicaid, like Medicare, essentially withers on the vine, it does not have adequate funds, it is block granted, it is no longer guaranteed, and many of the people who now receive it will probably end up with no health insurance because many of the States, with the less money that is involved, will not be able to cover the seniors, the disabled, the children, the pregnant women who are now covered by Medicaid.

Now in the context of this, one of the most egregious, if you will, problems that the President sees and that the Democrats in Congress see, and one of the reasons why they are most unwilling to go along with this Republican budget plan, is because the money that is being taken away from these two health care programs is primarily going to tax breaks for wealthy Americans and wealthy corporations, and one of the main criteria or one of the main concerns that we have is that the Republicans have so far been unwilling to, if you will, eliminate or take back most of these tax breaks in order to finance Medicare and Medicaid.

It would be fairly easy for the Republican leadership to say, ''OK, we won't provide these tax breaks to wealthy Americans, we won't provide these tax breaks to wealthy corporations, and we'll use that money that we were going to use for those tax breaks and put it back into Medicare and Medicaid in order to keep those programs viable.'' But so far there has been no willingness on the part of the Republican leadership to go in that direction, which is one of the reasons why the President can simply not support the Republican budget the way it has been laid out.

Now I have one more chart here that I wanted to, and I only have another 5 minutes, and the gentleman can use his time, so let me just finish this, and if I have a few minutes left, I will yield, but I just wanted to show this chart that gives you some indication of the exploding costs of the Republican tax breaks.

The tax breaks are not only the wrong way to go because they are financing tax breaks for mostly wealthy people in order to cut Medicare and Medicaid, but they also do exactly the opposite, if you will, of what the Republicans say they want to do with this budget. They say they want to balance the budget, they want to eliminate the Federal deficit, and that is certainly a noble goal that both Democrats and Republicans in Congress, as well as the President, want to accomplish. But how in the world do you manage to balance the budget if you provide more tax breaks for wealthy Americans, or for anybody for that matter, and, as you can see, the cost of the tax breaks in the 7 years that the Republican budget sets forth beginning from 1996 into 2002, you can see what that means in terms of the overall budget. It makes it much more difficult to balance the budget, and many of us maintain that by the time the year 2000, or 2001, or 2002 comes around, the effect of giving out so many tax breaks will mean that ultimately the budget is not balanced.

So you can really see, I think it should be clear, why this battle that exists, if you will, between the Democrats and the Republicans, between the President and the Republican majority in Congress is so important for the future of the country. In order to truly balance the budget over 7 years, in order to protect Medicare and Medicaid, in order to protect some of the other priorities that the President wants to maintain such as education, direct student loan programs, environmental protection to make sure that our air and water quality does not deteriorate, all these things are crucial, and it is not just a question of people getting together and saying, you know, we can go along with what the Republicans have proposed because, if the President does and if the Democrats do, there are going to be some major negative impacts on the lives of the average American whether it be their health care, their education, or the quality of their life.

This is important; this is not something that should be trivialized. But I would stress again, and I think in closing, if I could, that the most important thing is that the Government should not be held hostage to the differences between the two parties or between the President and the Republican leadership over the budget. The Government should continue to remain open. A commitment was made when we passed the last continuing resolution a few weeks ago that we were all going to let the Government continue to operate while we negotiated and while we worked out a 7-year balanced budget that would protect the priorities such as Medicare, Medicaid, education, and the environment, and I was really outraged, and I really do not know where we are supposed to go the next few days when so many in the Republican Party in Congress now insist that the Government should remain shut down and that unless the President simply signs on the dotted line what the Republicans want in the budget, that we are going to continue to have this impasse.

This impasse is having a terrible effect on our country. Many of you saw that the stock market once again plunged today. It is going to have a major impact on the economy during the Christmas holiday and beyond, and I think that it is really tragic that so many of my colleagues on the Republican side got up today during the various times of the debate and said that they were insistent on closing the Government down in order to accomplish their goal.

If I have some time left, I would be glad to yield for a question.

Mr. KINGSTON. What I would like to ask you in particular, but not necessarily—I mean you and a lot of other Democrats:

If the Republicans said, ''OK, forget the taxes,'' then would Democrats then say, ''OK, we'll balance the budget in 6 years instead of 7?''

Mr. PALLONE. My understanding, and I think that it was brought home to you very clearly today with the coalition—you know the coalition, a group of more conservative Democrats who want to bring up their budget—that one of the things that they have in their budget is that they say we will use the 7 years that the Republicans have asked for, we will eliminate all the tax breaks, all the tax cuts, and we will take a lot of that money and put it back into Medicare and Medicaid in order to preserve those programs.

I think that it is not possible to accomplish the goal. It would be very difficult to accomplish the goal of protecting Medicare and Medicaid if you reduced your time frame to less than 7 and made it 6 or 5.

I would like to see the money from the tax break used to be put back into Medicare and Medicaid and keep the suggested 7-year time limit.

Mr. KINGSTON. And does the gentleman believe that the tax breaks for the working people of America, that, you know, most of it goes to people with a family earning less than $75,000, that that would not help stimulate the economy and, therefore, increase the number of jobs and, therefore, increase the revenues?

Mr. PALLONE. I will say this first of all. I do not agree with the gentleman that the majority of the tax breaks go to middle-income people. I think that I can show, and I do not have the chart here, but I can read some documents to you that show the majority of the money actually goes to wealthy Americans, but I would say to you, just respond to your question, if I could, and I forgot what your question is.

A REALISTIC BUDGET

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentleman from Georgia [Mr. KINGSTON] is recognized until midnight.

Mr. KINGSTON. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. PALLONE], my friend.

Mr. PALLONE. You mean the stimulation of the economy.

No, I believe that it is more important to balance the budget than to rely on a theory that says with these tax breaks that will go to most wealthy Americans that we can stimulate the economy. I think the economy would be better served by balancing the budget and not using and not providing the tax breaks.

Mr. KINGSTON. I thank the gentleman for his honesty on that. We will have to debate that further and continue.

Let me yield to the gentleman from California [Mr. HUNTER], my friend.

Mr. HUNTER. Mr. Speaker, I thank the gentleman from Georgia [Mr. KINGSTON] for yielding and, let me just say that in listening to my friend from New Jersey I have learned I have got some new terms for what I call my liberalspeak dictionary. The first term is the rich.

The rich, according to liberalspeak, is anybody who has children, because the tax cuts and credits that are given in the Republican budget are given to people who have children.

□ 2345

That means if you get a $500 tax credit per child and you are a working guy who pays $1,500 a year in taxes, you have three children times $500, you take $1,500 off your taxes and you have reduced your taxes to zero. If you are a guy that pays $50,000 and you have three children at $500 apiece you take $500 off your $50,000 tax liability, and you still pay $48,500. The first liberalspeak term that they have been using extensively is ''the rich.'' ''The rich'' are any people that have children. That makes you rich in America. I guess in a way it does.

The other liberal-speak term that we have all been learning is ''a cut.'' This is why we have a $5 trillion deficit today. For the liberals, any increase that is less than 40 percent is a cut, because Medicare payments per senior citizen are going under the Republican budget from $4,800 to in excess of $6,700 per senior.

Mr. KINGSTON. If I could reclaim my time, I think I could enhance the gentleman's words. This is what is happening with Medicare under the Republican plan. It goes from $4,816 in the year 1995 to $7,101 in the year 2002. Only in Washington, DC would that be called a cut. I would suggest it is really a mathematics problem.

Mr. HUNTER. The gentleman is absolutely right. But we have to accept this liberal dictionary because all of our Democrat friends are using it across the country. Any increase in a government program that is less than a 40 percent increase they will call a cut.

Lastly, they have a new term. It is called ''radical.'' Anybody that believes that working men and women who earn money with their own sweat should be allowed to keep that money is a radical. The moderate view, the accepted view for the liberals, is that all the money belongs to the government, and only in times of extreme prosperity can the government afford to give back working men and women the money that they earned with their own sweat. Otherwise, you are a radical. So we have some new terms from the liberal dictionary, and I just heard the fine gentleman from New Jersey expound on those terms and once again define them for us.

Mr. KINGSTON. I yield to the gentleman from Arizona [Mr. HAYWORTH], but for a minute I want to point out the infamous $1 million check that is waiting here for any Democrat or any member of America who can show where the Republican plan is cutting Medicare. It is interesting that this check is dated December 6, and it has been collecting interest because nobody can prove there is a cut and nobody can collect this check.

Mr. HAYWORTH. I thank the gentleman for yielding, and to have our colleague, the gentleman from California, and another great gentleman from Georgia [Mr. COLLINS] here during the course of this special order with my good friend, the gentleman from Savannah, Georgia, in the well.

It is worth noting for the RECORD, though, there have been those who have tried to change the terms of the offer, just as they have tried to change the terms of the debate. Indeed as my colleague, the gentleman from California [Mr. HUNTER] pointed out, this liberal lexicon is not limited only to the other side of the aisle in this Chamber. As my good friends know, Mr. Speaker, that liberal lexicon exists on the other end of Pennsylvania Avenue, with a President who I am sure means well but who has the most inventive approach to history that I have ever seen.

For example, this afternoon the President of the United States went out to a press conference and said that there was one group in this institution that was causing all the problems, these infamous 73 freshman in the House of Representatives. I know my colleagues here take great umbrage at that, because indeed they are part of the new majority.

It is not only 73 percent of the freshman class, nor the 236 or maybe 237 Members now of our new majority, but if the President would check the RECORD he would find, Mr. Speaker, that yesterday when his budget was brought to this floor no one, no Republican, no Democrat, not even the independent in this Congress cast a vote in favor of that budget.

Mr. KINGSTON. Let me claim the time now, Mr. Speaker, because I want to make sure I understand what the gentleman is saying. Does the gentleman mean to tell me that the President of the United States had a balanced budget on the floor and not one Democrat voted for it? Is that what you are saying?

Mr. HAYWORTH. I would ask my friend to yield, because that is the important caveat. You see, again the President, who talked about a balanced budget as a campaigner in 1992, said we could balance it in 5 years, and who more recently has said 7, 8, 9, 10 years, the President of the United States has yet to send to this Congress a budget that will balance in 7 years. So I think, quite forthrightly and responsibly, Democrats, independents, and Republicans rejected that budget yesterday.

Of course, 2 days prior to today there was another resolution on the floor of this House simply restating the parameters and the guidelines for the balanced budget agreement, the same words the President signed into law 30 days ago agreeing to balance the budget in 7 years, using the honest, nonpartisan numbers of the Congressional Budget Office. On that occasion, 2 days ago, not only did this majority vote for that resolution, but so did three out of every four Democrats, and the lone independent in this Congress, the self-described Socialist, the gentleman from Vermont [Mr. SANDERS].

Mr. Speaker, I would make this appeal to the President of the United States. Mr. President, thanks for the credit, but in reality, if you fancy yourself a student of history and a self-described policy wonk, take a close look at the real numbers, because you see Republicans, Democrats, and independents united on this floor, and get real numbers into this budget negotiation process. Then you can join with us, Mr. President, and say that you truly have made history.

Mr. KINGSTON. Mr. Speaker, what I wanted to do was get back on the tax issue a minute. We have the distinguished gentleman from Georgia on the Committee on Ways and Means here, and the gentleman from California, Mr. DUNCAN HUNTER, who used to be in charge of the policy committee and knows all these things. It is interesting that the chart I am about to show you was actually developed by the Heritage Foundation which, while it is conservative, is certainly not Republican and is an independent think tank as opposed to some of the charts we are seeing by the Democrats.

This $500 per child tax credit, which we have heard time and time again, ''a tax credit for the rich,'' and I do not know when the Democrat party crossed the line, but it is obvious if you are rich in the Democrat party, it is worse than being a criminal, and it is certainly a lot worse than being an illegal alien, given the benefits they want to give to illegal aliens in California. In San Diego, goodness gracious, you cross the border and you are a lot more welcome than somebody is who is rich.

Good gosh, a rich person might be an employer.

Here are 89 percent of the people in America who will benefit from the $500 per child tax credit, and almost 90 percent have a family income of $75,000 or less. These are the rich people. So I guess what the extreme left is telling us is that if you make $75,000 or less, as the gentleman from California [Mr. HUNTER] said, if you got a job, they do not like you. You are one of those big, bad, evil rich.

I am glad to yield to the gentleman from Georgia [Mr. COLLINS].

Mr. COLLINS of Georgia. Mr. Speaker, I appreciate the gentleman yielding.

A lot has been said about the agreement in the bill that the President signed some 30 days ago dealing with the balanced budget and the agreement that we would reach one by the end of this legislative session. You asked the gentleman from New Jersey a while ago a very good question about tax policy: Did he think tax policy change would actually help to create jobs, as evidenced by the $500 per child tax credit?

I want to refer to the agreement, too, that the President also agreed with. That is, the last line in the first paragraph says ''Further, the balanced budget shall adopt tax policies to help working families and to stimulate future economic growth.'' Even the President himself believes that if you help working families, and working families are the ones that pay the bills in the this country, they are the ones that work, earn a paycheck, and money comes out of that paycheck and comes into the government, he agrees that if you help those people, you will help and stimulate economic growth, also through tax policy that helps benefit those who provide those jobs for those working people. So the President himself has said, ''Let us change and adopt tax policy that helps working America and also stimulates the economy.''

Mr. KINSTON. Mr. Speaker, I would ask the gentleman, was that candidate Clinton or President Clinton?

Mr. COLLINS of Georgia. Mr. Speaker, that is in the law the President signed some 30 days ago. He himself promotes the fact that we need to change and adopt tax codes that will stimulate the economy, and that goes back to the capital gains, the repeal of the depreciation schedule, the alternative minimum tax, the $500 per child tax credit. All of those things will help stimulate the economy, you do have growth, economic growth, as he agreed to.

□ 2355

Mr. HUNTER. If the gentleman will yield, one thing we have noticed with the liberals with their new dictionary that says that if you are rich, that means anybody who has children is rich. They have avoided in all of their descriptions of the budget, of the Republican budget, the term children, because they know that the American people have common sense, and if the American people know that the bulk of the tax cuts in the Republican plan are giving anybody who has children $500, count them, $500 per child tax credit, then everybody has enough common sense to realize that that is mostly going to be absorbed by working people.

Rich people do not have 50, 100, 200 children. They do not have more children than people in middle income class or lower income class. They know that everybody has children. They also know that working people, the working guy who is paying $1,500 a year in tax liability who has three children at $500 apiece will see his tax liability totally erased, and the guy who has $50,000 a year in tax liability and has three children at $500 apiece will only have it reduced about 1 percent, down to $48,500.

That is why the Democrats never use the word ''children.'' They think they want to let the American people rely on the notion that there is some obscure formula that we put together that says only the Forbes family gets this tax cut, and that is not true. Anybody with children.

Mr. COLLINS of Georgia. Will the gentleman yield? Let us look at how that $500 actually helps that working family and then simultaneously stimulates the economy. What will they do with the $500? They will spend it. They will spend it on their family. That is how it helps that family, and once they spend it, they spend it normally on consumer goods or some type of service.

That helps stimulate the economy. It is a very positive move for this country to adopt tax policy, as the President has agreed, that will help working families and stimulate economic growth.

Mr. KINGSTON. Well, the thing that I think is also important to remember is that the average middle-income family in the 1950's paid 2-percent Federal income tax. Today that same average middle-income family pays 24-percent Federal income tax, and that does not even take into account all of your State and local taxes that have gone up year after year, and as a result, we have less time as a family to sit down and import information to the next generation: help educate kids, help teach them manners, and help teach them right from wrong. You have to have two-income families just to pay the Government. It has become a lower quality of life.

I yield to the gentleman from Arizona.

Mr. HAYWORTH. I thank my colleague from Georgia, and I think he absolutely again addresses this situation in the most accurate manner possible. Because again, when we are talking about our children, there is nothing ignoble or selfish about letting hard-working Americans hang on to more of the money that they earn, because as our colleague from California points out, this money is not the Government's; the Government does not create the wealth. Working people create the wealth by the fruit of their own labors. As our colleague from Georgia points out, yes, Americans will spend that money, but it is also true, Mr. Speaker, that those Americans will save that money and invest that money in their children's future.

I thought my colleague from Georgia who stands in the well here in this special hour said it quite well during the course of the debate. This is all about children, and how dangerous and how immoral for us to saddle unborn generations with a debt that my young son faces. John Michael Hayworth, now 2 years old, over $185,000, almost $187,000 in interest on the debt the will have to pay if we do not make a change for the better.

Mr. KINGSTON. Gentlemen, we are about out of time. Let us all wrap up quickly.

Mr. COLLINS of Georgia. Our final word for my colleague from Georgia. You made a very important statement a while ago when you compared the tax policy of 1950 to today and how much more it takes out of a family income.

There has been a lot said in this Chamber about the erosion of family income. The President himself has talked about the erosion of family income. One of the reasons for erosion is taxation. Another is excessive regulations that go into the cost of consumer goods and services. That has accounted for the erosion of family income in this country.

Mr. HUNTER. Let us balance this budget. that is what we are here for. We are not going to leave this Hill until the budget is balanced, and I thank the gentleman for his great leadership in this area.

Mr. HAYWORTH. I would concur in that. I thank our friend from Georgia for organizing this special order, and I would simply say again to the President of the United States, you can try to attack us, but ultimately, the President should work with us, because the future of this Nation, nothing less than the future of this Nation, the future of our children and the future of all Americans is at stake. With that, I yield back to the gentleman.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman from Arizona [Mr. HAYWORTH], the gentleman from Georgia [Mr. COLLINS] and the gentleman from California [Mr. HUNTER] for being with me tonight.

Balanced budget, what does it mean to you? Lower interest rates. Small businesses can expand, create more jobs. It means lower home mortgages, lower car payments, lower student loan rates. It means a better quality of life, and more importantly than anything, it means an honest American Government, one that can look forward to even greater heights.

Mr. COLLINS of Georgia. To sum it up, the only person standing between the balanced budget and the people of this country is the President of the

United States, because he vetoed the balanced budget that the leader from the other body and the Speaker of this House were instrumental in passing and sent to his desk. He vetoed it. He stands between the people and the balanced budget, and I thank the gentleman for yielding.

Mr. KINGSTON. Mr. Speaker, I yield back the balance of my time.

THE PEOPLE'S WORK

Mr. HAYWORTH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection without objection.

Mr. HAYWORTH. Mr. Speaker, I would just simply like to point out that this is more evidence that this House is about the work of the American people. It is this House that has passed appropriations bills that this President has vetoed. He has put Americans out of work. It is his decision; the mantle of leadership rests uneasily on his shoulders.

We are here in the Congress of the United States to lend a helping hand to inject a dose of honesty and reality into these proceedings, and that is why even now, as our friends in the Committee on Rules labor, they are doing so for the highest of purposes: to restore the ideal of limited and effective Government and to achieve the balanced budget which we all have said we want to achieve, for our children deserve no less.

Mr. KINGSTON. Will the gentleman yield?

Mr. HAYWORTH. I would be happy to yield to my friend from Georgia.

Mr. KINGSTON. Mr. Speaker, what is curious about this whole process is that we are not cutting spending, unfortunately. We are not freezing spending, unfortunately. We, over a 7-year period of time, are increasing spending 3 trillion new dollars, and the President wants to increase it 4 trillion new dollars.

Mr. HAYWORTH. Would the gentleman from Georgia please repeat those numbers?

Mr. KINGSTON. We, over a 7-year period of time, we being the Republican Party, are suggesting increasing spending 3 trillion new dollars over the next 7 years. The President wants to increase spending $4 trillion over the next 7 years.

Mr. HAYWORTH. The $4 trillion in additional spending is what this President would like to do, and that is the reason he is against a balanced budget?

Mr. KINGSTON. The gentleman talked earlier about the 73 new freshmen, and I assume not 1 of you ran on a platform of increasing spending 3 trillion new dollars. The point being is I really and truly believe the American people want a balanced budget. I believe the time has come for it, and I also believe, to paraphrase Dwight W. Eisenhower, that once the American people make up their mind to do something, there is not much you can do to stop it.

So I believe, thank the Lord, that this is beyond the President, this is beyond Congress, this is beyond the Senate. This is something the American people want, and therefore, I think we are going to get a balanced budget.

Mr. HUNTER. Will the gentleman yield?

Mr. HAYWORTH. I am happy to yield to our friend from California.

Mr. HUNTER. Mr. Speaker, the gentleman just hit the nail on the head, because you mentioned the time. A number of our friends on the other side of the aisle call a balanced budget a noble goal, but it is never the right time to have it. It is always the right time to increase another program by 50 percent, because if you increase it by less than 40 percent, they will call it a cut, but it is never quite the right time to have a balanced budget.

I think you are exactly right. The American people think that this is the right time. If we leave this Hill without having a balanced budget over this next 5, 10, 15 days, we will have failed the American people.

Mr. KINGSTON. On that subject, I want to mention that I know Mr. Hayworth knows this story, because I have told it before, about the guy that goes to the farmer and wants to borrow his friend's ax and he goes next door and he says, ''I want to borrow your ax today; I have to chop some wood.'' The guy says to the farmer, ''I do not want to lend you my ax,'' and the farmer says, ''why not?'' He says, ''I am making soup today.'' He says, ''making soup? What does that have to do with me borrowing your ax?'' He says, ''nothing, but if I do not want to do something, any excuse is a good one.''

What we are seeing on issue after issue is: yes, I want to balance the budget, but not here, not now, not this one, not that program.

I yield back to the gentleman from Arizona.

Mr. HAYWORTH. I think the gentleman, and I thank the Speaker.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

□ 0010

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CHRYSLER) at 12 o'clock and 10 minutes a.m.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4, THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY ACT OF 1995

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 104–431) on the resolution (H. Res. 319) waiving points of order against the conference report to accompany the bill (H.R. 4) to restore the American family, reduce illegitimacy, control welfare spending, and reduce welfare dependence, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION AUTHORIZING SPEAKER TO DECLARE RECESSES SUBJECT TO THE CALL OF THE CHAIR FROM DECEMBER 23, 1995 THROUGH DECEMBER 27, 1995

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 104–432) on the resolution (H. Res. 320) authorizing the Speaker to declare recesses subject to the call of the Chair from December 23, 1995, through December 27, 1995, which was referred to the House Calendar and ordered to be printed.

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STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LAUTENBERG (for himself, Mr. ROBB, Mr. SARBANES, and Ms. MIKULSKI)

S. 1486. A bill to direct the Office of Personnel Management to establish placement programs for Federal employees affected by reduction in force actions, and for other purposes.

THE PUBLIC SERVANT PRIORITY PLACEMENT ACT OF 1995

Mr. LAUTENBERG. Mr. President, I rise today with Senators ROBB, SARBANES, and MIKULSKI to introduce the Public Servant Priority Placement Act, a bill to assist Federal workers who lose their jobs as a result of downsizing. This legislation would require Government agencies to give priority consideration to these employees when filling vacancies.

Mr. President, the Federal Government is in the process of significant downsizing, and that process is likely to intensify substantially in the coming years. Under current law, 272,000 civilian positions will be eliminated by fiscal year 1999. If an agreement is reached to balance the budget, that number probably will be much larger.

Mr. President, it is easy for some to ignore the plight of these workers by talking derisively of so-called faceless bureaucrats. But all of these workers are human beings with families, bills to pay, and obligations to meet. For most, getting laid off is a painful and traumatic event. And for many, the financial implications are severe.

Most dislocated employees are hard-working, talented, skilled, and dedicated individuals who have contributed much to our Nation. They did not lose their jobs because they were lazy, or because they did poor work. They were simply innocent victims of forces larger than themselves.

Mr. President, in an effort to assist these employees, and to ensure that their talents are not lost entirely to the Government, agencies have developed their own placement programs for former employees. The most successful such program is the Department of Defense's Priority Placement Program, or PPP. Under the program, involuntarily separated workers are granted a preference when vacancies are filled. Since PPP's inception in 1965, over 100,000 DOD employees have been placed successfully elsewhere in the Department. Unfortunately, the program's placement rate has been reduced in recent years because fewer job opportunities have been available.

In coming years, few Federal agencies are likely to excape the budget axe. Some agencies probably will be eliminated altogether. It is critically important, therefore, that Congress work to ensure that all displaced workers get the support they need.

Mr. President, the Office of Personnel Management operates two government-wide placement programs that supplement the efforts of individual agencies. Yet OPM's programs are not sufficient, in part because agencies all too often do not grant any preference to workers displaced from other agencies. According to a 1992 report by the General Accounting Office, in fiscal year 1991, OPM's programs had 4,433 registrants and made 110 placements. Although OPM has made improvements to its programs since 1992, there clearly remains a need for a coordinated, mandatory, Governmentwide placement program.

The Public Servant Priority Placement Act would direct OPM to establish such a program for RIF'd employees. It also would require agencies to institute their own intra-agency placement programs for these workers. Unlike the current placement programs, except for DOD's, agencies would be required to offer positions to dislocated workers if they are qualified.

Under this legislation, if an agency has a vacancy it cannot fill internally, such as through a promotion, it would be required to offer that position to a qualified RIF'd employee of that agency who meets certain criteria relating to classification and pay, and who is located within the same commuting area. If no such employee exists, then that agency shall offer the vacancy to a comparably-situated, well-qualified RIF'd employee from another Federal agency. Should no RIF'd employee meet these criteria, then the agency may hire a person who is outside of the Federal Government.

Mr. President, I introduced a very similar bill in the last Congress, and I am pleased that the concept has begun to attract support. A bipartisan bill was introduced a week and a half ago in the House, a component of which is almost identical to the bill we are introducing today. The Clinton administration also endorses the concept of a mandatory placement preference system.

Mr. President, I urge my colleagues to support the bill and ask unanimous consent that a copy of the legislation be included in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1486

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PLACEMENT PROGRAMS FOR FEDERAL EMPLOYEES AFFECTED BY REDUCTION IN FORCE ACTIONS.

(a) SHORT TITLE.—This Act may be cited as the ''Public Servant Priority Placement Act of 1995''.

(b) IN GENERAL.—Subchapter I of chapter 33 of title 5, United States Code, is amended by adding at the end thereof the following new section:

''§ 3329b. Placement programs for Federal employees affected by reduction in force actions

''(a) For purposes of this section the term ''agency'' means an ''Executive agency'' as

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

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defined under section 105, except such term shall not include the General Accounting Office.

''(b) No later than 180 days after the date of the enactment of this section, the Director of the Office of Personnel Management shall establish a Government-wide program and each agency shall establish an agency program to facilitate employment placement for Federal employees who—

''(1) are scheduled to be separated from service under a reduction in force under—

''(A) regulations prescribed under section 3502; or

''(B) procedures established under section 3595; or

''(2) are separated from service under such a reduction in force.

''(c) Each agency placement program established under subsection (b) shall provide a system to require the offer of a vacant position in an agency to an employee of such agency affected by a reduction in force action, if—

''(1) the position cannot be filled within the agency;

''(2) the employee to whom the offer is made is qualified for the offered position;

''(3)(A) the classification of the offered position is equal to or no more than one grade below the classification of the employee's present or last held position; or

''(B)(i) the basic rate of pay of the offered position is equal to the basic rate of pay of the employee's present or last held position; or

''(ii) sections 5362 and 5363 apply to the basic rate of pay of the employee in the offered position; and

''(4) the geographic location of the offered position is within the commuting area of—

''(A) the residence of the employee; or

''(B) the location of the employee's present or last held position.

''(d) The Government-wide placement program established under subsection (b) shall—

''(1) coordinate with programs established by agencies for the placement of agency employees affected by a reduction in force action within such agency; and

''(2) provide a system to require the offer of a vacant position in an agency to an employee of another agency affected by a reduction in force action, if—

''(A) the vacant position cannot be filled through the placement program or otherwise be filled from within the agency in which the position is located;

''(B) the employee to whom the offer is made is well qualified for the offered position;

''(C)(i) the classification of the offered position is equal to the classification of the employee's present or last held position; or

''(ii) the basic rate of pay of the offered position is equal to the basic rate of pay of the employee's present or last held position; and

''(D) the geographic location of the offered position is within the commuting area of—

''(i) the residence of the employee; or

''(ii) the location of the employee's present or last held position.

''(e)(1) The agency placement program established under this section shall not affect any priority placement program of the Department of Defense that is in operation on the date of the enactment of this section.

''(2) The interagency placement program established under this section shall not affect the priority of placement of any employee under the agency placement program of such employee's employing agency.''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—(1) The section heading for the second section 3329 (relating to Government-wide list of vacant positions) is amended to read as follows:

''§ 3329a. Government-wide list of vacant positions''.

(2) The table of sections for chapter 33 of title 5, United States Code, is amended by striking out the item relating to the second section 3329 (relating to Government-wide list of vacant positions) and inserting in lieu thereof the following:

''3329a. Government-wide list of vacant positions.

''3329b. Placement programs for Federal employees affected by reduction in force actions.''.

By Mr. MCCAIN (for Mr. GRAMM (for himself, Mr. INOUYE, Mr. MCCAIN, Mrs. HUTCHISON, and Mr. INHOFE)):

S. 1487. A bill to establish a demonstration project to provide that the Department of Defense may receive Medicare reimbursement for health care services provided to certain Medicare-eligible covered military beneficiaries; to the Committee on Finance.

THE UNIFORMED SERVICES MEDICARE SUBVENTION DEMONSTRATION ACT OF 1995

● Mr. GRAMM. Mr. President, when we ask men and women to serve in our Nation's Armed Forces, we make them certain promises. One of the most important is the promise that, upon the retirement of those who serve 20 years or more, a graceful nation will make health care available to them for the rest of their lives. Unfortunately, for many 65-and-over military retirees, promises are being broken.

When the military's Civilian Health and Medical Program of the U.S. [CHAMPUS] was established in 1966, just 1 year after Medicare, 65-and-over military retires were excluded from CHAMPUS because it was felt they could receive care on a space-available basis from local military hospitals and they would not require health care services from the private medical community. For many years, there were few problems and plenty of available space, but as military bases and their hospitals have closed, more and more retirees are finding it increasingly difficult to receive the care they have been promised.

For many, being denied access to the local base hospital means they are completely reliant on Medicare. While Medicare is a valuable program that serves millions of Americans well, it was not designed as compensation for service to our country. Our military retirees, how-ever, have all served our Nation for a minimum of 20 years, and many for 30 years or more. With all the sacrifices they have made during their careers, I believe military retirees clearly have earned the benefits that they were promised.

While many health care options have been discussed that would appropriately reward the contributions of our military retirees, at a minimum they ought to be able to use their Medicare reimbursement eligibility wherever they choose, including the military health system. Our military treatment facilities also ought to be able to accept Medicare reimbursement and serve as Medicare providers for people who are eligible for both Medicare and for care in the military treatment system.

For this reason, today I am joined by Senators INOUYE, MCCAIN, HUTCHISON, and INHOFE in introducing a bill to establish a 2-year demonstration project that will allow Medicare to reimburse the Defense Department for health care services provided to Medicare-eligible beneficiaries who are also eligible to receive care in military treatment facilities. Called subvention. Medicare reimbursement to military treatment facilities has long been a priority of military retirees, and I believe passing this bill and getting this project under way should be a top priority for the Congress.

I am aware that some of my colleagues have also wrestled with this problem and have tried many different ways to establish a subvention program. As I introduce this bill, the Senate Armed Services Committee is working with the Pentagon and the Health Care Financing Administration [HCFA] to outline a demonstration project. In the House of Representatives, Congressman JOEL HEFLEY has introduced a bill to begin a subvention effort. While my subvention project is different than these, I believe it complements their efforts.

This program will not increase the cost to the taxpayer because it will ensure that DOD cannot shift costs to HCFA, and that the total Medicare cost to HCFA will not increase. In fact, I believe subvention could actually save money. The Retired Officers Association, in their letter to me of December 15, 1995, reports that:

> Using 1995 as a baseline, the eligible Medicare population will grow by 1.6 million beneficiaries by 2000. This will increase Medicare's cost by $7.7 billion if new beneficiaries rely on Medicare as their sole source of care. But, with subvention and DOD's 7 percent discount to the Health Care Financing Administration (HCFA), the aggregate cost increase can be reduced by $361 million over that same time frame. Because health care will be managed, further savings could be realized which could be passed on by DOD to Medicare through reduced discounts.

This legislation is strongly supported by many military and veterans organizations. I would ask unanimous consent to include in the RECORD 18 statements of support from the following groups: The Retired Officers Association, National Association for Uniformed Services, Air Force Association, National Military Families Association, Veterans of Foreign Wars of the United States, The American Legion, The Retired Enlisted Association, Reserve Officers Association of the United States, Military Service Coalition of Austin (Texas), Association of the United States Army, Air Force Sergeants Association, Non Commissioned Officers Association of the United States of America, United States Army Warrant Officers Association, Chief Warrant and Warrant Officers Association United States Coast Guard, Naval

Reserve Association, Naval Enlisted Reserve Association, Association of Military Surgeons of the United States, and Jewish War Veterans of the United States of America.

There being no objection, the materials were ordered to be printed in the RECORD, as follows:

ALEXANDRIA, VA,
December 15, 1995.

Hon. PHIL GRAMM,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRAMM: The Retired Officers Association (TROA) with its 400,000 members (including 68,000 auxiliary members), strongly endorses your bill to authorize the Department of Defense (DoD) to test an innovative concept called Medicare subvention, which would allow Medicare to reimburse DoD for care provided to Medicare-eligible uniformed services beneficiaries through the Military Health Services System. Uniformed services retirees and their families are entitled to medical treatment in military treatment facilities (MTFs) on a ''space available'' basis. However, DoD can't afford to enroll authorized Medicare-eligible retirees in its new Tricare program and will not make available ''space available'' care for older retirees unless Congress changes the law to allow reimbursement from Medicare.

Using 1995 as a baseline, the eligible Medicare population will grow by 1.6 million beneficiaries by 2000. This will increase Medicare's cost by $7.7 billion if new beneficiaries rely on Medicare as their sole source of care. But, with subvention and DoD's 7 percent discount to the Health Care Financing Administration (HCFA), the aggregate cost increase can be reduced by $361 million over that same time frame. Because health care will be managed, further savings could be realized which could be passed on by DoD to Medicare through reduced discounts. In addition to saving money for Medicare, taxpayers and beneficiaries, subvention will:

Promote military medical readiness,

Give older retirees the freedom to choose where they would like to get their health care services, i.e., either from civilian or military sources,

Prevent retirees from being ''shoved out'' of Tricare Prime (DoD's HMO-like program) when they turn age 65,

Enable those 65 and older to choose the military managed care approach for their comprehensive, cost-effective health care, and

Allow Congress and the government to keep the life-time health care promises made to those who served.

In closing, we applaud your efforts to introduce legislation that will test the viability of subvention and its potential cost savings to the government. The potential benefits of subvention are detailed in the enclosed fact sheet.

Sincerely,

MICHAEL A. NELSON,
President.

NATIONAL ASSOCIATION
FOR UNIFORMED SERVICES
Springfield, VA, December 14, 1995.

Hon. PHIL GRAMM,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRAMM: I am writing to express strong support for your legislation directing the conduct of a demonstration project to authorize Medicare reimbursement to the Department of Defense and its medical facilities for care provided in military treatment facilities (MTFs) and in DoD managed care networks.

Military retirees and their families are the only federal employees who lose their employer provided health care upon reaching age 65. Although eligible to use MTFs on a space available basis, deep cutbacks in health care personnel and funding as well as hospital closures resulting from Base Realignment and Closure Commission actions have shoved hundreds of thousands of retirees out of military medicine.

Medicare eligible retirees served in WWII, Korea, Vietnam and the long Cold War. They were recruited and reenlisted by promises of lifetime medical care. Now when they need it most they are being disenfranchised. Further, DoD's TRICARE program excludes them despite the fact that these retirees earned military sponsored health care through years of arduous service and paid for Medicare through payroll deductions.

Your Medicare reimbursement legislation will allow these patriots and their families to use their Medicare benefits in military treatment facilities which will save scarce Medicare trust funds while providing the necessary funds needed for their care. Your Medicare reimbursement bill is win-win legislation for everyone—Medicare, taxpayers, beneficiaries and military medicine.

I very much appreciate your leadership on this issue and you have our full support. We are confident that this demonstration will prove the need for a permanent reimbursement program.

Sincerely,

J.C. PENNINGTON,
Major General, USA (retired),
President.

AIR FORCE ASSOCIATION,
Arlington, VA, December 15, 1995.

Hon. PHIL GRAMM,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRAMM: The members of the Air Force Association strongly support your legislative initiative to develop a demonstration project to authorize Medicare subvention. Medicare Subvention would provide military retirees with seamless health care coverage regardless of age.

Most military members believe they were promised, through tradition and practice, ''health care for life,'' when deciding to choose a career in the military. In the past, Medicare eligible retirees have received health care in the military treatment facilities (MTFs) on a ''space available'' basis. However, cutbacks in health care funding and medical personnel, and base hospital closures resulting from base realignment and closure, is likely to force many Medicare eligible retirees out of the military medical system.

Military retirees are the only group of retired government employees who lose their health benefit upon reaching age 65. At age 65, retirees must enroll in Medicare or continue to take the risk of receiving health care on a space available basis in the MTFs or if eligible Veterans Administration facilities. Under current law, Medicare eligible retirees cannot enroll in TRICARE unless changes are made to the Social Security Act allowing Medicare subvention.

You have the Air Force Association's full support for the Medicare subvention demonstration program.

Sincerely,

R.E. SMITH,
President.

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
Washington, DC, December 14, 1995.

Hon. PHIL GRAMM,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRAMM: Thank you for taking the initiative to introduce legislation that is so important to the Veterans of Foreign Wars of the United States (VFW). Specifically, we have repeatedly sought legislation that would allow the Secretary of Health and Human Services to reimburse the Military Health Service System for care provided to Medicare-eligible military retirees and their spouses in the Military Health Service System. This inter-departmental reimbursement proposal is referred to as ''Medicare subvention''. It would improve present government health care services to taxpayers in a more cost-effective and service-efficient manner than is presently the case.

Today, more than half the 2.1 million members of the Veterans of Foreign Wars of the United States (VFW) who are eligible to receive Medicare are military retirees who fought in World War II, Korea, and/or Vietnam. Hence, they now must receive medical treatment in the civilian community or private sector at a higher cost than could be provided in a military treatment facility. To further compound this problem most VFW military retirees prefer to continue to receive their medical care in military facilities whenever and wherever possible. To make this point, at our last national convention held in August 1995 our voting delegates unanimously passed VFW Resolution No. 643 titled ''Health Care for Medicare Eligible Military Retirees.'' A copy is attached to this letter. Our position is to have Congress pass legislation that allows Medicare eligible retirees and their dependents to continue to receive the high quality of military medical service they are familiar with and are accustomed to receiving.

Thank you for your past and present efforts on behalf of all military retired veterans. They have earned military sponsored health care through past years of arduous service. Today, they are the only federal employees who lose their employer provided health care upon reaching age 65. Your proposed legislation will correct this inequity.

Sincerely,

PAUL A. SPERA,
Commander in Chief.

Attachment: as stated.

RESOLUTION NO. 643

HEALTH CARE FOR MEDICARE ELIGIBLE
MILITARY RETIREES

Whereas, military retirees find it difficult to be treated at military facilities once they become eligible for Medicare since the military is not allowed to take Medicare money and hospital Commanders are reluctant to provide care for which they receive no reimbursement; and

Whereas, there is presently a bill before the House of Representatives, H.R. 861, by Congressmen Randy (Duke) Cunningham and Duncan L. Hunter that would allow military retirees and veterans to use their Medicare benefits at military or VA hospitals; and

Whereas, this would reduce the government's cost of providing health care since the government hospitals can treat these patient less expensively than paying Medicare to civilian medical facilities; now, therefore, be it

Resolved, by the Veterans of Foreign Wars of the United States, that we urge Congress to support passage of legislation that would allow military retirees and veterans to use their Medicare entitlements in military or VA hospitals.

THE AMERICAN LEGION,
Washington, DC, December 19, 1995.

Sen. PHIL GRAMM,
Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR SENATOR GRAMM: The American Legion commends you for introducing and fully supports the ''Medicare Subvention Demonstration Project Act.'' This bill, which proposes a two-year demonstration program at selected sites, serves to implement an adopted American Legion mandate, namely medicare subvention or reimbursement of Department of Defense (DOD) medical facilities by the Department of Health and Human Services (DHHS) for treatment of enrolled medicare-eligible military retirees and their dependents.

Recognizably, this demonstration project legislation represents a significant first step in the direction of full-fledged medicare subvention which has been long supported by The American Legion. The goal of this effort would improve access to needed health care services for this dual-eligible population while assuring the demonstration does not increase the total federal cost of both programs. It is our aspiration that this legislation become law, and that it eventually be implemented at all military medical facilities throughout the country.

Most importantly, this bill would ease the tremendous frustration expressed by medicare-eligible military retirees and their dependents that their government has reneged in its promises of free, lifetime, heath care in exchange for decades of service to this nation in time of war and peace. Military retirees and their dependents are the only group of Federal retirees who essentially lose their health care coverage when they become 65 and are no longer eligible for CHAMPUS/TRICARE coverage. Aside from the Department of Defense itself providing health care for this group—which it states it can no longer afford—medicare subjection appears to provide the only viable solution to resolve the health care crisis experienced by this growing group of deserving veterans who have served their country for so long. Enclosed is a copy of American Legion Resolution No. 107, ''Department of Defense Health Care Reform for Military Beneficiaries,'' which supports the proposed legislation.

Military retirees have seen the promise of lifetime health care, and other promises, being broken which is not only a demoralizing factor, but one which can and will impact on recruiting and retaining a quality force if it is left unresolved. The American Legion salutes your initiative.

Sincerely,

G. MICHAEL SCHLEE,
Director National Security-Foreign Relations Division.

THE RETIRED ENLISTED ASSOCIATION,
Alexandria, VA, December 19, 1995.

Hon. PHIL GRAMM,
U.S. Senate, Washington, DC.

DEAR SENATOR GRAMM, On behalf of The Retired Enlisted Association (TREA), and its Auxiliary, I want to express our collective appreciation to you for introducing legislation that will require a demonstration project authorizing Medicare reimbursement to the Department of Defense when treating Medicare eligible military retirees seeking care from the Military Health Services System (MHSS) within the demonstration area.

Medicare eligible military retirees began their service during World War II or the Korean War and continued their service through the Cold War and the many conflicts during that era, including the Vietnam War.

Without your Medicare reimbursement legislation, too many of these dedicated American patriots would find themselves disenfranchised from the Military Health Care System despite decades of promises of health care for life from the military.

If TREA can be of assistance to you on this most important issue, please don't hesitate to contact us.

Sincerely,

JOHN M. ADAMS,
MCPO, USN (Ret.), Director for Government Affairs.

MILITARY SERVICE COALITION OF AUSTIN,
Austin, TX, December 15, 1995.

Sen. PHIL GRAMM,
Washington, DC.

DEAR SENATOR GRAMM: Our Military Service Coalition in Austin, Texas is extremely pleased with your authorship of such a balanced and unique approach to the Military Medicare Subvention debate. It is our opinion that your proposed ''Medicare Subvention Demonstration Project Act'' provides for both fiscal soundness and an operationally feasible method to test the theory and concept of Military Medicare Subvention.

Clearly, this legislation is a pragmatic alternative to other proposals that were simply too progressive, too soon. We believe that although, theoretically attractive, they were simply too far reaching and were introduced without any clear method to gain a better understanding of any potential adverse impact on both providers and customers.

Again, you and your staff are to be commended on the introduction of such a well coordinated and reasoned approach to legislative change which we believe will begin to improve our existing military health care delivery systems. We appreciate the opportunity you gave us to work closely with your staff during the development of this fine effort.

May God continue to bless your efforts to make health care more accessible to our Nation's Veterans.

Respectfully,

BRUCE CONOVER, *President.*

ASSOCIATION OF THE UNITED STATES ARMY,
Arlington, VA, December 14, 1995.

Hon. PHIL GRAMM,
U.S. Senate, Washington, DC.

DEAR SENATOR GRAMM: Medicare Subvention, the reimbursement of the Department of Defense for the medical care it provides to Medicare-eligible beneficiaries, has long been a goal of the Association of the United States Army. Despite the bureaucratic resistance that often meets new ideas, Subvention continues to pass every test of fairness and logic to which it is subjected. In an age of constrained budgets and fiscal restraint, Medicare Subvention is an initiative that makes too much sense to ignore and actually holds the promise of saving money.

On behalf of the more than 100,000 members of the Association of the United States Army, thank you for your courage in confronting the bureaucratic resistance by introducing legislation to permit a demonstration of Medicare Subvention. While I believe a test is unnecessary to show that value of Subvention, the demonstration will remove any doubt that this is an initiative in which there are no losers. The Medicare-eligible military beneficiary wins. The military health care system wins. The Health Care Financing Administration wins and, in the final analysis, the American people win because a quality product will be delivered to a deserving segment of our population at a lower cost and in a more practical manner.

Medicare Subvention does not answer all the concerns we have with the military medical system, but it goes a long way to help one segment of the beneficiary population. It is an idea whose time has come. Thank you again for your willingness to sponsor a bill that will make Medicare Subvention a reality.

Sincerely,

JACK N. MERRITT,
General, USA Retired.

AIR FORCE SERGEANTS ASSOCIATION,
Temple Hills, MD, December 15, 1995.

Hon. PHIL GRAMM,
U.S. Senate, Washington, DC.

DEAR SENATOR GRAMM, On behalf of the 160,000 members of the Air force Sergeants Association, thank you for your introduction of Medicare subvention legislation before the United States Senate. Our shared concern for health care needs of our oldest military retirees will, hopefully, result in legislative action on your bill during this Congress, with the eventual goal of attaining subvention for all over-64 military retirees.

As you are aware, current law requires that over-65, Medicare-eligible military retirees be thrown out of formal participation in the Military Health Services System (MHSS) simply because they have attained that age and status. For many, this effectively ends their care possibilities within the MHSS, because ''space-available'' care in Military Treatment Facilities is increasingly difficult to obtain.

Most other federal employees keep their federal health insurance upon reaching age 65. Therefore, the current practice toward over-65 military retirees is discriminatory and must end. The full-scale enactment of Medicare subvention could result in the ability of many of our older military retirees to participate in DOD's new health care program, TRICARE. Your efforts to begin the process are needed and appreciated. As always, feel free to ask for AFSA's support of this or any other legislation of mutual concern.

Sincerely,

JAMES D. STATION,
Executive Director.

NON COMMISSIONED OFFICERS ASSOCIATION OF THE UNITED STATES OF AMERICA,
Alexandria, VA, December 15, 1995.

Hon. PHIL GRAMM,
U.S. Senate, Washington, DC.

DEAR SENATOR GRAMM: The Non Commissioned Officers Association of the USA (NCOA) wishes to express strong support for your efforts to introduce legislation directing that a demonstration project be conducted to authorize Medicare reimbursement to the Department of Defense (DoD) for medical care provided in Military Treatment Facilities (MTFs) and in the department's managed care networks. It is very important that your bill include TRICARE and the Uniformed Services Treatment Facilities in the demonstration.

NCOA and it's members are very concerned that the efforts of DoD to improve health care availability and accessibility through implementation of the TRICARE program for all military beneficiaries are being hampered simply because Medicare will not reimburse DoD for the medical treatment provided to the age-65 military retiree. NCOA cannot just standby and watch a group of military retirees who earned a free lifetime medical care benefit be disenfranchised from that benefit.

In this regard, NCOA applauds your efforts and supports your legislation.

Sincerely,

MICHAEL F. OUELLETTE,
Sgt Maj, US Army, (Ret), Director of Legislative Affairs.

NATIONAL MILITARY FAMILY ASSOCIATION,
Alexandria, VA, December 14, 1995.

Hon. PHIL GRAMM,
U.S. Senate, Washington, DC.

DEAR SENATOR GRAMM: The National Military Family Association supports your legislation providing for a demonstration project to authorize Medicare reimbursement to the Department of Defense and its medical facilities for care provided in military treatment facilities (MTFs) and in DoD managed care networks. The bill includes TRICARE and the Uniformed Services Treatment Facilities in the demonstration.

Military retirees and their families are the only federal employees who lose their employer provided health care upon reaching age 65. Although eligible to use MTFs on a space available basis, deep cutbacks in health care personnel and funding as well as hospital closures resulting from Base Realignment and Closure Commission actions have shoved hundreds of thousands of retirees out of military medicine.

Medicare eligible retirees served in WWII, Korea, Vietnam and the long Cold War. They were recruited and reenlisted by promises of lifetime medical care. Now when they need it most they are being disenfranchised. DoD's TRICARE program excludes them despite the fact that these retirees earned military sponsored health care through years of arduous service and paid for Medicare through payroll deductions.

NMFA is aware that Medicare reimbursement to DoD will only benefit those living in areas where MTFs exist and/or TRICARE Prime is available and continues to support offering all non-active duty military beneficiaries the option of enrolling in the Federal Employees Health Benefit Plan. Nonetheless, Medicare reimbursement to DoD will benefit many who would otherwise lose access to the military system.

Sincerely,

SYLVIA E.J. KIDD,
President.

RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES,
Washington, DC, December 18, 1995.

Hon. PHIL GRAMM,
U.S. Senate Washington, DC.

DEAR SENATOR GRAMM: I write to you today on behalf of the more than 100,000 members of the Reserve Officers Association, an organization chartered by Congress to "support a military policy for the United States that will provide adequate national security. . . ." ROA strongly supports your legislation directing the conduct of a demonstration project to authorize Medicare reimbursement to the Department of Defense and its medical facilities for care provided in military treatment facilities (MTFs) and in DoD managed care networks. The bill includes TRICARE and the Uniformed Services Treatment Facilities in the demonstration.

Military retirees and their families are the only federal employees who lose their employer provided health care upon reaching age 65. Although military retirees are entitled to use MTFs on a space available basis, deep cutbacks in health care personnel and funding as well as hospital closures resulting from Base Realignment and Closure Commission actions will shove hundreds of thousands of them out of military medicine.

Medicare-eligible retirees served in WWII, Korea, Vietnam and the long Cold War. When they were recruited and reenlisted they were promised lifetime medical care. Now when they need it most they are being disenfranchised. Further, DoD TRICARE program excludes them despite the fact that these retirees earned military sponsored health care through years of arduous service and paid for Medicare through payroll deductions.

Your Medicare reimbursement legislation will allow these patriots and their families to use their Medicare benefits in military treatment facilities which will save scarce Medicare trust funds while providing the necessary funds needed for their care. Your Medicare reimbursement bill is win-win legislation for everyone—Medicare, taxpayers, beneficiaries and military medicine.

You have our association's full support for this important legislation. I am sure that this demonstration will prove the need for a permanent reimbursement program.

Sincerely,

ROGER E. SANDLER,
Major General, AUS (Ret.)
Executive Director.

JEWISH WAR VETERANS OF THE UNITED STATES OF AMERICA,
December 14, 1995.

Hon. PHIL GRAMM,
U.S. Senate, Washington, DC.

DEAR SENATOR GRAMM: I am writing to express strong support for your legislation directing the conduct of a demonstration project to authorize Medicare reimbursement to the Department of Defense and its medical facilities for care provided in military treatment facilities (MTFs) and in DOD managed care networks. The bill includes TRICARE and the Uniformed Services Treatment Facilities in the demonstration.

Military retirees and their families are the only federal employees who lose their employer provided health care upon reaching age 65. Although eligible to use MTFs on a space available basis, deep cutbacks in health care personnel and funding as well as hospital closures resulting from Base Realignment and Closure Commission actions have shoved hundreds of thousands of retirees out of military medicine.

Medicare eligible retirees served in WWII, Korea, Vietnam and the long Cold War. They were recruited and reenlisted by promises of lifetime medical care. Now when they need it most they are being disenfranchised. Further, DOD's TRICARE program excludes them despite the fact that these retirees earned military sponsored health care through years of arduous service and paid for Medicare through payroll deductions.

Your Medicare reimbursement legislation will allow these patriots and their families to use their Medicare benefits in military treatment facilities which will save scarce medicare trust funds while providing the necessary funds needed for their care. Your Medicare reimbursement bill is win-win legislation for everyone—Medicare, taxpayers, beneficiaries and military medicine.

You have our full support for this legislation. I am sure that this demonstration will prove the need for a permanent reimbursement program.

Sincerely,

NEIL GOLDMAN,
National Commander.

U.S. ARMY WARRANT OFFICERS ASSOCIATION,
December 15, 1995.

Hon. PHIL GRAMM,
U.S. Senate, Washington, DC.

DEAR SENATOR GRAMM: On behalf of the United States Army Warrant Officers Association (USAWOA) I am writing to express strong support for your legislation directing the conduct of a demonstration project to authorize Medicare reimbursement to the Department of Defense and its medical facilities for care provided in military treatment facilities (MTFs) and in DOD managed care networks.

Military retirees and their families are the only federal employees who lose their employer provided health care upon reaching age 65. Although eligible to use MTFs on a space available basis, deep cutbacks in health care personnel and funding as well as hospital closures resulting from Base Realignment and Closure Commission actions have excluded hundreds of thousands of retirees from military medicine.

Medicare eligible retirees served in WWII, Korea, Vietnam and the long Cold War. They were recruited and reenlisted by promises of lifetime medical care. Now when they need it most they are being disenfranchised. Further, DOD's TRICARE program excludes them despite the fact that these retirees earned military sponsored health care through years of arduous service and paid for Medicare through payroll deductions.

Your Medicare reimbursement legislation will allow these patriots and their families to use their Medicare benefits in military treatment facilities which will save scarce medicare benefits in military treatment facilities while providing the necessary funds needed for their care.

Your leadership in initiating this important legislation is appreciated. We are confident that this demonstration will prove the need for a permanent reimbursement program.

Sincerely,

DON HESS,
CW4, USA,
Executive Vice President.

USCG, CHIEF WARRANT AND WARRANT OFFICERS ASSOCIATION,
Washington, DC, December 15, 1995.

Hon. PHIL GRAMM,
U.S. Senate, Washington, DC.

DEAR SENATOR GRAMM: I am writing to express strong support for your legislation directing the conduct of a demonstration project to authorize Medicare reimbursement to the Department of Defense and its medical facilities for care provided in military treatment facilities (MTFs) and in DoD managed care networks. The bill includes, Tricare and the Uniformed Services Treatment Facilities in the demonstration.

Military retirees and their families are the only federal employees who lose their employer provided health care upon reaching age 65. Although eligible to use MTFs on a space available basis, deep cutbacks in health care personnel and funding as well as hospital closures resulting from Base Realignment and Closure Commission actions have shoved hundreds of thousands of retirees out of military medicine.

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Your Medicare reimbursement legislation will allow these patriots and their families to use their Medicare benefits in military treatment facilities which will save scarce Medicare trust funds while providing the necessary funds needed for their care. Your Medicare reimbursement bill is win-win legislation for everyone—Medicare, taxpayers, beneficiaries and military medicine.

You have our full support for this legislation. I am sure that this demonstration will prove the need for a permanent reimbursement program.

Sincerely,

ROBERT L. LEWIS,
Executive Director.

NAVAL ENLISTED RESERVE ASSOCIATION,
Falls Church, VA, December 14, 1995.

Hon. PHIL GRAMM,
U.S. Senate, Washington, DC.

DEAR SENATOR GRAMM: I am writing to express NERA's strong support for your legislation directing the conduct of a demonstration project to authorize Medicare reimbursement to the Department of Defense and its medical facilities for care provided in military treatment facilities and in DoD managed care networks. The bill includes TRICARE and the Uniformed Services Treatment Facilities in the demonstration.

Military retirees and their families are the only federal employees who lose their employer provided health care upon reaching age 65. Although eligible to use MTFs on a space available basis, deep cutbacks in health care personnel and funding as well as hospital closures resulting from Base Realignment and Closure Commission actions have shoved hundreds of thousands of retirees out of military medicine.

Medicare eligible retirees served in WWII, Korea, Vietnam and the long Cold War. They were recruited and reenlisted by promises of lifetime medical care. Now when they need it most, they are being disenfranchised. Further, DoD's TRICARE program excludes them despite the fact that these retirees earned military sponsored health care though years of arduous service and paid for Medicare through payroll deductions.

Your Medicare reimbursement legislation will allow these patriots and their families to use their Medicare benefits in military treatment facilities which will save scarce Medicare trust funds while providing the necessary funds needed for their care. Your Medicare reimbursement bill is win-win legislation for Medicare, taxpayer, beneficiaries and military medicine.

You have our full support for this legislation. I am sure that this demonstration will prove the need for a permanent reimbursement program.

Sincerely,

EDDIE OCA,
National President.

NAVAL RESERVE ASSOCIATION,
Alexandria, VA, 15 December 1995.

Hon. PHIL GRAMM,
U.S. Senate, Washington, DC.

DEAR SENATOR GRAMM: I am writing to express strong support for legislation directing the conduct of a demonstration project to authorize Medicare reimbursement to the Department of Defense and its medical facilities for care provided in military treatment facilities (MTFs) and in DoD managed care networks. The bill include TRICARE and the Uniformed Services Treatment Facilities in the demonstration.

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You have our full support for this legislation.

Sincerely,

JAMES E. FOREREST

ASSOCIATION OF MILITARY SURGEONS
OF THE UNITED STATES,
Bethesda, MD, December 15, 1995.

Hon. PHIL GRAMM,
U.S. Senate, Washington, DC.

DEAR SENATOR GRAMM: I am writing to express strong support for your legislation directing the conduct of a demonstration project to authorize Medicare reimbursement in the Department of Defense and its medical facilities for care provided in military treatment facilities (MTFs) and in DoD managed care networks. The bill includes TRICARE and the Uniformed Services Treatment Facilities in the demonstration.

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You have our full support for this legislation. I am sure that this demonstration will prove the need for a permanent reimbursement program.

Sincerely,

MAX B. BRALLIAR,
LT General, USAF, MC Ret.
Executive Director.●

●Mr. MCCAIN. Mr. President, today I am cosponsoring with Senator PHIL GRAMM the Uniformed Services Medicare Subvention Demonstration Act, this bill would allow Medicare reimbursement to the Department of Defense for care provided by the military system to Medicare-eligible uniformed services beneficiaries.

In the case of those Medicare-eligible uniform services beneficiaries who enroll in the Department's managed health care plan, Tricare, this legislation would authorize a demonstration project that allows Medicare to pay DOD based on a reduced rate per enrollee of 93 percent from what Medicare pays eligible health maintenance organizations. In the case of DOD beneficiaries who do not enroll in Tricare, Medicare would pay military treatment facilities [MTFs] for services provided based on the methodology it would use in paying a discounted rate of 93 percent of what Medicare pays a similar civilian provider.

Under current law, DOD retirees may receive care free of charge at a MTF on a space available basis. There are currently about 1.2 million uniformed services beneficiaries age 65 and older. By 1997, this number is expected to grow to 1.4 million. It is estimated that 97 percent of these retirees are eligible for Medicare. An estimated 324,000 of these individuals currently use military health care facilities on a regular basis when space is available, at a cost of $1.4 billion per year from DOD's annual appropriation. Due to budgetary considerations, DOD soon will no longer have the resources to treat Medicare-eligible beneficiaries unless it is able to obtain Medicare reimbursement.

For military retirees, the cost of care provided through civilian providers in the Medicare Program is significantly higher than if the care is provided at a military hospital. One study by DOD found that the cost of care at a military hospital is 10–24 percent less. Such savings are further supported by a GAO study of six hospitals in which estimated savings to the CHAMPUS Program ranged from $18 to $21 million. With Medicare reimbursement, DOD will be able to treat more Medicare-eligible beneficiaries at lower cost to the Government.

There would be substantial benefits to our military readiness associated with this legislation. Under this demonstraion project, the readiness of the military health care system would be enhanced in two significant ways. First, military treatment facilities would be able to maintain their service capacity despite DOD budgetary restrictions due to the infusion of Medicare funds. Second, DOD physicians and other military health care personnel will be able to treat the broad range of medicare problems presented by retired beneficiaries, thereby assisting them to maintain and expand their knowledge and skills.

Even more important, this legislation is important to overall military personnel readiness. Particularly in times of conflict, our Armed Forces depend heavily on the high quality of career mid-level and senior management. We must therefore continue to attract such personnel to serve full military careers, often comprising 30 years of service and sacrifice. Offering an attractive retirement benefits package, including military health care during retirement, and keeping our Government's promises concerning such benefits, is essential to maintaining these key personnel.

I believe that this bill is at least budget neutral and will save the Government money. It will seek a reduced reimbursement from Medicare only for

new beneficiaries who otherwise obtain care through Medicare within the Civilian sector. DOD concludes that subvention will reduce Government costs. Allowing Medicare reimbursements for DOD health care has been a long standing proposal. This bill would allow us to demonstrate the initiative on a limited basis to ensure that it provides the promised benefits to Medicare recipients who are retired uniform service beneficiaries, to Department of Defense's health care system and to the Medicare trust fund. I hope it is a demonstration we can implement to increase success for broader application.

Mr. President, this bill is important to the military, its retires and the Nation. The military needs to maintain its readiness and its ability to provide the best care possible. Retirees who have served their careers in our uniformed services, and who have also paid into the Medicare trust fund like other Medicare beneficiaries, deserve the full range of choice that this legislation offers. They should be able to use their Medicare coverage wherever they are eligible to receive care, including a military treatment facility or the Tricare Program.

This legislation is supported in principal by the Department of Defense and fully by all the uniformed services organizations and the major veterans organizations, including the entire military coalition. Additionally, the Senate has already taken a positive position on Medicare subvention when it earlier this year passed a sense-of-the-Senate resolution in the Defense authorization bill. I am proud to be part of an effort with Senator PHIL GRAMM to continue to move forward on this important legislation for military service members and their families.

Again, this legislation should provide the catalyst to demonstrate that, in fact, those career uniformed service members continue to have options in terms of health care and allows them to continue to be able to choose their health care provider like most Americans. For the active service member and their families they will continue to enjoy the highest quality health care that is our duty to provide.●

By Mr. SARBANES:

S. 1488. A bill to convert certain excepted service positions in the U.S. Fire Administration to competitive service positions, and for other purposes; to the Committee on Governmental Affairs.

U.S. FIRE ADMINISTRATION LEGISLATION

● Mr. SARBANES. Mr. President, today I am introducing legislation to convert eight remaining excepted service positions at the U.S. Fire Administration to competitive service status.

During its first few years of operation, the Federal Emergency Management Agency used an excepted service authority provided under the Fire Prevention and Control Act of 1974 in order to quickly staff the National Fire Academy with personnel who were uniquely qualified in fire education.

In the early 1980's, after the Academy's original vacancies had been filled and the Academy was up and running, it became FEMA's policy to fill openings at the NFA through a competitive civil service hiring system. Today, 91 of the NFA's 99 employees are under the general schedule with only eight employees who were hired in the 1970's and early eighties remaining in excepted service status. As a result, these remaining eight are subject to significant limitations within the USFA. Although they each average over 17 years of Federal service and were hired solely because of their strong backgrounds and unique qualifications in fire education, they are legally barred from competing for management positions within the Fire Administration. The remaining eight excepted service employees are not even allowed to serve on details to competitive service jobs—even within their own organization—without an official waiver from the Office of Personnel Management.

Mr. President, I am proposing to remedy this situation. The legislation which I am introducing will enable the Director of the Federal Emergency Management Agency and the Director of the Office of Personnel Management to convert any employees appointed to the Fire Administration under the Federal Fire Protection and Control Act, to competitive service—without any break in service, diminution of service, reduction of cumulative years of service, or requirement to serve any additional probationary period with the Administration. Those converted under this legislation shall also remain in the Civil Service Retirement System and retain their seniority. This practice is consistent with other federally supported training academies. The Congressional Budget Office has indicated that there would be no cost for this conversion, and I urge my colleagues to join me in support of this legislation.●

By Mrs. MURRAY:

S. 1489. A bill to amend the Wild and Scenic Rivers Act to designate a portion of the Columbia River as a recreational river, and for other purposes; to the Committee on Energy and Natural Resources.

COLUMBIA RIVER BASIN LEGISLATION

● Mrs. MURRAY. Mr. President, I am introducing legislation today to designate the 50-miles of the mid-Columbia River known as the Hanford Reach—the last free-flowing stretch of the river—a wild and scenic river and to improve fish and wildlife habitat downstream of the reach.

Although I have been working for less than a year with the community and members of my Hanford Reach Advisory Panel to develop a broadly-supported means of protecting the river corridor, the effort to save the reach has been underway for 30 years.

The Hanford Reach is an issue whose time has come.

While most of the Columbia River Basin was being developed during the middle of this century, the Hanford Reach and other buffer areas within the Hanford Nuclear Reservation were kept pristine, ironically, by the same veil of secrecy and security that lead to the notorious nuclear and chemical contamination of the central Hanford site. Today, these relatively undisturbed Hanford buffer areas are wild remnants of a great river and vast shrub-steppe ecosystem that have been tamed by dams, farms, and other economically important development.

As the last free-flowing stretch of the Columbia between the Canadian border and Bonneville Dam, the significance of the Hanford Reach has only recently become fully appreciated. Mile for mile, it contains some of the most productive and important fish spawning habitat in the lower 48 States. The cool, clear waters of the Columbia River that sweep through the reach have the volume and velocity to produce ideal conditions for spawning and migrating salmon. The reach produces 80 percent of the Columbia Basin's fall chinook salmon, as well as thriving runs of steelhead trout and sturgeon. It is the only truly healthy segment of the mainstem of the Columbia River.

At a time when the Pacific Northwest is struggling to restore declining salmon runs—and spending hundreds of millions annually on restoration and enhancement efforts—protecting the Hanford Reach is the most cost-effective step we can take. That is why the Northwest Power Planning Council, Trout Unlimited, conservation groups, tribes, and many other regional interests involved in the salmon controversy support designation of the reach under the National Wild and Scenic Rivers Act.

The reach is also rich in other natural and cultural resources. Bald eagles, wintering and migrating waterfowl, deer elk, and a diversity of other wildlife depend on the reach. It is home to dozens of rare, threatened, and endangered plants and animals, some found only in the reach.

This part of the Columbia Basin is also of great cultural importance. Native American culture thrived on the shores and islands of the reach for millennia, and there are over 150 archaeological sites in the proposed designation, some dating back more than 10,000 years. The reach's naturally-spawning salmon and cultural sites remain a vital part of the culture and religion of Native American groups in the area.

The southern shore of the reach chronicles a different kind of history: the story of the Manhattan project and defense nuclear production during the cold war. Nowhere else in the world is there a higher concentration of nuclear facilities, some of which are on the National Register of Historic Places, than along this stretch of the Columbia River.

In stark contrast to the old defense reactors is the section of the reach

dominated by the White Bluffs, whose towering but fragile cliffs offer dramatic scenery and opportunities for solitude. Irrigation water flowing through unstable Ringold formation sediments has caused part of the White Bluffs to slide into the River, smothering spawning beds, reducing water quality, and even deflecting the course of the river. This constitutes one of the great threats to the reach.

The reach offers residents and visitors recreation of many types—from hunting, fishing, and hiking to kayaking, waterskiing, and bird-watching—and adds greatly to the quality of life and economy of the area.

My legislation builds on a foundation begun in the 100th Congress by Senators Dan Evans and Brock Adams, and Congressman Sid Morrison, who enacted legislation which called for a moratorium on development within the river corridor and a detailed study of policy options. Our bill implements the preferred alternative of the Hanford Reach EIS, which recommended Congress designate the reach a recreational river under the National Wild and Scenic Rivers Act.

With the guidance of my Hanford Reach Advisory Panel, the legislation also contains some refinements and protections. For example, the bill explicitly allows current activities, such as agriculture, power generation and transmission, and water withdrawals along the river corridor to continue. It excludes private property, which comprises only about three percent of the study area. The legislation also guarantees that local government and other local interests have a formal role in the management of the river corridor, which will come under the jurisdiction of the U.S. Fish and Wildlife Service.

The legislation also includes provisions which complement the Wild and Scenic River designation. The Secretary of Interior and relevant Federal agencies are directed to work with local and State sponsors in developing a program of education and interpretation related to the Hanford Reach. The city of Richland and area tribes, among others, have been working with the Department of Energy on a museum and regional visitor center proposal and are eager to make the natural and human history of the reach part of the project. Federal agencies should help coordinate with local sponsors on this initiative.

There is also great interest in the tri-cities, and among some government agencies, in improving the habitat value, access, and appearance of the Columbia River shoreline in the area, much of which is lined with high, steep levees that were put into place before the network of Columbia River dams controlled the flow of the River and reduced the need for such flood control structures. Migrating salmon and wildlife now face a sterile gauntlet, populated by predatory fish species, in this part of the River.

This bill directs the Army Corps of Engineers, which built, owns, and maintains the levees, to coordinate with local sponsors on demonstration projects to restore the rivershore. In the short-term, the bill directs the corps to undertake some small levee modification projects under their existing Section 1135 Project Restoration Program, assuming the local sponsors meet program requirements for planning and cost-sharing. The cities of Kennewick and Pasco, and the Port of Kennewick, have already indicated an interest and ability to pursue this course of action. In the long-term, the corps is directed to undertake a comprehensive study of the levees and determine if rivershore restoration in the area is feasible and an important Federal priority.

I am proud of the way this legislation was developed. It is the product of an open, consensus-building process that heard from virtually every interested group in the community and in the region. The bill was drafted with the assistance of a diverse panel of community leaders from local government, business, labor, and the conservation community.

I am deeply grateful to the members of my Hanford Reach Advisory Panel for their public spirited commitment of their valuable time, energy, and creativity. Sue Frost, manager of the Port of Kennewick; Chris Jensen, Pacso City Council; Joe King, Richland City Manager; Rick Leaumont with the Lower Columbia Basin Audubon Society; John Lindsay, president of TRIDEC; Kris Watkins with the Tri-Cities' Visitor and Convention Bureau; and Jim Watts with the Oil, Chemical and Atomic Workers did an outstanding job tackling the tough issues associated with this legislation and developing a consensus proposal.

I look forward to working with my colleagues in the Senate to enact this historic and balanced measure.●

By Mr. SIMON (for himself, Mr. JEFFORDS, Mr. LEAHY, and Mrs. BOXER):

S. 1490. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to improve enforcement of such title and benefit security for participants by adding certain provisions with respect to the auditing of employee benefit plans, and for other purposes; to the Committee on Labor and Human Resources.

THE PENSION AUDIT IMPROVEMENT ACT OF 1995

Mr. SIMON. Mr. President, Senator JEFFORDS and I are introducing the Pension Audit Improvement Act of 1995 today in order to improve the quality of audits performed pursuant to the Employee Retirement Income Security Act of 1974 [ERISA]. The bill repeals the limited scope audit exemption, enhances ERISA auditor qualifications, and requires speedy reporting of serious ERISA violations discovered during plan audits.

Over the past few years, both the Inspector General of the Department of Labor and the GAO have issued reports documenting the need to strengthen the quality of pension audits. Recent investigations by Secretary Reich of 401(k) plans further demonstrate the need for Congress to Act promptly on this measure.

I want to commend Senator JEFFORDS for his interest and work in support of this bill. I also want to commend Secretary Reich for the Department's substantial work and effort in support of this bill. I am also pleased to report that this bill is supported by the American Institute of Certified Public Accountants, and I thank them for their efforts to move this bill forward. I ask unanimous consent to have a summary of the bill printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PENSION AUDIT IMPROVEMENT ACT OF 1995

CURRENT LAW

Title I of the Employee Retirement Income Security Act of 1974 (ERISA), requires that pension plan administrators obtain a financial audit of employee benefit pension plans. ERISA's audit requirement was designed to protect employee benefit plan assets and assist the Labor Department's enforcement activities by insuring the integrity of financial and compliance information disclosed on the annual report filed with the government.

Under current law, plan auditors are permitted to exclude plan assets invested in regulated institutions, such as banks or insurance companies, from the annual audit. This exclusion, referred to as a limited-scope audit, prohibits auditors from rendering an opinion on the plan's financial statements in accordance with professional auditing standards. Consequently, there is no assurance that plan assets are secure. About fifty percent of plan audit reports contain a limited scope audit disclaimer, resulting in approximately $950 billion dollars in pension plan assets that are not subject to a full financial audit.

Federal law enforcement agencies including, the Office of the Inspector General of the Department of Labor, the General Accounting Office (GAO) and the Pension and Welfare Benefits Administration of the Department of Labor have found that current ERISA audits do not consistently meet professional standards, therefore, hundreds of millions of dollars in pension funds are not being adequately audited.

MAJOR PROVISIONS OF THE PENSION AUDIT IMPROVEMENT ACT OF 1995

The Pension Audit Improvement Act is designed to improve the integrity of private audits of employee pension plan benefits to better protect retirees and active workers future retirement income. In order to insure that pension funds are adequately safeguarded, this bill repeals the limited scope audit exception, enhances ERISA auditor qualifications, and requires speedy reporting of serious ERISA violations discovered during plan audits.

1. Repeal of limited scope audits

The bill repeals the limited-scope audit. Limited scope audits were originally designed to exempt institutions that were already examined by federal or state agencies from duplicative detailed audits. The Inspector General of the Department of Labor, has found, however, that a significant number of these financial institutions are not audited annually increasing risks to plan participants of inadequate retirement security.

Eliminating the limited scope audit will not require that the plan's accountant duplicate the work of a bank or insurance company audit. It is expected that the ERISA plan auditors will rely on the reports of the financial institution, meeting certain certified public accounting standards, which speak to the reliability of that audit. This ''single audit'' approach would fulfill the purposes of the audit requirement without imposing the additional cost of independently reviewing the financial institution's records. At the same time, accountants will now be able to issue audit reports that provide employees the assurance that their retirement income is secure.

2. Reporting and enforcement requirements for pension plans

a. Prompt reporting of serious violations

ERISA's current reporting rules create a time lag between the detection of a reportable event and the filing of the annual report which increases the risk to plan participants and beneficiaries that full recoveries will not be made. This audit bill requires faster reporting duties on auditors who discover serious violations or whose services are terminated by the employer client. This provision should substantially enhance ERISA enforcement because the Department of Labor will receive notices of violations from plan auditors, up to eighteen months, before the Department currently receives this information.

The new reporting rules apply only to the most egregious violations like theft, embezzlement, bribery or kickbacks. The primary reporting obligation remains with the plan administrator. Auditors report serious violations directly to the Labor Department only if the administrator fails to notify within a specific time frame.

b. Auditor termination

The bill also requires a pension plan that terminates an accountant to promptly notify the Secretary of Labor. The plan's notice must specify the reasons for termination, and a copy of the notice must be sent to the accountant.

c. Penalty for failure to report

The bill provides a civil penalty of up to $100,000 against any accountant or pension plan that violates the reporting requirement. A violation could also result in criminal sanctions.

3. Enhanced qualifications for ERISA plan auditors

The Department of Labor reports that it ''continues to detect substantial auditing work'' by ERISA auditors. This bill creates a peer review and continuing professional education requirement for ERISA plan auditors. The bill also gives the Secretary of Labor regulatory authority to insure the quality of plan audits.

The bill requires that qualified public accountants participate in an external quality peer review relevant to employee benefit plans within a three year period prior to conducting an ERISA audit. This review must meet recognized auditing standards as determined by the Comptroller General of the United States. The bill also requires that qualified public accountants performing ERISA plan audits satisfy specific continuing education requirements.

4. Clarification of fiduciary penalties

The bill provides the Secretary of Labor the discretion to reduce the current civil penalties (the penalty is an amount equal to 20% of amount recovered pursuant to a settlement agreement for breach of fiduciary duty). The Secretary has determined that the automatic penalty disadvantages plan participants because it serves as a ''disincentive'' for parties to settle with the Department.

The bill also clarifies that ERISA's anti-alienation rule, which protects pensions from third party creditors, does not protect fiduciaries who breach ERISA and cause a loss to the plan. The bill clarifies that ERISA does not prohibit a plan from offsetting a fiduciary's, or criminal wrongdoer's pension benefits when such person causes a loss to the plan.

Mr. JEFFORDS. Mr. President, I rise today with my good friend and colleague, Senator SIMON, to introduce the Pension Audit Improvement Act of 1995. I'd also like to thank the Department of Labor and the American Institute of Certified Public Accountants who have worked very closely with us to produce this bill.

The primary purpose of this legislation is to repeal the limited scope audit exception currently in the Employee Retirement Income Security Act [ERISA]. Similar bills have been introduced by my colleagues Senators KASSEBAUM and HATCH in previous years. The current bill has the added feature of putting some teeth into private auditor enforcement efforts and responsibilities.

Limited scope audits are audits where independent accountants are not required to examine, test, or evaluate funds or assets held in trust by banks or other regulated financial institutions. This provision in ERISA has created a major loophole in the oversight of pension plans. While the assumption is that these institutions are adequately audited by federal agencies, these audits are generally done only once every two years. More significantly, when an independent auditor is restricted from examining significant information in an audit, she generally disclaims any opinion about whether that plan's financial statements are correct.

Workers and retirees have the right to except that somebody is making sure that their pensions are there when they retire. The sheer numbers of private pension plans over 900,000, make it virtually impossible for the government to possibly maintain a viable enforcement effort without the help of private plan auditors. Also, is it realistic to expect an accountant, who has continuing ties with an employer, to identify and report to the Department of Labor questionable transactions between the plan and plan sponsor?

The current enforcement system incorrectly assumes, to a large degree, that independent public accountants will detect serious violations in a timely manner. A 1987 report, by the Department of Labor's Office of Inspector General found that in 71% of their reviews, that the independent auditors had failed to discover existing ERISA violations. In a more recent 1989 report, the Inspector General found large numbers of audits didn't adequately examine or test plan assets and lacked timely reporting of ERISA violations.

Furthermore, these studies indicate a number of problems with the detection of potential ERISA violations, including: incomplete or inadequate information being reported, the ability of the government to examine only about one percent of these plans per year, and that private plan audits do not consistently meet generally accepted professional accounting standards.

The intent of the Pension Audit Improvement Act is to increase the overall integrity of private pension plan auditing enforcement practices. To enhance the integrity of audits this bill will subject qualified public accountants to external peer review. In addition, public accountants performing ERISA audits will be required to satisfy continuing education requirements emphasizing employee benefits ERISA rules.

In addition, this bill will place new, expedited reporting duties on auditors whose services are terminated by the plan administrator before the audit is completed and, for those auditors who discover evidence of serious violations such as theft, embezzlement, bribery or kickbacks. Auditors will be required to report these violations directly to the Department of Labor only if the administrator fails to notify the Department within a specified time frame. The primary reporting, of any violation, still remains with the plan sponsor.

I look forward to working with all interested parties in turning this bill into a first step toward strengthening our current pension enforcement system. Although, these changes to ERISA's reporting rules may seem minor they have the potential to create lasting reform with respect to the enforcement of Title I of ERISA. Giving private sector auditors the tools and responsibility of early detection of violations will prevent workers from losing hard earned pension benefits.

We simply must do a better job of safeguarding the pension benefits of a growing number of workers and pensioners. The economic security of tens of millions of Americans depends on these benefits being adequately protected.

By Mr. GRAMS (for himself, Mr HEFLIN, Mr. PRYOR, Mr. MCCONNELL, Mr. CONRAD, Mr. COVERDELL, and Mr. SANTORUM):

S. 1491. A bill to reform antimicrobial pesticide registration, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

ANTI-MICROBIAL LEGISLATION

Mr. GRAMS. Mr. President, I rise today to introduce bipartisan legislation reforming the burdensome regulatory process for pesticide approvals under the Federal Insecticide, Fungicide, and Rodenticide Act.

I am pleased to say that my legislation achieves that goal while preserving and improving upon our Nation's public health.

This legislation is a product of compromise between the affected industry

and the Environmental Protection Agency.

The spirit of bipartisanship is best exemplified by the list of my colleagues joining me in this effort, including Senator HEFLIN, Senator PRYOR, Senator MCCONNELL, Senator CONRAD, Senator COVERDELL and Senator SANTORUM.

As members of the Agriculture Committee, their support for this commonsense legislation is essential and appreciated.

Mr. President, Congress has finally begun to recognize the severe burdens we place upon America's job creators when we impose regulatory legislation without respect to its cost or ultimate benefits.

So I am pleased that we have made significant progress this year in reforming and reducing some of that regulatory burden, and I believe this legislation takes us another step forward.

The pesticides covered by this legislation, called antimicrobial products, include common household disinfectant cleaners, bleaches, sanitizers, and disinfectants.

Antimicrobials play an important and beneficial role in controlling disease and in maintaining a high public-health standard in hospitals, nursing homes, clinics, schools, hotels, restaurants, and even in our own homes.

Because emergency workers rely on antimicrobial pesticides to disinfect contaminated water supplies, they are especially valuable during times of natural disasters, such as flooding in the Midwest, hurricanes in Florida, and earthquakes in California.

Yet despite the critical role antimicrobials play in maintaining public health, and the efforts of our colleagues to develop a responsible solution, there have been significant and unintended delays on the EPA's part in approving these products for use.

Unfortunately, those delays in the registration process have stifled the ability of the industry to market new products—products which could have an even more significant impact on the public health.

I would like to share an example.

A new product which provides extraordinary effectiveness against a powerful form of bacteria was developed by an international supplier of cleaning and sanitizing products.

Not only was this new product found to be extremely effective, but it was also developed to break down rapidly once it had achieved its sanitizing work. In short, it effectively helped destroy bacteria while it reduced the likelihood of environmental damage.

While this revolutionary product had proven merits, the company could not get the product approved by the EPA for over 2 years because of the cumbersome approval process.

At the end of that 2-year period, the EPA granted its approval and agreed that this product was of great importance to public health and the environment. It's unfortunate that it has taken so long for the Government to recognize what its manufacturer had long known.

Such examples have become commonplace. Because of this inappropriate backlog of anti-microbial applications pending within the EPA that have little or no chance of being resolved within a reasonable period of time, the need for legislative reform is clear.

Our legislation will establish process for expediting the review of anti-microbial products.

It incorporates predictability into the system without compromising public health and safety. it encourages industry and Government to work together to actually improve products which can better guarantee our public health.

In a legislative climate that is too often partisan and uncompromising, this bill is an example of how Congress, the administration and its Federal agencies, industry, and consumers can pool their efforts to achieve a common end.

Again, I thank my colleagues who have cosponsored this bill, the anti-microbial industry, user groups, and the EPA for coming together to work out the details of this bill. I urge the rest of my colleagues to join us in supporting this commonsense reform.

ADDITIONAL COSPONSORS

S. 607

At the request of Mr. WARNER, the name of the Senator from Michigan [Mr. ABRAHAM] was added as a cosponsor of S. 607, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to clarify the liability of certain recycling transactions, and for other purposes.

S. 984

At the request of Mr. GRASSLEY, the name of the Senator from Kansas [Mr. DOLE] was added as a cosponsor of S. 984, a bill to protect the fundamental right of a parent to direct the upbringing of a child, and for other purposes.

S. 1183

At the request of Mr. HATFIELD, the name of the Senator from Illinois [Mr. SIMON] was added as a cosponsor of S. 1183, a bill to amend the act of March 3, 1931 (known as the Davis-Bacon Act), to revise the standards for coverage under the act, and for other purposes.

S. 1379

At the request of Mr. THOMAS, his name was added as a cosponsor of S. 1379, a bill to make technical amendments to the Fair Debt Collection Practices Act, and for other purposes.

S. 1386

At the request of Mr. BURNS, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 1386, a bill to provide for soft-metric conversion, and for other purposes.

S. 1400

At the request of Mrs. KASSEBAUM, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 1400, a bill to require the Secretary of Labor to issue guidance as to the application of the Employee Retirement Income Security Act of 1974 to insurance company general accounts.

S. 1419

At the request of Mrs. KASSEBAUM, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of S. 1419, a bill to impose sanctions against Nigeria.

SENATE CONCURRENT RESOLUTION 25

At the request of Ms. SNOWE, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of Senate Concurrent Resolution 25, a concurrent resolution concerning the protection and continued viability of the Eastern Orthodox Ecumenical Patriarchate.

AMENDMENTS SUBMITTED

WHITEWATER SUBPOENA RESOLUTION

D'AMATO AMENDMENTS NOS. 3101–3103

Mr. D'AMATO proposed three amendments to the resolution (S. Res. 199) directing the Senate Legal Counsel to bring a civil action to enforce a subpoena of the Special Committee to Investigate Whitewater Development Corporation and Related Matters to William H. Kennedy, III; as follows:

AMENDMENT NO. 3101

The first section of the resolution is amended by striking ''subpoena and order'' and inserting ''subpoenas and orders''.

AMENDMENT NO. 3102

After the sixth Whereas clause in the preamble insert the following:

''Whereas on December 15, 1995, the Special Committee authorized the issuance of a second subpoena duces tecum to William H. Kennedy, III, directing him to produce the identical documents to the Special Committee by 12:00 p.m. on December 18, 1995;

''Whereas on December 18, 1995, counsel for Mr. Kennedy notified the Special Committee that, based upon the instructions of the White House Counsel's Office and personal counsel for President and Mrs. Clinton, Mr. Kennedy would not comply with the second subpoena;

''Whereas, on December 18, 1995, the chairman of the Special Committee announced that he was overruling the legal objections to the second subpoena for the same reasons as for the first subpoena, and ordered and directed that Mr. Kennedy comply with the second subpoena by 3:00 p.m. on December 18, 1995;

''Whereas Mr. Kennedy has refused to comply with the Special Committee's second subpoena as ordered and directed by the chairman;''.

Amend the title so as to read: ''Resolution directing the Senate Legal Counsel to bring a civil action to enforce subpoenas and orders of the Special Committee to Investigate Whitewater Development Corporation and Related Matters to William H. Kennedy, III.''

SARBANES AMENDMENT NO. 3104

Mr. SARBANES proposed an amendment to the resolution, Senate Resolution 199, supra; as follows:

Strike all after the resolving clause and insert the following: ''That the Special Committee should, in response to the offer of the White House, exhaust all available avenues of negotiation, cooperation, or other joint activity in order to obtain the notes of former White House Associate Counsel William H. Kennedy, III, taken at the meeting of November 5, 1993. The Special Committee shall make every possible effort to work cooperatively with the White House and other parties to secure the commitment of the Independent Counsel and the House of Representatives not to argue in any forum that the production of the Kennedy notes to the Special Committee constitutes a waiver of attorney-client privilege.''.

The preamble is amended to read as follows:

''Whereas the White House has offered to provide the Special Committee to Investigate Whitewater Development Corporation and Related Matters ('the Special Committee') the notes taken by former Associate White House Counsel William H. Kennedy, III, while attending a November 5, 1993 meeting at the law offices of Williams and Connolly, provided there is not a waiver of the attorney client privilege;

''Whereas the White House has made a well-founded assertion, supported by respected legal authorities, that the November 5, 1993 meeting is protected by the attorney-client privilege;

''Whereas the attorney-client privilege is a fundamental tenet of our legal system which the Congress has historically respected;

''Whereas whenever the Congress and the President fail to resolve a dispute between them and instead submit their disagreement to the courts for resolution, an enormous power is vested in the judicial branch to write rules that will govern the relationship between the elected branches;

''Whereas an adverse precedent could be established for the Congress that would make it more difficult for all congressional committees to conduct important oversight and other investigatory functions;

''Whereas when a dispute occurs between the Congress and the President, it is the obligation of each to make a principled effort to acknowledge, and if possible to meet, the legitimate needs of the other branch;

''Whereas the White House has made such an effort through forthcoming offers to the Special Committee to resolve this dispute; and

''Whereas the Special Committee will obtain the requested notes much more promptly through a negotiated resolution of this dispute than a court suit:''.

THE LIVESTOCK CONCENTRATION REPORT ACT OF 1995

HATCH AMENDMENT NO. 3105

Mr. DOLE (for Mr. HATCH) proposed an amendment to the bill (S. 1340) to require the President to appoint a Commission on Concentration in the Livestock Industry; as follows:

Sec. 4 Duties of Commission: delete lines 9 and 10 (page 9) and add:

(2) to request the Attorney General to report on the application of the antitrust laws and operation of other Federal laws applicable, with respect to concentration and vertical integration in the procurement and pricing of slaughter cattle and of slaughter hogs by meat packers;

Sec. 4(b) Solicitation of Information.

Line 7 page 10 insert: 'industry employees'.

THE IRAN FOREIGN OIL SANCTIONS ACT OF 1995

KENNEDY (AND D'AMATO) AMENDMENT NO. 3106

Mr. SANTORUM (for Mr. KENNEDY, for himself and Mr. D'AMATO) proposed an amendment to the bill (S. 1228) to impose sanctions on foreign persons exporting petroleum products, natural gas, or related technology to Iran; as follows:

At the end of the bill, add the following new section:

SEC. . APPLICATION OF THE ACT TO LIBYA.

The sanctions of this Act, including the terms and conditions for the imposition, duration, and termination of sanctions, shall apply to persons making investments for the development of petroleum resources in Libya in the same manner as those sanctions apply under this Act to persons making investments for such development in Iran.

REIMBURSEMENTS TO STATES FOR FEDERALLY FUNDED EMPLOYEES DURING SHUT DOWN

DOMENICI (AND OTHERS) AMENDMENT NO. 3107

Mr. SANTORUM (for Mr. DOMENICI, Mr. LOTT, Mr. WARNER, Mr. STEVENS, Mr. COHEN, Mr. EXON, Mr. PRESSLER, Mrs. HUTCHISON, Mr. BINGAMAN, Mr. THOMAS, Mr. COHEN, Mr. COCHRAN, Mr. KERREY, Mr. GRASSLEY, and Mr. HARKIN) proposed an amendment to the bill (S. 1429) to provide clarification in the reimbursement to States for federally funded employees carrying out Federal programs during the lapse in appropriations between November 14, 1995, through November 19, 1995; as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. CLARIFICATION OF REIMBURSEMENT TO STATES FOR FEDERALLY FUNDED EMPLOYEES.

Section 124 of the joint resolution entitled ''A joint resolution making further continuing appropriations for the fiscal year 1996, and for other purposes'', approved November 20, 1995 (Public Law 104–56) is amended by adding at the end thereof the following new subsection:

''(b)(1) If during the period beginning November 14, 1995, through November 19, 1995, a State used State funds to continue carrying out a Federal program or furloughed State employees whose compensation is advanced or reimbursed in whole or in part by the Federal Government—

''(A) such furloughed employees shall be compensated at their standard rate of compensation for such period;

''(B) the State shall be reimbursed for expenses that would have been paid by the Federal Government during such period had appropriations been available, including the cost of compensating such furloughed employees, together with interest thereon due under section 6503(d) of title 31, United States Code; and

''(C) the State may use funds available to the State under such Federal program to reimburse such State, together with interest thereon due under section 6503(d) of title 31, United States Code.

''(2) For purposes of this subsection, the term 'State' shall have the meaning as such term is defined under the applicable Federal program under paragraph (1).''.

AUTHORITY FOR COMMITTEE TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Wednesday, December 20, 1995, for purposes of conducting a full committee hearing which is scheduled to begin at 9:30 a.m. The purpose of this hearing is to consider S.594, Presidio, to review a map associated with the San Francisco Presidio. Specifically, the purposes are to determine which properties within the Presidio of San Francisco should be transferred to the administrative jurisdiction of the Presidio Trust and to outline what authorities are required to ensure that the trust can meet the objective of generating revenues sufficient to operate the Presidio without a Federal appropriation.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to hold a business meeting during the session of the Senate on Wednesday, December 20, 1995, at 10 a.m. in SD226.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

BUDGET SCOREKEEPING REPORT

• Mr. DOMENICI. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under section 308(b) and in aid of section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of section 5 of Senate Concurrent Resolution 32, the first concurrent resolution on the budget for 1986.

This report shows the effects of congressional action on the budget through December 18, 1995. The estimates of budget authority, outlays, and revenues, which are consistent with the technical and economic assumptions of the 1996 concurrent resolution on the budget (H. Con. Res. 67), show that current level spending is under the budget resolution by $131.3 billion in budget authority and by $55.0 billion in outlays. Current level is $43 million below the revenue floor in 1996 and $0.7 billion below the revenue floor

over the 5 years 1996–2000. The current estimate of the deficit for purposes of calculating the maximum deficit amount is $190.7 billion, $54.9 billion above the maximum deficit amount for 1996 of $245.6 billion.

Since my last report, dated December 7, 1995, Congress cleared for the President's signature the Commerce, State, Justice, and the Judiciary Appropriations Act (H.R. 2076). These actions, and the expiration of continuing resolution authority on December 15, 1995, changed the current level of budget authority and outlays.

The report follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, December 19, 1995.

Hon. PETE V. DOMENICI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The attached report for fiscal year 1996 shows the effects of Congressional action on the 1996 budget and is current through December 18, 1995. The estimates of budget authority, outlays and revenues are consistent with the technical and economic assumptions of the 1996 Concurrent Resolution on the Budget (H. Con. Res. 67). This report is submitted under Section 308(b) and in aid of Section 311 of the Congressional Budget Act, as amended.

Since my last report, dated December 7, 1995, Congress cleared for the President's signature the Commerce, State, Justice and the Judiciary Appropriations Act (H.R. 2076). These actions, and the expiration of continuing resolution authority on December 15, 1995, changed the current level of budget authority and outlays.

Sincerely,

JUNE E. O'NEILL, *Director.*

THE CURRENT LEVEL REPORT FOR THE U.S. SENATE, FISCAL YEAR 1996, 104TH CONGRESS, 1ST SESSION, AS OF CLOSE OF BUSINESS DECEMBER 18, 1995

[In billions of dollars]

	Budget resolution (H. Con. Res. 67)	Current level [1]	Current level over/under resolution
ON-BUDGET			
Budget authority	1,285.5	1,154.2	−131.3
Outlays	1,288.1	1,233.1	−55.0
Revenues:			
1996	1,042.5	1,042.5	[2] −0.
1996–2000	5,691.5	5,690.8	−0.7
Deficit	245.6	190.7	−54.9
Debt subject to limit	5,210.7	4,900.0	−310.7
OFF-BUDGET			
Social Security outlays:			
1996	299.4	299.4	0.0
1996–2000	1,626.5	1,626.5	0.0
Social Security revenues:			
1996	374.7	374.7	0.0
1996–2000	2,061.0	2,061.0	0.0

[1] Current level represents the estimated revenue and direct spending effects of all legislation that Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made. The current level of debt subject to limit reflects the latest U.S. Treasury information on public debt transactions.

[2] Less than $50 million.

THE ON-BUDGET CURRENT LEVEL REPORT FOR THE U.S. SENATE, 104TH CONGRESS, 1ST SESSION, SENATE SUPPORTING DETAIL FOR FISCAL YEAR 1996, AS OF CLOSE OF BUSINESS DECEMBER 18, 1996

[In millions of dollars]

	Budget authority	Outlays	Revenues
ENACTED IN PREVIOUS SESSIONS			
Revenues			1,042,557
Permanents and other spending legislation	830,272	798,924	
Appropriation legislation		242,052	
Offsetting receipts	(200,017)	(200,017)	
Total previously enacted	630,254	840,958	1,042,557
ENACTED THIS SESSION			
Appropriation bills:			
1995 Rescissions and Department of Defense Emergency Supplementals Act (P.L. 104–6)	(100)	(885)	
1995 Rescissions and Emergency Supplementals for Disaster Assistance Act (P.L. 104–19)	22	(3,149)	
Agriculture (P.L. 104–37)	62,602	45,620	
Defense (P.L. 104–61)	243,301	163,223	
Energy and Water (P.L. 104–46)	19,336	11,502	
Legislative Branch (P.L. 105–53)	2,125	1,977	
Military Construction (P.L. 104–32)	11,177	3,110	
Transportation (P.L. 104–50)	12,682	11,899	
Treasury, Postal Service (P.L. 104–52)	15,080	12,584	
Authorization bills:			
Self-Employed Health Insurance Act (P.L. 104–7)	(18)	(18)	(101)
Alaska Native Claims Settlement Act (P.L. 104–42)	1	1	
Fishermen's Protective Act Amendments of 1995 (P.L. 104–43)		([1])	
Perishable Agricultural Commodities Act Amendments of 1995 (P.L. 104–48).			
Alaska Power Administration Sale Act (P.L. 104–58)	(20)	(20)	
Total enacted this session	366,191	245,845	(100)
PENDING SIGNATURE			
Commerce, Justice, State (H.R. 2076)	27,110	18,910	
ENTITLEMENTS AND MANDATORIES			
Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted	130,678	127,394	
Total Current Level [2]	1,154,233	1,233,108	1,042,457
Total Budget Resolution	1,285,500	1,288,100	1,042,500
Amount remaining:			
Under Budget Resolution	131,267	54,992	43
Over budget Resolution			

[1] Less than $500,000.

[2] In accordance with the Budget Enforcement Act, the total does not include $3,400 million in budget authority and $1,590 million in outlays for funding of emergencies that have been designated as such by the President and the Congress.

Notes.—Detail may not add due to rounding. Numbers in parentheses are negative.

DONALD L. BREIHAN: A COMMITTED PUBLIC SERVANT

● Mr. HOLLINGS. Mr. President, I rise today to pay tribute to the 38-year career of a dedicated public servant who makes the Internal Revenue Service look good. Donald L. Breihan, who is the district director of the Columbia District of the IRS and who runs the service's 11 offices across South Carolina, will retire January 5. To put it succinctly, he'll be missed.

For 16 years, Don's down-to-earth, hands-off style of managing nearly 400 IRS employees in South Carolina has transformed many local tax initiatives and programs into national models. On the job, he is known throughout the Nation for his fairness and professionalism. And in the community as an adjunct professor at the school of business at the University of South Carolina and as a past member of the board of directors of the Combined Federal Campaign, Don is known for his dedication and service.

Don has been head of the Columbia District since 1980. In his years there, he is credited with developing an award-winning Federal/State Tax Administration Sharing Program. As the IRS Southeast Region Federal/State Sharing Program executive, he coordinates Federal/State programs in the nine Southeastern States. Don also oversees the operation of Federal tax administration in South Carolina—a job in which he manages the collection of $11 billion in Federal tax every year from 1.5 million filers of Federal income tax returns.

Don was born 60 years ago in St. Louis, MO. He joined the IRS after he got a bachelor's degree in accounting from St. Louis University. In 1973, he started training in the agency's executive development program and became assistant district director of its Richmond, VA, office later that year. After a stint in Baltimore, he moved in 1980 to Columbia to take over IRS operations for the State of South Carolina.

Mr. President, Don Breihan is not a native of our Palmetto State, but he quickly earned the respect to be treated like one. His hard work, commitment and spirit of dedication make him a tried and true South Carolinian. His brand of public service won't be able to be replaced.

Mr. President, I appreciate the opportunity to recognize the years of energy and devotion that Donald L. Breihan has worked to make our State a better place. I am glad that he is making South Carolina his permanent home. And I wish him and his wife Nancy all the best during Don's retirement and many more happy years to come.●

THE FIRST ANNIVERSARY OF THE MEXICAN PESO CRISIS

● Mr. D'AMATO. Mr. President, today marks the 1-year anniversary of a sad chapter in Mexico's history and a sad chapter in American financial management by the Clinton administration. After the sudden devaluation of the Mexican peso on December 19, 1994, the Mexican economy continued to collapse. In response to the economic crisis, the Clinton administration circumvented Congress and unilaterally committed $20 billion of United States taxpayer funds to bail out Mexico.

The public relations campaign conducted by the Clinton administration and the Mexican Government have attempted to portray the Mexican bailout as a success and that, given enough time and enough money—United States taxpayers' money—conditions in Mexico will eventually improve. Public relations campaigns and publicity stunts

aside, the facts are that the Clinton administration's taxpayer funded bailout of Mexico is a colossal failure.

In early 1994, Mexico was hailed by the administration as a hallmark of success and was embraced as a partner in the North American Free-Trade Agreement. The subsequent 2 years have revealed that this image was a costly mirage forced upon the American and Mexican citizens. Mexico has become a dependent of the United States, looking north for more money to bail out its failed economic and social policies. But the answer to Mexico's problems is, and always has been, in Mexico City, not Washington, DC.

I have been saying for almost 1 year that the Clinton administration's bailout was an ill-conceived disaster. It is not just my opinion, it is the cold hard facts—evidenced by the Mexican economic figures. The last few months have demonstrated that the Mexican financial sector can no longer disguise what is happening in Mexico. Mexico's economic crisis is now 1 year old and there is no indication of any meaningful improvement in Mexico's real economy: Record numbers of Mexicans are out of work, interest rates are soaring, the people are starving, and the country is reeling under increasing social and political unrest.

Mr. President, we must look at the objective facts, and the performance of the Mexican peso is an excellent starting point. On December 20, 1994, the peso was trading at 3.97. Yesterday the peso closed at 7.54 against the dollar—that is a 50-percent drop in 1 year.

Mr. President, no one wants to hold pesos because they are considered worthless. As reported by the New York Times on November 11, 1995, ''In the land of the peso, the dollar is common coin.'' But the Mexican Government continues to spend United States taxpayer dollars in their frantic and futile attempt to support the peso. Money from our Exchange Stabilization Fund—the ESF—that was supposed to be used to support the dollar. The Clinton administration's use of the ESF was unprecedented, and legally tenuous. In August of this year, I sponsored the Senate passed an amendment to the ESF statute which will prevent this administration from using the ESF as the President's personal piggybank again.

The currency speculators will continue to reap huge profits from the fluctuating peso. On December 22, 1994, Mexico adopted a floating rate regime, which can only be successful if people have confidence in the Mexican Central Bank. The Central Bank's performance so far has failed to inspire such confidence. These problems are exacerbated by the continuing dismal condition of the Mexican banking system. I have been saying all year that the Mexican banking system is the weak link in any financial recovery. In May of this year, the Banking Committee held a hearing to review the condition of the banks and their apparent inaccurate reports. The end result in that the Mexican Government is bailing our Mexican banks. On December 15, 1995, the Mexican Government announced that it was buying $2 billion of bad loans from Banamex, Mexico's largest financial groups. Where is the Meixcan Government getting this money? From the U.S. taxpayers?

In the year since the peso's collapse, Mexico has received over $23 billion from the United States and the IMF and it has not solved anything.

American taxpayer dollars have been spent paying off private investors and not one dime of it is staying in Mexico or helping the Mexican people. Over 1 million jobs have been lost and annual inflation has exceeded 50 percent. It is clear the bailout is a failure, so I hope that this administration will not consider throwing more good money after bad.

Mr. President, I want to address a related matter concerning the IMF. On October 18, I sent a letter to the Managing Director of the IMF, Mr. Camdessus, requesting the public release of the so-called ''Whittome Report''. Two months later, the Congress and the American public still have not seen the Report. The Whittome Report is the result of an internal study by the IMF of its surveillance and response to the Mexican crisis. According to news articles, the Whittome Report concluded that the IMF distorted its own reporting on Mexico in response to political pressure from the Mexican Government. The Report apparently provides a comprehensive analysis of the IMF's monitoring and response to the Mexican Economic Crisis. The Congress and the American people need all the information we can get on this multi-billion dollar bailout.

The United States is the single largest financial contributor to the IMF, almost ¼ of their funds, and we deserve some answers. The IMF has sent $11.4 billion to Mexico this year and they will disburse $1.6 billion more every 3 months until August of next year. So when you add the indirect contributions the United States has made from the IMF to the $12.5 billion the United States has given directly to Mexico, it is obvious that we all have a very large stake in this game. When we have questions—we deserve answers.

It is unconscionable that full disclosure has not been given the Congress—or the American taxpayer—about what happened in this Mexican bailout. The Treasury Department has classified the Whittome Report so the American people cannot read it and make their own judgment about how this crisis was handled. That's wrong.

In October I introduced a resolution calling for the IMF to release the Whittome Report and requesting that the Treasury Department declassify it so that the American public can judge it for themselves. If this report is not declassified and made available to the public and the Congress by the start of the next session, I will ask my colleagues to vote for this resolution and take further steps to obtain the information we deserve.

Mr. President, the Mexican peso crisis is now 1 year old. It is time to reassess the situation and learn all we can from the mistakes that were made. At a time when we are struggling to balance our own budget, and make necessary cuts in social programs, we must think long and hard about spending United States tax dollars to bail out Mexico's financial problems.●

RETIREMENT OF DAVID COLE

● Mr. BUMPERS. Mr. President, David Cole, the officer in charge of the Memphis office of the Immigration and Naturalization Service is soon to retire. Today I wish to pay tribute to this dedicated civil servant.

For 34 years David Cole has labored in the vineyards at INS, and, along the way, he earned a law degree from Memphis State University. All who have come in contact with Dave have been impressed with his knowledge, his dedication, and his integrity.

David Aaron Cole joined the agency as an immigration patrol inspector on August 15, 1961, at Laredo, TX, following his graduation from Mississippi State University in Starkville. Dave answered the call during the Berlin crisis and entered the military, assuming active duty status on December 23, 1961, where he served until August 27, 1962. He then returned to the U.S. Border Patrol in Laredo.

On January 6, 1966, Dave was promoted and transferred from the Border Patrol to Boston as a records and information specialist. In August 1967, he was promoted and transferred to records and information specialist in New York City and became chief of records in 1970.

On November 19, 1970, Dave was selected as officer in charge, Memphis, TN, where he has faithfully served since then.

Mr. President, Federal employees are often the brunt of jokes, cartoons, and talk shows. There are thousands like David Cole who faithfully do their job without recognition or fanfare.

I salute David Cole for his commitment to public service and for his dedication to the people he served. I wish him the very best as he retires from public service and begins a new career in the private sector.●

GENERALIZED SYSTEM OF PREFERENCES

● Mr. PRYOR. Mr. President, renewal of the Generalized System of Preferences [''GSP''] duty-free import program is currently up for consideration as part of the budget reconciliation package. The GSP program allows duty-free imports of certain products into the U.S. from well over 100 GSP eligible nations as a way to help less developed nations export into the U.S. market. While I support this program,

it is essential to remember that from its inception in the Trade Act of 1974, the GSP program has provided for the exemption of ''articles which the President determines to be import-sensitive.'' This is a critical provision to many of our industries.

Mr. President, a clear example of an import sensitive article which should not be subject to GSP is ceramic tile. The U.S. ceramic tile market has been repeatedly recognized as extremely import-sensitive. During the past thirty-years, this U.S. industry has had to defend itself against a variety of unfair and illegal import practices carried out by some of our closest trade partners. Imports already dominate the U.S. ceramic tile market and have done so for the last decade. They currently provide nearly 60 percent of the largest and most important glazed tile sector according to the 1994 year-end government figures.

Moreover, a major guiding principle of the GSP program has been reciprocal market access. Currently, GSP eligible beneficiary countries supply almost one-fourth of the U.S. ceramic tile imports, and they are rapidly increasing their sales and market shares. U.S. ceramic tile manufacturers, however, are still denied access to many of these foreign markets.

Also, previous abuses of the GSP eligible status with regard to some ceramic tile product lines has been well documented. In 1979, the USTR rejected various petitions for duty-free treatment of ceramic tile from certain GSP beneficiary countries. With the acquiescence of the U.S. industry, however, the USTR at that time created a duty-free exception for the then minuscule category of irregular edged ''specialty'' mosaic tile. Immediately thereafter, foreign manufacturers from major GSP beneficiary countries either shifted their production to ''specialty'' mosaic tile or simply identified their existing products as ''specialty'' mosaic tile on customs invoices and stopped paying duties on these products. These actions flooded the U.S. market with superficially restyled or mislabeled duty-free ceramic tile.

Mr. President, in light of the increasing foreign dominance of the U.S. ceramic tile market, for whatever reason, the U.S. industry has been recognized by successive Congresses and Administrations as ''import-sensitive'' dating back to the Dillon and Kennedy Rounds of the General Agreement of Tariffs and Trade (GATT). Yet during this same period, the American ceramic tile industry has been forced to defend itself from over a dozen petitions filed by various designated GSP eligible countries seeking duty-free GSP treatment for their ceramic tile sent into this market.

The domestic ceramic tile industry has been fortunate, to date, in the fact that both the USTR and the International Trade Commission thus far have recognized the ''import-sensitivity'' of the U.S. market and have denied these repeated GSP petitions that would result in further import penetration. If, however, just one petitioning nation ever succeeds in gaining GSP benefits for ceramic tile, then all GSP beneficiary countries also are entitled to GSP duty-free benefits for ceramic tile. If any of these petitions were grated, it would eliminate American tile jobs and could devastate this domestic industry.

Mr. President, I believe an import sensitive and already import-dominated product such as ceramic tile should not have to continually defend itself against repeated duty-free petitions but should be exempted from this program in some manner. While I understand USTR has serious reservations about granting exemptions without periodic review, I am hopeful we can find some common ground so that the ceramic tile industry does not have to defend itself each and every year.

While I support reauthorization of the GSP program, I trust and expect that import-sensitive products such as ceramic tile will not be subject to GSP.●

HOWARD H. BAKER, JR., UNITED STATES COURTHOUSE

Mr. SANTORUM. Madam President, I ask unanimous consent that the Committee on Environment and Public Works be immediately discharged from further consideration of H.R. 2547, and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:.

A bill (H.R. 2547) to designate the United States courthouse located at 800 Market Street in Knoxville, Tennessee, as the ''Howard H. Baker, Jr., United States Courthouse.''

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. THOMPSON. Madam President, I am pleased to support this bill which will designate the new United States Federal Courthouse in Knoxville, TN as the Howard H. Baker, Jr. United States Courthouse. I think it is fitting that this newly purchased courthouse be named for one of the most distinguished members ever to grace this body, a true gentleman who served his Nation for nearly 20 years as Senator from Tennessee, Senate Majority Leader, and, finally, White House Chief of Staff.

Senator Howard Baker begin his career as an attorney in Huntsville and nearby Knoxville, TN, after his graduation from the University of Tennessee School of Law. In 1966, he was elected to the United States Senate. Here, he established a lasting reputation as an outstanding lawmaker. Because of his broad appeal in our home state, the people of Tennessee chose to reelect him in 1972 and again in 1978.

In 1973, I had the opportunity to work under Senator Baker as he served as Vice Chairman of the Senate Watergate Committee. His leadership on this investigatory committee proved to be an asset as he helped this investigation during one of the most difficult time in our Nation's history.

From 1977 to 1981, Senator Baker served as Republican Leader of the Senate. In 1981, he became first Republican in more than 25 years to be elected Senate Majority Leader, a post he held until his retirement in January of 1985. During all of his Senate service, Senator Baker was known for his fair and impartial treatment of members from both sides of the aisle. He was also known in the Senate as someone who could bring both sides of an issue together, especially when political partisanship was intense.

In 1987, Senator Baker again answered his country's call, returning to public service as Chief of Staff to President Reagan. His tenure came at a difficult time for the Reagan Administration, during the Iran-Contra controversy. Senator Baker helped to steer the Administration through this trying situation, uncovering the relevant details of the controversy and helping to convey them to the public.

My friend, Howard Baker, who recently celebrated his 70th birthday, has retired from public service but continues to work on the behalf of many worthwhile causes. Over the years, he has received a number of awards and honors including The Presidential Medal or Freedom and the Jefferson Award for Greatest Public Service Performed by an Elected or Appointed Official. In addition, he has been presented a number of honorary degrees from several institutions of higher education, including: Bradley, Centre College, Dartmouth, Georgetown, Pepperdine, and Yale.

As Senator Baker has served his country and Tennessee admirably and well for nearly two decades, and it is my hope that the U.S. Senate will see fit to observe this service by naming the U.S. Courthouse in Knoxville in his honor.

Mr. FRIST. Madam President, I rise today in support of the bill offered by Senator THOMPSON and myself, which would designate the U.S. Courthouse located at 800 Market Street in Knoxville, Tennessee, as the ''Howard H. Baker, Jr. United States Courthouse.''

In 1966, Senator Baker became the first Republican ever popularly elected to the U.S. Senate from Tennessee, and he won reelection by wide margins in 1972 and 1978. Senator Baker first won national recognition in 1973 as the Vice Chairman of the Senate Watergate Committee. He was the keynote speaker at the Republican National Convention in 1976, and a candidate for the Republican Presidential nomination in 1980.

He served in the Senate from 1967 until January 1985, and concluded his Senate career by serving two terms as

Minority Leader (1977–1981) and two terms as Majority Leader (1981–1985).

I came to know Howard Baker when I was making my decision to run for the U.S. Senate. He listened carefully, gave me excellent counsel, and helped steer me and my wife Karyn in the right direction as we made our decision. Like so many of my colleagues here in the Senate, I continue to rely on his advice, and am proud to call him my friend.

Madam President, the Howard Baker Courthouse will stand as a wonderful tribute to a dedicated and distinguished senator, Howard Baker. I urge my colleagues to support this piece of legislation.

Mr. SANTORUM. Madam President, I ask unanimous consent that the bill be deemed read a third time, passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the bill (H.R. 2547) was deemed read a third time and passed.

ROMANO L. MAZZOLI FEDERAL BUILDING DESIGNATION ACT

Mr. SANTORUM. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 289, H.R. 965.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 965) to designate the Federal building located at 600 Martin Luther King, Jr., Place in Louisville, Kentucky, as the ''Romano L. Mazzoli Federal Building.''

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. SANTORUM. Madam President, I ask unanimous consent that the bill be deemed read a third time, passed, the motion to reconsider be laid upon the table, and that any statement relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the bill (H.R. 965) was deemed read a third time, and passed.

DON EDWARDS SAN FRANCISCO BAY NATIONAL WILDLIFE REFUGE DESIGNATION ACT

Mr. SANTORUM. Madam President, I ask unanimous consent the Senate proceed to the immediate consideration of calendar No. 290, H.R. 1253.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1253) to rename the San Francisco Bay National Wildlife Refuge as the Don Edwards San Francisco Bay National Wildlife Refuge.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. SANTORUM. Madam President, I ask unanimous consent that the bill be deemed read a third time, passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the bill (H.R. 1253) was deemed read a third time, and passed.

IRAN OIL SANCTIONS ACT OF 1995

Mr. SANTORUM. I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 280, S. 1228.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1228) to impose sanctions on foreign persons exporting petroleum products, natural gas, or related technology to Iran.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Banking, Housing, and Urban Affairs, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Iran Oil Sanctions Act of 1995''.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) The efforts of the Government of Iran to acquire weapons of mass destruction and the means to deliver them and its support of international terrorism endanger the national security and foreign policy interests of the United States and those countries with which it shares common strategic and foreign policy objectives.

(2) The objective of preventing the proliferation of weapons of mass destruction and international terrorism through existing multilateral and bilateral initiatives requires additional efforts to deny Iran the financial means to sustain its nuclear, chemical, biological, and missile weapons programs.

SEC. 3. DECLARATION OF POLICY.

The Congress declares that it is the policy of the United States to deny Iran the ability to support international terrorism and to fund the development and acquisition of weapons of mass destruction and the means to deliver them by limiting the development of petroleum resources in Iran.

SEC. 4. IMPOSITION OF SANCTIONS.

(a) IN GENERAL.—Except as provided in subsection (d), the President shall impose one or more of the sanctions described in section 5 on a person subject to this section (in this Act referred to as a ''sanctioned person''), if the President determines that the person has, with actual knowledge, on or after the date of enactment of this Act, made an investment of more than $40,000,000 (or any combination of investments of at least $10,000,000 each, which in the aggregate exceeds $40,000,000 in any 12-month period), that significantly and materially contributed to the development of petroleum resources in Iran.

(b) PERSONS AGAINST WHICH THE SANCTIONS ARE TO BE IMPOSED.—The sanctions described in subsection (a) shall be imposed on any person the President determines—

(1) has carried out the activities described in subsection (a);

(2) is a successor entity to that person;

(3) is a person that is a parent or subsidiary of that person if that parent or subsidiary with actual knowledge engaged in the activities which were the basis of that determination; and

(4) is a person that is an affiliate of that person if that affiliate with actual knowledge engaged in the activities which were the basis of that determination and if that affiliate is controlled in fact by that person.

(c) PUBLICATION IN FEDERAL REGISTER.—The President shall cause to be published in the Federal Register a current list of persons that are subject to sanctions under subsection (a). The President shall remove or add the names of persons to the list published under this subsection as may be necessary.

(d) EXCEPTIONS.—The President shall not be required to apply or maintain the sanctions under subsection (a)—

(1) to products or services provided under contracts entered into before the date on which the President publishes his intention to impose the sanction; or

(2) to medicines, medical supplies, or other humanitarian items.

SEC. 5. DESCRIPTION OF SANCTIONS.

The sanctions to be imposed on a person under section 4(a) are as follows:

(1) EXPORT-IMPORT BANK ASSISTANCE FOR EXPORTS TO SANCTIONED PERSONS.—The President may direct the Export-Import Bank of the United States not to guarantee, insure, extend credit, or participate in the extension of credit in connection with the export of any goods or services to any sanctioned person.

(2) EXPORT SANCTION.—The President may order the United States Government not to issue any specific license and not to grant any other specific permission or authority to export any goods or technology to a sanctioned person under—

(A) the Export Administration Act of 1979;

(B) the Arms Export Control Act;

(C) the Atomic Energy Act of 1954; or

(D) any other statute that requires the prior review and approval of the United States Government as a condition for the exportation of goods and services, or their re-export, to any person designated by the President under section 4(a).

(3) LOANS FROM UNITED STATES FINANCIAL INSTITUTIONS.—The United States Government may prohibit any United States financial institution from making any loan or providing any credit to any sanctioned person in an amount exceeding $10,000,000 in any 12-month period (or two or more loans of more than $5,000,000 each in such period) unless such person is engaged in activities to relieve human suffering within the meaning of section 203(b)(2) of the International Emergency Economic Powers Act.

(4) PROHIBITIONS ON FINANCIAL INSTITUTIONS.—The following prohibitions may be imposed against financial institutions sanctioned under section 4(a):

(A) DESIGNATION AS PRIMARY DEALER.—Neither the Board of Governors of the Federal Reserve System nor the Federal Reserve Bank of New York may designate, or permit the continuation of any prior designation of, such financial institution as a primary dealer in United States Government debt instruments.

(B) GOVERNMENT FUNDS.—Such financial institution shall not serve as agent of the United States Government or serve as repository for United States Government funds.

SEC. 6. ADVISORY OPINIONS.

The Secretary of State may, upon the request of any person, issue an advisory opinion, to that person as to whether a proposed activity by

that person would subject that person to sanctions under this Act. Any person who relies in good faith on such an advisory opinion which states that the proposed activity would not subject a person to such sanctions, and any person who thereafter engages in such activity, may not be made subject to such sanctions on account of such activity.

SEC. 7. DURATION OF SANCTIONS; PRESIDENTIAL WAIVER.

(a) DELAY OF SANCTIONS.—

(1) CONSULTATIONS.—If the President makes a determination described in section 4(a) with respect to a foreign person, the Congress urges the President to initiate consultations immediately with the government with primary jurisdiction over that foreign person with respect to the imposition of sanctions pursuant to this Act.

(2) ACTIONS BY GOVERNMENT OF JURISDICTION.—In order to pursue such consultations with that government, the President may delay imposition of sanctions pursuant to this Act for up to 90 days. Following such consultations, the President shall immediately impose a sanction or sanctions unless the President determines and certifies to the Congress that the government has taken specific and effective actions, including, as appropriate, the imposition of appropriate penalties, to terminate the involvement of the foreign person in the activities that resulted in the determination by the President pursuant to section 4(a) concerning such person.

(3) ADDITIONAL DELAY IN IMPOSITION OF SANCTIONS.—The President may delay the imposition of sanctions for up to an additional 90 days if the President determines and certifies to the Congress that the government with primary jurisdiction over the foreign person is in the process of taking the actions described in paragraph (2).

(4) REPORT TO CONGRESS.—Not later than 90 days after making a determination under section 4(a), the President shall submit to the Committee on Banking, Housing and Urban Affairs of the Senate and the Committee on International Relations of the House of Representatives a report which shall include information on the status of consultations with the appropriate foreign government under this subsection, and the basis for any determination under paragraph (3).

(b) DURATION OF SANCTIONS..—The requirement to impose sanctions pursuant to section 4(a) shall remain in effect until the President determines that the sanctioned person is no longer engaging in the activity that led to the imposition of sanctions.

(c) PRESIDENTIAL WAIVER.—(1) The President may waive the requirement in section 4(a) to impose a sanction or sanctions on a person in section 4(b), and may waive the continued imposition of a sanction or sanctions under subsection (b) of this section, 15 days after the President determines and so reports to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on International Relations of the House of Representatives that it is important to the national interest of the United States to exercise such waiver authority.

(2) Any such report shall provide a specific and detailed rationale for such determination, including—

(A) a description of the conduct that resulted in the determination;

(B) in the case of a foreign person, an explanation of the efforts to secure the cooperation of the government with primary jurisdiction of the sanctioned person to terminate or, as appropriate, penalize the activities that resulted in the determination;

(C) an estimate as to the significance of the investment to Iran's ability to develop its petroleum resources; and

(D) a statement as to the response of the United States in the event that such person engages in other activities that would be subject to section 4(a).

SEC. 8. TERMINATION OF SANCTIONS.

The sanctions requirement of section 4 shall no longer have force or effect if the President determines and certifies to the appropriate congressional committees that Iran—

(1) has ceased its efforts to design, develop, manufacture, or acquire—

(A) a nuclear explosive device or related materials and technology;

(B) chemical and biological weapons; or

(C) ballistic missiles and ballistic missile launch technology; and

(2) has been removed from the list of state sponsors of international terrorism under section 6(j) of the Export Administration Act of 1979.

SEC. 9. REPORT REQUIRED.

The President shall ensure the continued transmittal to Congress of reports describing—

(1) the nuclear and other military capabilities of Iran, as required by section 601(a) of the Nuclear Non-Proliferation Act of 1978 and section 1607 of the National Defense Authorization Act, Fiscal Year 1993; and

(2) the support provided by Iran for acts of international terrorism, as part of the Department of State's annual report on international terrorism.

SEC. 10. DEFINITIONS.

As used in this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committees on Banking, Housing, and Urban Affairs and Foreign Relations of the Senate and the Committees on Banking and Financial Services and International Relations of the House of Representatives.

(2) FINANCIAL INSTITUTION.—The term ''financial institution'' includes—

(A) a depository institution (as defined in section 3(c)(1) of the Federal Deposit Insurance Act), including a branch or agency of a foreign bank (as defined in section 1(b)(7) of the International Banking Act of 1978);

(B) a credit union;

(C) a securities firm, including a broker or dealer;

(D) an insurance company, including an agency or underwriter;

(E) any other company that provides financial services; or

(F) any subsidiary of such financial institution.

(3) INVESTMENT.—The term ''investment'' means—

(A) the entry into a contract that includes responsibility for the development of petroleum resources located in Iran, or the entry into a contract providing for the general supervision and guarantee of another person's performance of such a contract;

(B) the purchase of a share of ownership in that development; or

(C) the entry into a contract providing for participation in royalties, earnings, or profits in that development, without regard to the form of the participation.

(4) PERSON.—The term ''person'' means a natural person as well as a corporation, business association, partnership, society, trust, any other nongovernmental entity, organization, or group, and any governmental entity operating as a business enterprise, and any successor of any such entity.

(5) PETROLEUM RESOURCES.—The term ''petroleum resources'' includes petroleum and natural gas resources.

AMENDMENT NO. 3106

(Purpose: To deter investment in the development of Libya's petroleum resources)

Mr. SANTORUM. Madam President, I send an amendment to the desk in behalf of Senators KENNEDY and D'AMATO, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Pennsylvania (Mr. SANTORUM), for Mr. KENNEDY, for himself and Mr. D'AMATO, proposes an amendment numbered 3106.

Mr. SANTORUM. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of the bill, add the following new section:

SEC. . APPLICATION OF THE ACT TO LIBYA.

The sanctions of this Act, including the terms and conditions for the imposition, duration, and termination of sanctions, shall apply to persons making investments for the development of petroleum resources in Libya in the same manner as those sanctions apply under this Act to persons making investments for such development in Iran.

Mr. D'AMATO. Madam President, I rise in support of the Kennedy-D'Amato amendment to S. 1228, the Iran Oil Sanctions Act of 1995.

What can one say about Libya. It has now been over 4 years since the United States indicted two Libyan agents, Lamen Khalifa Fhimah and Abdel Basset Ali Megrahi, for responsibility in the bombing of Pan Am Flight 103 in December 1988. So far there has been no action, no surrender of these men. We must answer the cry for justice by the families of the 270 victims of this terrorist attack, 189 of them Americans, with 35 from New York State.

For us to add Libya to a bill placing sanctions on those countries which seek to develop Iran's petroleum resources is, I feel, a justified action. We must send the message that terrorism, sponsorship of terrorism, and those who subsidize terrorism will not be ignored.

Mu'ammar Qadhafi brazenly dismisses the indictment while at the same time pounding his chest, bragging to the world that he has again withstood American aggression. His offer to try the two agents in a Libyan court is a mockery of justice and an insult to the families of the victims.

Just yesterday, a Scottish businessman was charged in a Boston court with violating the U.S. embargo on Libya by attempting to export over 250,000 dollars' worth of computers and related equipment. This is only further proof that Qadhafi is still up to his old games and is trying to flaunt our sanctions against him.

I want to discuss, very briefly, the amount of oil that the Organization for Economic Cooperation and Development [OECD] countries buy from Libya. According to the Energy Department, OECD countries bought over $7 billion in oil from Libya in 1994. The worst offenders were Italy, with over $3 billion and Germany with over $1 billion.

As far as how this legislation would effect Libya, one need only look at the

contracts signed by European firms in the last few years. Just in August, a Spanish company Repsol, awarded a Cypriot company a $155 million contract to build a crude oil pipeline in Libya. Furthermore, European companies such as Agip—Italy, Total—France, Petrofina—Belgium, OMV—Austria, and Veba—Germany, have all signed contracts for upstream activities in Libya and would be affected by this bill.

While the focus of the underlying bill has been Iran and an attempt to stop the subsidizing of Iranian terrorism, I cannot see why we should not seek to prevent the subsidizing of Libyan terrorism at the same time? More importantly, who is to say that the attack on Pan Am 103 was not directed by Iran and conducted by the Libyans. If this were the case, than we will get two terrorist states with one bill.

There can be no rest until the individuals who ordered, directed, and paid for the commission of the terrible crime of the bombing of Pan Am Fight 103 are brought to justice, no matter where they may be located. The investigation of the bombing must continue to be vigorously and intensively pursued. Libya, with a long and documented history of obscene violations of human rights and international law, must pay the price for its part in this slaughter and its past support for other international terrorist acts.

It is for this reason, that I enthusiastically agree with the Senator from Massachusetts and am glad to have worked with him on this issue.

Mr. KENNEDY. Madam President, I offer an amendment to apply the sanctions in this legislation to Libya.

I support the pending bill which is intended to provide a stronger deterrent to the development of nuclear weapons by Iran by applying economic sanctions to those in other countries who substantially assist Iran in Oil production.

My amendment extends the same sanctions to those who help Libya in oil production. Its purpose is to use stronger economic sanctions to encourage the Government of Libya to turn over the two suspects indicted for the terrorist bombing of Pan Am Flight 103.

On December 21, 1988, 7 years ago tomorrow, in one of the worst terrorist atrocities in recent years, Pan Am Flight 103 was blown up over Lockerbie, Scotland, killing 270 citizens of 21 nations, including 189 Americans.

In November 1991, two Libyan national were indicted for carrying out that bombing. Despite U.N. economic sanctions which have been in force since 1992, the Government of Libya has refused to turn over the suspects, and the two suspects remain in Libya under the protection of Colonial Qadhafi.

Many of us on both sides of the aisle have called for stronger international sanctions against Libya, including an international oil embargo, and our proposals have had the strong support of both Senator D'AMATO and Senator HELMS.

Because of Libya's earlier well-known support for terrorism, the United States imposed our own oil embargo against Libya during the Reagan administration in 1986, 2 years before the Pan Am bombing. Our efforts since the Pan Am bombing to persuade other nations to join the oil embargo have not succeeded, primarily because several European countries purchase oil from Libya and refuse to support such a measure.

Additional sanctions on Libya are essential if we are to have any chance of bringing the terrorists to trial. This bill offers an effective opportunity to enact such sanctions.

According to experts familiar with oil production investment in Libya, this action may very well affect the investment plans of numerous foreign oil companies.

as in the case of Iran, this amendment will not prevent any foreign companies from doing business in Libya. But they will not be able to do so with the benefit of U.S. assistance.

This Christmas season is a very difficult time for the families of the victims of Pan Am flight 103. We cannot bring back their loved ones. What we can do is take every available step to see that the terrorists charged with committing this atrocity are finally at long last brought to justice. This is one such step, and I urge the Senate to support it.

Mr. SARBANES. Madam President, I rise in support of S. 1228, the Iran Oil Sanctions Act of 1995. This bill would put sanctions on foreign companies that invest in Iran and thereby help that country develop its oil and gas resources. The increased revenue from such enhanced oil production augments Iran's ability to fund its development of nuclear weapons and its support for international terrorism.

Since the Iranian Revolution in 1979, American administrations with bipartisan congressional support have used economic sanctions to hinder Iran's support for international terrorism and to make it harder for that country to get materials and revenues to strengthen its nuclear and conventional weapons programs.

Earlier this year, just prior to the Banking Committee's March 16 hearing on our country's economic relations with Iran, the committee learned that then existing restrictions on such relations did not prohibit the Conoco Co. from signing a contract with Iran to develop a huge offshore oil field in the Persian Gulf. The Clinton administration immediately announced that while Conoco's actions were not illegal, they were inconsistent with our policy of bringing pressure on Iran, both politically and economically to change its unacceptable behavior. The President then on March 15 issued an Executive order prohibiting U.S. persons from entering into contracts for the financing or the overall supervision and management of the petroleum resources of Iran.

On May 8, President Clinton issued another Executive order that imposed significant new economic sanctions on Iran, including a prohibition on trading in goods or services of Iranian origin, a ban on exports to Iran, and a ban on new investment or bank loans to Iran. The new prohibitions applied to U.S. persons, wherever they may be, including the foreign branches of U.S. entities.

The Clinton administration also urged other countries to support United States efforts to pressure Iran economically and persuaded our G7 allies to avoid any collaboration with Iran that might help that country develop a nuclear weapons capability. A number of foreign corporations, however, are supporting Iran's efforts to increase its oil and gas production. S. 1228 seeks to persuade such companies from assisting Iran as the latter uses its oil and gas revenues to fund behavior harmful to the international community.

At the Banking Committee's October 11 hearing on S. 1228, Under Secretary of State Tarnoff told the committee that a straight line links Iran's oil income and its ability to sponsor terrorism, build weapons of mass destruction, and acquire sophisticated armaments. He also told us that the administration was making great efforts to persuade other nations to cooperate with our embargo of Iran. He expressed concerns, however, that we not enact legislation that would make it more difficult to get that cooperation. Chairman D'AMATO assured Under Secretary Tarnoff that he wanted to work with the administration in crafting legislation that would persuade foreign companies to cooperate with our embargo of Iran.

Prior to the December 12 committee markup of S. 1228, Chairman D'AMATO, Senator BOXER, myself, and other members of the committee worked with the administration to develop a bill the administration could endorse. Agreement was reached and on December 12, the committee adopted a substitute version of S. 1228 that President Clinton supports.

It does not target trade but rather new investment contracts that enhance Iran's ability to produce oil and gas. The bill also provides the President the necessary flexibility to determine the best mix of sanctions in a particular case, and to waive the imposition, or continued imposition, of sanctions when he determines it is important to the national interest to do so. In using these authorities, the President is directed to consider factors such as the significance of an investment, the prospects of cooperation with other governments, U.S. international commitments, and the effect of sanctions on U.S. economic interests and regional policies. Finally, S. 1228 authorizes the Secretary of State to provide advisory

opinions on whether a proposed activity would be covered to avoid unnecessary uncertainty on the part of companies and friction with allies.

This bill was reported out of committee by a vote of 15 to 0. It is a bill I support because it will make it more difficult for Iran to fund its efforts to develop weapons of mass destruction and its support for international terrorism. I urge its enactment.

Mr. SANTORUM. Madam President, I ask unanimous consent that the amendment be considered read and agreed to, the committee amendment be agreed to, the bill be deemed a third time, passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the amendment (No. 3106) was agreed to.

So the committee amendment was agreed to.

So the bill (S. 1228), as amended, was deemed read for a third time, and passed, as follows:

S. 1228

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Iran Oil Sanctions Act of 1995''.

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) The efforts of the Government of Iran to acquire weapons of mass destruction and the means to deliver them and its support of international terrorism endanger the national security and foreign policy interests of the United States and those countries with which it shares common strategic and foreign policy objectives.

(2) The objective of preventing the proliferation of weapons of mass destruction and international terrorism through existing multilateral and bilateral initiatives requires additional efforts to deny Iran the financial means to sustain its nuclear, chemical, biological, and missile weapons programs.

SEC. 3. DECLARATION OF POLICY.

The Congress declares that it is the policy of the United States to deny Iran the ability to support international terrorism and to fund the development and acquisition of weapons of mass destruction and the means to deliver them by limiting the development of petroleum resources in Iran.

SEC. 4. IMPOSITION OF SANCTIONS.

(a) IN GENERAL.—Except as provided in subsection (d), the President shall impose one or more of the sanctions described in section 5 on a person subject to this section (in this Act referred to as a ''sanctioned person''), if the President determines that the person has, with actual knowledge, on or after the date of enactment of this Act, made an investment of more than $40,000,000 (or any combination of investments of at least $10,000,000 each, which in the aggregate exceeds $40,000,000 in any 12-month period), that significantly and materially contributed to the development of petroleum resources in Iran.

(b) PERSONS AGAINST WHICH THE SANCTIONS ARE TO BE IMPOSED.—The sanctions described in subsection (a) shall be imposed on any person the President determines—

(1) has carried out the activities described in subsection (a);

(2) is a successor entity to that person;

(3) is a person that is a parent or subsidiary of that person if that parent or subsidiary with actual knowledge engaged in the activities which were the basis of that determination; and

(4) is a person that is an affiliate of that person if that affiliate with actual knowledge engaged in the activities which were the basis of that determination and if that affiliate is controlled in fact by that person.

(c) PUBLICATION IN FEDERAL REGISTER.—The President shall cause to be published in the Federal Register a current list of persons that are subject to sanctions under subsection (a). The President shall remove or add the names of persons to the list published under this subsection as may be necessary.

(d) EXCEPTIONS.—The President shall not be required to apply or maintain the sanctions under subsection (a)—

(1) to products or services provided under contracts entered into before the date on which the President publishes his intention to impose the sanction; or

(2) to medicines, medical supplies, or other humanitarian items.

SEC. 5. DESCRIPTION OF SANCTIONS.

The sanctions to be imposed on a person under section 4(a) are as follows:

(1) EXPORT-IMPORT BANK ASSISTANCE FOR EXPORTS TO SANCTIONED PERSONS.—The President may direct the Export-Import Bank of the United States not to guarantee, insure, extend credit, or participate in the extension of credit in connection with the export of any goods or services to any sanctioned person.

(2) EXPORT SANCTION.—The President may order the United States Government not to issue any specific license and not to grant any other specific permission or authority to export any goods or technology to a sanctioned person under—

(A) the Export Administration Act of 1979;

(B) the Arms Export Control Act;

(C) the Atomic Energy Act of 1954; or

(D) any other statute that requires the prior review and approval of the United States Government as a condition for the exportation of goods and services, or their reexport, to any person designated by the President under section 4(a).

(3) LOANS FROM UNITED STATES FINANCIAL INSTITUTIONS.—The United States Government may prohibit any United States financial institution from making any loan or providing any credit to any sanctioned person in an amount exceeding $10,000,000 in any 12-month period (or two or more loans of more than $5,000,000 each in such period) unless such person is engaged in activities to relieve human suffering within the meaning of section 203(b)(2) of the International Emergency Economic Powers Act.

(4) PROHIBITIONS ON FINANCIAL INSTITUTIONS.—The following prohibitions may be imposed against financial institutions sanctioned under section 4(a):

(A) DESIGNATION AS PRIMARY DEALER.—Neither the Board of Governors of the Federal Reserve System nor the Federal Reserve Bank of New York may designate, or permit the continuation of any prior designation of, such financial institution as a primary dealer in United States Government debt instruments.

(B) GOVERNMENT FUNDS.—Such financial institution shall not serve as agent of the United States Government or serve as repository for United States Government funds.

SEC. 6. ADVISORY OPINIONS.

The Secretary of State may, upon the request of any person, issue an advisory opinion, to that person as to whether a proposed activity by that person would subject that person to sanctions under this Act. Any person who relies in good faith on such an advisory opinion which states that the proposed activity would not subject a person to such sanctions, and any person who thereafter engages in such activity, may not be made subject to such sanctions on account of such activity.

SEC. 7. DURATION OF SANCTIONS; PRESIDENTIAL WAIVER.

(a) DELAY OF SANCTIONS.—

(1) CONSULTATIONS.—If the President makes a determination described in section 4(a) with respect to a foreign person, the Congress urges the President to initiate consultations immediately with the government with primary jurisdiction over that foreign person with respect to the imposition of sanctions pursuant to this Act.

(2) ACTIONS BY GOVERNMENT OF JURISDICTION.—In order to pursue such consultations with that government, the President may delay imposition of sanctions pursuant to this Act for up to 90 days. Following such consultations, the President shall immediately impose a sanction or sanctions unless the President determines and certifies to the Congress that the government has taken specific and effective actions, including, as appropriate, the imposition of appropriate penalties, to terminate the involvement of the foreign person in the activities that resulted in the determination by the President pursuant to section 4(a) concerning such person.

(3) ADDITIONAL DELAY IN IMPOSITION OF SANCTIONS.—The President may delay the imposition of sanctions for up to an additional 90 days if the President determines and certifies to the Congress that the government with primary jurisdiction over the foreign person is in the process of taking the actions described in paragraph (2).

(4) REPORT TO CONGRESS.—Not later than 90 days after making a determination under section 4(a), the President shall submit to the Committee on Banking, Housing and Urban Affairs of the Senate and the Committee on International Relations of the House of Representatives a report which shall include information on the status of consultations with the appropriate foreign government under this subsection, and the basis for any determination under paragraph (3).

(b) DURATION OF SANCTIONS..—The requirement to impose sanctions pursuant to section 4(a) shall remain in effect until the President determines that the sanctioned person is no longer engaging in the activity that led to the imposition of sanctions.

(c) PRESIDENTIAL WAIVER.—(1) The President may waive the requirement in section 4(a) to impose a sanction or sanctions on a person in section 4(b), and may waive the continued imposition of a sanction or sanctions under subsection (b) of this section, 15 days after the President determines and so reports to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on International Relations of the House of Representatives that it is important to the national interest of the United States to exercise such waiver authority.

(2) Any such report shall provide a specific and detailed rationale for such determination, including—

(A) a description of the conduct that resulted in the determination;

(B) in the case of a foreign person, an explanation of the efforts to secure the cooperation of the government with primary jurisdiction of the sanctioned person to terminate or, as appropriate, penalize the activities that resulted in the determination;

(C) an estimate as to the significance of the investment to Iran's ability to develop its petroleum resources; and

(D) a statement as to the response of the United States in the event that such person

engages in other activities that would be subject to section 4(a).

SEC. 8. TERMINATION OF SANCTIONS.

The sanctions requirement of section 4 shall no longer have force or effect if the President determines and certifies to the appropriate congressional committees that Iran—

(1) has ceased its efforts to design, develop, manufacture, or acquire—

(A) a nuclear explosive device or related materials and technology;

(B) chemical and biological weapons; or

(C) ballistic missiles and ballistic missile launch technology; and

(2) has been removed from the list of state sponsors of international terrorism under section 6(j) of the Export Administration Act of 1979.

SEC. 9. REPORT REQUIRED.

The President shall ensure the continued transmittal to Congress of reports describing—

(1) the nuclear and other military capabilities of Iran, as required by section 601(a) of the Nuclear Non-Proliferation Act of 1978 and section 1607 of the National Defense Authorization Act, Fiscal Year 1993; and

(2) the support provided by Iran for acts of international terrorism, as part of the Department of State's annual report on international terrorism.

SEC. 10. DEFINITIONS.

As used in this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committees on Banking, Housing and Urban Affairs and Foreign Relations of the Senate and the Committees on Banking and Financial Services and International Relations of the House of Representatives.

(2) FINANCIAL INSTITUTION.—The term ''financial institution'' includes—

(A) a depository institution (as defined in section 3(c)(1) of the Federal Deposit Insurance Act), including a branch or agency of a foreign bank (as defined in section 1(b)(7) of the International Banking Act of 1978);

(B) a credit union;

(C) a securities firm, including a broker or dealer;

(D) an insurance company, including an agency or underwriter;

(E) any other company that provides financial services; or

(F) any subsidiary of such financial institution.

(3) INVESTMENT.—The term ''investment'' means—

(A) the entry into a contract that includes responsibility for the development of petroleum resources located in Iran, or the entry into a contract providing for the general supervision and guarantee of another person's performance of such a contract;

(B) the purchase of a share of ownership in that development; or

(C) the entry into a contract providing for participation in royalties, earnings, or profits in that development, without regard to the form of the participation.

(4) PERSON.—The term ''person'' means a natural person as well as a corporation, business association, partnership, society, trust, any other nongovernmental entity, organization, or group, and any governmental entity operating as a business enterprise, and any successor of any such entity.

(5) PETROLEUM RESOURCES.—The term ''petroleum resources'' includes petroleum and natural gas resources.

SEC. 11. APPLICATION OF THE ACT TO LIBYA.

The sanctions of this Act, including the terms and conditions for the imposition, duration, and termination of sanctions, shall apply to persons making investments for the development of petroleum resources in Libya in the same manner as those sanctions apply under this Act to persons making investments for such development in Iran.

So the title was amended so as to read:

A bill to deter investment in the development of Iran's petroleum resources.

UNANIMOUS-CONSENT AGREEMENT—H.R. 665

Mr. SANTORUM. I ask unanimous consent that the majority leader, after consultation with the minority leader, may turn to the consideration of calendar No. 257, H.R. 665, the victim restitution bill, and it be considered under the following limitation: 1 hour of debate on the bill equally divided between the two managers; that the only amendment in order to the bill be a substitute amendment offered by the managers; that no second-degree amendments be in order to the amendment; that, at conclusion or yielding back of any debate time, the managers' amendment be agreed to; the bill then be read a third time, and the Senate then proceed to a vote on passage of the bill, H.R. 665, without any intervening action or debate.

I further ask unanimous consent that if the bill is agreed to, the Senate insist on its amendment, request a conference with the House, and that the Chair to be authorized to appoint conferees on part of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE PLACED ON THE CALENDAR—H.R. 394

Mr. SANTORUM. Madam President, I ask unanimous consent that the Finance Committee be discharged from further consideration of H.R. 394, and that the bill be placed on the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLARIFICATION OF REIMBURSEMENT TO STATES FOR FEDERALLY FUNDED EMPLOYEES

Mr. SANTORUM. Madam President, I ask unanimous consent that the Governmental Affairs Committee be discharged from further consideration of S. 1429 and, further, that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1429) a bill to provide clarification in the reimbursement to States for federally funded employees carrying out Federal programs during the lapse in appropriations between November 14, 1995, through November 19, 1995.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 3107

(Purpose: To provide clarification in the reimbursement to States for federally funded employees carrying out Federal programs during the lapse in appropriations between November 14, 1995, through November 19, 1995)

Mr. SANTORUM. Madam President, I send an amendment to the desk and ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Pennsylvania (Mr. SANTORUM), for Mr. DOMENICI, (for himself Mr. LOTT, Mr. WARNER, Mr. STEVENS, Mr. COHEN, Mr. EXON, Mr. PRESSLER, Mrs. HUTCHISON, Mr. BINGAMAN, Mr. THOMAS, Mr. COCHRAN, Mr. KERREY, Mr. GRASSLEY, and Mr. HARKIN), proposes an amendment numbered 3107.

Mr. SANTORUM. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. CLARIFICATION OF REIMBURSEMENT TO STATES FOR FEDERALLY FUNDED EMPLOYEES.

Section 124 of the joint resolution entitled ''A joint resolution making further continuing appropriations for the fiscal year 1996, and for other purposes'', approved November 20, 1995 (Public Law 104—56) is amended by adding at the end thereof the following new subsection:

''(b)(1) If during the period beginning November 14, 1995, through November 19, 1995, a State used State funds to continue carrying out a Federal program or furloughed State employees whose compensation is advanced or reimbursed in whole or in part by the Federal Government—

''(A) such furloughed employees shall be compensated at their standard rate of compensation for such period;

''(B) the State shall be reimbursed for expenses that would have been paid by the Federal Government during such period had appropriations been available, including the cost of compensating such furloughed employees, together with interest thereon due under section 6503(d) of title 31, United States Code; and

''(C) the State may use funds available to the State under such Federal program to reimburse such State, together with interest thereon due under section 6503(d) of title 31, United States Code.

''(2) For purposes of this subsection, the term 'State' shall have the meaning as such term is defined under the applicable Federal program under paragraph (1).''.

Mr. DOMENICI. Mr. President, on November 28, I introduced legislation to fix an inadvertent effect of the 6-day Government shutdown between November 14 through November 19, 1995. That bill, S. 1429, with the amendment that I currently am introducing, will allow hundreds of State employees who administer the disability determination program of the Social Security Administration and who administer vocational rehabilitation programs for the Department of Education to receive the pay that they lost during the Government shutdown. The fact that they

were not paid was not intended, but it has occurred, and I and those who have cosponsored this legislation are anxious to fix this problem. My distinguished cosponsors include Senators LOTT, WARNER, STEVENS, COHEN, EXON, PRESSLER, HUTCHISON, COCHRAN, BINGAMAN, THOMAS, KERREY, GRASSLEY, and HARKIN.

Mr. President, the furlough pay language that the Congress adopted as part of House Joint Resolution 122, the Further Continuing Resolution for Fiscal Year 1996, was the language that previous Congresses have adopted to provide compensation to Federal employees during periods of Government closure.

This language was enacted to provide compensation to Federal employees affected by Government closure in 1984, 1986, 1987, and 1990. This language was provided to Congress to the Administration to meet our stated intent that Federal workers should not suffer a loss of pay as a result of the 6-day closure of the Federal Government.

I introduced S. 1429 when it was brought to my attention that the language included in the Continuing Resolution regarding the payment of compensation might not cover all employees who were subject to the furlough, mostly State employees paid with Federal funds to administer Federal programs.

The affected agencies and the General Accounting Office have reviewed the language that I am offering as a substitute to S. 1429 and indicate that it will fix this inadvertent consequence. It will ensure that these State employees receive their pay, or in cases where States used their own funding to pay these workers, the State can be reimbursed for those costs.

Mr. President, it was and is clearly the intent of the Congress to pay Federal workers and State workers who administer Federal programs for the 6-day period of the Government shutdown. The language I am offering will carry out this intent, and I urge my colleagues to adopt the bill, S. 1429, as amended.

Mr. COCHRAN. Madam President, I support this legislation which makes clear that it is the intent of Congress that all furloughed Federal workers, including federally funded State workers, affected by the shutdown of the Federal Government receive their pay.

The Congress adopted furlough pay language as part of the continuing resolution, House Joint Resolution 122, to provide compensation to Federal Employees affected by the recent 6-day Government closure.

The continuing resolution has been interpreted by some to not cover all employees who were affected by the Government closure. For instance, there are State employees paid with 100 percent Federal funds who make disability determinations and administer unemployment insurance benefits who may not be covered by the language in the continuing resolution regarding the payment of employees who were subject to furlough.

This legislation ensures that 100 percent federally funded State employees affected by the furlough receive their pay as Congress intended, and that States using their own funds to make up for the lack of Federal funds for these employees are reimbursed to carry out 100 percent federally supported functions.

I urge my colleagues to support this measure.

Mr. SANTORUM. Madam President, I ask unanimous consent that the amendment be agreed to, the bill be deemed read a third time, passed, as amended, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the amendment (No. 3107) was agreed to.

So the bill (S. 1429), as amended, was deemed read a third time, and passed, as follows:

S. 1429

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CLARIFICATION OF REIMBURSEMENT TO STATES FOR FEDERALLY FUNDED EMPLOYEES.

Section 124 of the joint resolution entitled ''A joint resolution making further continuing appropriations for the fiscal year 1996, and for other purposes'', approved November 20, 1995 (Public Law 104–56) is amended by adding at the end thereof the following new subsection:

''(b)(1) If during the period beginning November 14, 1995, through November 19, 1995, a State used State funds to continue carrying out a Federal program or furloughed State employees whose compensation is advanced or reimbursed in whole or in part by the Federal Government—

''(A) such furloughed employees shall be compensated at their standard rate of compensation for such period;

''(B) the State shall be reimbursed for expenses that would have been paid by the Federal Government during such period had appropriations been available, including the cost of compensating such furloughed employees, together with interest thereon due under section 6503(d) of title 31, United States Code; and

''(C) the State may use funds available to the State under such Federal program to reimburse such State, together with interest thereon due under section 6503(d) of title 31, United States Code.

''(2) For purposes of this subsection, the term 'State' shall have the meaning as such term is defined under the applicable Federal program under paragraph (1).''.

THE PRINTING OF ''VICE PRESIDENTS OF THE UNITED STATES, 1789–1993''

Mr. SANTORUM. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 273, Senate Concurrent Resolution 34.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 34) to authorize the printing of ''Vice Presidents of the United States 1789–1993.''

The PRESIDING OFFICER. Is there objection to the immediate consideration of the concurrent resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution, which had been reported from the Committee on Rules and Administration with an amendment, as follows:

[The part intended to be stricken is shown in brackets, the part to be inserted in italic.]

S. CON. RES. 34

Whereas the United States Constitution provides that the Vice President of the United States shall serve as President of the Senate; and

Whereas the careers of the 44 Americans who held that post during the years 1789 through 1993 richly illustrate the development of the nation and its government; and

Whereas the vice presidency, traditionally the least understood and most often ignored constitutional office in the Federal Government, deserves wider attention: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. PRINTING OF THE ''VICE PRESIDENTS OF THE UNITED STATES, 1789–1993''.

(a) IN GENERAL.—There shall be printed as a Senate document the book entitled ''Vice Presidents of the United States, 1789–1993'', prepared by the Senate Historical Office under the supervision of the Secretary of the Senate.

(b) SPECIFICATIONS.—The Senate document described in subsection (a) shall include illustrations and shall be in the style, form, manner, and binding as directed by the Joint Committee on Printing after consultation with the Secretary of the Senate.

(c) NUMBER OF COPIES.—In addition to the usual number of copies, there shall be printed with suitable binding the lesser of—

(1) 1,000 copies (750 paper bound and 250 case bound) for the use of the Senate, to be allocated as determined by the Secretary of the Senate; [and] *or*

(2) a number of copies that does not have a total production and printing cost of more than $11,100.

Mr. SANTORUM. I ask unanimous consent that the committee amendment be agreed to, the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid on the table, and any statements relating to the resolution be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 34), as amended, was agreed to.

The preamble was agreed to.

AMENDING THE FEDERAL ELECTION CAMPAIGN ACT OF 1971

Mr. SANTORUM. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 274, H.R. 2527.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2527) to amend the Federal Election Campaign Act of 1971 to improve the electoral process by permitting electronic filing and preservation of Federal Election Commission reports, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. SANTORUM. I ask unanimous consent that the bill be deemed read a third time, passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2527) was deemed to have been read a third time and passed.

BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION CITIZEN REGENT APPOINTMENT ACT OF 1995

Mr. SANTORUM. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 275, House Joint Resolution 69.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 69) providing for the reappointment of Homer Alfred Neal as citizen regent of the Board of Regents of the Smithsonian Institution.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. SANTORUM. I ask unanimous consent that the joint resolution be deemed read a third time, passed, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The joint resolution (H.J. Res. 69) was deemed to have been read three times and passed.

BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION CITIZEN REGENT APPOINTMENT ACT OF 1995

Mr. SANTORUM. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 276, House Joint Resolution 110.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows.

A joint resolution (H.J. Res. 110) providing for the appointment of Howard H. Baker, Jr., as a citizen regent of the Board of Regents of the Smithsonian Institution.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. SANTORUM. I ask unanimous consent that the joint resolution be deemed read a third time, passed, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The joint resolution (H.J. Res. 110) was deemed to have been read three times and passed.

BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION CITIZEN REGENT APPOINTMENT ACT OF 1995

Mr. SANTORUM. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 277, House Joint Resolution 111.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 111) providing for the appointment of Anne D'Harnoncourt as a citizen regent of the Board of Regents of the Smithsonian Institution.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. SANTORUM. I ask unanimous consent that the joint resolution be deemed read a third time, passed, the motion to reconsider be laid upon the table, and that any statements relating to the joint resolution be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The joint resolution (H.J. Res. 111) was deemed to have been read three times and passed.

BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION CITIZEN REGENT APPOINTMENT ACT OF 1995

Mr. SANTORUM. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 278, House Joint Resolution 112.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 112) providing for the appointment of Louis Gerstner as a citizen regent of the Board of Regents of the Smithsonian Institution.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. SANTORUM. I ask unanimous consent that the joint resolution be deemed read a third time, passed, the motion to reconsider be laid upon the table, and that any statements relating to the joint resolution be placed at the appropriate place in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The joint resolution (H. J. Resolution 112) was deemed to have been read a third time and passed.

ORDERS FOR THURSDAY, DECEMBER 21, 1995

Mr. SANTORUM. I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until the hour of 9:30 a.m. on Thursday, December 21; that following the prayer, the Journal of proceedings be deemed approved to date, no resolutions come over under the rule, the call of the calendar be dispensed with, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANTORUM. I ask unanimous consent that at 9:30 a.m. the Senate turn to the consideration of House Joint Resolution 132, relative to the budget and the use of CBO assumptions, with a 1 hour time limit. Therefore, a vote will occur at approximately 10:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. SANTORUM. For the information of all Senators, the Senate will begin consideration of House Joint Resolution 132 at 9:30. A vote will occur at 10:30 a.m.

Also, the Senate is expected to consider the veto message with respect to the securities litigation, a possible continuing resolution, available appropriations bills and other items cleared for action. Rollcall votes are therefore expected throughout the day Thursday.

ORDER FOR POSTPONEMENT OF CLOTURE VOTE

Mr. SANTORUM. I further ask unanimous consent that the cloture vote scheduled for today be postponed to occur at a time to be determined by the two leaders on Thursday.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. EXON. Reserving the right to object, I would simply say to my colleague from Pennsylvania and to the Chair we have one matter that may be cleared tonight. It had been agreed to on both sides pending one telephone call.

Mr. EXON. Madam President, could I ask that the Senate stand in a quorum call for at least 10 minutes to give me a chance to get this straightened out?

Mrs. BOXER. Madam President, if the Senator would yield, I have about

10, 15 minutes of morning business I would love to do at this point. If the Senator from Pennsylvania would agree, then we can do that.

Mr. EXON. That would be fine with me, if that can be agreed to.

Mrs. BOXER. I am sure the Senator from Pennsylvania would accommodate the Senator from Nebraska.

Mr. SANTORUM. I have been informed by the staff it does not look like we will be able to clear the matter the Senator suggested tonight, and we could do that possibly tomorrow. That is what I have been informed.

Mr. EXON. The matter has not been cleared on the Senator's side?

I withdraw my objection.

ORDER FOR ADJOURNMENT

Mr. SANTORUM. If there is no further business to come before the Senate, I now ask unanimous consent that the Senate stand in adjournment under the previous order, following the remarks of Senator BOXER for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from California is recognized for up to 20 minutes.

Mrs. BOXER. Thank you very much, Madam President.

THE GOVERNMENT SHUTDOWN

Mrs. BOXER. Madam President, I have waited around the floor of the Senate tonight because I wanted to make a few remarks about where we stand in this battle for some sanity around here in the Congress.

We are now in the 5th day of our second Government shutdown this year. It seems to me if we have any obligation, it is to keep the people's business moving forward. It is totally unnecessary to have this shutdown, but for the fact that there are some who want to essentially hold a legislative gun to the head of President Clinton and use the threat of a shutdown, indeed, the fact of a shutdown, to force him to sign a 7-year budget that in his opinion will harm the American people because there are terribly deep cuts in Medicare, Medicaid, education and the environment, and tax increases on those people earning under $30,000 a year.

So the President is not going to agree to that. So there are those on the Republican side, particularly on the House side, who believe that shutting down this Government is a perfectly legitimate way for them to express their dissatisfaction with President Clinton for not signing this very extreme and very radical budget.

The President is not going to sign it. The American people do not want a President who will fold under that kind of tactic. And here we stand. No reason at all. I was here on the weekend, Sunday, when the Democratic side offered an opportunity to resolve this, pass the resolution, the continuing resolution, keep the Government going, and continue the hard and fast negotiations that have begun. But no. I have never seen anything quite like it.

I saw a freshman Republican Member of the House on national television tonight, all smiles. He thinks this is really fun and games. He said he did not care if the Government ever opened up again as far as he was concerned. He would not vote to keep the Government going until the President signed a budget he agreed with.

I think that representative ought to read the Constitution. He may not understand that we have a separation of powers and a balance of powers. The fact of the matter is, as much as this representative does not like it, President Clinton is a Democrat and so are many Members of the House and Senate. The Republicans do not run the White House or, frankly, have a working control over the Senate or the House. There are very close margins here, and so they have to compromise. But this young fellow does not seem to have the word ''compromise'' in his vocabulary.

But I will tell you one thing he has in his pocket, he has his paycheck. He has his paycheck in his pocket. He can demagog this issue and never feel the pain. But the American people, who deserve to have the parks open, who deserve to have the veterans checks sent out, who deserve to have a functioning Government, deserve to be able to get a passport, if they need it.

They are getting hurt, inconvenienced. For what? For what? NEWT GINGRICH has said several times he is going to vote to pay all these people who are not going to work. What is going on here? What is going on?

So there are Federal employees, despite NEWT GINGRICH's comments, who are not getting paid right now. Oh, but Members of Congress, we are getting our pay. It is just fine and dandy. What a legislative runaround my ''No Budget, No Pay'' bill has been given. And if I ever go into the classroom to teach a course in Government, I am going to bring this chart with me. It says ''No Budget, No Pay. How a Bill Does Not Become a Law.'' I have never seen a runaround like it.

Three times—three times—Senators have passed this legislation. Senator DOLE supports it, Senator DASCHLE supports it; Republicans and Democrats alike—approved, approved, approved. Passed as an amendment to the D.C. appropriations bill. Unfortunately, the D.C. bill is stuck and we do not know the fate of ''No Budget, No Pay.'' But it does not look promising.

Amendment to the reconciliation bill—knocked out.

Amendment to the ICC sunset bill, which may come up tomorrow—knocked out.

Who knocked it out? The Republican Congress.

Blocked in the House by the leadership-controlled Rules Committee which refuses to allow a vote on it.

Five times Congressman Dick Durbin tried to get a vote. It is real simple. If Federal employees do not get their pay, neither should we. Blocked, stalled. And the President waits with his pen to sign it. He supports this. His pay would be docked as well. So ''How a Bill Does Not Become a Law,'' a new chapter in the textbook of our children—a sad new chapter.

Newt Gingrich has consistently blocked a House vote on this bill. I have to, again, say to my friends on the other side, they ought to read the Constitution, Article I, Section 7, which says:

> Every bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a Law, be presented to the President of the United States.* * *

Imagine, we have a President and he has to sign the bill. If he does not like it and if he thinks it is harmful, if he thinks it cuts too deeply into Medicare and Medicaid and education and the environment, he will not sign it, he will veto it. Then what happens? It does not say shut down the Government. It does not say that. It says that if two-thirds of those voting override him, the bill shall become law. Everyone should read the Constitution every once in a while—especially the new freshmen over there. They do not control the President of the United States of America. Thank goodness. Thank goodness, or we would have a mean-spirited country.

Now, this Government shutdown, while more limited than the first one, has caused great hardship. National parks have closed; veterans benefits checks, due next week, will not be sent; passport offices virtually have closed, and the program for tracking deadbeat dads is not operating.

Swell. Where are our family values? Family values. But shut down the program that tracks the deadbeat dads, and you, Members of Congress, keep getting your pay.

Lovely. Great values. Great values for our kids.

Safety inspections of new toys have stopped. Great timing.

New FHA homeowner loans are not being processed for people who want to buy their first home.

I have talked, on this floor, about the individuals who work for the Federal Government, who went to work for their country because they are proud to work for their country, and they cannot even buy their kids Christmas gifts. But Members of Congress, oh, we can get our kids gifts—Hanukkah gifts, Christmas gifts. It is OK because we are so important that we set ourselves above the other working men and women of the Federal Government.

A lot of our Federal employees are not independently wealthy. They live from paycheck to paycheck. Some families have two workers in them that both work for the Federal Government, like Larry Drake and his wife Joan. Larry works for the Bureau of Labor Statistics, and Joan works at the Public Health Service. Both have been furloughed. Their family has lost 100 percent of its income. They do not know if

they will get it back or when they will get it back. They hope they will get it back. They want to go to work. If this shutdown lasts long, they may not be able to make their mortgage payment.

Ray Montgomery works for the Census Bureau in Los Angeles. He is classified as an intermittent employee even though he works 40 hours a week, but he will not ever recover his back pay. Ray told my office he is so worried about the second shutdown he has not bought any Christmas presents for his family. Ray wrote to me,

> For heavens sakes, I am one paycheck away from being homeless. I work hard to be a credit for my country. I try to be a good representative of Government employees for the American people.

It is absolutely embarrassing that the greatest country in the world cannot keep services going. If we want to argue about whether these services are important, that is a legitimate argument. Some of us might think it is very important to have people tracking deadbeat dads. Others might say, ''No, leave that to someone else, we should not do it.'' That is fair. That is the long-term discussion of what our priorities are. It should not mean that in the short run these hard-working people are in limbo.

By the way, there are about 280,000 of them. That is 280,000 families. My home county has about 215,000 people living in it. So there is more unemployed tonight in this interim period than my entire home county. It is unbelievable. You figure 280,000 workers, and many them are married with children. You are talking half a million people who are probably directly impacted by this.

Now, the Senator from Maine and I, Senator SNOWE, have an excellent bill. It says Members of Congress should be treated the same way as the most adversely impacted Federal employee. We had our efforts blocked here also. This is a bipartisan effort here in the U.S. Senate. The Senator from West Virginia, Senator BYRD, said put partisanship aside. I think that is very good advice. That is why I reached out to the Senator from Maine, Senator SNOWE, and to Senator DOLE, and brought Senator DOLE and Senator DASCHLE both solidly behind this bill.

Over on the House, a Republican Congress has blocked it, blocked it, blocked it, blocked it, blocked it, blocked it, five times—stalled it. Members of Congress who go on national television practically giggling with joy at what they are doing, continue to bring home a pretty hefty paycheck. It is embarrassing.

Now, I have to say there is a show on CNN entitled ''Talk Back Live.'' A Member of the House leadership said that he opposed my bill, saying—and this is directly from the transcript—''I am not a Federal employee.'' Imagine—who pays his check? Some private corporation? No, the Federal Government. But he does not consider himself a Federal employee. He is more important. He said, ''I am not a Federal employee. I am a constitutional officer.''

Madam President, it is this kind of attitude that has led us to these unnecessary Government shutdowns. We are setting ourselves above others, and that is dangerous. People who do that come down real hard. Ever see people like that in life who set themselves apart, they think they are so special? Well, some day, they will learn to be humble. God has a way of doing that and so do the voters.

I continue to believe if we fail to do the most basic part of our job, then we do not deserve to be paid.

I want to read from this transcript from the show. Just so I put it on the Record, this is Representative THOMAS DELAY, who is the majority whip over in the House of Representatives. Susan Rook, the MC, says, ''I think PATTY brings up a really good point * * * I want it go back to Representative BOXER in the Senate who cosponsored a bill, and it was saying, 'OK, we, the legislators, will not get paid' * * * Her office said the bill passed unanimously in the Senate three times, but it was held up in the House because of NEWT GINGRICH. Your response?''

To which Representative TOM DELAY says, ''Look, Ms. BOXER''—he did not say ''Senator,'' but that is OK—''Ms. BOXER is demagoguing this issue and trying to change the subject. Ask Ms. BOXER if she voted for a balanced budget. She did not. She does not want a balanced budget, and she's trying to change the subject.''

Now, No. 1, he had no idea what I voted for. I voted for two balanced budgets. It is in the RECORD. One was written by BILL BRADLEY and one written by KENT CONRAD, and I support another effort by the Senate Democrats, CBO scored, 7 years, balance the budget.

But, of course, he knows what I voted for, I guess. So he says I was just trying to change the subject. But the moderator does not buy it and says, ''Yeah, but if Federal employees are not getting their pay, or Marty—actually Cathy, right behind you. Marty you were telling us a story. Now, you are a Federal employee but considered essential. What about some of your supplies?''

Answer, ''Supplies aren't available. We work a 24-hour shift, so the fire department is our home for 24 hours. And you've got to basically ration because the money is not in our budget, because there is no budget * * *''

This is someone in a fire department.

And then an audience member says—oh, and then she says, ''Marty, would you feel better if they said, 'OK, if you're not getting your supplies, if they're not getting their paychecks, we won't get paid either'? Would that make you feel at least better toward all of them?'' Meaning us Members of Congress.

And the audience member says, ''Either that or else have them, you know, cut back what they were making. They're making $100,000, I'm making, you know, 32.''

He is wrong, we are making $133,000. We are making $133,000 a year and we are getting our pay. And people making $32,000 and $24,000 are trying to support their families.

Then another person said, ''Good ol' NEWT. Pay him, but not the government workers, by golly.''

So, people do not like this. And then it went on and on, people asking Mr. DELAY continually.

This is TOM DELAY, one of the leaders in the House. He says, ''Well, Susan, you can play all these games you want to change the subject. The point here is that if the President was concerned about Federal employees and their pay, he wouldn't have vetoed [all these bills].''

And she says, ''OK, but Marty's question * * * why don't you go ahead and take a pay cut? So would you support the Boxer bill or no?''

And he says, ''No, I would not. I am not a Federal employee. I am a constitutional officer. My job is in the Constitution.* * *''

And then an audience member says, ''But why are you not a government employee?''

And he says, the leader, the majority whip over there, ''I am not a government employee. I am in the Constitution.''

''You are, sir,'' says another audience member.

And then the audience member says, ''Where is your ethics at? You're a government employee. All of you are government. All of you fall into the Federal Government * * * everybody gets paid by the Government.''

And then he says, Susan, why is it all you want to do is talk about salaries, et cetera.

So, here you have a situation where the leadership of the Republican House of Representatives is thrilled and delighted to shut this Government down. They object to a very clean CR, that is a continuing resolution, to in fact keep this Government running. They want to put a gun to the President's head and hold this Government hostage. And he is not going to do it. And that is where we stand tonight.

Madam President, I am going to complete my remarks, could I have just an additional 1 minute?

The PRESIDING OFFICER. Absolutely.

Mrs. BOXER. Thank you very much. I just hope that Members who might have heard me talk tonight will begin to feel a little bit embarrassed themselves about the situation, a little bit ashamed about the situation, and that they will not continue, over there on the House side, to block the bipartisan ''No Budget, No Pay'' bill. But more important, that we get this Government rolling and we sit down like grown-ups, men and women, Republicans and Democrats, to debate the long-term issues.

I know we can resolve the long-term issues. I know that we can. There is a lot of room for compromise. The Constitution wants us to compromise. Our

founders envisioned something like this. That is why they have something called a veto, and a two-thirds override. If you cannot get that, my friends, you compromise to make it happen.

So I am prayerful and I am hopeful that we will all grow up around here, start working together, and solve this crisis.

Madam President, thank you for your generosity. I yield the floor.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. DEBORAH PRYCE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 20, 1995

Ms. PRYCE. Mr. Speaker, due to inclement weather in my district, I was unavoidably detained and not able to vote earlier this week. Had I been present, I would have voted ''aye'' on rollcall No. 866, ''aye'' on rollcall No. 867, ''aye'' on rollcall No. 868, ''no'' on rollcall No. 869, and ''aye'' on rollcall No. 870.

CORRESPONDENCE WITH ROLF EKEUS OF UNSCOM

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 20, 1995

Mr. HAMILTON. Mr. Speaker, on November 1, 1995 I wrote to Mr. Rolf Ekeus, the Executive Chairman of the Office of the U.N. Special Commission [UNSCOM] in charge of weapons destruction and monitoring in Iraq. My basic question was: Why doesn't UNSCOM release the names of companies providing dual-use or military items to Iraq?

Mr. Ekeus' basic answer is that UNSCOM cannot carry out its weapons dismantlement tasks without the help of sovereign governments, sovereign governments—often because of ongoing legal cases—want to control the release of information about companies, and releasing the names of companies without the approval of sovereign governments will undermine the ability of UNSCOM to carry out its important mission.

I appreciate Mr. Ekeus' response, but I am still of the belief that sunshine is a powerful deterrent, and I will want to pursue this question further.

The text of the correspondence follows:

COMMITTEE ON
INTERNATIONAL RELATIONS,
Washington, DC, November 1, 1995.

Hon. ROLF EKEUS
Chairman, U.N. Special Commission on Iraq, United Nations Headquarters, New York, N.Y.

DEAR MR. CHAIRMAN: I write with respect to the question of companies that supplied or are supplying dual-use goods, services or technology to Iraq, and the use of those dual-use items in Iraq's programs to build weapons of mass destruction.

At the time of the creation of UNSCOM by UN Security Council Resolution 687 in April, 1991, it had been my impression, from both you and from U.S. officials, that the names of companies supplying dual-use items to Iraq eventually would be made public. Thus far, to my knowledge, no such list has been made public.

I continue to think that it is important to make a list of all such companies public, on the theory that sunshine is the best deterrent of such transfers of dual-use items in the future.

I would like to ask a number of questions:

1. Why has a list of companies supplying dual-use items to Iraq not been made public? When will a list of such companies be made public?

2. What is the policy of UNSCOM on the publication of such a list of companies? Does UNSCOM set policy on disclosure of names of companies itself, or is it acting on instructions of the Security Council or members of the Security Council?

Is it the policy of UNSCOM to defer to individual governments on the publication of such information? If so, why?

3. Do you agree that the publication of such a list of companies would serve as an important deterrent on future dealings with Iraq in dual-use items?

What steps can be taken to bring about the publication of such a list?

What additional steps can be taken to deter future transfers of dual-use items to Iraq?

Thank you for your time and attention, and I look forward to your early reply.

With best regards,

Sincerely,

LEE H. HAMILTON,
Ranking Democratic Member.

UNITED NATIONS
SPECIAL COMMISSION,
December 14, 1995.

Hon. LEE H. HAMILTON,
Ranking Democratic Member, Committee on International Relations; House of Representatives, Washington, DC.

DEAR CONGRESSMAN HAMILTON: Thank you for your letter of 1 November 1995. I appreciate your letting me know of your concerns and inviting me to give my response. I regret the delay in this letter, but I was away from the United States much of November, principally in the Gulf region.

Your personal attention to our mission is highly appreciated and important as Iraq's insistent efforts in retaining and reacquiring weapons of mass destruction is and should remain of public concern.

Given the importance of foreign acquisition for Iraq's WMD programmes, the Special Commission gives priority to the task of securing as much information as possible on foreign suppliers to Iraq. It is especially important to map out Iraq's supplier network. In this respect, UNSCOM has so far been quite successful, thanks very much to the support from governments of those States from which supplier companies have been operating. Each case of export to Iraq of prohibited or dual-use items has to be carefully explored and investigated. Access to the companies concerned is crucial for the in-depth investigation. To get such access, UNSCOM has in practice to get the approval of the government concerned. Otherwise, governments would, no doubt, be upset were UNSCOM to initiate investigations without consent on their national territory. Our experience is that governments are cautious in providing access, and that without government support to the Commission's investigations, companies are at liberty to refuse talking to our experts. Over time, the Special Commission has learnt that a primary concern of governments appears to be the question of confidentiality. This requirement is applied almost on a universal basis. It means that if data like the name and identity of a company, and of the country of a supplier could be suspected to be published, the government would refuse access for investigation of the company concerned. Without government pressure, the supplier company would tend to be even more uncooperative. Thus, publication of data on supplier companies would have a devastating effect on the continuous and future efforts by the Special Commission to effectively block Iraq from retaining or reacquiring proscribed weapons.

These explanations should serve to set the background to the answer to your first question, namely that at the present, it is not advisable for the Special Commission to make public the names of foreign suppliers.

Concerning the policy of the Special Commission on the publication of names of suppliers, I can state that the data on suppliers are kept safely within the Headquarters in New York. Information concerning a supplier is, as a matter of policy, shared with the government of the supplier-country, with requests for further information (through interviews with visits and/or interrogation) of the company concerned.

This policy was originally formulated by the Special Commission and presented in briefings to the Security Council. A strong and vigorous support for the policy so defined has been the answer to these briefings.

I agree that the publication of a list on the names of supplier companies could serve as a deterrent on future dealings with Iraq in dual-use items. But such a publication would at the same time bring an end to practically all efforts of the Special Commission to get indispensable support and intelligence from the governments and information from the named companies. That would seriously compromise the task of the Special Commission to identify and eliminate all proscribed weapons in Iraq.

When our policy was originated, it was considered that publication of a list of names of companies could lead to certain presumptions which might very well be unjustified. Prior to the Gulf War, there was no ban on many of the dual-use items and chemicals exported to Iraq. Furthermore, Iraq frequently used agents and front companies to purchase items which were banned or controlled under certain multilateral export control systems, and resorted to false declarations as to destination and end-user. The supplier company, in such circumstances, could have been completely ignorant of the ultimate destination of the items concerned. It is because of these difficulties that the Special Commission reports the name of a company, which it identifies as the source of now proscribed items or materials in Iraq, only to the government in which that company is established. The government then, in most cases, assists in the investigation of the circumstances, of the export concerned and, where those circumstances so justify, undertakes prosecution of the offender. The Special Commission can support such prosecution through the supply of evidence in its possession and, in certain circumstances, through the provision of expert witnesses. Prosecution of a company, which is necessarily public, is surely the most powerful deterrent in convincing other companies not to engage in illegal trade. The Special Commission has every reason to believe that its policy has led to its gaining a much wider

knowledge of Iraq's procurement networks, and the names of many more suppliers, than would otherwise have been the case. The cooperation with governments which has been obtained, and national prosecutions which have or are taking place, testify to the effectiveness of the policy. A complete understanding of Iraq's supplier networks is the most potent instrument in preventing the reactivation of these networks. The Special Commission already has evidence of certain attempts by Iraq to do so and has been able to prevent the export or to interdict the items concerned on their way to, or upon their arrival in Iraq.

In addition to measures already taken, especially those under the plans approved by the Security Council, the most effective step to deter future transfers to Iraq of dual-use items would be the early adoption by the Security Council of a resolution approving the mechanism for export/import control of Iraq designed by UNSCOM and the IAEA. Under the mechanism, all states would be obliged to notify UNSCOM and the IAEA of intended exports (including transshipment) to Iraq of such items. The proposed mechanism has just been transmitted to the Security Council where we hope for very early action.

I would be happy to meet with you on one of my visits to Washington to explain this matter further to you if you consider this would be useful. One of your staff could telephone my office at (212) 963–3018 to make arrangements.

Yours sincerely,

ROLF EKEUS,
Executive Chairman,
Office of the Special Commission.

HONORING MAYOR ROBERT ROSEGARTEN

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 20, 1995

Mr. ACKERMAN. Mr. Speaker, I rise today to join with my constituents and the members of the Great Neck Lawyers Association as they meet to present Robert Rosegarten, mayor of the village of Great Neck Plaza with their most prestigious Community Service Award.

While maintaining an active business enterprise, Mayor Robert Rosegarten established a model of civic responsibility and participation that served to enhance the lives of all the citizens of Great Neck. He has received both State and national acclaim for developing the economic revitalization programs in the downtown shopping region of Great Neck Plaza and for his work to enhance the beautification of Great Neck Plaza. He has served as mayor of the village of Great Neck Plaza since 1992, and as its deputy mayor for 8 years. Under his leadership, the village of Great Neck Plaza has emerged as an effective municipal government with many of its programs being replicated throughout New York State.

In his role of enhancing the village of Great Neck Plaza, Mayor Rosegarten has shared his many talents with a wide array of community organizations providing both leadership and creativity in addressing community concerns. Among his many community roles, Mayor Rosegarten serves as president of the Great Neck Village Officials Organization, commissioner of the Great Neck Central Police Auxiliary, and board member of Great Neck's United Community Fund, Chamber of Commerce, and the Great Neck Arts Center. In addition, he is the vice-president of the Great Neck Plaza Management Council and director of the Water Authority of Great Neck North. In 1988, Mayor Rosegarten received the Great Neck United Community Fund's prestigious Leo M. Friend Award for community service.

Mayor Rosegarten's guiding tenet in public service has been to make a positive difference in the lives of his village's citizens. In that undertaking, he has dramatically succeeded. I am most proud to join with so many in honoring him.

THE REPUBLICANS' ATTEMPT TO DISGUISE THE PRESIDENT'S PROPOSAL

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 20, 1995

Mr. STOKES. Mr. Speaker, I rise in recognition of the Republicans' attempt to draw attention away from their lifethreatening budget, by attacking the President's budget proposal, are trying to disguise his proposal as a legislative measure. The President continues to be upfront with the Republicans. He has openly voiced his commitment to protecting Medicare, Medicaid, education, and the environment. And, the President has openly warned the GOP that he will veto measures which threaten the quality of life of the American people.

Yet, for some reason, our Republican colleagues just don't get it. What does it take for them to realize that they cannot hide from their budget massacre. The GOP budget will adversely affect the lives of millions of children, seniors, the disabled, veterans, and families across the country.

No matter how many times the Republicans show that they can pass a measure that will devastate the lives of the American people for generations to come—still does not make it right. As we gather here now, to vote on the Republicans' spin on the President's budget, the GOP is attempting to take the American people through another smoke and mirror budget maze.

Mr. Speaker, we do not have time for more of the GOP's pranks. The time the Republicans are wasting here today should be being invested in completing action on the rest of the appropriations bills that are needed to reopen the Federal Government. If the Republican budget could stand on its own merit, the GOP would not have to resort to extremist tactics like we see here today. This action, coupled with the Republicans' politically staged shutdown of the Federal Government, to avoid real debate and serious negotiations on their budget, is not only ridiculous, it is in fact irresponsible.

The American people must be asking themselves, when will the Republicans stop playing games with our lives: When will the Republicans take the needs of the American people seriously? And, most importantly, are the Republicans capable of negotiating, and passing a budget that is compassionate to children, seniors, the disabled, veterans, and hard-working families?

Mr. Speaker, so far the Republicans' positive response to these critical questions remains to be seen. I urge my colleagues to put an end to the Republicans' pranks, and to strongly urge our Republican colleagues to negotiate a compassionate budget. The American people deserve nothing less.

RETIREMENT OF JOHN M. COLLINS FROM THE CONGRESSIONAL RESEARCH SERVICE

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 20, 1995

Mr. SKELTON. Mr. Speaker, I rise today to salute a distinguished servant of the Congress and the Nation in the area of national defense and national security. On Wednesday, January 3, 1996, John M. Collins will retire after 22½ years as the Senior Specialist in National Defense of the Congressional Research Service, Library of Congress. Since 1972, Mr. Collins has provided authoritative, in-depth, and profound analysis and advice to the Congress on a range of national defense issues unparalleled in its breadth and scope.

Mr. Collins' retirement closes a lifetime of Government service which mirrors the tumultuous history of the past 50-odd years. A native, I am proud to say, of my State of Missouri, he began his public service with his enlistment in the U.S. Army in May 1942—after being rejected by the Marine Corps, a fact he reiterates with great delight and good humor to numerous Marines and friends over the years. As a young enlisted soldier he came ashore over the Normandy beaches a few days after D-day, in 1944. As a captain he served in the Korean war. As a colonel he served as Chief of the Campaign Planning Group in General Westmoreland's headquarters in Vietnam during 1967–68—managing to get involved in, and survive as the winner, a point-blank shootout with a North Vietnamese soldier in the ruins of Hue City in early 1968.

In between these wartime duties he served in intelligence and contingency planning posts in Japan and the Middle East; training assignments in the United States; commanded a battalion in the 82d Airborne Division; was one of the principal planners for the possible invasion of Cuba which, fortunately, never had to take place during the fateful days of the Cuban missile crisis in October–November 1962; and graduated from the Industrial College of the Armed Forces. He closed his 30-year Army career as a faculty member and chief of the strategic studies group at the National War College during 1968–72.

Immediately upon retirement from the Army, Colonel Collins joined the Congressional Research Service as Senior Specialist in National Defense. From the beginning of his CRS career he showed a willingness to examine fundamental assumptions. One of his first CRS reports examined whether the strategic nuclear triad of bombers, ground-based ICBM's, and submarine-launched ballistic missiles had been arrived at rationally, and whether it was in fact the only possible method of constructing U.S. strategic nuclear forces. At the height of the first Arab oil embargo, in 1975, he and a CRS coauthor, Clyde Mark, poured cold water on the idea that seizing Arab oil fields by military force would be an easy task. He

wrote a book-length examination of overall U.S. defense planning processes, and how they might be improved.

John Collins' single greatest service to the Congress and the Nation, however, was provided in the form of a series of book-length reports, beginning in 1976 and running through 1985, which meticulously documented the relentless military buildup and geostrategic expansion of the Soviet Union and its client states in almost every category of military power and area of the world. His comparisons of United States Soviet military forces, together with the respective allies of both countries, demonstrated with clarity and precision how American military capabilities, relative to our interests, were steadily declining, and those of the Soviet Union were increasing. Widely read, quoted, and debated, John Collins' works on the United States-Soviet military balance unquestionably played a role in persuading the American people and their elected representatives that, by the early 1980's, major increases in United States military forces and defense spending were required to restore our national credibility and deter and prevent Soviet expansionism. This was not an easy time for John Collins. Some were not happy with what he had to say about the shifting balance of military power in favor of the Soviet Union, and he had to withstand considerable bureaucratic and political pressure to continue to do his job. However, those who exerted such pressure against him are gone. He and his works remain.

By helping alert the country to the growing menace of Soviet military power in the late 1970's and early 1980's, Mr. Collins can also said to have played a role in the ultimate demise of the Soviet Union and the Warsaw Pact. Without the American military resurgence of the 1980's, it is difficult to see how the Soviet military-political juggernaut of the mid and late 1970's could have been halted, turned inward, and forced to collapse of its own internal strains. Indeed, in October 1985, only a few months after Gorbachev assumed power in the Soviet Union, he presciently suggested that ''the whole Soviet security apparatus in Central Europe is coming unraveled.''[1]

The thawing of the cold war and the eventual demise of the Soviet Union and the Warsaw Pact in no way lessened Mr. Collins' output. He produced authoritative studies of military space forces, United States and Soviet special operations forces, lessons learned from America's small wars, and a host of other reports and analyses. During the Persian Gulf war, he was frequently interviewed on national and international radio and television, and wrote numerous short analyses of possible issues and problems related to war with Iraq. At one point, well over a hundred congressional staffers gathered to listen with rapt attention to this veteran of three wars outline not the possible nature of a ground war with Iraq—not just in academic, and analytical terms, but how ground combat was ''close up, and personal, and dirty.'' Within the past few years, his talents have turned to as diverse a set of subjects as counterproliferation, U.S. prepositioned military equipment, nonlethal weapons, and criteria for U.S. military intervention overseas. His last CRS report, finished just days ago, deals with the military aspects of NATO enlargement.

Mr. Speaker, although John Collins is completing almost 54 years of total Federal service when he retires from CRS, he has no intention of remaining inactive. General Shalikashvili, Chairman of the Joint Chiefs of Staff, has had the eminent good sense to agree to provide Mr. Collins with some office and study space at the National Defense University at Fort McNair. With the time he now will have, plus the assistance from DOD, Mr. Collins intends to write books on military geography and military strategy. He will have more time to spend with his wife Gloria, to whom he has dedicated many of his books; his son Sean, holder of a doctorate in aeronautical and astronautical engineering from MIT, and a contributor to national defense and security in his own right in the field of ballistic missile defense; and his grandchildren.

Few people have devoted so much of a long life to the service of the United States as has John Collins. I wish him well as he enters yet another stage of that service.

[1]Collins, John M. What Have We Got for $1 Trillion? The Washington Quarterly, Spring 1986: 49, based on testimony before the Defense Policy Panel, House Armed Services Committee, October 9, 1985.

OPPOSES SECURITIES LITIGATION CONFERENCE REPORT VETO OVERRIDE

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 20, 1995

Mr. DE FAZIO. Mr. Speaker, I strongly oppose the motion to override the President's veto of the Securities Litigation Conference Report.

The laws governing securities litigation can certainly stand to be improved, but the language of this conference report does much more harm than good. This legislation—written by and for the large securities firms—is anti-small investor and anti-working family.

The conference report reduces consumers protection. An investors ability and right to sue unscrupulous securities firms should not be stifled or circumscribed by Congress. For example, the language includes a sweeping loser pays provision that will make it extremely difficult for anyone without a multimillion dollar trust fund to challenge a large corporation in court.

Supporters of this legislation claim that there is an explosion of frivolous suits. The fact is that the number of securities class action suits has shrunk over the past 20 years. During the last several years, suits have been filed against only 120 companies annually—out of over 14,000 public corporations reporting to the SEC.

The President was correct in his veto. This conference report goes against the interests of working people and small investors. I sincerely hope that the Congress will sustain the veto that we can then enact true reform of our Nation's securities litigation laws.

OPPORTUNITIES TO CHANGE

HON. SUSAN MOLINARI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 20, 1995

Ms. MOLINARI. Mr. Speaker, I would like to commend the December 8, 1995, editorial from one of my local papers, the New York Post, which sums up exactly a sentiment most of us, I think, feel about Newt Gingrich. In these times of overt partisanship, the editors write that they,

> [H]ope that Gingrich takes heart, stands his ground and stays the course. Opportunities to change the direction in American politics don't come around often; and if the Republicans don't succeed in disrupting business as usual in Washington now, the chance will likely pass.

We have no choice, for the sake of our children, but to balance the budget and I urge Speaker GINGRICH to continue his effort to focus this nation into realizing fiscal sanity.

[From the New York Post, Dec. 8, 1995]

THE GINGRICH INQUISITION

House Minority Leader David Bonior (D-Mich.) and other congressional Democrats have been trying for more than half a decade to pin ethics violations on Speaker Newt Gingrich. To this end, they and their allies in the land of the left leveled endless charges against Gingrich. Indeed, over the course of the last 15 months, the House Ethics Committee has considered 65 separate counts.

On Wednesday, the committee ruled that with respect to 64, the speaker has been completely or partially exonerated. (It should be noted that one of these charges turned on Gingrich's book contract with HarperCollins, a publishing concern owned by News Corp., which is also this newspaper's corporate parent.)

Only one of the 65 charges was deemed worthy of further exploration by an independent counsel. Pardon us if we suggest that this six-year fishing expedition has produced decidedly unimpressive results.

The committee voted to retain a special counsel to explore whether or not the speaker violated the law by using tax-deductible contributions to finance a college course he taught at Kennesaw State University in Georgia. Gingrich has expressed confidence that he will be fully exonerated on this seemingly narrow and highly technical charge. In light of the fate of all the other accusations lodged against him, it's hard not to credit this possibility. Many critics on both sides of aisle have contended that, in general, the standards for appointing independent counsels are exceedingly low; the Ethics Committee's decision here would seem to confirm this observation.

It is worth recognizing a distinction between the ethics problems allegedly swirling around Gingrich and those that brought down ex-House Speaker Jim Wright, a Democrat. The latter came under investigation after years of abusing his power. While Gingrich (as a back-bencher) played a leading role in the campaign against Wright, even loyal Democrats—in the end—couldn't ignore the ex-speaker's transgressions.

House Democrats, by contrast, have tried to demonize Gingrich ever since his success in that effort. And from the day the Georgia Republican became speaker, the ''get Newt'' campaign has been a central concern of the official Democratic party leadership.

Such prejudgment suggests that what bothers Bonior & Co. about Gingrich has nothing to do with whether or not tax-deductible contributions were mistakenly used to help finance his political science lectures at Kennesaw State. The Democrats object to the fact that Gingrich—the most able parliamentarian in recent memory—is an energetic conservative who's mounted a serious challenge to the national ideological status quo.

Similarly, it is not the mere existence of the speaker's political action committee,

GOPAC, that disturbs the Democrats (though they are, in fact, urging the special counsel to expand his inquiry to include some of GOPAC's activities). What really distresses the Democratic leadership is the fact that Gingrich has used GOPAC to forge a spirited GOP congressional majority that's serious about welfare reform, tax reduction and shrinking the power of the federal government.

To a considerable extent, the Ethics Committee's willingness to order just one charge probed vindicates the speaker. We hope, therefore, that Gingrich takes heart, stands his ground and stays the course. Opportunities to change the direction in American politics don't come around often; and if the Republicans don't succeed in disrupting business as usual in Washington now, the chance will likely pass.

HOUSE JOINT RESOLUTION 134 MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1996

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 20, 1995

Mr. STOKES. Mr. Speaker, I rise in support of H.J. Res. 134, a measure that will provide the payment of compensation and pension benefits for our Nation's veterans and their families for fiscal year 1996. I am glad to see that my colleagues on the other side of the aisle are at least concerned about some aspect of their obligation to these patriots who answered the call of their Nation.

Despite the fact that this resolution has a noble objective, it is clearly incomplete. It simply does not go far enough. While our veterans and their families will be somewhat comforted by the passage of this resolution, who will give some financial assurance to the millions of Americans who continue to face uncertain futures because Congress has not fulfilled its obligations regarding the remaining appropriations Bills? These remaining bills, which are not included in this resolution, are so harmful and unreasonable that the President has had to veto them and no action has been taken by the House to improve them or continue them in a continuing resolution.

Take for example, the Labor-HHS-Education appropriations bill. Action on this measure is still pending. While the Department of Health and Human Services is closed, Medicare and Medicaid applications cannot be processed. While the Department of Labor is closed, unemployment applications cannot be processed.

In addition, the drastic cuts in the appropriations measure for the Department of Education will deny critical resources to schools and communities across the country. The $1.1 billion cut in title 1 will deny over one million children the basic assistance they need in math and reading. The 50 percent cut in safe and drug free schools will take away the resources necessary to provide children a safe, crime free, and violence free classroom in which to attend school.

While we take these steps to assist our veterans, the threat to our environment continues to intensify. Because the VA-HUD-and Independent Agencies appropriations bill is not completed, environmental protection and oversight has come to a screeching halt. There is no enforcement of the Nation's environmental laws—laws that protect our water and air. Polluters are going unchecked everyday that the EPA is closed. Furthermore, the level of cuts proposed for EPA in the FY96 appropriations bill deprives our children of clean and safe environment.

Mr. Speaker, the list of vital programs that enhance the quality of life for all Americans is far greater than just that of veterans compensation and pension programs. What we are doing for America's veterans tonight is the right thing to do. We should do the right thing for all Americans and pass a clean continuing resolution.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S18935–S19024

Measures Introduced: Six bills were introduced, as follows: S. 1486–1491. **Page S18999**

Measures Reported: Reports were made as follows:

S. 1164, to amend the Stevenson-Wydler Technology Innovation Act of 1980 with respect to inventions made under cooperative research and development agreements, with amendments. (S. Rept. No. 104–194)

S. 1260, to reform and consolidate the public and assisted housing programs of the United States, and to redirect primary responsibility for these programs from the Federal Government to States and localities, with an amendment in the nature of a substitute. (S. Rept. No. 104–195) **Page S18999**

Measures Passed:

Subpoena Enforcement: By 51 yeas to 45 nays (Vote No. 610), Senate agreed to S. Res. 199, directing the Senate Legal Counsel to bring a civil action to enforce a subpoenas and orders of the Special Committee to Investigate the Whitewater Development Corporation and Related Matters to William H. Kennedy, III, after taking action on amendments proposed thereto, as follows: **Pages S18939–93**

Adopted:

(1) D'Amato Amendment No. 3101, to make a technical correction. **Page S18985**

(2) D'Amato Amendment No. 3102, to make a further technical correction. **Page S18985**

(3) D'Amato Amendment No. 3103, to amend the title by striking ''a subpoena'' and inserting ''subpoenas and orders''. **Page S18985**

Rejected:

By 45 yeas to 51 nays (Vote No. 609), Sarbanes Amendment No. 3104, in the nature of a substitute. **Pages S18985–93**

Commission on Concentration in the Livestock Industry: Senate passed S. 1340, to establish a Commission on Concentration in the Livestock Industry, after agreeing to a committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S18994–96**

Dole (for Hatch) Amendment No. 3105, to request a report on the application of the antitrust laws. **Page S18994**

Ronald Reagan Building/Trade Center: Committee on Environment and Public Works was discharged from further consideration of H.R. 2481, to designate the Federal Triangle Project under construction at 14th Street and Pennsylvania Avenue, Northwest, in the District of Columbia, as the ''Ronald Reagan Building and International Trade Center'', and the bill was then passed, clearing the measure for the President. **Page S18996**

Howard H. Baker U.S. Courthouse: Committee on Environment and Public Works was discharged from further consideration of H.R. 2547, to designate the United States Courthouse located at 800 Market Street in Knoxville, Tennessee, as the ''Howard H. Baker, Jr. United States Courthouse, and the bill was then passed, clearing the measure for the President. **Pages S19014–15**

Romano L. Mazzoli Federal Building: Senate passed H.R. 965, to designate the Federal building located at 600 Martin Luther King, Jr. Place in Louisville, Kentucky, as the ''Romano L. Mazzoli Federal Building'', clearing the measure for the President. **Page S19015**

Don Edwards National Wildlife Refuge: Senate passed H.R. 1253, to rename the San Francisco Bay National Wildlife Refuge as the Don Edwards San Francisco Bay National Wildlife Refuge, clearing the measure for the President. **Page S19015**

Export Sanctions: Senate passed S. 1228, to impose sanctions on foreign persons exporting petroleum products, natural gas, or related technology to Iran, after agreeing to a committee amendment in the nature of a substitute, and the following amendment proposed thereto: **Pages S19015–19**

Santorum (for Kennedy/D'Amato) Amendment No. 3106, to deter investment in the development of Libya's petroleum resources. **Pages S19016–18**

Reimbursements for Federally Funded Employees: Committee on Governmental Affairs was discharged from further consideration of S. 1429, to provide clarification in the reimbursement to States

for federally funded employees carrying out Federal programs during the lapse in appropriations between November 14, 1995, through November 19, 1995, and the bill was then passed, after agreeing to the following amendment proposed thereto:

Pages S19019–20

Santorum (for Domenici) Amendment No. 3107, in the nature of a substitute. **Pages S19019–20**

Printing Authority: Senate agreed to S. Con. Res. 34, to authorize the printing of ''Vice Presidents of the United States, 1789–1993''. **Page S19020**

FEC Electronic Filing: Senate passed H.R. 2527, to amend the Federal Election Campaign Act of 1971 to improve the electoral process by permitting electronic filing and preservation of Federal Election Commission reports, clearing the measure for the President. **Pages S19020–21**

Citizen Regent: Senate passed H.J. Res. 69, providing for the reappointment of Homer Alfred Neal as a citizen regent of the Board of Regents of the Smithsonian Institution, clearing the measure for the President. **Page S19021**

Citizen Regent: Senate passed H.J. Res. 110, providing for the appointment of Howard H. Baker, Jr. as a citizen regent of the Board of Regents of the Smithsonian Institution, clearing the measure for the President. **Page S19021**

Citizen Regent: Senate passed H.J. Res. 111, providing for the appointment of Anne D'Harnoncourt as a citizen regent of the Board of Regents of the Smithsonian Institution, clearing the measure for the President. **Page S19021**

Citizen Regent: Senate passed H.J. Res. 112, providing for the appointment of Louis Gerstner as a citizen regent of the Board of Regents of the Smithsonian Institution, clearing the measure for the President. **Page S19021**

Balanced Budget: A unanimous-consent time agreement was reached providing for the consideration of H.J. Res. 132, affirming that budget negotiations shall be based on the most recent technical and economic assumptions of the Congressional Budget Office and shall achieve a balanced budget by fiscal year 2002 based on those assumptions, on Thursday, December 21, 1995, with a vote to occur thereon. **Page S18994**

Labor/HHS/Education Appropriations, 1996: A unanimous-consent agreement was reached providing for the cloture vote on a motion to proceed to the consideration of H.R. 2127, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies, for the fiscal year ending September 30, 1996, to occur on Thursday, December 21, 1995. **Pages S19021–22**

Victim Restitution Act—Agreement: A unanimous-consent time agreement was reached providing for the consideration of H.R. 665, to control crime by mandatory victim restitution. **Page S19019**

Nominations Received: Senate received the following nominations:

Gaston L. Gianni, Jr., of Virginia, to be Inspector General, Federal Deposit Insurance Corporation.

Rita Derrick Hayes, of Maryland, for the rank of Ambassador during her tenure of service as Chief Textile Negotiator.

1 Navy nomination in the rank of admiral.

Page S18999

Nomination Withdrawn: Senate received notification of the withdrawal of the following nomination:

Norwood J. Jackson, Jr., of Virginia, to be Inspector General, Federal Deposit Insurance Corporation, which was sent to the Senate on January 5, 1995.

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Messages From the House: **Page S18998**

Measures Placed on Calendar: **Pages S18998–99**

Communications: **Page S18999**

Statements on Introduced Bills: **Pages S19001–10**

Additional Cosponsors: **Page S19010**

Amendments Submitted: **Pages S19010–11**

Authority for Committees: **Page S19011**

Additional Statements: **Pages S19011–14**

Record Votes: Two record votes were taken today. (Total–610) **Page S18993**

Adjournment: Senate convened at 10 a.m., and adjourned at 8:54 p.m., until 9:30 a.m., on Thursday, December 21, 1995. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S18999 and S19021.)

Committee Meetings

(Committees not listed did not meet)

PRESIDIO TRUST

Committee on Energy and Natural Resources: Committee concluded hearings on S. 594 and H.R. 1296, bills to create a trust within the Department of the Interior to manage, lease and finance the historical and cultural inventory of the Presidio of San Francisco, California at minimal cost to the Federal taxpayer, and to review a map associated with the San Francisco Presidio, after receiving testimony from Robert Chandler, General Manager, The Presidio, National

Park Service, Department of the Interior; Paul Johnson, Deputy Assistant Secretary of the Army for Installation and Housing; Curtis Feeny, Stanford Management Company, Menlo Park, California; and Toby Rosenblatt, Glen Ellen Company, San Francisco, California, on behalf of the Golden Gate National Park Association.

PROPERTY RIGHTS

Committee on the Judiciary: Committee resumed markup of S. 605, to establish a uniform and more efficient Federal process for protecting property owners' rights guaranteed by the fifth amendment, but did not complete action thereon, and will meet again tomorrow.

House of Representatives

Chamber Action

Bills Introduced: 9 public bills, H.R. 2813–2821; and 3 resolutions, H.J. Res. 134–135, and H. Res. 316 were introduced. **Page H15237**

Reports Filed: Reports were filed as follows:

Conference report on H.R. 1655, to authorize appropriations for fiscal year 1996 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System (H. Rept. 104–427);

H. Res. 317, providing for consideration of H.J. Res. 134, making further continuing appropriations for the fiscal year 1996 (H. Rept. 104–428);

H. Res. 318, waiving points of order against the conference report on H.R. 1655, to authorize appropriations for fiscal year 1996 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System (H. Rept. 104–429); and

Conference report on H.R. 4, to restore the American family, reduce illegitimacy, control welfare spending and reduce welfare dependence (H. Rept. 104–430);

H. Res. 319, waiving points of order against the conference report on H.R. 4, to restore the American family, reduce illegitimacy, control welfare spending and reduce welfare dependence (H. Rept. 104–431); and

H. Res. 320, authorizing the Speaker to declare recesses subject to the call of the Chair from December 23, 1995 through December 27, 1995 (H. Rept. 104–432). **Pages H15224–35, H15237, H15286, H15315**

Speaker Pro Tempore: Read a letter from the Speaker wherein he designates Representative Wicker to act as Speaker pro tempore for today **Page H15209**

Presidential Veto—Securities Litigation Reform: Read a message from the President wherein he announces his veto of H.R. 1058, to reform Federal securities legislation, and explains his reasons therefor—ordered printed (H. Doc. 104–150). **Pages H15214–15**

Subsequently, by a yea-and-nay vote of 319 yeas to 100 nays, with 1 voting ''present'', Roll No. 870, the House voted to override the President's veto of H.R. 1058, to reform Federal securities litigation (two-thirds of those present voting in favor)—clearing the measure for Senate action. **Pages H15215–24**

Commerce, Justice, State, the Judiciary Appropriations: Agreed to the Rogers motion to refer the Presidential veto message and the bill, H.R. 2076, making appropriations for the Departments of Commerce, Justice, State, the Judiciary, and related agencies for the fiscal year ending September 30, 1996, to the Committee on Appropriations. **Pages H15239–43**

Interstate Commerce Commission Termination: House agreed to H. Res. 312, the rule waiving points of order against consideration of the conference report on H.R. 2539, to abolish the Interstate Commerce Commission, and to amend subtitle IV of title 49, United States Code. **Pages H15243–44**

Texas Low-Level Radioactive Waste: House agreed to H. Res. 313, providing for the consideration of H.R. 558, to grant the consent of the Congress to the Texas Low-Level Radioactive Waste Disposal Compact. **Pages H15244–55**

Further Continuing Resolution: By a yea-and-nay vote of 411 yeas to 1 nay, Roll No. 874, the House passed H.J. Res. 134, making further continuing appropriations for the fiscal year 1996. **Pages H15295–H15308**

Rejected the Obey motion to recommit the joint resolution to the Committee on Appropriations with instructions to report it back forthwith containing a new text that sought to provide ensured payment during fiscal year 1996 of veterans' benefits in event of lack of appropriations for fiscal year 1996 not

being available (rejected by a recorded vote of 178 yeas to 234 noes, Roll No. 873). **Pages H15306–07**

Points of order were sustained against the following motions:

The Obey motion to recommit the joint resolution to the Committee on Appropriations with instructions to report it back forthwith containing a new text that sought to provide ensured payment during fiscal year 1996 of veterans' benefits in the vent of lack of appropriations for fiscal year 1996; to provide for a pay raise for fiscal year 1996 for the uniformed services; and to eliminate the disparity between effective dates for military and civilian retiree cost-of-living adjustments for fiscal year 1996. Agreed to the Livingston motion to table the Obey motion appealing the ruling of the Chair sustaining the point of order (agreed to by a recorded vote of 236 ayes to 176 noes, Roll No. 872); and

Pages H15303–05

The Obey motion to recommit the joint resolution to the Committee on Appropriations with instructions to report it back forthwith containing a new text that sought to ensure payment during fiscal year 1996 of veterans' benefits in event of lack of appropriations for fiscal 1996; and to provide for pay for Federal and District of Columbia employees during lapse in appropriations for fiscal year 1996.

Pages H15305–06

H. Res. 317, the rule under which the joint resolution was considered, was agreed to earlier by a voice vote. Agreed to order the previous question on the resolution by a yea-and-nay vote of 238 yeas to 172 nays, Roll No. 871. **Pages H15286–95**

Recess: House recessed at 12:05 a.m. on December 21 and reconvened at 12:10 a.m.

Senate Messages: Messages received from the Senate today appear on page H15209.

Amendments Ordered Printed: Amendments ordered printed pursuant to the rule appear on page H15238.

Quorum Calls—Votes: Three yea-and-nay votes and two recorded votes developed during the proceedings of the House today and appear on pages H15223–24, H15294–95, H15304–05, H15307, and H15307–08. There were no quorum calls.

Adjournment: Met at 10 a.m. and adjourned at 12:11 a.m. on Thursday, December 21.

Committee Meetings

FURTHER CONTINUING APPROPRIATIONS—TO ENSURE PAYMENT OF VETERANS' BENEFITS

Committee on Rules: Granted, by a recorded vote of 11 to 0, a closed rule providing 1 hour of debate on H.J. Res. 134, making further continuing appropriations for the fiscal year 1996. The rule provides one motion to recommit which may only include instructions if offered by the Minority Leader or his designee. Testimony was heard from Representatives Hutchinson, Kennedy of Massachusetts and Moran.

CONFERENCE REPORT—INTELLIGENCE AUTHORIZATION ACT

Committee on Rules: Granted a rule waiving all points of order against the conference report to accompany H.R. 1655, Intelligence Authorization Act for Fiscal Year 1996, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Chairman Combest and Representative Dicks.

PERSONAL RESPONSIBILITY ACT

Committee on Rules: Granted a rule waiving points of order against the conference report on H.R. 4, to restore the American family, reduce illegitimacy, control welfare spending and reduce welfare dependence.

RECESS AUTHORITY

Committee on Rules: Ordered reported a resolution authorizing the Speaker to declare recesses subject to the call of the Chair from December 23, 1995 through December 27, 1995.

COMMITTEE BUSINESS

Committee on Standards of Official Conduct: Met in executive session to consider pending business.

Joint Meetings

AUTHORIZATION—INTELLIGENCE

Conferees on Tuesday, December 19, agreed to file a conference report on H.R. 1655, to authorize funds for fiscal year 1996 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D1490)*

S. 1060, to provide for the disclosure of lobbying activities to influence the Federal Government. Signed December 19, 1995. (P.L. 104–65)

BILLS VETOED

H.R. 1058, to amend the Federal securities laws to curb certain abusive practices in private securities litigation. Vetoed December 19, 1995.

COMMITTEE MEETINGS FOR THURSDAY, DECEMBER 21, 1995

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Energy and Natural Resources, business meeting, to consider pending calendar business, 9:30 a.m., SD–366.

Committee on the Judiciary, business meeting, to consider pending committee business, 10 a.m., SD–226.

House

Committee on Commerce, to mark up H.R. 2036, Land Disposal Program Flexibility Act of 1995, 10 a.m., 2123 Rayburn.

Committee on Veterans' Affairs, to mark up an authorization for fiscal year 1996 major medical construction projects of the Department of Veterans Affairs, 10 a.m., 334 Cannon.

Next Meeting of the SENATE

9:30 a.m., Thursday, December 21

Senate Chamber

Program for Thursday: Senate will consider H.J. Res. 132, affirming that budget negotiations shall be based on the most recent assumptions of the Congressional Budget Office, with a vote to occur thereon.

Senate may also resume consideration of the motion to proceed to consideration of H.R. 2127, Labor/HHS/Education Appropriations, 1996, with a cloture vote scheduled to occur thereon.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, December 21

House Chamber

Program for Thursday: Consideration of the following conference reports:

Conference report on H.R. 1655, Intelligence appropriations authorization (rule waiving points of order);

Conference report on H.R. 4, Welfare reform (subject to a rule being granted); and

Conference report on H.R. 2539, Interstate Commerce Commission elimination (rule waiving points of order).

Extensions of Remarks, as inserted in this issue

HOUSE

Ackerman, Gary L., N.Y., E2430
DeFazio, Peter A., Oregon, E2431
Hamilton, Lee H., Ind., E2429
Molinari, Susan, N.Y., E2431
Pryce, Deborah, Ohio, E2429
Skelton, Ike, Mo., E2430
Stokes, Louis, Ohio, E2430, E2432

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