

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1996

Mr. LOTT. Mr. President, as in legislative session, I ask unanimous consent that the Senate now turn to the consideration of House Joint Resolution 134, the continuing resolution with respect to the veterans, and that it be in order for me to amend the joint resolution to also include funding for AFDC, District of Columbia Government, foster care, adoption assistance, and Medicaid quarterly payments, all of which would expire January 3, 1996, that the amendment be agreed to, the joint resolution be read a third time and passed, and the motion to reconsider be laid upon the table.

Mr. BROWN. Mr. President, reserving the right to object, I cannot go along with that without an opportunity to offer an amendment with regard to the Tea Tasting Board.

So I object to the unanimous-consent request.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Mr. President, could I ask the Senator from Colorado to withhold his objection so we can at least discuss this a moment?

Mr. BROWN. I am glad to reserve my right to object. That would allow discussion.

Mr. WARNER. Mr. President, reserving the right to object.

Mr. LOTT. Mr. President, if I could respond to his objection, first I want to commend the Senator from Colorado for the work he has done in this area, and Senator REID from Nevada who has been working in this area. I am very sympathetic to what they are trying to do.

I know they are looking for an opportunity to do this on any vehicle that might be available, and I certainly understand that. But let me again emphasize that we are in a particularly difficult spot here.

The majority leader and the minority leader are now meeting with the President at the White House. They are working on the budget agreement. And it is very important that the UC be worked out with the House of Representatives, which is very anxiously waiting for this matter to come over to them.

The former chairman of Veterans' Affairs Committee and some of the veterans committee members just came over and are very anxious for us to get this work done and sent back over. This agreement was worked out between the leaders, all of the interested staff, and Members on both sides of the aisle. It is very important that we get it done.

I urge my colleagues who are working on this particular tea issue to withhold their objection so that we can

move this continuing resolution through that the leaders are expecting us to get done.

Mr. BROWN. Will the Senator yield?

Mr. LOTT. If I have time, I would be glad to yield.

Mr. BROWN. Mr. President, I appreciate what the distinguished Senator has said. All of his observations, which I agree with, are accurate.

Mr. President, this is a little unusual circumstance for two reasons. First, the amendment originally eliminating the Tea Tasting Board passed without a dissent in the Senate.

Second, it was dropped in conference because of misinformation provided by an administrative spokesman who simply was wrong. They had indicated that the Government did not have any way to stop poisonous tea from coming into the country, when in reality they did and do. So it was only dropped from the conference report on agriculture because of inaccurate information.

It would be a tragedy to reward the conveyance of inaccurate information.

Last, Mr. President, let me assure Senators that I do not seek to slow down this bill at all. All I want is an opportunity to offer this amendment. If the amendment loses, obviously Senator REID and I are not going to interfere in any way with the passage of this continuing resolution. But we do think it is of sufficient importance to the integrity of the process that this be included.

I have every reason to believe the House will go along with this, that there will not be any objection of any kind from the House.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. FORD. Reserving the right to object, I hope that the Senator from Colorado would not interfere with, hopefully, the funding of AFDC, foster care, adoption assistance, and, maybe if we can get to it, keeping the Government open, for a tea tasting question that seems to be paramount here to kids out there getting their AFDC checks.

Now, if you want to stop the veterans from getting their checks, AFDC from getting their checks, our Government staying open, then you get your tea tasting amendment on this resolution or we just withdraw it, then we will let your tea tasting amendment bring it down.

Mr. BROWN. Will the Senator yield?

Mr. FORD. Yes, I will be glad to yield.

Mr. BROWN. Let me simply observe, first of all, Senator REID and I both wrote to Senator DASCHLE and to Senator DOLE advising them of this problem early on and indicating some time ago we intended to offer this on a continuing resolution as a way of get it through, so this is not a surprise. This is something we have advised the leadership of a long time ago.

Let me assure the Senator there is no intention on my part and I do not believe—I am sure there is no intention

on Senator REID's part to interfere with the fine things that are in this measure at all. All we want is an opportunity to have it voted on. If it is voted down, we simply are not going to interfere in any way.

Mr. FORD. May I regain my time here?

If the Senator wants to vote it down now, I think it can be done. I do not think he wants that because it would be a voice vote, and I do not believe he wants to ask for a rollcall vote. Then we would have to postpone it because the majority leader has already said there will be no more votes today.

Mr. LOTT. Mr. President, will the Senator yield?

Mr. FORD. Be glad to.

Mr. LOTT. Will the Senator be willing to accept a voice vote on this issue at this time? If he would, we could have a vote and proceed.

Mr. REID. Will the Senator yield?

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. I ask that everyone in the Chamber stop and think about this for a little bit. I think everyone understands, for lack of a better word, how resentful Senator BROWN and I feel. We agreed on the matter that came before the Senate this year not to have a vote on it. We had already won the thing on a previous occasion. But the bureaucrats, you see, always figure a way to resurrect things. And even though the funding has been stopped, there will still be two people paid for tea tasting.

I have expressed my dismay to the senior Senator from Mississippi and the senior Senator from Arkansas, the chairman and ranking member of the subcommittee. We have in the Chamber now the minority whip and the majority whip. We have the President pro tempore of the Senate and a number of very distinguished Senators. I am wondering if—for this Senator, I would be happy to withdraw my objection if I would have the word of the Senators that are now in the Chamber that the first thing moving through here after we come back, that you would help Senator BROWN and me affix this because in logic and good sense and good government, there is no reason that the Tea Tasting Board is still in existence.

So I personally would withdraw whatever reservations I have if I could have the support of the people on this floor to get rid of the Tea Tasting Board.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Mr. President, I appreciate the remarks of the distinguished Senator from Nevada, and I have a lot of sympathy, frankly, for what he is trying to do. He has already referred to the fact that the senior Senator from my State may have some knowledge that I am not aware of, and I certainly want to be sensitive to that. But I believe there is a lot of sympathy in the direction of the Senator from Nevada

and the Senator from Colorado, and in order to move this very, very important agreement forward, I would certainly make a commitment on my behalf to work with these two very fine Senators to see if we cannot find an early opportunity to resolve this problem. I could not say much more than that this morning. I really do not know the details of what is involved. But from what I have heard, I think I am in agreement with you, and I would certainly work with you to see if we could not find a way to move this initiative forward.

Mr. FORD. Will the Senator yield?

Mr. LOTT. I would be glad to yield.

Mr. FORD. I personally do not want a voice vote because I have a strong indication it would not pass, and I think it would be a shame because this is, while not of great consequence as far as dollar sums, as a signal to the American public I think it would be a shame that the Senate voted to reject this amendment.

Mr. LOTT. I think the Senate would rather not do that.

Mr. REID. I am sure that is what would happen. My friend from Colorado and I worked very hard on this. I think he has the same disappointment, rejection, and all the statements that would go to tell how we feel we have been had, for lack of a better word, by the nameless, faceless bureaucrats that are someplace down there off the Hill. But that is how I feel about it.

If I could have the commitment of the people in this Chamber, and I know who is here now, I would withdraw my objection.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. FORD. Let me also add my voice to this. I think my colleague on the other side of the aisle said he did not commit himself to a piece of legislation, but subject to consultation with his leadership, that at the best possible moment, first possible moment that would be an adequate or proper way to do it, that he would assist. I will do the same.

I do not want to speak for my leader under the circumstances that I have not asked him nor has he told me about a letter and advice here. I am sure it has been done. I do not try to impugn anyone's integrity here. I understand what they are trying to do. I hope that this would be held over until sometime soon.

I believe you could get a standing piece of legislation here that you could just go right through the order right quick and we could maybe get it done quicker than with an amendment to a continuing resolution. So you could offer a stand alone piece of legislation and we could go through the parliamentary procedures. I am sure the Parliamentarian would advise us how to do that. We may get it passed this afternoon or January 3 because we will back here doing something on the 3d because that is when this resolution expires.

So I look forward to working with them. If you want to go ahead with it, that is fine. If you want to take a voice vote on this, fine. Then we will voice vote some other things I am going to suggest here this afternoon. That might change your mind a little bit. But we will offer some voice votes on other amendments to this resolution.

Mr. BROWN addressed the Chair.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BROWN. Mr. President, I have enormous confidence in the integrity of the fine Senator from Kentucky and the fine Senator from Mississippi, and I appreciate their consideration of this matter, and in light of that I will withdraw my objection.

Mr. WARNER addressed the Chair.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Reserving the right to object, Mr. President, if I understand it, the distinguished Senator from Kentucky, the whip of the minority, has raised a question about an amendment that would reopen the entire Government. Is that a question now pending before us?

Mr. FORD. No, it is not. I have not had a chance to reserve the right to object. Others quicker than I have on that side of the aisle.

Mr. WARNER. Mr. President, I shall await the colloquy between the distinguished Senator from Kentucky and the Senator from Mississippi and renew my objection.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. FORD. Reserving the right to object to the motion that has been made by the distinguished majority whip, I ask him this. The cost of Government being shut down I understand is somewhere around \$40 million a day, with the statements of the Speaker of the House and the majority leader of the Senate saying all those who have been furloughed would be paid. I do not think that includes the inconvenience to a lot of folks as it relates to the services of Government. Let me give you a couple of—well, just one. We have a band from Lexington, KY, that is going to participate in the Fiesta Bowl. They have worked their fingers to the bone and worked their little hearts out to raise enough money to go to the Fiesta Bowl. There will be about 400 of them, members of the band, parents, chaperones, et cetera, and they have reservations in national parks next week, and the parks have notified them they are closed.

They cannot get in. So you have a large group of high school students, bands, their parents, chaperones, a real coup, by being invited to where they will decide the national championship as it relates to football, collegiate football in this country, and we are saying to them, "You can't get in because the Government's closed because we didn't get a balanced budget, or are even close to an agreement."

So I ask my friend, would it be possible to have an amendment that would open the entire Government?

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Mr. President, this side of the aisle would not be in a position to clear that amendment at this time. I would like to say and remind my colleagues that our leaders are, in fact, meeting with the President at this hour, and with the Vice President, I believe, and others. They are working very seriously to try to reach an agreement on a balanced budget over the next 7 years.

I think that they are acting in good faith. There have been preliminary meetings occurring with the chief of staff and our budget chairman, both yesterday and I believe earlier this morning, and the process is underway and we should allow that process to go forward.

What we are talking about is trying to get an agreement to control the rate of Government spending, to reduce the tax burden on the workers of America, and we perhaps are at the point where some progress will be made in that area. I have talked to the chairman of the Budget Committee, Senator DOMENICI, and he said, "We're not going to get an agreement until the end." The question is, how do you get to the end?

I think maybe we are approaching that. And so while our leaders are down there working to try to get an agreement to really come to a balanced budget agreement, I think we should not be undermining that by moving forward legislation at this point, particularly since, when the leaders discussed this issue, they understood what the unanimous-consent request would be.

I am sympathetic to what the distinguished Senator from Kentucky said about the band from Kentucky. I bet they are great. I wish their football team was going from the SEC to the Fiesta Bowl. If the President had in fact signed the Interior appropriations bill instead of vetoing it on the 18th, we would not have this problem.

So now it is a part of the overall budget negotiations. We need to hope for the best and wish them well, but we should not at this point change the agreement. We are not able to agree to that amendment at this point.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. FORD. I just hate to see all these crocodile tears—they are just dripping down everybody's cheeks and off their chin—that we cannot get a balanced budget. We have agreed to 7 years. We have agreed to CBO. You cannot put CBO to it until you have a final agreement.

What we are doing is costing taxpayers \$40 million a day. Our employees get half a check. They cannot make the payment on their mortgage and

cannot make their payment on their car. The contractors are laying people off in droves. They are laying them off in droves because you are saying, "We're going to shut the Government down until we get what we want."

You have the right to do that. You are in the majority. But I will say one thing: I believe you will rue the day that you shut the Government down. I believe that you will rue the day that that widow with two children could not make her mortgage payments. You cannot do these things. I think that is a mistake.

But if that is the position of the majority, then I will further reserve the right to object and ask the Senator, would it be possible to have an amendment reinstating the military COLA that is included in the DOD authorization bill which is going to go into effect in January?

Mr. LOTT. I would say to the Senator, this side of the aisle would not be able to clear that amendment either at this time. Let me comment on that, if I could.

First of all, I am concerned about \$40 million a day, but I am more concerned about \$600 billion of the taxpayers' money being spent over the next 7 years that is not necessary, that can be saved, that could be used to reduce the deficit, could be used to allow the people to keep a little bit of their money at home.

We did not shut down the State-Justice-Commerce, Interior, HUD, or VA. The President vetoed the legislation. He shut it down. And I am crying alligator tears about the shipyard worker in my hometown that gets up every morning at 5 o'clock to be in that shipyard at 7 o'clock, trying to make ends meet, while the Government is putting burdens on him with regulations and taxes. That is who I really care about. That is the human face on this. We are worried about that shipyard worker and the tobacco farmer in Kentucky and the future of their children. That is what our tears are about.

Mr. FORD. Mr. President.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. FORD. The Senator says it is all the President's fault.

Mr. LOTT. No.

Mr. FORD. Yes, the Senator did. And the Senator said the President would not sign it, would not sign it, would not sign it. That is fine. But when I give you something you do not want, you are not going to swallow it. So you have given him something he does not want, and he vetoed it. That is No. 1.

No. 2, the strategy has been, and if you go back and read all the statements that have been made, is to come to this point where the Congress would be equal to the President with shutting the Government down versus the veto power. Now, quote after quote after quote.

So this is a premeditated shutdown. This is a premeditated shutdown. So whatever you say, \$40 million a day,

people not being able to get their checks, not being able to pay their mortgages, and we could stop all this by a clean CR. And we cannot get a clean CR. You object to it. You object to it.

Mr. President, I believe the Senator from Virginia wants to reserve the right to object, and I will be glad to yield the floor at the moment.

Mr. LOTT addressed the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. If I could respond, the way to resolve all these problems is to get a budget agreement. Our leaders are trying to do that right now, and we should give them that opportunity. When that budget agreement is reached, then there will be a continuing resolution and debt ceiling. It will all come together. But it is at the supreme level, the President and the Vice President, the leaders of the Congress are there meeting. I wish them the very best.

With regard to the particular point of the military, once again the Congress passed a good Department of Defense authorization bill with military retirees' pay, COLA's for our military personnel, the procurement we need for our military.

Our troops are going into Bosnia right now. How are they getting there? They are getting there by airlift, sea-lift, because we have good equipment across the board for all our military branches. We want to keep that. So we would urge the President to sign the authorization bill.

This military COLA is not needed now. All we need is for the President to sign the Department of Defense authorization bill that has already passed the Congress and the problem is taken care of, and for us to presuppose that he is going to veto this bill, making this action necessary, I do not think is the proper thing to do. The President is considering the arguments that are being made by our distinguished President pro tempore and others for this legislation. I know the Secretary of Defense supports many, many of the features we have in this Defense authorization bill.

Mr. FORD. Not all.

Mr. LOTT. So let us wait until we know what has happened, and then we will work together, I am sure, in a bipartisan way, to make sure that our military personnel are taken care of with their COLA's.

With that, I would be glad to yield.

Mr. WARNER. Mr. President, reserving the right to object, I shall not object because I prepared a draft of this very important measure on the matter pending in the unanimous consent.

I wish to first associate myself with the remarks from the distinguished acting majority leader, the Senator from Mississippi. I think he has very carefully and accurately stated the case. I certainly join with him in saying it is not the Congress that shut the Government down, it is simply the veto of these bills, Mr. President.

Further, it is my fervent hope that the authorization bill will be signed because it does cover the pay raises outlined in addition to many other very important and badly needed—badly needed—legislative additions to our armed forces.

Mr. President, at this point I ask unanimous consent that correspondence between myself and the distinguished majority leader, Mr. DOLE, relating to the guarantee of the Federal employees being paid be printed in the RECORD along with a correspondence between myself and the majority leader, Mr. DOLE, and the Speaker of the House, Mr. GINGRICH.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

U.S. SENATE,  
December 19, 1995.

Hon. ROBERT DOLE,  
Senate Majority Leader, U.S. Capitol, Washington, DC.

DEAR MR. LEADER: Thank you for the strong words of support for the federal employee community in your Sunday, December 17 appearance on NBC's Meet the Press.

On behalf of the 280 thousand federal employees affected by the shutdown in Virginia and across the nation, it was gratifying to hear your commitment that they indeed will get back pay.

As you said, Mr. Leader, "... it's not their fault." And you reiterated, "Federal employees shouldn't be punished because the Congress and the President are at odds." I couldn't agree more.

I would also like to commend you for leading by example in the donation of your own salary to the Department of the Treasury for reducing the federal debt. A significant portion of the government is in a state of budgetary emergency. The Congress should be the first to share in the sacrifices which have been required of our dedicated federal employees through no fault of their own. I am doing likewise.

With best wishes, I am  
Sincerely,

JOHN W. WARNER.

Enclosures.

CONGRESS OF THE UNITED STATES,  
Washington, DC, December 20, 1995.

Hon. JOHN WARNER,  
U.S. Senate.

Hon. FRANK R. WOLF,  
Hon. CONSTANCE A. MORELLA,  
Hon. TOM DAVIS,  
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 Department 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.*

Mr. WARNER. I too am very concerned about the \$40 million a day, but it is not the fault of these innocent people. And every day I shall try and work, as I did during the last closure, to assure that they are justly compensated at the proper time.

Mr. President, I withdraw any objections I had.

Mr. President, I wish to associate myself with the remarks of the distinguished Senator from Texas because together we have worked into this particular CR at this time certain protections for the veterans. I again commend my colleague from Texas.

Mr. LOTT. Mr. President, if I could respond to the distinguished Senator from Virginia.

I appreciated his comments and all of his good work on the defense authorization bill and all of his efforts to make sure that our veterans are taken care of and that they do receive their checks, but also his continuing to urge that the leaders of Congress and the President come to an agreement on a balanced budget so, as a matter of fact, all of the Government can go back into operation.

We certainly are hoping for that. Our leader has stood in this very spot and said he wants that to be achieved. I believe that that is what he is trying to do right now, and that will solve our problem.

Mr. WARNER. I thank my distinguished colleague. Senator DOLE and I and the Senator did stand here not more than an hour and a half ago, and the majority leader reiterated his desire to put the Government back to work.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, just for my own information, is there a parliamentary situation here that a limited CR is about to be voted on by voice vote?

The PRESIDING OFFICER. That is correct.

Mr. BUMPERS. Before doing that, Mr. President, I ask unanimous consent that a list of examples of reduced Government services that exist during this shutdown be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXAMPLES OF REDUCED GOVERNMENT SERVICES DURING A SHUTDOWN

A. National Park Services facilities are closed.

1. On an average December day, 383,000 people visit National Park Services facilities.

2. Potential per day losses for businesses in communities adjacent to National Parks

could reach \$14 million, due to reduced recreational tourism.

B. The Smithsonian Museums, Kennedy Center, National Zoo, and National Gallery of Art are closed.

1. On an average day, 80,000 people visit the Smithsonian Museums on the Mall and the National Zoo.

2. On an average day, 12,400 people visit the National Gallery of Art.

3. On an average day, 6,900 people visit the JFK Center for Performing Arts. (This does not include individuals who pay to attend performances, for which the Kennedy Center will continue to be open.)

C. FHA mortgages are halted.

1. On an average day, the Federal Housing Administration processes 2500 home purchase loans and refinancings totaling \$200 million worth of mortgage loans for moderate- and low-income working families nationwide.

D. Applications for passports are not being processed and foreign visitors are unable to obtain visas.

1. On an average day, the State Department receives 23,000 applications for passports.

2. On an average day, the State Department issues 20,000 visas to visitors who spend on average of \$3,000 on their trips for a total of \$60 million.

E. Veterans will suffer because while claims applications are being accepted and questions answered, processing of claims and payment of benefits has ceased. In addition:

1. 3.3 million veterans and survivors will not receive their January 1 benefit checks on time if an appropriation is not available by next Thursday, December 21.

F. The most vulnerable in our country will lose vital income support through AFDC. Specifically:

1. AFDC grants necessary for January 1 benefit checks will be delayed to 4.7 million families representing over 13 million recipients if an appropriation is not available by December 22.

G. "Deadbeat Dads" are getting a holiday through the shutdown.

1. The Federal Parent Locator Service, to which 20,000 cases per day on average are referred, is closed.

H. Assistance to Small Businesses is interrupted.

1. On an average day, over 260 small businesses are not receiving SBA guaranteed financing totaling over \$40 million of loans.

2. On an average day, over 90 small businesses are prevented from bidding on government contracts because they are unable to receive SBA guaranteed bid bonds which allow them to bid on those contracts.

3. On an average day, 1,200 small business owners are not receiving SBA-sponsored training and counseling normally available to them.

4. Banks issuing federally-guaranteed loans from SBS, VA, and HUD have stopped receiving default claim payments. In addition to potential cashflow shortages to participating banks, this will result in higher costs to the Government, because the claims will accrue additional interest during the furlough period.

5. No outyear payments for Advanced Technology Program awards made in prior years to over 100 innovative, high-tech companies are being made totalling \$68 million.

I. Many protections for American workers are suspended due to the shutdown of much of Labor Department. For each day of the shutdown:

1. 1. 95 percent of workplace safety complaints are going unanswered.

2. 170 workplace safety and health inspections are not being performed.

3. 190 worker complaints of minimum wage and overtime violations remain unresolved.

4. 500 requests for information and assistance from pensioners participating in plans with \$3 trillion in assets are going unanswered.

J. Important environmental protections are curtailed due to the shutdown. For each day of shutdown, on average:

1. All EPA non-Superfund civil environmental enforcement actions have stopped. On an average day, \$3 million of fines or injunctive relief against polluters will be lost and 8 Federal environmental compliance inspections of polluters' facilities will not be conducted.

2. About 240 calls each day to EPA's "hotline" for drinking water contamination outbreaks are going unanswered. Five other "hotlines" receiving thousands of calls each month are shut down, depriving the public of potentially critical information on pesticides and toxic substances, asbestos in schools, and other public health information.

3. EPA-issued permits for air, land, and water pollution limits nationwide cannot be approved and necessary EPA technical assistance to States for State-issued permits cannot be provided. Approvals of some companies' activities will be put on hold while their competitors with approved permits are allowed to operate.

4. All emergency exemptions for farmers to use restricted pesticides to fight pest outbreaks have stopped, potentially resulting in severe crop damage and loss of income.

K. Vital Education programs are shut-down.

1. Middle and low income parents and students cannot get Federal college aid. On an average day at this time of year, 20,000 students and parents apply for Federal Pell grants or student loans. These applications cannot be processed because verifications of Social Security numbers (at SSA) and immigrant status (at INS) cannot be carried out. Without this application processing, these students and families are denied the aid without which they may not be able to pay for college.

2. Civil rights violations in schools cannot be investigated. In an average week, the Education Department's Office for Civil Rights receives about 100 new complaints of discrimination on the basis of race, color, national origin, sex, age or disability. These complaints cannot be investigated or remedies sought. Buildup of backlogs delays justice for individuals.

3. Criminal investigations in education programs have been suspended.

4. Help cannot be given to parents and teachers. During an average week, the Department of Education answers 8,000 inquiries from teachers, school administrators and concerned parents, seeking help with education problems that cannot be answered during the shutdown.

L. American exporting businesses are being disadvantaged during a shutdown.

1. On an average day, over 30 export licenses with a value of \$30.5 million that would otherwise have been approved by the Bureau of Export Administration will not be acted upon.

2. On an average day, over 2500 telephone calls and faxes from U.S. businesses seeking export advice, information and counseling are not being responded to by the Bureau of Export Administration or the International Trade Administration due to the shutdown.

M. Vital legal and law enforcement functions are shutdown or will be delayed.

1. FBI training of state and local law enforcement officers has ceased.

2. Investigations of employment discrimination on the basis of race, sex, religion, or national origin are suspended.

3. Processing of prison grant applications has slowed down. Appropriated funds to assist states in constructing and bringing on line new prison facilities will be delayed.

4. Collection activities by Justice's Civil Division has ceased. The cessation of collection activities means that the Treasury receives less income and thus the deficit actually grows. In addition, individuals who owe the government money can withhold payment without any particular penalty.

N. Key statistical data are not being collected and disseminated.

1. Important statistical releases will be delayed-most importantly the Bureau of Economic Analysis' Gross Domestic Product and Corporate Profits for the 3rd Quarter of 1995, the October 1995 U.S. International Trade in Goods and Services, and Personal Income and Outlays for October and November.

2. On an average day, 2,000 people call the Census Bureau and 4,000 people call the Bureau of Labor Statistics request information on economic and demographic statistics. These calls are going unanswered.

O. After expending carryover balances in one day, the National Institute of Standards & Technology would shut down.

1. Companies, universities, hospitals, and defense and law enforcement agencies depend upon NIST's laboratory-based research and services. For example, NIST provides in excess of 20,000 measurement samples and performs thousands of calibration tests each year for more than 3,000 large and small companies.

2. U.S. firms will be denied critical support in their efforts to deal with international standards and testing requirement that limit the sale of U.S. goods overseas.

Mrs. HUTCHISON addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas.

Mr. FORD. Are you going to reserve the right to object?

Mrs. HUTCHISON. Mr. President, I reserve the right to object, but I will be happy to yield to the Senator from Kentucky.

Mr. FORD. I will be glad to yield to the Senator.

Mrs. HUTCHISON. Reserving the right to object, and I will not object, but I did want to clarify with the distinguished majority whip to ask if this does, in fact, pass in the next few minutes, can the veterans of this country and those receiving AFDC, people who work for the District of Columbia Government, people who are receiving foster care and adoption assistance and Medicaid be assured that they are going to, in fact, get their payments? Is that what this means?

Mr. LOTT. If the Senator will yield, that is absolutely what it means. I personally do not think it is absolutely necessary. I believe the authority exists for this to occur, but we do not want to leave any doubt. We want to make sure the authorization is there for our veterans and those dependent on funding of AFDC, D.C. Government, those dependent on the funds for foster care and adoption and Medicaid quarterly payments. Without question, they are authorized and will get those checks.

Let me also say to the Senator from Texas, I am satisfied that if it had not been for her persistence and efforts in support of the veterans, this legislation would not be here this minute. I commend her for that.

Mrs. HUTCHISON. Mr. President, I want to thank the majority whip for

those comments and just say that Senator WARNER, Senator SIMPSON, and I, and many others, have been very concerned about many aspects of this. Those veterans who have served our country cannot be left at the gate. We could not go through Christmas without making sure that these people know they are covered, that they are not worried about it.

Let me just say that tonight, leaving from Fort Hood is a reserve unit on its way to Bosnia. For those people and the many others who are going to be veterans very quickly by serving in Bosnia, it is very important that they know that this body will always act responsibly when it comes to them.

Thank you, Mr. President. I thank the distinguished majority whip.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi?

Mr. FORD. Continuing reserving the right to object.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. FORD. Mr. President, it is hard for me to understand how we can tell the people out there how concerned we are about them when the Government is shut down and there is no reason for it except to force the President into signing a budget with which he does not agree.

I do not agree with it. We have 10 Republicans and 9 Democrats who have gotten together on a budget that does not agree with the budget that the Republican majority has sent to the President. So you have 10 of your membership that do not like it, and we are trying to get together.

As we worked through—I have the papers, I wish I had them with me—where we had the first budget and then the second budget and then there was a first agreement and a second agreement, we moved a little toward the Republicans and they moved a little toward us. I thought that is what negotiation is all about. But it is just like "If you don't play by my rules, Sam, I'm going to take the ball and go home," and that is exactly where we are left.

I can hear we want all these people to have their money, but you do not want anybody else to have it. You do not want that family to have it. There is not a soul on this side that I know of who has any objections to the veterans getting their money, AFDC, D.C. Government, foster care, adoption assistance, particularly the Medicaid quarterly payments. States probably would not have enough money to take care of it if we did not do this.

There is not a Senator on this side of the aisle that objects to anything that is in this continuing resolution. The only thing we say is that you ought to treat everybody else the same. That individual that is out there working every day, the honest worker, as you talked about, and he needs, or she needs, to have a full check.

Second, if they do not get the money, then they are laid off. All you have to

do is read the paper every day, and I am sure most of you do before you come to work. Dad always told me, "Never go to work without drinking a cup of coffee and reading the newspaper." So I try to do that.

I am very disappointed we are costing taxpayers—we want to try to protect the taxpayers—we are costing them \$40 million a day, giving them half checks, they cannot meet their mortgage payments, contractors are laying off their employees. All we have to do is pass a clean CR. People are working around here and want to get it done, and you know you will get it done but you are creating hurt, harming people rather than trying to help them. So the harm is now greater than the help that they will ever get.

So, Mr. President, I reluctantly remove my objections because I cannot get an agreement, and it has to be by unanimous consent. I reluctantly remove the objection from this side if we are not going to get help for the people in this country.

Mr. THURMOND. Will the majority whip yield?

Mr. LOTT. Yes, I yield.

Mr. THURMOND. Mr. President, I rise to support the majority whip and the position he has taken and the remarks he has made. We must not let these veterans and others down. Now is the time to act. I commend the majority whip for the position he has taken.

AMENDMENT NO. 3110

Mr. LOTT. Mr. President, I send an amendment to the desk.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. Will the Senator from Arkansas withhold for a moment?

Mr. BUMPERS. If the majority whip wants to offer an amendment, I withhold.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT], for Mr. HATFIELD, proposes an amendment numbered 3110.

Mr. LOTT. Mr. 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:

Strike all after the resolving clause and insert in lieu thereof:

#### TITLE I

#### AID TO FAMILIES WITH DEPENDENT CHILDREN AND FOSTER CARE AND ADOPTION ASSISTANCE

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. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 for continuing the following projects or activities including the

costs of direct loans and loan guarantees (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1995:

All projects and activities funded under the account heading "Family support payments to States" under the Administration For Children and Families in the Department of Health and Human Services;

All projects and activities funded under the account heading "Payments to States for foster care and adoption assistance" under the Administration For Children and Families in the Department of Health and Human Services; and

Such amounts as may be necessary for the Medicaid program under title XIX of the Social Security Act for the second quarter of fiscal year 1996;

All administrative activities necessary to carry out the projects and activities in the preceding three paragraphs:

*Provided*, That whenever the amount which would be made available or the authority which would be granted under an Act which included funding for fiscal year 1996 for the projects and activities listed in this section is greater than that which would be available or granted under current operations, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate.

(b) Whenever the amount which would be made available or the authority which would be granted under the Act which included funding for fiscal year 1996 for the projects and activities listed in this section as passed by the House as of the date of enactment of this joint resolution, is different from that which would be available or granted under such Act as passed by the Senate as of the date of enactment of this joint resolution, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate or the rate permitted by the action of the House or the Senate, whichever is lower, under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

(c) Whenever an Act which included funding for fiscal year 1996 for the projects and activities listed in this section has been passed by only the House or only the Senate as of the date of enactment of this joint resolution, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower, and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

SEC. 102. Appropriations made by section 101 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 103. No appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1995.

SEC. 104. No provision which is included in the appropriations Act enumerated in section 101 but which was not included in the applicable appropriations Act for fiscal year 1995 and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this joint resolution.

SEC. 105. Appropriations made and authority granted pursuant to this title of this joint resolution shall cover all obligations or expenditures incurred for any program,

project, or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 106. Unless otherwise provided for in this title of this joint resolution or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this joint resolution shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this title of this joint resolution, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) January 3, 1996, whichever first occurs.

SEC. 107. Expenditures made pursuant to this title of this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. No provision in the appropriations Act for the fiscal year 1996 referred to in section 101 of this joint resolution that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 106(c) of this joint resolution.

SEC. 109. Appropriations and funds made available by or authority granted pursuant to this title of this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

#### TITLE II

##### DISTRICT OF COLUMBIA

That the following sums are hereby appropriated, out of the general fund and enterprise funds of the District of Columbia for the District of Columbia for the fiscal year 1996, and for other purposes, namely:

SEC. 201. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1996 for continuing projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this title of this joint resolution) which were conducted in the fiscal year 1995 and for which appropriations, funds, or other authority would be available in the following appropriations Act:

The District of Columbia Appropriations Act, 1996:

*Provided*, That whenever the amount which would be made available or the authority which would be granted in this Act is greater than that which would be available or granted under current operations, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate.

(b) Whenever the amount which would be made available or the authority which would be granted under the Act listed in this section as passed by the House as of the date of enactment of this joint resolution, is different from that which would be available or granted under such Act as passed by the Senate as of the date of enactment of this joint resolution, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate or the rate permitted by the action of the House or the Senate, whichever is lower, under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995: *Provided*, That were an item is not included in either version or where an item is

included in only one version of the Act as passed by both Houses as of the date of enactment of this joint resolution, the pertinent project or activity shall not be continued except as provided for in section 211 or 212 under the appropriation, fund, or authority granted by the applicable appropriations Act for the fiscal year 1995 and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

SEC. 202. Appropriations made by section 201 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 203. No appropriation or funds made available or authority granted pursuant to section 201 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1995.

SEC. 204. No provision which is included in the appropriations Act enumerated in section 201 but which was not included in the applicable appropriations Act for fiscal year 1995 and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this title of this joint resolution.

SEC. 205. Appropriations made and authority granted pursuant to this title of this joint resolution shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this title of this joint resolution.

SEC. 206. Unless otherwise provided for in this title of this joint resolution or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this joint resolution shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this title of this joint resolution, or (b) the enactment into law of the applicable appropriations Act by both houses without any provision for such project or activity, or (c) January 3, 1996, whichever first occurs.

SEC. 207. Notwithstanding any other provision of this title of this joint resolution, except section 206, none of the funds appropriated under this title of this joint resolution shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 208. Expenditures made pursuant to this title of this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 209. No provision in the appropriations Act for the fiscal year 1996 referred to in section 201 of this title of this joint resolution that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 206(c) of this joint resolution.

SEC. 210. Appropriations and funds made available by or authority granted pursuant to this title of this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 211. Notwithstanding any other provision of this title of this joint resolution, except section 206, whenever the Act listed in

section 201 as passed by both the House and Senate as of the date of enactment of this joint resolution, does not include funding for an ongoing project or activity for which there is a budget request, or whenever the rate for operations for an ongoing project or activity provided by section 201 for which there is a budget request would result in the project or activity being significantly reduced, the pertinent project or activity may be continued under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 by increasing the rate for operations provided by section 201 to a rate for operations not to exceed one that provides the minimal level that would enable existing activities to continue. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this resolution bears to 366. For the purposes of this title of this joint resolution the minimal level means a rate for operations that is reduced from the current rate by 25 percent.

SEC. 212. Notwithstanding any other provision of this title of this joint resolution, except section 206, whenever the rate for operations for any continuing project or activity provided by section 201 or section 211 for which there is a budget request would result in a furlough of Government employees, that rate for operations may be increased to the minimum level that would enable the furlough to be avoided. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this resolution bears to 366.

SEC. 213. Notwithstanding any other provision of this title of this joint resolution, except sections 206, 211, and 212, for those programs that had high initial rates of operation or complete distribution of funding at the beginning of the fiscal year in fiscal year 1995 because of distributions of funding to States, foreign countries, grantees, or others, similar distributions of funds for fiscal year 1996 shall not be made and no grants shall be awarded for such programs funded by this title of this resolution that would impinge on final funding prerogatives.

SEC. 214. This title of this joint resolution shall be implemented so that only the most limited funding action of that permitted in this title of this resolution shall be taken in order to provide for continuation of projects and activities.

SEC. 215. The provisions of section 132 of the District of Columbia Appropriations Act, 1988, Public Law 100-202, shall not apply for this title of this joint resolution.

SEC. 216. Notwithstanding any other provision of this title of this joint resolution, except section 206, none of the funds appropriated under this title of this joint resolution shall be used to implement or enforce any system of registration of unmarried, cohabiting couples whether they are homosexual, lesbian, heterosexual, including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples; nor shall any funds made available pursuant to any provision of this title of this joint resolution otherwise be used to implement or enforce D.C. Act 9-188, signed by the Mayor of the District of Columbia on April 15, 1992.

### TITLE III

#### VETERANS' BENEFITS

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of appli-

cable 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. 301. 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 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. 302. Section 301 shall expire on January 3, 1996.

Mr. BUMPERS. Mr. President, can the majority whip tell us what this amendment is?

Mr. LOTT. This is the amendment that the unanimous-consent agreement related to, and we are, I believe, ready to go to the vote on that.

Mr. BUMPERS. I hate to keep beating to death a dead horse, but I just want to say to my friends and colleagues on the other side, this morning the Senate did exactly what it is supposed to do, exactly what the Constitution says we should do. It says that when the President disapproves a bill and returns it to the Congress, we will either attempt to override his veto with a two-thirds constitutional majority, or maybe it is two-thirds of those present and voting, or we will not.

In this particular case, we were talking about securities legislation, which I thought generally was a good idea, but I thought it was flawed in some ways. The point is the Congress has done exactly what the Founding Fathers intended us to do, and that is, if the President disagrees with us, we will either muster the votes, as the Republicans did this morning with the help of some Democrats to override the President's veto, or we will try to get with

the President and work out our differences.

What we have seen here for too long, 3 or 4 weeks now, is we will override the veto when we have the votes and we will say to the President, "Any other time you veto a bill and we don't have the votes to override, we will shut the Government down until you sign."

Mr. LOTT. Will the distinguished Senator yield?

Mr. BUMPERS. Yes.

Mr. LOTT. What I would like to inquire about is, what is regular order? I believe the Senator is speaking on another issue, and he is entitled to do that, but we need to complete action on the unanimous-consent agreement and the amendment that has been worked out. So if we can get that done.

Mr. KERRY. Parliamentary inquiry, Mr. President.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Am I not correct that this is an amendment and, therefore, it is subject to debate?

The PRESIDING OFFICER. This is the unanimous-consent agreement. It is not debatable.

Is there objection to the request of the Senator from Mississippi?

Mr. KERRY. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. I may not object, but I want to ask the Senator from Mississippi a question.

Is it true that it is the stated intention of the leadership that those people who are currently not working as a result of this shutdown are going to be paid?

Mr. LOTT. If I could get the Senator to yield.

Mr. KERRY. Yes.

Mr. LOTT. It is my understanding from all the parties in key positions, including the leader and the Speaker and, I presume, the President, have indicated that is the case.

Mr. KERRY. Reserving, again, the right to object, could the Senator tell me how one explains to Americans, at a time when we are supposedly trying to reduce the deficit and show common sense, that we are announcing to people that people are not going to work, but they are also going to be paid for not working? Now, what is the common sense in that?

Mr. LOTT. Mr. President, first, I would like to note that the House of Representatives is awaiting, very anxiously, this legislation, which has been agreed to by our leadership on both sides, and I do see that we have Veterans' Affairs Committee members who are anxious for this to be done. I would like to respond at length to the Senator from Massachusetts, and I will be glad to engage him in discussion later on this. I have to say, very briefly, that it is very hard to explain that. But we can talk about that and engage in a dialog.

I urge my colleagues here that we go ahead and complete this action and

talk at a later point on the details of what he is asking about.

Mr. KERRY. Reserving the right to object, Mr. President. I ask my colleague, then, if I may just answer the question myself and say a couple of words, and then I will not object.

I know there are members of the Veterans' Affairs Committee and others waiting. I am a veteran and I am waiting. I am hearing from a lot of veterans, and they are not happy with the notion that some of their claims cannot be processed, but they are also not happy—some of these veterans I have talked to in the spinal cord injury division of the Brockton VA—that some of them are going to be thrown out after 18, 20 years of living there with injuries suffered that they received serving their country.

Speaking as a veteran, but much more just as a citizen, not even as a Senator, it is incomprehensible to me that we are going to claim common sense and rectitude with respect to the reduction of this deficit, while telling our workers of this country they are going to be paid for not working and not serving the country.

If this is the price we pay, this hostage-taking of an entire budget and Government for simply one group of people getting their way, this is a sad day in the democracy of this country.

Mr. LOTT. Mr. President, I am trying my very best to restrain myself. I will be glad to discuss this with the Senator and debate him later on.

Mr. KERRY. I would just like to finish. I know—

The PRESIDING OFFICER. The Senator from Mississippi now has the floor and has made a unanimous-consent request. Is there objection?

Mr. KERRY. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. I ask that I simply be permitted to say to the Senator from Mississippi that I share with the Senator what I know is his devotion to balancing this budget. We have offered, again and again, 7 years, CBO figures, a good-faith offering of several different budgets by our side—two of them, as a matter of fact—a moderate so-called budget and another by the entire Democratic Caucus, both of which, by CBO figures, balance the budget.

This is unnecessary. Shutting down of the Government is unnecessary. This hostage taking is unnecessary.

I simply will close by saying it is very regrettable—regrettable for the country.

I will not object.

Mr. DORGAN. Mr. President, reserving the right to object.

The PRESIDING OFFICER. Is there objection?

Mr. DORGAN. Reserving the right to object. I want to ask the Senator a question or two, largely because of some comments he made a couple of minutes ago. I am trying to understand whether there is a way, later today, or

having by unanimous consent, or whether there will be an opportunity later today by which we might consider a broader CR. The reason I ask the question is this: My understanding, at least at the start of today, was that the Senate would probably be able to do two CR's, one narrower, which the Senator from Mississippi is now asking unanimous consent about, and the second, a broader one that would essentially restore people back to their jobs, and I do not know what period we were talking about.

My understanding was that it was a broader CR that would put people back to work. There are 270,000 Federal workers today who are not going to work but are going to be paid. That was true yesterday, the day before, and it is going to be true each day until we pass a broader CR. I would like to ask the Senator from Mississippi if he thinks or understands that there are conditions under which we might be able to entertain, later this afternoon, after the White House meeting, a broader CR so that we can put all these folks back to work.

Mr. LOTT. Mr. President, if I could respond. Again, I am trying to restrain myself so that we can get this agreed to, this very important resolution. I will just say that I can conceive how that might happen. I know the leader has said he would like for us to get that done. I do not know what will happen at the White House meeting this afternoon where the majority leader and Senator DASCHLE presently are.

I can envision maybe that they would meet and there would be some sort of immaculate conception, and out of these various bills that have been suggested, alternatives, they would come together and say, yes, here is an agreement in principle; we agree on the numbers and policy. We have an agreement in concept that is real, and we can rely on it. We would put it in law and, lo and behold, it would all come together tonight. I hope and I pray that that is what is going to happen.

So I can write a scenario. In fact, I could write the numbers that we could agree on. I hope that happens. But unless that happens, I do not see how we can get it resolved this afternoon. I would like to leave it to the leaders. They are doing their best. I would rather not have the infantry back here shooting the guys up there that are trying to fly to a higher zone to get this done.

Mr. DORGAN. Continuing my reservation. I am not saying anything that I think requires great restraint on the Senator's part. I am not alleging anything. I thought I heard him say that he expected there not to be a CR that would be clean or a broad CR until and unless there is an agreement. That suggests to some of us that we are talking about having these 270,000 Federal workers who are not working continue in that circumstance for a week or 2 weeks. That is a much different scenario than some of us thought might be possible this morning.

Mr. LOTT. I do not know when that agreement might come or how you would define the agreement. I still think they can achieve it. I put my faith in them. That is all we can do. If we will let them meet and work and if we can spare ourselves some of our comments in press conferences, I think they can come together. I am just going to have to assume that the President wants to get this done, and I know the leaders do. I hope they get it done.

Mr. DORGAN. Under my reservation, one final question. Is the objection to a clean CR at this moment an objection that persuades the Senator that that objection will continue to exist the rest of the day, or is it an objection that is based on a temporary situation because the leaders are at the White House? I am trying to understand the circumstances under which the Senator indicated there must be an agreement before we have a clean CR.

Mr. LOTT. Typically, in the Senate, I do not have any idea what is going to come out of that agreement or when the schedule will be provided to us. The leaders are there. We are working in their stead on an agreement that they worked out. Let us let them do their job and come back and see what happens.

Mr. DORGAN. I will not object. I hope that we will be able to propound a unanimous-consent request later this afternoon for a clean CR and that there would be no objection to it. I shall not object.

Mr. BOND. Mr. President, I rise in strong support of House Joint Resolution 134. This legislation will enable the Department of Veterans Affairs to make disability and pension payments to approximately 3.3 million veterans in the event a continuing resolution is not enacted soon. It ensures that any time this fiscal year in which there is no appropriation authority, VA will be able to make benefit payments to veterans, including compensation and pensions, education and training, and also pay vendors in the Veterans Health Administration. The House should be commended for their prompt action initially on this necessary legislation and I urge expeditious consideration and enactment of this measure in the House.

This legislation is based on S. 1414, a bill introduced by Senators SIMPSON and HUTCHISON in November. Their concern over this vital matter and initiative in seeking prompt action has facilitated this legislation.

In a recent letter to me, the Disabled American Veterans National Commander, Thomas McMasters III, said "Many veterans rely on their VA disability compensation payments for the necessities of life and any delay, no matter how short, can have a devastating effect upon them and their families." This is precisely why House Joint Resolution 134 is so important, and I thank the DAV and other veterans service organizations for their advocacy of this critical legislation.

I ask that the full text of this letter from the DAV be inserted into the RECORD at the conclusion of my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BOND. In addition to being able to make benefits payments, the legislation ensures that the VA's 173 hospitals will be able to pay their vendors and continue to provide high quality medical care. This will prevent costly violations of the Federal Prompt Payment Act, and avoid potential disruptions in the delivery of contracted services, pharmaceuticals, or other necessary medical supplies in veterans hospitals, nursing homes, and outpatient clinics.

Mr. President, none of us finds any merit or advantage in this second lapse of funding authority to continue the operations of the Government. I agree with the Republican Leader that this budget impasse does none of us any credit . . . indeed, it is time for some adult supervision to end this squabbling and finger-pointing. I can only hope we soon will hear clearly the American people express their growing disgust and contempt for all of this political posturing, and get on with the business of running the Government.

I have been very critical of the Secretary of Veterans Affairs, Jesse Brown. He and I have very different views of the responsibilities of the Secretary in charge of managing one of the largest Departments in the Federal Government. He clearly sees his role as an extension of his previous advocacy for more funding of veterans programs. By contrast, I believe he should be alarmed by the Federal deficit and aggressively looking within his Department to improve operations as a means of better serving our Nation's veterans, a task made all the more critical by the budgetary constraints necessary to bring the budget back into balance. But despite our differences, we do share a commitment to those served by this Department. Although he didn't even bother to pick up the phone to express his concern over the necessity of enacting this bill, there can be no doubt that he also supports this measure to prevent any disruption in the payment of veterans benefits.

Mr. President, as we look for means of resolving the budgetary gridlock which has caused this latest shutdown of the Government, I hope that we can draw upon these points of agreement. The growing frustration and polarization still can be reversed if we build upon these shared concerns. Agreement on a framework for a mutually binding process to achieve a balanced budget must be achieved without further delay.

The appropriations bill vetoed by the President earlier this week would have provided a \$400 million increase for veterans medical care. Despite that veto, I am hopeful that this funding increase soon will be enacted into law. At that point, the full \$37.7 billion proposed by

the Congress for veteran services and benefits will be available to be administered by the Department. This is an enormous responsibility. I hope to be able to work with Secretary Brown to assure that this large commitment to our veterans will serve their needs in the most effective and beneficial manner possible. At some point he must turn his attention from politics to management. That massive task will provide ample opportunity for a moving beyond our current differences.

Mr. President, we now have the responsibility for taking an important first step toward restoring a necessary governmental function. Let us not hold America's veterans hostage to this budget impasse. For veterans January benefits checks to be on time, this legislation must be enacted today. I strongly urge the adoption of this joint resolution.

#### EXHIBIT 1

DISABLED AMERICAN VETERANS,  
807 Maine Ave., SW.,

Washington, DC, December 19, 1995.

Hon. CHRISTOPHER (KIT) BOND,  
Chairman, VA, HUD, and Independent Agencies  
Subcommittee,  
Dirksen Senate Office Building, Washington,  
DC.

DEAR CHAIRMAN BOND: As National Commander of the more than one million members of the Disabled American Veterans (DAV), I request your support for S. 1414, introduced by Senator Kay Bailey Hutchison. This measure would allow the Department of Veterans Affairs (VA) to pay compensation or pension awards, notwithstanding the fact that an appropriations bill or continuing resolution has not been enacted.

As you know Mr. Chairman, VA benefits payments will be delayed if the impasse on the budget is not resolved by December 21, 1995. Expedient handling of S. 1414, which has currently been referred to the Senate Veterans' Affairs Committee, is necessary if veterans' benefits are to be paid in a timely manner.

Many veterans rely on their VA disability compensation payments for the necessities of life and, any delay, no matter how short, can have a devastating effect upon them and their families. It is extremely important that the men and women who served their country with honor in its time of need are not forgotten in their time of need.

Accordingly, I call upon you, Mr. Chairman, in your position of leadership in the Senate, to take all action necessary to expedite S. 1414.

Thank you for your prompt attention to this matter, and I look forward to your reply at your earliest possible convenience.

Sincerely,

THOMAS A. MCMASTERS III,  
National Commander.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 3110) was agreed to.

The joint resolution (H.J. Res. 134), as amended, was deemed read a third time, and passed.

Mr. LOTT. I yield the floor.

Mr. BOND. Mr. President, I think it is very important to note that there is a lot of credit due to the managers, the whips, Senator LOTT, Senator FORD for the passage of House Joint Resolution

134. This legislation enables the Department of Veterans Affairs to make disability and pension payments to approximately 3.3 million veterans in the event a continuing resolution is not enacted. It ensures that any time this fiscal year in which there is no appropriations authority VA will be able to make benefits payments to veterans including compensation, pensions, education and training, and also to pay vendors in the veterans health administration.

This measure was made necessary, let us be quite frank about it, because the President vetoed the VA-HUD bill. Last week, when we considered that bill, I pointed out that if the President vetoed it, we put all of these programs at risk.

The reason given was that there was not enough money in the bill. Mr. President, the money in the bill we passed was all of the money that was allocated to us in the appropriations process under the budget. I suggested at that time that they sign the bill so they could continue these vital programs and if and when an agreement is reached more money could be added. Unfortunately, they did not choose that path. I commend Members on both sides for enabling us to go forward. I urge the House to move promptly. It is vitally important. We need to get on with the process, and I hope that we can continue to make progress in other areas.

I thank the Chair.

Mr. BUMPERS. I ask unanimous consent that I be permitted to speak for 2 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TEA-TASTING BOARD

Mr. BUMPERS. Mr. President, I was in my office a moment ago preparing some notes to speak on the START II Treaty. I have since found we will have more debate when we return, possibly next week, so I will forego until next week.

I heard the Senator from Colorado and the senior Senator from Nevada discussing the so-called tea-tasting provision of the agricultural appropriations bill, and the Senator from Nevada, the senior Senator from Nevada, said he had taken this up with the senior Senator from Mississippi, chairman of the committee, and the senior Senator from Arkansas, namely me, as ranking member of the committee about how did the tea-tasting provision wind up in the bill.

The answer to that is, if it is in the bill, I certainly did not have anything to do with it. I thought we had killed that sucker once and for all. But I just want to say I really resent the situation that somehow or other I was in on it, some conspiracy to put the tea-tasting provision back in the agricultural appropriations bill. I detest that provision as much as the Senator from Nevada or anybody else does.