

there would be warm weather. But we have had some really bad weather, really cold.

Mr. WELLSTONE. I say to my colleague, Mr. President, that the other problem that my chief legislative analyst, Colin McGinnis, reminded me of is it takes about 10 days or so for OMB and HHS to run the computer formulas, cut the checks, and get the money out to the States. We have a long waiting list in Minnesota already who would be served by that funding.

So we really are again—time is not neutral. For God's sake, I would say to every single one of my colleagues, Democrat, Republican, let us do this before Hanukkah. Hanukkah is Sunday night. I am Jewish. Hanukkah is Sunday night. Then we have Christmas. Let us do this before Hanukkah. Let us do this before Christmas. Let us please make a commitment as Senators to make sure that people at least do not go cold in America. This is wrong. We can do much better.

There is no reason in the world for us not to be able to reach out. I mean, if you want to talk about family values, I think the most important family value there is to reach out with a helping hand. I think everybody agrees with that. So we have to get this job done.

I thank my colleague. I thank my colleague from Iowa.

Mr. President, I am just going to finish up. This just is one example. I have many examples from Minnesota, but this is an example of what can happen when people are without heat, from right here in the District of Columbia. Three years ago around this time, a fire burned down a small apartment building in the Mount Pleasant region of the District of Columbia, burning to death two little girls, Amber and Asia Spencer, ages 6 and 5. The girls were killed by a fire when one of the candles that was used to heat the apartment fell over. The electricity had been turned off 2 months earlier when the girl's grandmother, their guardian, could not afford to pay the heating bill.

It is my understanding that every winter, children across the country are killed or injured by fires caused by desperate attempts to keep warm—to keep warm.

I have said to my leader, Senator DASCHLE, I have said to the Republicans—again, I know Senator SMITH from New Hampshire, another cold weather State, said he really wants to be on the floor, wants to fight hard for this; Senator ABRAHAM has been very committed to this; Senator SPECTER has been very committed to this; Senator JEFFORDS and any number of Republicans on the other side of the aisle.

I do not view this as a partisan issue. I think it was a huge mistake for the House to eliminate this. I have been fighting for this for 6 months because I know it is so important to people.

But I think right now the issue is not to have a fight. That is not the point. The point is to bring people together

and to at least make the small change. We already have the money. It is already there. All we have to do is make sure that in a continuing resolution, if the Government is not shut down—and I hope it will not be shut down; I do not think it should be—to make sure in the continuing resolution that we are able to allocate the funds out to the States.

If we just do it on the basis of 75 percent of last year, Mr. President, so that now as the winter weather is upon us in our States, then we could get adequate short-term funds out fast. It can be allocated out to the communities and we can protect people. We should do that.

I yield the floor.

Mr. LEAHY addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. WELLSTONE. Mr. President, will the Senator yield for a moment?

Mr. LEAHY. Yes.

Mr. WELLSTONE. Mr. President, I want to make it clear, I mentioned the other day the work of the Senator from Vermont. He has spoken on this several times. I want to thank the Senator and Senator JEFFORDS as well. I believe that those of us from cold-weather States know what this means in human terms. We know from the phone calls and the people with whom we visit.

I thank the Chair and the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont.

#### LIHEAP

Mr. LEAHY. Mr. President, I spoke, as did the Senator from Minnesota, on the issue of LIHEAP yesterday. I commend him for what he has said. This is an issue that is joined certainly in the northern tier States with Republicans and Democrats alike in the Senate.

We should restore these LIHEAP funds. Frankly, I strongly urge our colleagues and leadership in the other body, if need be, to simply pass a LIHEAP appropriations so we can take it up, pass it here and send it down. We would not have this issue were all the appropriations bills now passed. We can pass that one, if need be.

This is a matter of urgency. It is not an answer to say we will have the money in June of next year. It was 8 or 9 degrees below zero at my home in Vermont 2 days ago. It was way below zero last night. We had about a foot of snow in the last few days. The good news, of course, is nothing slows down with only a foot of snow in Vermont. The bad news is that the people who are without money are now faced with the question of whether they will eat or heat. Many of them are elderly. The majority of them are disabled.

There is no question we should try to get this through. It will be colder next month. It always is in January. Last year, we had about a week and a half that did not go above zero. During that time, it hit 25 to 35 degrees below zero, depending where in the State it was.

If you are living in a residence that needs the help of LIHEAP or weather-

ization for heating, that cold goes through pretty quickly. This is not a case of being uncomfortable. This is a case where people die. People die in their own homes. They die in their own homes from the cold. They die in their own homes sometimes when efforts are made to heat. They die in their own homes when they have actually been pulling boards out of the floor or furniture to burn to keep warm, because they know exposure to that weather for just a matter of, sometimes, minutes could bring about hypothermia and death.

Mr. President, I do not see other Members seeking the floor, so I will talk about another issue.

#### DEFENSE AUTHORIZATION BILL— ANTIPERSONNEL LANDMINES

Mr. LEAHY. Mr. President, I understand this afternoon at some point, we will have a vote on whether to proceed to the conference report on Department of Defense authorization. I am strongly opposed to several provisions in that bill. I will not ask the clerks to read the bill in full when it comes up, as I could. It is my way of saying "Merry Christmas" to them, I suppose, and to the rest of the staff. But I will express very strong concerns about it and, of course, will ask for a recorded vote on the issue of proceeding.

I do not want to hold up the issue, though, of course and as soon as it comes over here—I see the distinguished chairman, my good friend from South Carolina on the floor—I would not want to hold him up.

Mr. LEAHY. There is one issue that I intend to talk about at considerable length. This body voted by better than a 2 to 1 margin, nearly 3 to 1 margin, to put some limitation on antipersonnel landmines.

For some reason a provision that was not even considered by either the House or the Senate on antipersonnel landmines ended up in the Defense authorization bill, which would have the effect of undermining my amendment. It is an absolute disregard and repudiation of the intent of the Senate.

At a time when every member of the military is talking about the danger to our men and women in Bosnia from landmines, at a time when the President of the United States talks about the potential casualties from landmines, at a time when every press report talks about the potential of landmine casualties in Bosnia, at a time when virtually every Member of this body and the other body are concerned about the potential American casualties from landmines, we let somebody from the Pentagon write in a provision in the DOD bill, a provision that was never voted on by the House, never voted on by the Senate, never considered by either body suddenly showed up in the conference report. A provision that would ensure that the plague of landmines continues unabated.

I call on the Pentagon, out of a sense of morality, at least, to stop the hypocrisy of saying they worry about our people being injured by landmines, and then do nothing to stop their use around the world. And it is not only our troops who are threatened, it is hundreds of millions of people who are killed and maimed by these indiscriminate weapons every day. Over 26,000 people every year, and most are innocent civilians.

This, Mr. President, is a landmine. It is an antipersonnel landmine. It has been disarmed. If it were active, with just the slightest pressure it would take my arm and most of my face off.

There are millions of landmines in Bosnia, many of which are made of plastic and virtually impossible to detect, and others are designed to spring up and explode at waist level, sending out horrendous shrapnel that would disembowel or cut in half somebody within 50 or 100 feet.

When we vote on the Department of Defense authorization bill, we ought to send a very clear message to the Pentagon that it is not enough to say you want to protect our men and women when they go in harm's way on peacekeeping of rescue missions or anything else. It is time to say we will take steps here, to show leadership, to set an example, to stop this senseless use of landmines worldwide.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BYRD. Mr. President, I ask unanimous consent to speak out of order for not to exceed 7 minutes.

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

#### ANOTHER GOVERNMENT SHUTDOWN

Mr. BYRD. Mr. President, this year the American people have been treated to what can only be referred to as political theater of the absurd. The Republicans took control of Congress in January touting their so-called Contract With America as the vehicle for change and as the vehicle for the end of business as usual. Well, they weren't kidding. This year has truly defied all legislative logic. In some respects 206 years of process have been literally thrown out of the window.

There have been lots of talk and press events and, of course, photo-ops galore. Creative gimmicks have been used to highlight the grandiose plans of this new crowd. We have seen ostriches and bloodhounds and even golf clubs used to represent various points of view. Through all these shenanigans, the Nation has waited with bated breath for some real results.

To put it bluntly, the grinch seems to have stolen Congress' sensibilities. Here it is December 15, and the Nation is still waiting. The Nation has already lived through one record-breaking Government shutdown, and now we are facing the very real possibility that Federal workers will be furloughed for Christmas and Government services will once again be curtailed.

Today's deadline for keeping the Government running is looming and still there are no assurances that an agreement can be reached. While we in Congress jockey from one position to another seeming to be concerned only with protecting our collective political hides, the American people are wondering if we ever stop to worry about them or about the fate of the Nation.

Under the Constitution, the only real responsibility we elected Members of Congress have to worry ourselves with is that of ensuring the passage of the 13 appropriations bills that fund the Federal Government. That is all we really have to do. This year while Members of Congress have spent months and months raising the public's expectations for an end to legislative gridlock and a new blueprint for governing, we seem to be more preoccupied with one petty political nuance after another. Instead of ensuring that the people's needs are met, we are arguing over the size of the negotiating table, how many people can attend, and which door of the airplane we can use.

All of this is an unnecessary and unwarranted diversion. This year, as always, there are differences in priorities between the Democrats and the Republicans and between the Congress and the White House.

What is disturbing about our current situation is that we seem to have forgotten the concept of legislative compromise. No legislative product ever embodies the wishes and desires of all involved. Unfortunately, the political give and take that make our system of government work are sorely lacking. There is no give and take. Instead, members seem more concerned with sowing the landscape with political seeds that can be cultivated and harvested during next year's election campaigns. As I have often said, there really are matters that are simply more important than political party—more important than either political party. Responding to our elected responsibility to the people is one of them. We cannot let the American people down again or we all surely risk the wrath of the voters. And I say this to those who are focused more on November 1996: You will surely reap what you have sown!

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURNS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### DEPARTMENT OF DEFENSE AUTHORIZATION BILL

Mr. WARNER. Mr. President, at the appropriate time, on behalf of the majority leader, I will move that the Chair lay before the Senate a conference report to accompany H.R. 1530, the Department of Defense authorization bill.

It is anticipated that there will be an objection. Since this is not a debatable motion, then at such time as the majority leader indicates—I believe it will be shortly after the motion to oppose moving forward—there will be a roll-call vote.

Mr. LEAHY. Mr. President, the distinguished senior Senator from Virginia and the distinguished senior Senator from South Carolina, both of whom are dear and respected friends of mine, and I have had some discussion on this. I anticipate asking for—and there may be others for that matter—a vote on the motion to proceed.

I tell the Senate and my distinguished colleagues that if I had intended to hold up the motion to proceed, of course, I would use the parliamentary tactic, instead, of asking for a vote on the motion to proceed requiring the reading of the bill which—it is about this big for anybody who cares. That is about 1½ feet high, and it would take a very considerable time to read. I am not going to request that, of course. I have never engaged, in my 21 years here in the Senate, in such tactics. I will, however, ask for the vote on the motion to proceed, and I assume the majority of Senators will vote to proceed.

I do this because of my concern about one provision, as I said earlier, on landmines. This is a provision that was neither in the House bill nor in the Senate bill. We passed by a two-thirds rollcall vote in the Senate a provision on landmines. The House had nothing.

When it became contentious, I said to the distinguished chairman of the committee, to the distinguished Senator from Virginia, and to the distinguished Senator from Georgia, Mr. NUNN, "Why don't we just remove the Senate provision?" In other words, recede to the House, which is no provision.

It is my understanding that was going to be done. It was my understanding in the conversations with the Senators involved that would be done.

I was then told by Senate staff—not by Senators, but by some Senate staff—that they could not allow their Senators to go along with such a commitment. I find that frustrating, of course, because Senators are the ones elected. And I have found that the Senators I have dealt with—especially those whom I have just talked with—have always been extremely truthful with me, as I have always tried to be with them. But my concern was—and