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House of Representatives

The House is in recess subject to the call of the Chair.

Senate

SUNDAY, DECEMBER 17, 1995

The Senate met at 5 p.m., and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

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

Gracious God, when there is no place else to turn, it is time to return to You. The present crisis over the budget has confronted us with our human inadequacy to handle things on our own.

So here we are on a Sunday afternoon. We all believe in You, love our Nation, and are called to patriotism. We pray very specifically for our principal leaders. For the welfare of the Nation, the good of the Government, and the continued respect of our people, we ask You to motivate President Clinton to call together BOB DOLE, TOM DASCHLE, NEWT GINGRICH, and all those involved in assisting in this negotiation. We join with millions of Americans in praying that You will give these leaders the courage to keep working until the issues are resolved, the determination to find answers, and the desire to give as well as take in the disputation. You are ready to help those who confess their dependence on You for wisdom to find workable solutions and creative compromises. When we humbly ask for Your guidance together, You open the channels of communication and give us the will to negotiate. The place for greatness is here; the time for greatness is now. We thank You in advance for the answer to this prayer. In the name of our Lord. Amen.

RECOGNITION OF THE MAJORITY LEADER

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

Mr. DOLE. Mr. President, first I thank the Chaplain. I hope everyone was listening. Maybe we need all the guidance we receive and probably more.

SCHEDULE

Mr. DOLE. Mr. President, I think it is fairly certain we will not be getting any continuing resolutions from the House today, so we will not be in session but for a few moments. It seems to me that there is not much reason to stay here if we are not going to have a continuing resolution come over from the House side.

But I think in an effort to make that final determination, I would now move the Senate stand in recess subject to the call of the Chair. As soon as I have that information, we will come back.

Mr. KENNEDY. Could I ask the majority leader, the Senate had an announcement about the LIHEAP, the President taking action to release LIHEAP funds, which is enormously important for many areas in the country. This is something very, very significant to many of the people, I know, in my own State, New England, out in the Far West. I just wanted to address the Senate for 3 or 4 minutes on that subject. And there may be a lot of other people that want to talk.

I do not want to interrupt the normal flow, but I just wonder if—

Mr. DOLE. The Speaker is in my office, so I can find out rather quickly. It will not be a long recess. But I do not want to get into a Sunday afternoon brawl here on the floor about the budget. If it is not about the budget—I mean the President knows how to reach us up here. And we do not need to debate the budget this afternoon. We need to sit down, the principals, and try to work it out.

Mr. DORGAN. I wonder if the majority leader would yield for a question?

Mr. DOLE. Yes.

Mr. DORGAN. Mr. President, the minority leader, Senator DASCHLE, has been here all day, and temporarily had to leave the Capitol, but will be returning. I am prepared on his behalf to offer a unanimous-consent request. I am wondering if the majority leader intends to allow us to be recognized to do that.

Mr. DOLE. Oh, yes. In fact, we may want to accept that request if we can add to it the Labor-HHS bill which the Democrats will not let us bring up on the floor. If the Senator can add that to the CR, we might do some business here this afternoon. That would put 150,000 people back to work, and we think that is very important. So the Senator might see if he can amend that. We might be able to agree to it.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. THOMAS). Is there objection?

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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



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

Mr. DOLE addressed the Chair.

UNANIMOUS-CONSENT REQUEST—
H.R. 2127

Mr. DOLE. Mr. President, let me indicate that I have met with the Speaker, and I think it is unlikely that there will be any continuing resolution. In fact, there will not be a continuing resolution coming from the House tonight, and I do not see any reason for the Senate to be in session. If there was any hope that there might be a continuing resolution coming over from the House side, we would have stayed here as long as we could.

Then I understood that earlier the Senator from North Dakota, on behalf of the minority leader, Senator DASCHLE, was going to propound a unanimous-consent request which would in effect be a 5-day extension until December 22. It is an S.-numbered bill, which the House can refuse.

But, in any event, it occurred to me that maybe a better way to approach that would be to add the continuing resolution to the Labor-HHS bill which has been pending here since September 15. We have had two cloture votes so far. We have had a number of unanimous-consent requests rejected. We will have another cloture vote sometime on Tuesday. That is one appropriations bill that has not left the Senate, and it is because of objections on the other side of the aisle. It has been along party lines, and I would hope that we could resolve it. It involves I think about 150,000 Federal workers, and if we could do that tonight, I understand again from the Speaker that he will use every effort to take the bill that we send to him and pass it in the House and send it to the President for his signature tomorrow.

So on that basis, I will propound a unanimous-consent request. I ask unanimous consent that the Senate turn to consideration of Calendar No. 189, H.R. 2127, the Labor-HHS appropriations bill, that the committee amendments be considered and agreed to, en bloc, the bill be further amended with language to change section 106(c) of Public Law 10-456 to strike "December 15th, 1995" and insert "December 22nd, 1995," that the bill be then immediately read a third time and passed.

The PRESIDING OFFICER. Is there objection?

Mr. DORGAN. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DORGAN addressed the Chair.

The PRESIDING OFFICER. The assistant minority leader is recognized.

Mr. DORGAN. Mr. President, the majority leader has just offered a unanimous-consent request that included a number of things, including consideration of an appropriations bill that he knows contains an extraneous item that is very controversial that has held

up that legislation for some long while. It also includes a continuing resolution.

We believe there ought to be a continuing resolution adopted by the Senate. There is no need for a shutdown of the Government. We would hope that the majority leader would accept the unanimous-consent request that I will propound in a moment that will provide a clean continuing resolution for 5 days, and in 30 minutes from now the Government shutdown will end.

There is no reason for a Government shutdown. It does not make any sense. It, in effect, penalizes the American people for our failure to reach agreement on a budget issue here in the Congress, and it certainly makes no sense at all to penalize both the American taxpayer and also Federal workers.

I was constrained to object to the unanimous-consent request by the majority leader because the request that he made included not only a continuing resolution but also an appropriations bill, one of the largest—the largest—appropriations bill that would come to the floor and that would be deemed to have been passed, which includes an issue—striker replacement—which he knows is very, very controversial. It is an extraneous item to the appropriations bill that should not be there. If it was not there, we would have passed this appropriations bill. It would have gone to the White House, and presumably it would have been negotiated before and signed into law, and we would not have these issues in front of us with respect to both Labor and HHS.

But we do have these issues dealing with the shutdown, and it does affect Labor-HHS and other appropriations. The way to solve that—not only for Labor and HHS, but for all other areas that are so affected—would be for us to at this moment agree to a 5-day continuing resolution, clean, without any riders, without any extraneous provisions.

So I will propound the unanimous-consent request on behalf of the minority leader, the Democratic leader, Senator DASCHLE.

UNANIMOUS-CONSENT REQUEST—
S. 1410

Mr. DORGAN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of calendar No. 240, S. 1410, a clean continuing appropriations bill, that the bill be read a third time and passed, as amended, with the date changed until December 22, and with language that will permit the expenditures of funds for low-income energy assistance.

The PRESIDING OFFICER. Is there objection?

Mr. DOLE. Mr. President, I object.

Let me indicate, of course, that the appropriations bill originates in the House. This does not have any standing in any event, but it would have standing if done in the way I prescribed because it would be attached to the bill. It would go to the House.

I want to make the record very clear because I think sometimes people fail to understand why certain things happen. The Labor-HHS appropriations was reported, and it has been on the Senate calendar since September 15. Senator HATFIELD, chairman of the Appropriations Committee, has been prepared every day since that time—along with Senator SPECTER, chairman of the subcommittee—prepared to bring that bill to the floor, and so has, I might add, the Senator from Iowa, Senator HARKIN, the ranking Democrat on the subcommittee. The leadership on the Democratic side, because of striker replacement—in other words, if we repeal the President's Executive order—will not let us bring the bill up. They are not willing to take their chances in a debate and are not willing to try to strike that provision on the Senate floor. So we have been stymied.

So I would say to all of the people at the Labor Department, Mr. Reich, Secretary of Labor, and the Secretary of HHS, and others who are non-essential—they are not nonessential—but the nonessential workers who will not be going to work tomorrow, to just take a look at the record—do not listen to the press—and take a look at the facts. The facts are that since September 15 that bill has been on the calendar. We have tried to get it up three or four times by unanimous consent. That has been objected to by my colleagues on the other side.

We have had two cloture votes. We failed on cloture votes because of striker replacement. We failed along party-line votes. We only have 53 Republicans. We need 60 to shut off debate, and we will have another cloture vote on Tuesday.

So what I suggest—and we want to keep the Government open until the 22—is to bring that bill up, pass it by unanimous consent, and add a 5-day additional continuing resolution to it so the Government will be open until December 22, which will be next Friday at midnight.

It seemed to me that was a good way to dispose of two items that are still here that should have been disposed of weeks and weeks and weeks ago. And I regret that because of one provision, because of the President's allegiance to the organized labor leaders—not the working people—because of his allegiance to the labor leaders and all the money they pump into the Democratic Party, that because of this one little provision that deals only with an Executive order made by the President, we are going to keep 150,000 workers from their jobs tomorrow and maybe the rest of the week and a lot of other things, funding for NIH, a lot of other programs, including the Low-Energy Assistance Program in the Labor, HHS appropriations bill.

So the public ought to know that when the labor leaders speak, my colleagues listen. They will not let this bill come up because the labor leaders are opposed to one provision—one provision. I know it is difficult for the media to print the facts and report the facts, but these are the facts. Do not