

## LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume legislative session.

## MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 12:30, with Senators permitted to speak therein for up to 5 minutes each.

## THE GOVERNMENT SHUTDOWN

Mr. LEAHY. Mr. President, I have been here on the floor several times during the past few days over the New Year's weekend, as have the distinguished Republican leader and the distinguished Democratic leader, the distinguished Senator from North Dakota [Mr. DORGAN], and others who have been working the effort of trying to get this budget back together.

It is ironic that we are here and we hear statements coming from some, primarily in the other body from back in their home States and home districts, that show to me at least the disconnect with reality. I hope some of these Members when they return to Washington will have a fresh perspective on the human toll this foolish Government shutdown has taken. This foolish Government shutdown has taken a human toll. In fact, it is ironic that the House and Senate cannot seem to come together and get the work done necessary to get us out of this, but we are getting paid at the same time there are hundreds of thousands of Federal employees who want to work and they are not being paid. There are others deemed essential who go to work and will not be paid.

These people have mortgages. These people have rent, heat, food, child care, everything else, to pay. They are not getting their paychecks. They are real human beings, whether they are in Vermont or any other State.

My New Year's wish is that the House may replace its severe case of intransigence with some true leadership to get us out of this, because this kind of Government close-down foolishness is not necessary.

The balanced budget talks are going on right now with the President, with the distinguished leadership on both sides. That has nothing to do with whether Congress completes its work. We have 13 appropriations bills that are supposed to be passed by the end of the fiscal year. The reason much of Government is closed down is because a number of those bills have not been passed. I might suggest a bill that the House could accept, if they are unwilling to pay Federal employees, they ought to pass the bill that the Senate has already passed which says that Members of Congress will not be paid until this is done. They will not do

that. In fact, we had one Member of the House who said that he has to be paid because he is in the Constitution. I looked through the Constitution. I did not find his name, and I would love to see which copy he is referring to.

The fact is that we have people, Federal workers, who are being punished unnecessarily. I would like to have some of these members who do not want us to go back to work to talk to Angelia and Jeffrey Brace of Milton, VT. They cannot go to work at the Immigration and Naturalization Service office in South Burlington, VT, and they and their 3½-year-old daughter are not going to get a paycheck. There are headlines like this in the Vermont press, "Budget Squeeze Hits Home." It is happening in every one of our States.

I know the distinguished Republican leader and the distinguished Democratic leader, if it was left to them and with the President, we could get this done. We have passed legislation here to put us back to work. If it was left to the leadership here in the Senate on both sides of the aisle this could be done. Just because some—in this case, a small group of freshmen who I admit each have 12 months of experience with the Government—have made a decision that we will become a laughingstock to the rest of the world because our Government is shut down, because they are not getting every bit of their way.

Mr. President, I have a letter to the editor in my hometown newspaper from Mr. George D. Sack, president of the Vermont chapter of the National Treasury Employees Union, that says if the chief executive officer of IBM and the board of directors had a dispute over policy, it is doubtful they would close their plants until they reach a decision. Yet that is exactly what happened when Congress and the administration closed the Government.

This is not the way to do things. This is costing taxpayers hundreds of millions of dollars in wasted productivity, wasted time. Some will go on and say, "Do you miss the Government?" Ask that of somebody trying to get a visa, or ask that of somebody who has a mortgage application before the Veterans Administration. Ask any number of people, and it will go into the millions of people being inconvenienced. Ask the people who are in private business who are being hurt because the Government is closed down.

The fact of the matter, Mr. President, we could put the Government back to work in the next hour and we would still have negotiations on the budget, negotiations that would bring about a balanced budget in 7 years. We are not going to have a Clinton budget or Gingrich budget or Dole budget or Leahy budget, but we could have a budget where we all work together, protect the environment, protect education, protect people that need medical care, still balance the budget. That is what we ought to do.

This kind of posturing, when it hurts people who cannot pay the mortgage,

the heat, their children's doctors' bills, that is cruel.

It is especially cruel when the taxpayers have paid for airplane tickets for those same House Members to go home for Christmas vacation; the taxpayers have paid them a couple of thousand dollars a week to sit at home doing nothing. They ought to be back here getting us back to work.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Mr. SARBANES. Mr. President, what is the parliamentary situation?

The ACTING PRESIDENT pro tempore. There are 5 minutes allocated to each Senator for morning business.

## A CLEAN CONTINUING RESOLUTION

Mr. SARBANES. Mr. President, I rise to make once again a very strong plea for a clean continuing resolution in order to allow the Federal employees to go back to work and for the Government to function while the negotiations continue over a 7-year budget plan.

The shutdown of the Government ought not to be used as a coercive tactic in order to reach a particular solution with respect to the 7-year budget plan. Unfortunately, that is what has happened.

The employees are being used as pawns in this game, in this tragic game. And what is happening now is that you have over 500,000 employees who have been going into their offices and working, but who are not being paid for the period since December 16. You have another 260,000 employees who have been furloughed. So you have a total of almost 800,000 employees not being paid for doing their jobs.

Of course, their inability to do their jobs affects citizens all across the country. There is an impact upon the private sector and upon millions of citizens. The NIH, which should be processing its grants to the private researchers, is not able to do so because people are on furlough. A number of States are slowing down the operation of their safety and health programs and their unemployment insurance programs because of the partial close-down in the Federal Government. You have a number of agencies that are not providing very needed services—the passport office, for example. A lot of people get passports for business reasons. Others have planned trips for long periods of time. All of a sudden, none of them can carry through on their plans often at great expense and inconvenience.

The impact of this partial closedown on the Federal Government is disrupting the lives of millions of people, not only the Federal employees, but ordinary citizens who depend upon the Federal employees to provide them with important services.

There are strong differences about the basic 7-year plan. Those differences

ought to be fought out. But the employees in the Government ought not to be taken hostage as a coercive tactic in that debate, in that sharp difference over what the budget priorities ought to be. We have discussed those differences at length on the floor of the Senate, and I assume further discussions are going on, about the deep cuts in Medicare services, and in Medicaid services versus tax breaks for people at the top end of the economic scale. But we ought not to be holding hostage Federal employees to that debate.

This week, people will receive paychecks that pay them for only 1 week, up until the 16th of December, when the last continuing resolution expired. Instead of a 2-week paycheck, they are going to get a 1-week paycheck. They will not get the second week because that was beyond the time of the continuing resolution, although over 500,000 of these employees were brought in to work. Although these employees were brought in to work, over half a million of them—and another 260,000 who have been furloughed find themselves in the same situation—they will get the 1-week paycheck, not beyond that. Then, after this week, unless the Congress takes action, they are not going to get paid.

It is said that we are going to pass a provision which later, when we get a budget and an appropriation, will go back and pay these people. That is only decent and humane and just, it certainly should be done. But what are these workers to do in the meantime? There seems to be an assumption on the part of many Members of the Congress—maybe it reflects their own particular financial situation—an assumption that people somehow have money stashed away that they can simply draw down on. So when the paycheck does not come in, it does not make any difference in their standard of living.

That is not true for a great many people. Most people need a regular paycheck in order to make car payments, house payments, tuition payments—to meet their ordinary living expenses. This is particularly true of people at the lower and middle grades, but it applies throughout the Federal service.

What is being done to dedicated employees is an absolute outrage. It defies all reason and all common sense. There is no way, rationally, one can justify what is now happening and it clearly flouts common sense.

The Washington Post, in a very strong editorial—and I ask unanimous consent the editorial be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SARBANES. The Washington Post editorial said:

Federal employees have every right to feel as if they are the real pawns in this sorry mess. One day they are proud and productive members of the Federal Government, protecting the health and safety of the Nation;

the next, they are handed a slip of paper and sent home with no idea when they will be paid. That is no way to motivate a work force, let alone demonstrate respect for it.

Let us pass a clean continuing resolution. Let the people go back to work. Let the Government function. And then let the debate over the broader budget, the 7-year budget plan, continue without this coercive effort to use the Federal employees as a pawn in that debate.

#### EXHIBIT 1

[From the Washington Post, Dec. 17, 1995]

#### A SHUTDOWN'S OTHER COSTS

There is more to the stalemate of the government than the failure of the president and the GOP to agree on a seven-year balanced-budget plan. The furloughing of federal employees exacts a terrible cost from a valuable work force. Nothing can be more demoralizing to men and women who look out for the nation's veterans, hunt for the cures to deadly diseases, keep our air and water clean, send out the Social Security checks and otherwise serve the nation in ways most of us don't think about, than to be told that despite their fidelity and contribution, they are really "nonessential." That insult, being added to all the other guff federal workers catch in the halls of Congress, on talk shows and from television comics, comes as an undeserved kick in the teeth from their own government.

Federal employees have every right to feel as if they are the real pawns in this sorry mess. One day they are proud and productive members of the federal government, protecting the health and safety of the nation; the next they are handed a slip of paper and sent home with no idea when they will be paid. That is no way to motivate a work force, let alone demonstrate respect for it.

The daily payroll cost for the furlough of employees is no small matter—even if employees are paid retroactively for their days out of work. But there are consequences of the cavalier treatment of the federal work force that will be felt long after the government is back in business.

A government that is in gridlock—worse yet, shuttered—does little to bolster a political system already losing the public's confidence. It downright debilitates its own work force. As a furloughed federal economist said during the last interruption, "Can you imagine a Fortune 500 company operating like this? If they had a dispute between their board of directors and their president, and they sent everybody home?" And in addition to the effect on morale, can such interruption be supposed to be a help to the work they do?

In an open letter to federal employees, President Clinton and Vice President Gore signaled their recognition of the shabby treatment afforded the federal work force: "you remain good people caught in what Churchill called the 'worst system of government devised by the wit of man, except for all the others,'" they wrote. Good people—and they are—should not be made to pay for the failures of their leaders. Getting federal employees out of the middle and back on the job is the way to respect them.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

#### TIME FOR AN AGREEMENT ON A BALANCED BUDGET

Mr. THOMAS. Mr. President, I rise also to talk about the dilemma that we are in. I agree with the Senator from

Vermont and the Senator from Maryland that we ought not to be where we are. I believe it is time that we come to an agreement on the balanced budget. If you really want to come to a solution, you could have come to a solution by now—all of us. If you want to find a solution, you can find a solution. You cannot just continue to talk and say we have had useful conversations and walk away, having made no decisions. That is not a way.

I have a little different view, however, of some of the reasons that we are here than the Senator from Maryland. The President could have signed the appropriations bills. He could have had those people back to work. He chose not to do that.

We started on November 14, I believe, with an agreement to find a balanced budget in 7 years, using CBO numbers. And that was not done. On the part of the administration, nor indeed the other side of the aisle, a process to do that was not forthcoming.

So, I think we should not be where we are. I have been here since Thursday, hoping the leadership would come forward and say, "Here is a way to put people back to work." I have been here each of those days to do that. We have had objections from the other side of the aisle not to do that. "We do not want to do that."

So that is where we are, and we ought to change that.

Let me talk a little bit about what we are really doing here, that is, trying to balance the budget. In 45 days we have not done that. The administration promised to bring that forward. There were four budgets, none of them balanced. Instead of that, there has generally been posturing at the polls, saying what an exaggerated effect would happen if we reduced the rate of growth in the budget. That is what we talked about, when everyone in this place knows you have to reduce the rate of growth in the budget. Not a soul in here would deny that has to be done.

Still, we cannot do it. Everyone rises up and says, "I want to balance the budget. We have to balance the budget." But can we go forward? We hear all of the reasons why we cannot do that. We have not done it for 30 years. We have not balanced the budget one time. Then I guess we wonder why it is that when you say "then we will talk about balancing the budget," we say, "That is what you said when we tried to get an amendment to balance the budget." We are going to gut Social Security, so we cannot do that. It did not have anything to do with Social Security.

So here we are. I agree entirely we ought not to be here. Not only Federal employees in my State, as in your State, many people, Yellowstone Park concessionaires, for example, are out of work because the President did not sign the Interior bill, among other things. So Yellowstone Park is closed.

What are we talking about? We are talking about some fundamental