

Medicaid, health care for our citizens, involving educational programs, the opportunity for young people to go to college, involving environmental matters, in terms of safeguarding our air and water and protecting and enhancing our environment. So there are sharp differences over priorities.

Many of us regard the proposal to make sharp cutbacks in the level of services for those programs as a radical proposal. In any event, no matter how one resolves such issues, the closedown of the Government ought not to be a coercive tactic that is permitted. In other words, workers are being taken financial hostage in order for one side to get its way on a set of policies.

There are millions of citizens who are not getting services that they require. It is impeding the functioning of the private sector, of the private economy all across the country. The private sector is not able to carry forward as it otherwise would do because the Government is not providing certain important services which everyone agrees need to be provided.

In addition, the punishment that is being inflicted upon those who work for the Government is extremely unfair and unfortunate.

I do not know what people assume about the ordinary person's ability to meet their financial obligations week to week and month to month. I really ask people all across the country to stop and think for a moment: If you cease to be paid, if you were not getting your salary check, your paycheck, how would you meet your obligations? There are some people—I think a limited number—who could handle that situation without any difficulty. They have lots of savings, they have lots of accumulated wealth put away and they would simply draw down on it. But that is not true of the ordinary citizen, and it is not true of the ordinary Federal worker. They now are confronted with what amounts to family crises.

Over half a million of those workers have been coming in to work. They have been called in. They have been working, but they are not getting paid. Another 260,000 have been furloughed. They are not getting paid. The answer to this is, of course, for the Government to start up again under a clean continuing resolution while the budget discussions continue and allow the Government to function and provide its services to allow its employees to be paid; not to hold them hostage as part of a coercive strategy in order to achieve one's way with respect to the broader budget question. Very important budget questions, but we ought not to be using this tactic in order to coerce the opposite party into submission to a set of budget priorities about which there is sharp disagreement.

So I hope that in short order we will be able to pass a clean continuing resolution that allows the workers to come back to work, allows the Government to open up and allows the workers to be paid.

There is another proposal discussed last week to bring them in, but they would not be able to do anything because they would be precluded from incurring new obligations—in other words, the Government would not really perform its functions—and at the same time the workers would not be paid. Some of the employee groups have gone into court asserting bringing them in to work and failing to pay them violates their constitutional rights. I do not know what the outcome of that judicial proceeding will be, but it is very clear that you are inflicting tremendous personal and family harm on people who are in no position to meet their obligations if you cease to provide them with their regular pay.

So I hope very much that we will stop this practice, cease this use of the Federal employees as pawns which has put them in a state of turmoil and apprehension. Let these dedicated people go back to work, let them be paid, and let the citizens of the country receive the benefits of the services that they are dedicated to providing.

Mr. President, I yield the floor.

Mr. BREAUX addressed the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana is recognized.

Mr. BREAUX. Mr. President, let me first commend the Senator from Maryland for his comments. I think they are right on target.

Mr. President, I ask unanimous consent to proceed as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The Senator may proceed for 5 minutes as in morning business.

Mr. BREAUX. I thank the Presiding Officer for being here and keeping the Senate in session.

#### ENOUGH BLAME TO GO AROUND

Mr. BREAUX. Mr. President, this is a most unusual time that we are in. There are people in Washington who are now arguing about who are essential employees and who are non-essential employees. I think the people of my State of Louisiana have already made a conclusion. After seeing the Congress over the last 24 days not able to keep the Government in working order, they have decided that the Congress is nonessential; that we are incapable of governing, that we are incapable of keeping the Government working.

I have been in Congress over 23 years now, and I have never been in a situation like we are in today, and it is most unfortunate.

When people look to find who is to blame for this, I think there is, quite frankly, enough blame to go around for everybody. That is not going to get us out of this predicament. Deciding that it is the fault of the Republican Party or the Democratic Party is not going to solve the problem.

My colleague on the Republican side, Senator CHAFEE, and I offered a pro-

posal about 2 weeks ago now which was a compromise. It was significant in that it was not just two U.S. Senators but that it was 14 who signed up in a bipartisan fashion to make a recommendation that would have brought this stalemate of trying to reach a balanced budget to a conclusion.

That proposal said that there would be tax cuts, but the tax cuts would be less than many Republicans would like to see. That proposal said, "Yes, there were going to be reductions in Medicaid and Medicare," and more than many Democrats would like to see. But the bottom line is, that was the essence of an agreement, it was an outline, a blueprint of how balancing the budget in 7 years could be achieved.

It used CBO numbers and made recommendations that were tough on both sides. But it was an agreement. It was actual, real numbers on the size of a tax cut. It was actual, real numbers on the size of reductions in various programs that are going to have to see less money being made available than in the past if we are going to balance the budget in 7 years.

That was really the first bipartisan agreement that I have seen that has been offered by Members of both parties as a way out of this mess. It is very clear that a way out is not just to blame the other side. We are past that. The people in my State of Louisiana and people in many States have come to the conclusion that something is basically wrong when people who are elected to govern can no longer govern, can no longer keep the Government operating the way it should.

While we have done some things, I imagine when people read some of the things we have done compared to what we have not been able to do, they are going to scratch their heads in further amazement at the inability of the system to work as it was designed to work.

One of the things we did do, which I think is sort of ironic, is that the Federal Government and the Senate did manage to pass one piece of business, as this article of yesterday, January 1, points out. They gave final approval to a bill ensuring that the Palestine Liberation Organization office in Washington would stay open. Without the legislation, the PLO office would have closed.

If we can keep the PLO office open, how come we cannot keep nine Departments of our own Government open?

If we can keep the Palestine Liberation Organization open and operating, why can we not keep the Department of Commerce working?

If we can keep the PLO office open, how come we cannot keep the Education Department working?

If we can keep the PLO office open, how come we cannot keep open the Health and Human Services Department?

Or if we can keep open the PLO office in Washington, how come we cannot find enough intelligent men and women

to come together to find a way to keep the Departments of Housing and Justice and Labor and State working?

So it really is a question of priorities, and I think that so many of us on both sides of the aisle have tried to offer suggestions and ideas about what to do. As I mentioned, and I see the distinguished junior Senator from Virginia on the floor, and he joined with me and Senator CHAFEE and 14 other Senators to offer a package of suggestions that would have brought this stalemate to an end, would have opened up the nine departments, along with the PLO office that we were able to open, keep it open and functioning.

I was talking to people over the recess here in Washington that are actually prohibited from going into the Department of Education. The guards at the desk have a list of who is essential, and if you are not on the list you cannot even come to the building and work if you wanted to. You cannot volunteer to keep your job going to serve the people of this country because Congress has not been able to come together. We have come together to keep the PLO office open.

People are really wondering in amazement what has gone wrong in Washington. They are telling me "Enough is enough. We have heard the arguments, we have heard the blame game. Can't you folks get together and make it work? That is what we elected you for." There are some, particularly in the other body, who make the argument we will keep the pressure on the President by shutting down the Government and by shutting down the Government and making these people not be able to work and not get paid while we keep the PLO office open—somehow that will put pressure on the President to make compromises he might otherwise not make. That has proved fruitless—24, 25 days now the Government has been partially closed.

I hope this evening in the negotiations with our team of negotiators and the Republican team and the President, who are supposed to meet at 6 p.m., hopefully we can move toward an agreement. I hope somebody in that meeting would pick up the Chafee-Breaux proposal along with the Senator from Virginia, Senator ROBB, and say, is this not a pretty good starting point, and throw that down on the table see if there is a way to split some of the differences and get an agreement.

I want to point out just for a minute or two the illogic of trying to say that by shutting the Government down and hurting the Federal employees and telling the people that we cannot govern that somehow that will pressure the negotiators to come to an agreement. Mr. President, we are getting full salary. We are getting paid like it is a normal day. We get \$133,600 a year; the leadership gets a little bit more than that, and they richly deserve it. As long as the Congress is continuing to get paid like nothing is happening,

we are not going to have any real pressure.

Senator BARBARA BOXER from California offered a resolution to cut the pay of Members of Congress several weeks ago. I said that is, maybe, just a little too extreme. That type of rhetoric is not really essential and really necessary. But as each day has passed I have come to the conclusion that she is right, that as long as we are getting paid for performing our duties—which I suggest we are not performing as we should—there is not a lot of pressure for us to make the real compromises that are essential to get the job done.

I was amazed by an article which I ask unanimous consent to have printed in the RECORD from the Washington Post of Tuesday, January 2, 1996, entitled, "Don't Touch Our Pay, House Republicans Say." "Hill Checks Protected During Budget Fight."

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

[From the Washington Post, Jan. 2, 1996]

DON'T TOUCH OUR PAY, HOUSE REPUBLICANS SAY

HILL CHECKS PROTECTED DURING BUDGET FIGHT

(By Larry Marasak)

House Republicans have offered an abundance of proposals in their drive for a balanced budget agreement, but giving up their paychecks apparently isn't one of them.

While the partial government closure will leave some 760,000 federal workers with pruned paychecks, House GOP leaders repeatedly have rebuffed attempts to halt congressional pay during a shutdown.

House Majority Whip Tom DeLay (Tex.), the third-ranking House Republican, offered these reasons for the opposition in a recent CNN appearance: Balancing the budget "has nothing to do with our pay"; Democrats were "demagoguing" the issue by trying to change the subject from a balanced budget; and, as a member of Congress, he was a "constitutional officer," not a federal employee.

Rank and file House lawmakers—Republican and Democrat alike—are paid \$133,600; Speaker Newt Gingrich (R-Ga.) gets \$171,500; Majority Leader Richard K. Armey (R-Tex.) gets \$148,400, as does Minority Leader Richard A. Gephardt (D-Mo.).

Although some federal employees make more than \$100,000 a year, the norm is the same as "most working Americans, the majority of whom live paycheck to paycheck," said John Koskinen, deputy director of the Office of Management and Budget.

President Clinton, who makes \$200,000 a year, has not given up his pay, though his aides have said for days that his staff was researching whether forsaking his salary would be constitutional.

Three times, the Senate unanimously approved language that would decree—during a full or partial shutdown—that no paychecks go out to the 435 House members, the 100 senators or the president.

Five times, Rep. Richard J. Durbin (D-Ill.) said he tried to get the House to consider the proposal and was rebuffed by Republicans—especially in the leadership-controlled Rules Committee.

"I think the Republican leadership is very two-faced," said Sen. Barbara Boxer (D-Calif.), the chief Senate sponsor of the legislation. "They want federal employees and contractors [serving the government] to sacrifice themselves on the altar of their balanced budget plan, but are not willing to sacrifice themselves on that altar."

"It's cowardice on their part for them to put the paychecks of a lot of innocent people on the line and refuse to put their own paychecks on the line," Durbin said.

In addition to Durbin's rejection in the Rules Committee—the gatekeeper panel that decides which bills and amendments go to the floor—the Boxer proposal was deleted by a House-Senate conference from legislation to abolish the Interstate Commerce Commission.

When DeLay was asked on CNN's "Talk Back Live" on Dec. 19 whether he would support congressional pay cuts during a shutdown, he told the audience participation show: "No, I would not, I am not a federal employee. I am a constitutional officer. My job is in the Constitution of the United States."

"I am not a government employee. I am in the Constitution."

Boxer has introduced another version of the legislation to answer congressional critics who said stopping their pay could treat members of Congress more harshly than other federal workers. The latest bill would treat lawmakers the same as the most adversely affected federal employee.

"If they lost a week's pay we would lose a week's pay," Boxer said. "If their pay was delayed, our pay would be delayed."

Mr. BREAUX. Some of the quotes are absolutely amazing, from some of our Republican colleagues: "Balancing the budget has nothing to do with our pay."

A further comment was, "As a Member of Congress this Member was a constitutional officer, not a Federal employee."

Three times the Senate has passed unanimously language that would, during a full or partial shutdown of our Government, say that no paychecks would go out to the 435 Members of the House and the 100 Members of the Senate. Five times they tried to enact that same legislation in the House. Each time they were prevented from bringing it up. When this particular Member was asked about whether they would support this congressional pay provision, they said "No, I will not. I am not a Federal employee. I am a constitutional officer. My job is in the Constitution of the United States. I am not a Government employee. I am in the Constitution."

Mr. President, I think people back home have had enough. They have had enough of people who grandstand, of people who play the blame game, and people in the Congress who say they are better than anyone else. We are getting full salary and let the rest of the people suffer because we want to make a point.

I think it is time to come to insist on rather drastic action. I support the efforts of Senator BOXER. I think she was right on target. She was early and ahead in the game in offering something that I guarantee will make a difference.

If we had our pay cut today, can you imagine how many Members would be back in Washington, no matter where they might be in the world or in their respective States. No matter how many times flights would change and schedules would change, Members would be

rushing back to Washington to say, do you know something, we are not getting paid, we better get back and fix the problem. There is not going to be any pressure that anybody can put on anybody in the Congress like saying we are not going to get paid when we cannot make the Government work. To some of us that is our only income. It will make one heck of a big difference.

I thought it was pretty much high rhetoric when initially offered. I cannot think of anything else to do. We got together with a bipartisan group. We offered a bipartisan suggestion. This is a blueprint or an outline. It has not worked. It still has not made the progress that I think is essential.

I suggest, Mr. President, that when, as I understand it, we have to have another continuing resolution that is going to be offered, I think maybe tomorrow sometime, because there is a continuing resolution to ensure that foster care payments and AFDC payments and veteran payments and Medicare payments would have to be made, that at that time if we have not reached some kind of a framework of an agreement, I will attempt to offer once again a suggestion, and part of that legislation, an amendment to that continuing resolution which will say Members of Congress shall be treated in the same manner as the basic pay of the most adversely affected Federal employees who are not going to be compensated during the shutdown period.

Mr. President, we cannot be treated better than the people that we are responsible for their jobs. I guarantee that if that amendment passes there will be a rush back to Washington by Members of both parties who will come to Washington, roll up our sleeves, and stay here and not leave until we get the job done. That may be the only way I think that we are going to push ourselves into making a proper compromise that is absolutely essential and necessary.

Mr. ROBB. Mr. President, I ask unanimous consent the period for morning business be extended by an additional 5 minutes and I be recognized to speak therein.

The PRESIDING OFFICER (Mr. KEMPTHORNE). Without objection, it is so ordered.

#### THE GOVERNMENT SHUTDOWN

Mr. ROBB. Mr. President, I have been listening to our colleagues this morning and I was not initially planning to say anything but with my distinguished senior colleague in the chair at this particular moment I know that I reflect his views in what I say, and what I say is that the continuing shutdown of the Federal Government and the impact it is having on not only Federal employees—and in most cases it is the most vulnerable and the least able to withstand this kind of treatment—but the impact it is having on many, many others who are directly or

indirectly affected by the Federal Government or by the activities of the Federal Government.

Mr. President, the continuation, indeed, the extent, indeed, the fact that we are having a shutdown at all, is unconscionable. I think that it makes no sense, no sense for either side, no sense for anyone who is involved in this particular debate, to see this protracted shutdown, the protracted demeaning, demoralizing impact on so many of our citizens continue.

I recognize that the feelings on both sides are very deeply felt. I recognize that there are important philosophical differences that are being debated, and indeed I have been very much supportive of the basic thrust of those who want to achieve more fiscal discipline. As the distinguished Presiding Officer knows, during the time I served as Governor of the Commonwealth of Virginia, one of the things I was most often identified with was fiscal responsibility and making certain that we acted within our means. I have voted for, on several occasions, a 7-year balanced budget using CBO numbers. I think there is general agreement on both sides that we are going to come up with such a budget, hopefully in the near term, although some of the philosophical differences are very, very deep and may not be resolved but we should not ask those who are most vulnerable to continue to bear the brunt of this shutdown.

Again, I am not speaking just of the 200,000-some Federal employees, many of whom reside in the State that the distinguished Presiding Officer and I represent, but all over the country, but so many others dependent on the effective operation of our Government. A huge number of citizens are uncertain whether they will be able to make their payments. For some, it will be a very basic decision as to whether or not they will be able to purchase food, medicine, what have you, the next time around, because they live from paycheck to paycheck. Others have mortgages, they have rent payments, they have car payments, they have all kinds of tuition payments, everything that you can imagine. Many things that we cannot imagine.

I have been in the last few days here at the Capitol, listening to stories of individuals who have been enormously inconvenienced by this continued shutdown. I appeal to the leadership on both sides. I believe in the Senate that there is virtual unanimous agreement that this shutdown should not continue. Indeed, the Senate has attempted on several occasions to pass some legislation that would keep the Government functioning.

But I appeal to those who are in a position to make decisions at this time to move forward, to not let this continue. Do not let this debilitating shutdown, which is so unconscionable, continue, and to put the people we are asking to provide Government services back to work, to stop the complete inefficiency

and the waste of taxpayer dollars, and then to get on to the serious business of negotiating some very real differences that I acknowledge.

Mr. President, I thank the President and I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

#### A CONTINUING RESOLUTION

Mr. WARNER. Mr. President, before my distinguished colleague from Virginia leaves the floor, I wish to express my appreciation to him for the references he made about me while I was the Presiding Officer. I know that my fellow Senator from Virginia has worked very diligently on the question of trying to resolve this budget impasse.

But, Mr. President, I would also like to suggest in his very careful comments about the Federal employees, which I do share, we should also bring to the attention of the Senate the severe suffering that has been placed upon the Nation's Capital, the Greater Metropolitan Washington area, composed of the District of Columbia, Virginia, and Maryland, because this area not only houses the Federal Government in large measure, but it also houses so many of the private organizations and institutions that have, as a consequence of this shutdown, been closed. That is bringing about a severe financial crisis here in the Nation's Capital because, as my distinguished colleague knows, tourism is one of the major sources of income in this region. The Commonwealth of Virginia, together with Maryland, provides the facilities for so many of these tourists to stay for whatever period, overnight, or, hopefully several days. It provides the meals and quality of life. That industry is virtually at a standstill.

So the distinguished colleague of mine from Virginia, and I, together with those colleagues from Maryland, have a very special desire to see that the Government returns to work.

Mr. ROBB. Mr. President, I ask my distinguished senior colleague to yield for a comment?

Mr. WARNER. Yes, I yield.

Mr. ROBB. Let me join with my colleague and say I fully understand the point he was making. Indeed, perhaps less eloquently, I tried to make the same point. But it is not just in the Nation's Capital. It is not just in our Commonwealth of Virginia. I think people would expect it of us, representing a disproportionate number of those who are directly affected, but it is all over this country and indeed all over the world in terms of Federal employees and people who depend on the Federal Government. Many of those small businesses, people who depend on the national parks and other facilities for their living, when those parks are shut down, when those visitor attractions are shut down all over this country, small business men and women who make their living being accessible to