

work and end the waste, yet that has been turned down time and time again by the Republican side. All we've asked is to pass a clean continuing resolution, keep the Government operating to a date certain and we do not care what that date is. We can do it once a week or something similar, but at least get these people back to work and stop the \$40 million a day waste of taxpayer money.

I forget how many times Senator DASCHLE has tried to offer that or has offered it here and has been turned down. More than 10 times, I believe.

So we have tried on this side of the aisle to save the taxpayers this \$40 million a day and to try to have some compassion and understanding toward Federal Government workers who have to make their house payments and their car payments and pay their doctor bills and everything else. Yet they are not getting their paychecks. Oh, they will get it some time in the future, but how do they make those payments right now? And to have done it over the Christmas season to me is just being hardhearted at its worst.

However, Mr. President, one group stands above it all: Members of Congress. Unlike Federal workers, our pay is guaranteed no matter what happens. Senator BOXER from California and I have offered on a number of occasions a bill that says that Members of Congress should not be treated differently, they should be treated like other Federal workers. It has passed three times in the Senate. Yet, it always seems to die someplace in conference or in the House of Representatives.

Here is an article that appeared in the Washington Post just today. The headline is: "Don't Touch Our Pay, House Republicans Say."

The article goes on to say that the House majority whip, TOM DELAY of Texas, the third ranking House Republican, said that "I'm not a Government employee. I'm in the Constitution," when he was asked about this bill that says that we should be treated like other Federal employees.

On CNN's "Talk Back Live" on December 19, asked whether he would support congressional pay cuts during a shutdown, he told the audience participation show: "No, I would not. I'm not a Federal employee. I'm a constitutional officer. My job is in the Constitution of the United States. I am not a Government employee. I am in the Constitution." That statement was made by House majority whip Congressman DELAY. Talk about the arrogance of power. I ask the House majority whip, who signs his paycheck? Is it signed by the U.S. Constitution? No, it is the Secretary of the Treasury. It is the Federal Government. You may be in the Constitution but first of all, we are all Federal Government employees. We are paid by the taxpayers of this country.

Our bill is being held up by arrogance, an arrogance of power. Some Members obviously see themselves as

above the average person. They are above Federal employees. Senator BOXER, I and others have offered, and we will do so again, an amendment that says that if the Government is shut down, Members of Congress should be treated like the most adversely affected Federal employee. If they are not getting their pay, we should not get ours either. If they are going to get paid back sometime in the future we would get paid back sometime in the future.

It is, again, an arrogance of power for us to say to a Federal employee, you have to go to work but you do not get paid. That is what we are saying. Or, you can stay home and not get paid, but you will get paid later on sometime. I think we should cover Members the same way and make sure that Members of the Senate and the House are treated just like the most adversely affected Federal employee.

Last, Mr. President, this Government shutdown is not about whether or not we have a 7-year budget agreement. The shutdown is related to whether or not our annual appropriations bills are passed and signed into law. They are not. And I again point out, at the end of the fiscal year, last September, only two appropriations bills had been passed. Only 2 of 13. We did not filibuster any of them, Mr. President. We did not filibuster one appropriations bill on this side. We wanted them to go through. The President, then, of course, has his constitutional prerogative to veto them and we try to work out something that he will sign.

I heard the Senator from Wyoming earlier say he mentioned November 14 when the negotiations started. I say that this summer, is when appropriations bills should have been passed and sent to the President—before September 30. Let the President, if he wants to veto them, he has that right, and we could have spent October and November working out appropriations bills that would pass. That was not done. Last year we passed every appropriations bill on time before September 30 last year.

Again, we should not get this confused. The reason the Government is shut down, the reason it is costing taxpayers \$40 million a day has nothing to do with reaching a 7-year balanced budget agreement which we all support. It has to do with whether or not we are going to do the job we should have done last year before September 30 in getting the appropriations bills passed and down to the President. We should not confuse those two.

We have to be about getting a balanced budget agreement. We have to make sure in reaching that in balancing the budget which I strongly support—and I know the present occupant of the chair supports—we may have a difference in how we get there—but I believe there is room to negotiate as long as we do not hurt people, as long as we do not take it out of the elderly and our young students in order

to give big new tax breaks for the wealthy in this country and we cut down on corporate welfare.

Yes, then we can reach a balanced budget in a way that is fair, decent, compassionate and caring to people of this country. If we can agree on that we will have a balanced budget in 7 years. However, if all we want to do is give new tax breaks to the highest income Americans and we want to make the elderly pay a lot more for their Medicare, I do not see how we can do that. We have to hold firm. We have to hold firm that we are not going to balance this budget in 7 years on the backs of the elderly or on the students or on hard working people in this country. I yield the floor.

#### THE BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, as of the close of business December 29, the Federal debt stood at \$4,988,664,979,014.54, about \$12 billion shy of the \$5 trillion mark, which the Federal debt will exceed in a few months.

On a per capita basis, every man, woman, and child in America owes \$18,937.06 as his or her share of that debt.

#### RECESS SUBJECT TO THE CALL OF THE CHAIR

The PRESIDING OFFICER. Under the previous order, the Senate will now stand in recess subject to the call of the Chair.

Thereupon, at 1:40 p.m., the Senate took a recess, subject to the call of the Chair.

The Senate reassembled at 4:43 p.m., when called to order by the Acting President pro tempore [Mr. WARNER].

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

#### ASSURING ALL FEDERAL EMPLOYEES WORK AND ARE PAID

Mr. DOLE. Mr. President, I ask unanimous consent that the Senate now turn to the consideration of the House message to accompany S. 1508, the back-to-work bill, and that it be in order for me to offer one amendment, the text of which is the following: Striking the expedited procedure language; two new sections regarding unemployment compensation and leave policy, as requested by the White House; legislative language to implement several administrative programs such as the Administration on Aging, unemployment insurance—in fact, their number probably is seven or eight: Protection and services for children, unemployment insurance, District of Columbia, programs for Native Americans, veterans that we need to act quickly on so that benefits will not be lost and, as I understand, we will have consent to offer the legislative language.

We will provide that to the clerks.

Mr. DORGAN. Reserving the right to object, and I shall not object, I will say to the majority leader, Minority Leader DASCHLE is on the way to the White House for a meeting. We have no objection to this request. My understanding is that this request will be followed by a second unanimous-consent request dealing with a broad continuing resolution, and I would like to comment on that as well. But we have no objection to this request.

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

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the House of Representatives:

*Resolved*, That the bill from the Senate (S. 1508) entitled "An Act to assure that all Federal employees work and are paid", do pass with the following amendment:

At the end of the bill, add the following:

#### SEC. 2. EXTENSION OF AUTHORITIES.

(a) IN GENERAL.—Section 583(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236), as amended by Public Law 104-47, is amended by striking "December 31, 1995" and inserting "March 31, 1996".

(b) CONSULTATION.—For purposes of any exercise of the authority provided in section 583(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236) prior to January 10, 1996, the written policy justification dated December 1, 1995, and submitted to the Congress in accordance with section 583(b)(1) of such Act, shall be deemed to satisfy the requirements of section 583(b)(1) of such Act.

#### SEC. 3. CONGRESSIONAL CONSIDERATION OF THE BALANCED BUDGET BILL.

(a) INTRODUCTION OF THE BALANCED BUDGET BILL.—The balanced budget bill, which is described in subsection (e), shall be introduced in both the House of Representatives and the Senate on the same day. In the House, the bill shall be introduced by the Chairman of the Budget Committee of the House. In the Senate, the bill shall be introduced by the Majority Leader, after consultation with the Minority Leader.

(b) CONSIDERATION OF THE BALANCED BUDGET BILL IN THE HOUSE.—Consideration of the balanced budget bill shall be made in order pursuant to a special order reported by the Committee on Rules.

(c) CONSIDERATION OF THE BALANCED BUDGET BILL IN THE SENATE.—

(1) PLACED ON THE CALENDAR.—The balanced budget bill introduced in the Senate shall not be referred to committee but shall be placed directly on the Calendar.

(2) MOTION TO PROCEED.—The motion to proceed to the balanced budget bill shall not be debatable and the bill may be proceeded to at any time after it is placed on the Calendar.

(3) RECONCILIATION PROCEDURES.—The Senate shall consider the balanced budget bill as if it were a reconciliation bill pursuant to section 310 of the Congressional Budget Act of 1974, with the following exceptions:

(A) A motion to recommit shall not be in order.

(B) All amendments proposed to the balanced budget bill shall be considered as having been read in full, once the amendment is identified by sponsor and number.

(C) Debate in the Senate on the balanced budget bill, and all amendments, thereto and debatable motions and appeals in connection therewith, shall be limited to not more than

10 hours. Upon expiration of the 10 hours of debate, without intervening action, the Senate shall proceed to vote on the final disposition of the balanced budget bill.

(D) If the Senate has received from the House the balanced budget bill introduced under subsection (a) prior to the vote on final disposition of the Senate bill, the following procedures shall apply:

(i) The balanced budget bill received from the House shall not be referred to committee and shall be placed on the Calendar.

(ii) The Senate shall proceed to and consider the balanced budget bill introduced in the Senate, however—

(I) the vote on final passage shall be on the balanced budget bill received from the House, if it is identical to the balanced budget bill then pending for the vote on final disposition in the Senate; or

(II) if the balanced budget bill received from the House is not identical to the balanced budget bill then pending for the vote on final disposition in the Senate, following third reading of the Senate bill, the Senate shall, without intervening action or debate, proceed to the House balanced budget bill, strike all after the Enacting Clause, substitute the text of the Senate bill as taken to third reading, adopt the Senate amendment, and vote on the final disposition of the House balanced budget bill, as amended.

(E) Consideration of House Message shall be limited to 5 hours. Debate on any motion necessary to dispose of a House Message on the balanced budget bill shall be limited to 1 hour and debate on any amendment to such motion shall be limited to 30 minutes.

(F) Upon proceeding to any conference report on the balanced budget bill, the bill shall be considered as read. Debate on any conference report on the balanced budget bill shall be limited to 5 hours.

(4) WAIVER OF SECTION 306.—Section 306 of the Congressional Budget Act shall not apply to the consideration of the balanced budget bill.

(d) REVISIONS TO AGGREGATES, ALLOCATIONS, AND DISCRETIONARY SPENDING LIMITS.—

(1) AUTHORITY TO ADJUST AGGREGATES AND DISCRETIONARY LIMITS.—For purposes of enforcement under the Congressional Budget Act of 1974 and H. Con. Res. 67 (One Hundred Fourth Congress), upon the introduction of the balanced budget bill in the House and Senate, and again upon submission of a conference report thereon—

(A) the discretionary spending limits; and  
(B) the appropriate budgetary aggregates, as set forth in H. Con. Res. 67, shall be adjusted in accordance with paragraph (3).

(2) AUTHORITY TO ADJUST COMMITTEE ALLOCATIONS.—For purposes of enforcement under the Congressional Budget Act of 1974 and under H. Con. Res. 67 (One Hundred Fourth Congress), at any time after the introduction of the balanced budget bill, but prior to consideration of that bill in the House or Senate, as the case may be, and again upon submission of a conference report thereon, the allocations to the Committees of the Senate and the House pursuant to sections 302 and 602 shall be adjusted in accordance with paragraph (3).

(3) ADJUSTMENTS.—The adjustments required by paragraphs (1) and (2) shall be made by the Chairman of the Committee on the Budget of the Senate or the House of Representatives (as the case may be) and shall be consistent with the budgetary impact of the balanced budget bill. The adjusted discretionary spending limits, allocations, and aggregates shall be considered the appropriate limits, allocations, and aggregates for purposes of enforcement of the Congressional Budget Act and for enforcement of provision of H. Con. Res. 67 (One Hundred Fourth Congress).

(4) REPORTING REVISED SUBALLOCATIONS.—Following the adjustments made under paragraph (3), the Committees on Appropriations of the Senate and the House of Representatives may report appropriately revised suballocations pursuant to sections 302(b) and 602(b) of this Act to carry out this subsection.

(5) TECHNICAL ADJUSTMENTS TO HOUSE ALLOCATIONS.—Upon the enactment of a balanced budget bill introduced under subsection (a), the chairmen of the Committee on the Budget of the House may make necessary technical revisions to the revised allocations made under paragraph (2).

(e) BALANCED BUDGET BILL.—As used in this section, the term "balanced budget bill" means any bill that achieves a balanced budget not later than fiscal year 2002, which is introduced pursuant to subsection (a).

AMENDMENT NO. 3114

Mr. DOLE. Mr. President, I move that the Senate concur in the amendment of the House with a further amendment, which I send to the desk.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. DOLE] proposes an amendment numbered 3114.

(The text of the amendment will appear in a future edition of the RECORD.)

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion.

So the motion was agreed to.

Mr. DOLE. I think the amendment was adopted in the agreement.

The ACTING PRESIDENT pro tempore. That is correct. The foregoing amendment is agreed to.

#### UNANIMOUS-CONSENT AGREEMENT

Mr. DOLE. Mr. President, I ask unanimous consent that when the Senate receives from the House a bill entitled "A bill to provide for deficit reduction and achieve a balanced budget by fiscal year 2002," and the majority and minority leaders are in agreement, that the bill should be considered under the reconciliation process, and then once the Senate begins consideration, the bill be deemed a reconciliation bill, and all provisions under the Congressional Budget Act of 1974 apply to the bill.

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

Mr. DOLE. Mr. President, let me just comment briefly here, because this is a matter of some contention. Even though it is a Senate matter, the reason we had expedited procedure in the other provision is we tried to get consent on the Senate side and it was objected to. So the House put in a bill and sent it over here. I think the concern was if we did reach some agreement with the President and the Democratic leaders in the House and Senate and Republican leaders in the House and Senate, that when it came to the Senate, it could be subject to filibuster and might take 2 weeks or 3 weeks.

So I have discussed this at length with the Democratic leader, Senator