

Secretary Rubin. They want to impeach Secretary Rubin because he has been trying to pay the bills and not totally default.

It is not like this Government does not look foolish enough. They want it to look even more foolish.

I encourage them to listen to their own leadership and stop this political theater now.

LAYING ON THE TABLE HOUSE RESOLUTION 310, EXPEDITING COMMITTEE HEARINGS DURING REMAINDER OF FIRST SESSION OF THE 104TH CONGRESS

Mr. DREIER. Mr. Speaker, I ask unanimous consent that House Resolution 310, a resolution expediting the commencement of committee hearings during the remainder of the first session of the 104th Congress, be laid on the table.

The SPEAKER pro tempore (Mr. BUNNING). Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. SCHROEDER. Reserving the right to object, Mr. Speaker, could the gentleman from California explain what this is?

Mr. DREIER. Mr. Speaker, the Chair has already ruled.

The SPEAKER pro tempore. Yes, the Chair has already stated "without objection" on this request. The gentleman from Colorado [Mrs. SCHROEDER] was not on her feet.

DISPOSING OF SENATE AMENDMENT TO H.R. 1643, EXTENSION OF MOST-FAVORED-NATION TREATMENT FOR BULGARIA

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 334 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 334

*Resolved*, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 1643) to authorize the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of Bulgaria, with the Senate amendment thereto, and to consider in the House the motion printed in the report of the Committee on Rules accompanying this resolution. The Senate amendment and the motion shall be considered as read. All points of order against the motion are waived. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to final adoption without intervening motion or demand for division of the question.

The SPEAKER pro tempore. The gentleman from California [Mr. DREIER] is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman

from South Boston, MA [Mr. MOAKLEY], pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

(Mr. DREIER asked and was given permission to revise and extend his remarks and to include extraneous material.)

Mr. DREIER. Mr. Speaker, this rule provides for taking from the Speaker's table H.R. 1643, with the Senate amendment, and consideration in the House of the motion printed in the Committee on Rules report accompanying this resolution. The Senate amendment and the motion in the committee report shall be considered as read, and all points of order against the motion are waived.

The rule provides for 1 hour of general debate on the motion, equally divided by the chairman and ranking minority member of the Committee on Appropriations. The rule further provides that the previous question is considered as ordered on the motion to final adoption without intervening motion or demand for division of the question.

□ 1130

Mr. Speaker, from the 1st day of the 104th Congress a year ago yesterday, the new majority in the House has maintained that balancing the Federal budget in 7 years is our top priority. To fail in this effort is to let down America's families, especially our Nation's children. They are the ones that will pay the bill for continuing the tax, spend, and deficit policies that Washington insiders have maintained for decades. The bill just for interest payments on our debt is approaching \$187,000 in lifetime tax payments per American child. That is why we must change the direction of this Government.

Mr. Speaker, the President and Congress made a commitment on November 20 of last year to enact a 7-year balanced budget using honest economic assumptions. The balanced budget was to reform welfare and provide a tax cut that lets families keep more of the money they earn. The balanced budget was to provide an economic stimulus to finally get family incomes moving upward, something that the Clinton administration unfortunately has failed to do.

Finally, the balanced budget was to increase spending on health care, education, and veterans, while maintaining a vibrant national defense.

Mr. Speaker, the majority in this House made one major mistake in our efforts to reach a balanced budget agreement to save the future for our children. That mistake, Mr. Speaker, was believing the President of the United States. We believed the President when he said he would balance the budget in 5 years. We believed him when he said he would support a 7-year balanced budget. We even believed the

President meant it when he signed the last continuing resolution saying that a 7-year balanced budget would be enacted by the 1st session of the 104th Congress.

At this point, Mr. Speaker, it is clear that the President is very committed. He is committed to saving Washington, not to saving Medicare. He is committed to balancing his poll numbers, not to balancing the budget. He is so committed to business as usual that he was willing to see Federal workers thrown out on the street, rather than putting a balanced budget on the negotiating table.

Mr. Speaker, one thing should be very clear at this point: Those of us committed to balancing the budget will not go along with business as usual. This Congress and this country are well into uncharted territory in this budget showdown because there is finally a majority in Congress that will say "no" to Washington's deficits and Washington's spending. We are not willing to just declare victory and draw up a phony budget that will result in the same type of debt and waste in 2002 that we have today. The President has refused to lead, choosing cheap political rhetoric over a balanced budget. Therefore, Congress has taken the lead. The President has refused to lead to find common ground on appropriations bills so that Federal workers can be paid. Therefore, we are leading with a bill to put Federal workers back on the job with pay through January 26.

Mr. Speaker, we must be clear. This is not a business-as-usual continuing resolution. This bill will only fund targeted Federal programs which enjoy a bipartisan consensus of support. The bill funds some of those programs through March 15; others, through the end of the fiscal year.

If the President would really like to satisfactorily see all Federal programs funded, he should offer his version of a 7-year balanced budget using honest numbers.

Mr. Speaker, over the past several days, while negotiations have been going on, I have had a little time, because I have not been in the midst of those negotiations. I have been spending some of that time rereading the Federalist Papers. I am more committed than ever to the belief that the Congress does not work for the Government. The Congress is here to serve the American people.

How would James Madison, Alexander Hamilton, and John Jay react to a Congress so beholden to Government programs that its primary duty was to ensure that Government is free to spend taxpayer money? Madison believed that the primary role of Congress was to serve the people by ensuring a just society that protects individual liberty. Our debt-ridden status quo Government is not living up to that mission.

Mr. Speaker, our first duty is to deliver a balanced budget to America's children. The President was prepared

to sacrifice Federal workers to maintain the bureaucracy that he values more than the people who serve in it. While we will balance the budget, we will do it without causing undue pain to Federal employees and those who receive necessary Federal services.

Mr. Speaker, I urge my colleagues in a bipartisan way to support this rule, and I reserve the balance of my time.

Mr. MOAKLEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill we are considering is a small step in the right direction.

The American people are sick and tired of seeing their Government services held hostage because Speaker GINGRICH disagrees with the President. The U.S. Government has been closed for 21 days. Of 2 million civilian Federal employees, 280,000 have been sent home, and 480,000 are working, but not getting paid. That means a total of 38 percent of the Federal work force is not getting a paycheck.

This shutdown has gone on entirely too long. It is hurting a lot of people, and without this bill it would only get worse.

Without this bill, in the next 2 weeks, Meals on Wheels in 12 States would stop, and senior citizens who rely on Meals on Wheels to help them live on their own, will be forced to head for a nursing home, or worse.

Next week, Massachusetts Unemployment Offices would close, and families who are temporarily out of work would have no way to buy food, heat their homes, or pay their rent. Our national forests, museums, and parks would remain closed to tourists who had their hearts set on their vacations. And small businesses near our national parks would continue to lose \$14 million every day the Government is closed.

These people did nothing wrong. They expect Government services, they earned Government services, and under no circumstances should they have to pay the price for this political blackmail.

With this bill, those people will no longer be sacrificed on the altar of politics.

But others will, what about them?

This month, 49,000 families may be evicted from their homes because their housing vouchers are not getting renewed. And what about student loans and small business loans?

Why are we opening the Government piece by piece? These games are serving no purpose, in fact, they are hurting people. Let us do a clean continuing resolution, get the Government open, and get on with real legislation.

Although this bill is better than nothing, Mr. Speaker, it will have ridiculous consequences.

Under this absurd bill, all Federal employees are to report back to work, but only some of them are authorized to actually do work. In other words, if you work in the Passport Office, you go to work, and do your job. If you work

in the Housing Office, you go to work and sit there.

What on Earth is that? This sounds like a Rube Goldberg situation. Tell me: Who is working, and who is really working?

Mr. Speaker, this is ludicrous. Let us get the entire Government open, let us get all the Federal employees back to work, let us get this country running again. As the Senate majority leader said, "Enough is enough."

Mr. Speaker, I urge my colleagues to defeat the previous question in order to end the shutdown once and for all. If we defeat the previous question, in about 6 hours we could open the entire Federal Government. We would allow time for negotiations by keeping the Government open at least until January 26.

Mr. Speaker, let us give the American people their Government back.

Mr. Speaker, I reserve the balance of my time.

Mr. DREIER. Mr. Speaker, I yield such time as he may consume to the gentleman from Glens Falls, NY [Mr. SOLOMON], the chairman of the Committee on Rules.

Mr. SOLOMON. Mr. Speaker, the only ludicrous thing around here is this unconscionable, irresponsible Congress that has piled \$5 trillion in debt on my children and my grandchildren, and I resent it. One thing is for sure, we are putting an end to it this year. This Congress is going to force this President to accept a balanced budget, no matter what. In saying that, Mr. Speaker, I want to thank my good friend, the vice chairman of the Committee on Rules for yielding me the time this morning. I rise, as Members can tell, in the strongest possible support for this rule and this bill.

Mr. Speaker, we are obviously at a difficult and a very critical juncture in our efforts to complete work on the important budgetary decisions for our country, our Government, and our Nation; namely, the remaining appropriation bills and the 7-year Balanced Budget Act. There is still no agreement between the Congress and the President over this 7-year balanced budget that I have just been talking about.

The President has vetoed several of our regular appropriation bills and thereby blocked the reopening of Government. That is the Veterans' Administration, the Department of Housing, the Environmental Protection Agency. It is all of these agencies that are not functioning because this President has vetoed these appropriation bills.

Mr. Speaker, back on November 20 the President signed into law a commitment by this Congress and this President to enact a 7-year balanced budget using no smoke and mirrors, but using the impartial Congressional Budget Office estimates. That legal deadline expired 2 days ago at noon on January 3. Late in November we sent the President the balanced budget that we Republicans, by law, submitted. It was properly certified by the impartial

Congressional Budget Office. Yet, on December 6, the President vetoed that bill. There was no movement from the White House to reach a compromise balanced budget before the continuing resolution expired on December 15.

As near as I can tell, there has been very little movement since that time, by the White House, to even submit a CBO-certified balanced budget that we have asked for every single day since December 15. We have offered to put everything on the table in those negotiations, it does not matter whether it is Medicare, Medicaid, welfare reform, the Defense bill, the tax provisions. We are willing to negotiate anything, as long as we get figures to negotiate from. The White House table is not on the level because it still tilts toward a deficit of around \$100 billion in the seventh year. That is a far cry from the balanced budget the President is committed to giving us.

Mr. Speaker, I regret that so much attention has been diverted by the consequent shutdown of parts of the Government, because it has blurred our focus on the really big picture, the picture that the American people want us to focus on. We might all do well to paraphrase that sign on the wall of candidate Bill Clinton. Do Members remember what that sign was in his campaign headquarters? That sign said: "It's the economy, stupid." Now that we have all committed by law to a 7-year balanced budget, I would suggest that there is a new sign on the walls of this Capitol and the White House that reads: "It's not the Government, stupid, it's the future;" or, you could change the sign to read: "It's not the Government, stupid, it's our children and our grandchildren."

That is what the historic debate today is really all about, the future of our country, of our economy, and the lives and the livelihood of our children and our grandchildren who are saddled with this mountain of debt that we have been piling on ourselves for years now, turning us into no more than a Third World debtor Nation. That is so, so, sad.

Today, however, provides us that opportunity to get back to what that big picture is all about, and put it back in focus by putting Government workers back to work with pay, if they want to work, and by funding some of the essential services that are so vital to the American people, such as the elderly, the poor, the children, veterans, visitors to our parks, and those who need to travel abroad.

But let me emphasize, Mr. Speaker, we are not reopening the Government by our actions today, so do not think that we are, since this amendment will not provide for across-the-board funding for all of the programs, the grants, loans, and other matters for which appropriations have not been enacted. We may have that opportunity for a limited and conditional short-term continuing resolution in a subsequent piece of legislation that we could consider yet today.

As a matter of fact, when this debate is over on this rule, I believe we will go to the Committee on Rules and we will bring that rule to the floor. But it would be contingent, if we do that, just so there is no misunderstanding, on real progress in the current stalled balanced budget negotiations. It would make that short-term CR contingent on the President coming to the same table we have been sitting at by presenting his own CBO-scored 7-year balanced budget. That would be significant progress to get those negotiations moving again. We were already burned once by a previous unconditioned congressional resolution that proved to be no incentive for the administration to get down to serious business.

□ 1145

We will not be burned a second time, I assure you.

So in conclusion, Mr. Speaker, I would advise my colleagues to come over here, support this rule and the motion it makes in order. As our minority colleagues on the Committee on Rules admitted, this is a step in the right direction. At midnight last night, my good friend JOE MOAKLEY admitted to this, and he was going to come here and support the rule and support this bill before us.

For this bill to succeed, however, we will need a second step in our direction from the other end of Pennsylvania Avenue, over there; that is the only way we can eventually meet in the middle on a mutually agreed-upon 7-year balanced budget that will benefit all Americans across the board.

We fully intend to stay the course on that glide path to a balanced budget. As I said, we are not about to be burned twice. We will put this conditional continuing resolution on the floor. If the President gives us a balanced budget so that we can compare figures to figures, then this full Government will start to function as early as Monday morning. That is what this is all about.

Mrs. SCHROEDER. Mr. Speaker, will the gentleman yield?

Mr. SOLOMON. I yield to the gentlewoman from Colorado, my good friend who is retiring from this body and who has been such a valuable Member for so many years.

Mrs. SCHROEDER. I wanted to ask the distinguished gentleman from New York why the Democrats were not allowed a motion to recommit in this bill so that we could offer a full and clean resolution to open up the Government rather than this muddled one. I do not remember that happening in ages, and I am really surprised the gentleman from New York denied us that opportunity.

Mr. SOLOMON. I would say to the gentlewoman, because this is not a resolution, it is not a bill. This is an amendment to a Senate amendment which does not allow for a motion to recommit.

But you do have the right to pursue a previous question fight, as you know.

Mrs. SCHROEDER. So clearly we have to defeat the previous question. That is the only way we get an option to be able to bring to this floor a resolution to open Government once and for all; is that right?

Mr. SOLOMON. Mr. Speaker, I would suggest a bipartisan effort that we not do that, because this bill is already agreed to in the Senate by Senator DASCHLE, the Senate leader over in the other body.

We want to move this; we want to make sure that the Federal workers are paid for their back wages and that they are called back to work. The way to do it is with this legislation. I thank the gentlewoman.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to my classmate, the gentlewoman from Colorado [Mr. SCHROEDER].

Mrs. SCHROEDER. Mr. Speaker, I thank the gentleman very much for yielding me this time.

I must say I am very troubled that we do not have the opportunity under this rule to be able to move to recommit the bill and do a clean continuing resolution to open the Government. I really see this body moving from extremism to fanaticism, and that troubles me. We have had 14 votes so far, the way I count it, to open this Government, and we will soon have the 15th on the previous question. I think people should be aware of that.

You do not need keys to unlock this Government, you need a voting card; and all you have to do is vote right on the 15th vote, even though we have not on the last 14, and we can get this Government open and we will stop looking so silly.

There are many things that have been said that I would like to respond to. I think that this targeted solution that we have, which I will certainly vote for if that is the only one we get, but it is going to look very foolish. What we are going to be doing is paying people to go to work, but there will not be any work for them to do, because there will be no programs for them to administer or anything else. So really we have not gotten where we want to be.

Furthermore, for the private sector, for the private contractors, for the small businessmen who are waiting for SBA loans, for all of that, they are going to still be shut out, and I would think since they are the real taxpayers out there, they are going to get a little tired of being denied these services from the Government.

So I would hope we could have a clean CR.

I also want to say, as one who voted for prior budgets that no one on that side of the aisle voted for, when we took over, when President Clinton took over, this deficit was at \$300 billion a year, and he brought it down to \$161 billion a year through only votes on this side of the aisle. We are attempting, and we have a balanced budget amendment that we can do in 7 years,

but the question is, who pays, and whether or not you give huge tax credits on the rich.

That is what this is about. It is not about whether we have one; it is, who pays for it.

Mr. MOAKLEY. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. OBEY], the ranking minority member of the Committee on Appropriations.

Mr. OBEY. Mr. Speaker, if there is no better option available, I will certainly vote for this first proposition. But I have to make clear that this proposition would lead one to believe that last night in the Republican caucus, Goofy and Mickey Mouse got married. I mean, this is going to leave such an incredibly ludicrous situation on our hands.

What it means is that the zealots in the Republican caucus are sounding retreat, but they are still shooting hostages as they withdraw. Because this proposal that they are bringing to us will deal with the needs of Government employees, they will take care of the Washington problem, but it will not deal with the rights of the taxpayers.

Taxpayers have a right to have their Government fully open; they have a right to receive all of the services for which they have already paid taxes; and this proposition will not do it. This proposition will mean, for instance, that there will still be 20,000 Pell grants per day that will not be processed. It will mean that States will still be left holding the bag for \$7 billion a month in Medicaid costs. It will mean that there will be 2,000 NIH research grants which will not be renewed, including 400 cancer grants.

It will mean that there will be 300 Head Start projects with 200,000 kids that will be out of luck because those projects will not be able to be funded under the terms of this very limited Government opening. It will mean that NASA contractors will still be left high and dry. It will mean that we will be paying Government workers to do some work, but they will be limited in what work they can do; and we will still not be paying contractors who are doing much of the work that Government contracts with them to do.

That will have an immense long-term cost to the taxpayer, because anybody who does business with the Government as a contractor, the next time around when they sign a contract, will charge much higher prices so that they do not wind up taking the kind of financial bath that they are taking so long as we have this continued partial shutdown.

So I will simply say that I urge Members to vote against the previous question so that we can offer a substitute which would open up Government in its entirety, so that we do not only just deal with the problems of Government workers, but also provide taxpayers with the full range of services to which they have already been entitled by virtue of the fact they have already paid taxes to achieve those services.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. FROST], a very important member of the Committee on Rules.

Mr. FROST. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, this proposition before us, which we will all support because it is the lesser of the evils, and it is because we have to do something. This proposition reminds everyone of a Rube Goldberg cartoon; you may have seen those where they have contraptions and they have levers and they have something down here.

Let us be very clear what we are doing here, or what the Republican majority is doing here. Certain programs will run until September 30. Certain other programs will run until March 15, and then Federal workers will come in and be able to sit in their chairs on all programs until January 26, but they will not be able to do anything if they do not happen to work for one of those programs that runs until September 30 or one of those programs that runs until March 15.

This is a monstrosity created by a Republican caucus in chaos. We should defeat the previous question and substitute a rational approach that puts everybody back to work and funds all programs in a clean CR.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. DINGELL].

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, under the rather fitting title of providing for the consideration of most-favored-nation treatment for Bulgaria, we are about to pass legislation to do something, not much, but a little, about the problems of the shutdown of the Government that has been brought about by my Republican colleagues over here. What we are doing, however, is doing it under a closed rule.

The Republican Members have very carefully seen to it that the Committee on Rules again denies this House an opportunity to take care of the Government employees and to take care of the people who are paying taxes to provide for Government services which are authorized by this body and by the Senate.

What we are seeing here is that a closed rule is going to deny us the means to really get the Government up and going.

If I were to come in here on my own and walk down to the well and offer a piece of legislation like this which says that we are going to let some Federal employees work and get paid for doing nothing, and some get paid for doing a little bit or doing almost nothing, and to allow contractors not to do the job, and to continue a situation where, for example, in my district, the F-100 Ford truck cannot be certified by EPA, and that we are going to pay people for doing nothing, they would say, DINGELL, you are out of your cotton-pick-

ing mind. This is nothing more or less than a replay of welfare.

What we are doing is setting up a situation, quite shamefacedly and improperly under the title of "Consideration of Most-Favored-Nation Treatment for Bulgaria," to have us move forward to set up people who are not going to produce and who are going to continue to cost us somewhere between \$40 and \$60 million a day for unproductive work, building an ongoing backlog of work that is not being done to address the real problems that people are having in this country.

I say that this is an embarrassment, and I do not blame my Republican colleagues for misnaming it.

Now, I intend to vote for the proposal. I intend to vote against this rule, because the rule is a disgrace, and I intend to vote to defeat the previous question, as it well should be, so that we can get a decent proposal before this body.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, James Madison regularly talked about the importance of individual liberty, and quite frankly, we have seen the reach of the Federal Government in this crisis that we are facing right now.

The fact that the F-100 truck cannot be certified, the fact that the Disney-Cap City's merger cannot go through demonstrates how far-reaching the Federal Government is, and our goal of trying to reduce the size and scope is obviously a positive one.

Mr. Speaker, I yield 4½ minutes to the gentleman from Sanibel, FL [Mr. GOSS], my very good friend and the distinguished chairman of the Subcommittee on Legislative and Budget Process.

(Mr. GOSS asked and was given permission to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, I would like to thank my friend from greater downtown Metropolitan San Dimas, CA, for yielding me this very generous allotment of time; and I rise in support of his rule.

Mr. Speaker, I know that Americans are very frustrated with the twists and turns the balanced budget debate has taken in these past weeks, and I know that there have been very real sacrifices out there made by some Federal employees, their families, some entrepreneurs whose livelihood depends on the operation of the Federal agencies that are currently impacted, and some inconvenience to citizens and tourists alike who want to use facilities.

I think that the bill that this rule makes in order will largely address these problems and ensure appropriate Government services are provided, a quick response that was asked for earlier today on this floor by Members of the other party.

We all wish for a speedy resolution of the specific impasse that we have here so that we can get back to the work and concentrate on the main effort.

The main effort is to get the President of the United States on a glidepath toward a true, 7-year balanced budget and a more efficient, less intrusive Federal Government.

Along with that wish goes the resolve that many of us feel, the moral imperative; and it is a moral imperative noted by Americans across the country, not, repeat not, to squander this opportunity to bring balance to our budget for the first time in three decades and to get our spending under control.

□ 1200

Mr. Speaker, during the long debate over the last few months, some of us have asked why can we not simply restore business as usual and worry about balancing the budget some other time. In fact I have heard some of those voices here today. In the short term this probably would smooth out a few wrinkles, but the long-term implications are devastating.

It is precisely this inclination to put off the tough arguments, to postpone the really difficult decisions and to sidestep the most grueling choices that have brought us to the point where we are in this country today fiscally. We know that there is never a right time to effect major change. There are never comfortable ways to fundamentally alter the status quo, when almost all agree the status quo is broken.

It is an inherently anxious and uncomfortable business that we are engaged in here. But responsible people all know that it has to be done and, if we allow this opportunity to pass by, it is going to be gone forever. The next 40 years, with the same failure rate in society and the same cost of trillions brought to us by the Democrats over the past 40 years is not a pretty picture, and it certainly is not a worthy goal for the United States of America as we start the next century.

I am sorry to say that this administration, for all its public statement about wanting a balanced budget, allowed an entire month to pass from mid-November to mid-December without a workable or even serious balanced budget presentation. The President's vetoes on three major spending bills at the outset of the current shutdown ensured that tens of thousands of government employees would be in limbo during the holiday season.

Frankly, it is the view of many that some in the administration have sought to use Federal employees and their families as sacrificial public relations pawns to delay committing to the terms of a real enforceable balanced budget plan. Cynically, these same victims who are Americans and taxpayers have been used as fodder in a barrage of scare stories by the White House and its tax and spend allies here on the Hill.

Mr. Speaker, we do live in extremely uncertain times. We have troops in Bosnia doing the hard work of peace under extraordinarily difficult circumstances. In the private sector we

read now that we have some 40,000 employees of a major company who are faced with losing their jobs due to corporate downsizing. We have Federal employees worried about when they will get paid and when this shutdown will end. We have millions of American children facing a future of extraordinary debt because of years of lousy liberal tax and spend leadership accepting the easy way out on the question of our budget.

I hear some today calling for more of that. I know that real people are suffering real consequences of this struggle. But I also know that real people will suffer greater consequences if we fail to succeed in this effort. This rule allows consideration of a targeted bill to put thousands of Federal workers back to work and to get paid and ensures the continuation of a handful of vital government services. But as important as those goals are, they will be lost unless the President comes to the table with a serious balanced budget proposal so that we can take further steps to get the Government back on the track. I suppose also at stake is whether the President will keep his word. He has promised the voters a balanced budget. He has promised us a balanced budget. Now is the time.

Mr. DREIER. Mr. Speaker, may I inquire of the Chair how much time remains on both sides?

The SPEAKER pro tempore (Mr. BUNNING of Kentucky). The gentleman from California [Mr. DREIER] has 10 minutes remaining, and the gentleman from Massachusetts [Mr. MOAKLEY] has 18 minutes remaining.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia [Mr. WISE].

Mr. WISE. Mr. Speaker, I want to congratulate the American citizens and taxpayer who have been ringing the phones off the hooks of a lot of Members of Congress who believe it is ridiculous to keep this Government shut down over this dispute.

Now, just so everyone understands, people are being paid not to work. Now they get to go to work but they cannot do their work. At least that is partial victory. This puts Federal workers back at work getting paid so they can make their car payments, heating bills, their mortgage payments, tuition payments, buy some groceries. But why not the whole Government? Why not put the whole Government back to work and let them actually do their job?

Yes, this does cover railroad retirement. Yes, it covers Meals on Wheels, passport services, veterans benefits. That is the good news. But what about the areas that it does not cover? Federal workers who will not be able to do the toxic waste cleanups, the environmental inspections, who will not be able to make the small business loans, issue the export licenses, or pay vendors who provide Federal services.

What about the West Virginia Legislature which has to meet next week?

What kind of budget does it put forward with this kind of resolution? What it means is it is going to have to guess and make supplemental State appropriations to cover what the Federal Government should be covering.

Yes, I am going to vote for this because it is a partial opening. In fact, this is a half Congress, is it not, because we had half of a Government shutdown and now we are going to open it up half again. We are just going halfway. Why not give the American taxpayers who are paying the full amount of their taxes, why not give them a full Government back? That is what this resolution ought to be. Defeat the previous question and we will get the full Government back up and running.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I have to say this is the kookiest proposal I have ever heard. I have to oppose the rule. I was in my district last week, and I went to an EPA lab where they are in charge of Superfund cleanup and it has all been shut down. There was no one in the office.

Under this proposal, all the employees would go back to the EPA office in Edison, NJ, but they would not be allowed to do any work. They would not be allowed to answer inquiries because they would not have an appropriation to deal with the Superfund. The contractors who would do the Superfund work would not be able to actually go on the job and do the cleanup. The people that have to do inspection or enforcement want an appropriation for the gas for their cars so they could go out and look at the site.

It is the craziest, I call it the kookiest thing I have ever heard. I cannot believe that the Republican leadership is now asking us that this is our only alternative. I will vote for it because I want to see the workers go back. But I think that we should bring up a clean CR, a continuing resolution, and we should not be held hostage to this attitude now, which is approaching fanaticism on the Republican side.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from South Carolina [Mr. CLYBURN].

Mr. CLYBURN. Mr. Speaker, I want to congratulate those Members of the Republican Party for their foresight and fortitude in coming forward at this time with this CR, but it is more like a partial plan rather than a full plan. Of course, there are times when a half a loaf is better than no loaf at all. However, there are times when going halfway can be very, very dangerous, especially for those people who go to work every day.

What we are doing this with is allowing people to go back to work, yet we are leaving them exposed to hazardous conditions because we are not allowing the EPA to its work. We are saying to people who are exposed to safety problems on highway contracts that you can work but the OSHA people will not

be allowed to check for safety standards.

I believe that what we are doing here is in fact exposing working people to some untenable situations. So I would say that what we ought to be doing is looking at how we cannot just go halfway but go all the way in making sure that people do not only work but are safe when they carry out their duties and responsibilities.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, this legislation is both good news and bad news. The good news is that the Republicans have finally decided to stop holding three-quarters of a million American Federal workers as hostage. In Vermont we have close to 2,000 Federal workers who are working today but are not getting paid. These people have mortgages to pay. They have children to feed. They have financial obligations to meet. It is immoral. It is wrong to hold them and every other Federal Worker who is furloughed and not being paid as hostage.

It is also wrong to hold millions of Americans who need passports, who need environmental protection, who need Meals on Wheels, who need all of the services that this Government should be providing as hostage, who have paid for these services but are not getting them.

The bad news is that, while Federal workers will be paid, many of them will not be given the resources that they need to do their jobs properly. That is insane. Why do we give people the money to go to work but then not allow them the resources to properly fulfill their function?

Mr. Speaker, the truth of the matter is that this is not a debate about a 7-year balanced budget. If our Republican friends were serious about balancing the budget in 7 years, which I think can be done, they would not be spending \$50 billion more on defense spending despite the end of the cold war. They would not be spending more money on the CIA despite the end of the cold war. They would not be giving huge tax breaks to the rich when the richest people in America today are richer than they have ever been before.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. SCHUMER].

(Mr. SCHUMER asked and was given permission to revise and extend his remarks.)

Mr. SCHUMER. Mr. Speaker, we now learn that the Republicans have a bill to pay Federal employees, bring them back to work but not fund their agencies. In other words, what the Republican majority wants is to have Government workers all dressed up with somewhere to go but nothing to do. They are going to pay Government workers to go to work and then do nothing.

The American people should demand to know who came up with this idiotic

idea. It is the stupidest thing I have ever seen Congress do, and Congress has done some pretty dumb things. Get this: National parks will be open; rangers will be paid, but they will not be given gas money to patrol the parks. EPA will employ their workers but will not be able to restart cleaning toxic waste dumps. The Small Business Administration will be running. They will not be giving out loans.

I have a better idea. Let us pay NEWT GINGRICH and the Republican freshmen and then not let them do anything. This would truly be a great accomplishment.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Columbus, OH [Ms. PRYCE], my very able Committee on Rules colleague.

Ms. PRYCE. Mr. Speaker, today it is time to finally ease the pain of our Federal employees and to quit blurring the picture. The focus needs to be on the President's failure to negotiate in good faith and not on the unfortunate people that he has put in the middle of this. I deeply regret that our Federal workers have been placed in the middle of this debate, and I know that they have experienced hardship and uncertainty over the last 21 days.

I understand their frustration and anger over a situation over which they have no control. They do not deserve it. Mr. Speaker, today we are acting in good faith, and it is time for the President to do the same. Franklin Roosevelt once said it is the duty of the President to propose and the duty of the Congress to dispose.

The President needs to propose a balanced budget, just as he agreed to, just as he signed into law weeks ago that he would do, and he needs to do it now. We cannot negotiate if one side will not even give us their position. That is what is happening at the White House day after day as our people go down there to try to balance the budget. The President will not tell them where he is coming from.

I urge my colleagues to support this rule. It is what our colleagues on the other side of the aisle have been asking for for weeks. I urge the White House to join in and finally offer a balanced budget that will leave nothing left to be said. They will get their CR, the full CR. Everything will be up and running. So I encourage my colleagues, tell the President to do the right thing finally. Give us a balanced budget.

Mr. MOAKLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. FRANK].

Mr. FRANK of Massachusetts. Mr. Speaker, we do have a dispute, not about whether to balance the budget but how and by what specifics. But what the Republican Party has decided to do is to punish the American people because they do not like the way the President wants to balance the budget.

The problem is that the American people in fact do not like what they are doing. So we get one more ludicrous version of an effort to get themselves

out of the hole they dug. Basically this is a resolution that says stop me before I shut the Government down again.

□ 1215

Except, Mr. Speaker, they do it incompetently.

We had expected, many of us, a certain degree of fanaticism from the new Republican majority. I had not expected to see a somewhat new phenomenon, incompetent fanaticism, dysfunctional extremism. They want to do drastic things, but they do not know how to make it work, and the proof of that is that what they have come forward with is so repugnant that their own majority would not support it except under coercion.

And let us be very clear. They have brought forward a parliamentary procedure that will prevent any reasonable amendment. Therefore the key vote on this will be the motion of the previous question.

Some of the Republicans over there who are unhappy at laboring under the yoke of this ideological incompetence will tell their constituents that they wish they did not have to support this, that they would like to have voted to open the Government. Understand, however, that when they vote for the previous question on this rule, they will be acting in total variance with that statement. Any Member who says that he or she wanted to open the Government, but voted for this previous question, has in fact misrepresented what the situation is.

It was made clear by the chairman of the Committee on Rules, Mr. Speaker, the only opportunity people will have to fully open the Government, let the Government function, will be to vote for amendments, which means defeating the previous question, and those Republicans who are telling their constituents one thing and vote another way will be held accountable in November.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to my friend, the gentleman from Albuquerque, NM [Mr. SCHIFF].

Mr. SCHIFF. Mr. Speaker, I rise in support of the rule and in support of the bill and, as well, in support of the rule and the bill in the next to be offered. I want to say first that I believe that these proposals will help Federal employees earn the pay that they should earn for being employees. In fact, this proposal goes even further than Senator DOLE's proposal, in that this will pay Federal employees through January 26, not just through January 12, and give a longer period of time where I hope constructive negotiations will occur.

It has to be pointed out that Federal employees and others have been victims in the impasse between the Congress and the President. They have not done anything to deserve it. They were caught in the middle.

It should be emphasized that it is the responsibility of both sides that caused a partial Government shutdown. The

President's vetoing three appropriations bills and the Democrats threatening a filibuster in the other body to stop a fourth appropriations bill are just as much a part of the responsibility of the Government shutdown as anything the Republican side of the Congress has done.

If both sides are responsible for the shutdown, then both sides now must get together and end it.

Our side is offering a compromise. We are offering to put Federal employees back to work.

As pointed out, this does not include, in most cases, the operating funds of the agencies for travel and so forth. That will be delivered as soon as the President of the United States compromises by offering a balanced budget proposal. This request on our part is just for the President to do what he agreed to do in November when both sides agreed to reach a balanced budget with the same framework, which is 7 years, using the Congressional Budget Office for economic projections.

The Republicans have offered such a budget. I do not agree with all of its provisions, but it meets that framework. A number of Democrats in the House have offered such a budget, a number of Democrats in the other body have offered such a budget. Only the President of the United States refuses to offer a balanced budget, and, when he does so, the whole Government will open.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. GENE GREEN].

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I think it is appropriate I follow my colleague, the gentleman from New Mexico [Mr. SCHIFF], when he talks about the President not submitting this CBO 7-year, and I have heard that now for a month. But the Republican side has not submitted a 7-year CBO budget that protects Medicare, protects Medicaid, and protects education.

Now negotiations are a two-way street. We have heard for a month that the President has not done something. Well, neither have they.

I am going to support this CR today, and this rule, but it only recognizes part of the problem. Federal employees go back to work to process passports, pay for senior citizen nutrition, open the national parks, and veterans' compensation. I am glad they finally recognized the need to do that, but we still do not have—the EPA will not be able to clean up Superfund. Medicaid grants to our States, since they want to block grant to the States, but yet they are not even giving what money is supposed to be there now, and also law enforcement functions.

They continue to talk about the need to have a balanced budget, but they are

not willing to pay Government contractors, people who are now contracting with the Government to—this resolution does not help those Government contractors.

We need to go much further, but this is better than nothing.

Mr. DREIER. Mr. Speaker, I yield 30 seconds to the gentleman from Albuquerque, NM, Mr. SCHIFF, to respond to the statement of the gentleman from Texas, Mr. GENE GREEN.

Mr. SCHIFF. Mr. Speaker, since the gentleman from Texas mentioned my name, I want to say that the Republican side believes that it has provided sufficient funds for Medicare. We believe that the Medicare level of funding we proposed is exactly what the President proposed last year in his health care reform proposal.

The point is, until we get the President's specific numbers, Mr. Speaker, we will never know how much he thinks is sufficient funding for Medicare and other programs and how it differs from ours, and that is our point.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. COLEMAN].

(Mr. COLEMAN asked and was given permission to revise and extend his remarks and to include extraneous material.)

Mr. COLEMAN. Mr. Speaker, I thank the gentleman from Massachusetts [Mr. MOAKLEY] for yielding me some time.

Mr. Speaker, I think it is important for my colleague, the gentleman from New Mexico [Mr. SCHIFF], to understand of course that while it is easy to sit here and just say it is the President's fault, where have all my colleagues been? We are 9 weeks into the next fiscal year, half of the time the Government has been shut down, and our colleagues have not passed all their appropriations bills. Is there a problem that they cannot govern?

And yet today, and I am going to include in the RECORD today an article in the Washington Post where House Republicans say "turned up the pressure on the Clinton administration by threatening impeachment of the Secretary of Treasury." Why? Because he wants to avoid America's default? Boy, that is really bad, is it not? A member of the administration does not want America to default.

In addition, I will tell my colleagues something: You better start paying attention to where this country is headed with all of this turning up the pressure. It is time you start paying attention to putting America first and the people that are out there wanting the services of Government first. You know it is not just the Federal workers we're talking about here. We're talking about Americans who pay their taxes getting services for the dollar paid in taxes.

The article referred to is as follows:

[From the Washington Post, Jan. 5, 1996]  
 REPUBLICANS THREATEN TO IMPEACH RUBIN IF  
 HE BORROWS AGAIN TO AVOID DEFAULT  
 (By Steven Pearlstein)

House Republicans yesterday turned up the pressure on the Clinton administration by suggesting they might initiate impeachment proceedings against Treasury Secretary Robert E. Rubin if he continued to ignore the will of Congress by borrowing more money for the Treasury.

Reps. Gerald Solomon (R-N.Y.) and Christopher Cox (R-Calif.) raised the impeachment specter after Rubin met for 90 minutes with key legislators at the Capitol to discuss the impasse over increasing the \$4.9 trillion ceiling on federal debt. Raising the debt ceiling is mired in the larger battle over balancing the federal budget.

"Those of us who are concerned with the constitutionality of Secretary Rubin's behavior will be watching him closely and will support impeachment proceedings should he continue to bypass the Constitution," said Solomon, chairman of the House Rules Committee.

Minutes after Solomon's comments moved on news services, prices for U.S. Treasury bonds took a sharp dive, losing about 1 percent of their value. The effect was to raise yields on the benchmark 30-year bond to 6.03 percent from 5.95 percent late Wednesday. Some stock market analysts also attributed a portion of the 20.23-point slide in the Dow Jones industrial average to the impeachment threat.

Solomon and other Republicans were enraged late last year when Rubin, in an effort to avert a first-ever default on U.S. government obligations, invoked his authority under the law to replace government securities held in two federal employee retirement accounts with IOUs. Rubin then issued new debt to pay off bondholders when their Treasury bonds came due.

Yesterday Rubin told House members that he was considering taking additional steps to avoid default. He said his legal advisers are exploring similar options should the debt ceiling be unchanged when the Treasury faces its next cash crunch in mid-February.

At the meeting, Cox said he warned Rubin that if he tried again to avert default, "it would set in motion a series of hearings and inquiries that would be dedicated to a political resolution of this matter."

A "political resolution," Cox explained, might include removing a Cabinet member from office, but quickly added that any talk of impeachment was still "premature."

Howard Schloss, a spokesman for Rubin, dismissed the Republican threats yesterday as a "political ploy" designed to take the public attention off the Republican-engineered partial shutdown of the federal government. And other Republicans quickly moved to try to downplay the constitutional confrontation.

The chairman of the House Appropriations Committee, Rep. Robert Livingston (R-La.), said of the impeachment threat, "It's not in my curriculum," the Associated Press reported. And Rep. Henry Hyde (R-Ill.), chairman of the House Judiciary Committee, which would consider any impeachment resolution, studiously declined comment.

According to House officials, only one Cabinet member, William Belknap, secretary of war in the Grant administration, has ever been impeached by the House. Belknap was later acquitted by the Senate.

Republicans, backed by a legal opinion prepared by former Republican attorneys general William Barr and Edwin Meese, argue that the Constitution vests Congress with the sole authority to decide how much debt the government can take on. When Rubin ex-

changed federal debt for non-interest-bearing IOUs in two federal employee retirement funds last November, he effectively usurped the power of Congress, they said.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina [Mr. WATT].

Mr. WATT of North Carolina. Mr. Speaker, I thank the gentleman from Massachusetts [Mr. MOAKLEY] for yielding this time.

I have tried to lower my voice in the context of this debate because I am having trouble understanding what my Republican colleagues are trying to accomplish here. I do not know how they rationally justify shutting down the Government during the negotiation, either partially or fully.

I think what we have is a bad case of incompetence on the part of our new governing majority in the Congress, and I often wonder when I talk to my constituents, if I were running this Government and I ran it the way this Congress has run the Congress for the last session, the first session of this Congress, what they would call me. I can only call them incompetent. I wonder what they would call me if I ran this Government the way they are running this Congress.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. BENTSEN].

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

Mr. BENTSEN. Mr. Speaker, Members, sometimes admitting to making a mistake is difficult, and I think this legislation is evidence of that, that our colleagues on the Republican side have made a mistake. Senator DOLE showed that they made a mistake the other day, and they are trying to come back to some sanity, and they have not quite gotten there.

This bill is good for the employees because it honors the contract we had. They are going to get paid for the time they worked. But it is a raw deal for the taxpayer. Twelve thousand NASA contractors are not going to get paid in the Johnson Space Center. Small businesses are not going to get their loans. Three thousand NIH grants will not be renewed, including 400 cancer grants. Baylor College of Medicine at the Texas Medical Center, 327 grants and contracts are going to be terminated, \$78 million at risk. Real employees are going to be laid off. Homeowners who rely on the Federal Home Administration for FHA loans are not going to get their loans processed, and that is going to ripple through the whole real estate economy.

Let us defeat the previous question. Let us do what Senator DOLE asked. Let us put the Government back to work. Let us give the taxpayers a good deal, and let our colleagues just admit they made a mistake.

Mr. DREIER. Mr. Speaker, I yield 2 minutes to the gentleman from East Petersburg, PA [Mr. WALKER], the chairman of the Committee on Science.

Mr. WALKER. Mr. Speaker, every time we have one of these debates and they turn into an orgy of name-calling, one wonders whether we are in the House of Representatives or out in la-la land somewhere, but the fact is the descriptions I have heard on the House floor today of what is going on here do remind me of being out in la-la land.

First of all, we have a resolution that is coming to us under this rule. Under this rule we would, in fact, pay the Federal employees, and we would, in fact, put some programs back into action through a process of targeted appropriations. That is a step in the direction that we think we need to go in terms of opening the Federal Government on terms that can be sustained into the future.

Second, there will be another resolution to come that will be a continuing resolution that will open all of the Government up until January 26. For all of these speeches that we have heard about not having the Government up and running, we will do it until January 26 provided that the President submits a balanced budget.

Now realize that many of the people who talk about clean continuing resolutions are really talking about a dirty deal for the American people. Mr. Speaker, they want a dirty deal in large part because they want to keep everything running just as it has been running before. Clean continuing resolutions mean that we just take Government as it has been practiced for the last 40 years and extend it out into the future. The American people are saying no to that. The American people want a balanced budget.

So what we have said is, "You can get your continuing resolution if, in fact, what you will do is give us our balanced budget," and then I hear some people on that side of the aisle suggest, well, the President should not have to actually have to put a balanced budget down. Why, that would mean hard choices. Well, guess what? Doing the right thing often means hard choices.

It is time, my colleagues, to do the right thing here. Let us have a continuing resolution, but we ought to tie it to a balanced budget because that is what the American people have demanded. We think that is the right direction to go. Let us do this targeted appropriation that actually pays the workers, but understand a vote against the previous question is a vote against paying the Federal workers, a vote against the previous question is a vote against targeted appropriations.

□ 1230

Mr. MOAKLEY. Mr. Speaker I yield 1 minute to the gentleman from Maryland [Mr. HOYER], ranking member on the Committee on Appropriations.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, the previous speaker in my opinion is absolutely 180 degrees wrong. A vote for the previous question, if we could get 21 Republicans to

join BOB DOLE, who seeks, of course, to lead all the Republicans and our country, just 21 voting against the previous question, we will offer a clean continuing resolution, yes, to open the Government.

Why do we want to open the Government? So that we will not continue to pursue a morally indefensible policy, the gentleman from Georgia, NEWT GINGRICH, January, this year, of continuing to use Federal employees as the pawn, as the hostage, as the bludgeon to force the President to do something. That is not what our democracy is about. Our democracy is about pursuing constitutional ways and means to pass legislation and make policy.

Mr. Speaker, let us join together, extricate the Federal employees from this fight, which as the Speaker says is morally indefensible, and go on with doing what I think we need to do, a balanced budget, but with good personnel policies.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would remind my friend that, of course, the legislation we are moving ahead will in fact take Federal workers out of the crossfire and provide them with payment.

Mr. Speaker, I yield 30 seconds to my friend, the gentleman from Del Mar, CA [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, all Government will be open if the President agrees to follow his word and give us a balanced budget. That was due 2 days ago. The President signed a bill with his name on it. He has not done it yet. So it should not be too hard by January 26 to do that. All Government will be open. What less could you ask for, for the President to keep his word, for a change.

If we take a look, in 12 of the 13 bills, my colleagues on the other side want to spend, want to spend, want to spend. In 1966, you want a Democrat President? You are going to increase spending and you are going to increase taxes.

Mr. MOAKLEY. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to oppose the rule, because I wish this legislation would open the Government entirely, like House Joint Resolution 155, that I introduced, a clean continuing resolution that would entirely open this Government. This rule does not allow us to amend to provide a vote on a clean continuing resolution to open the Government so it can provide full service to the American people.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from New Mexico [Mr. RICHARDSON].

(Mr. RICHARDSON asked and was given permission to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Speaker, this continuing resolution is a Band-Aid. It is not even half a loaf. We are creating a wounded, hobbled government that is still going to hurt a lot of people. It is like telling the Atlanta Braves to go out and win the World Series again, but "without your pitching staff."

Mr. Speaker, the biggest tragedy here is that Indian Health Service hospitals are going to suffer enormously. This bill will not provide funds to heat Indian schools, Indian jails, Indian cells. Next week, while this body is in recess, the Shiprock Hospital in New Mexico, a Navajo hospital, is going to run out of IV bags, gauze, and bandages. This hospital serves 4,800 patients, and they are not going to be able to order supplies. My hospital is just one of hundreds of Indian Health Service hospitals throughout the country, serving 1 million people that are going to face these shortages. There are Navajos and native Americans in wheelchairs that are going to be turned down. Let us reject this rule and deal with this issue honorably and compassionately.

Mr. Speaker, I cannot support this rule because my constituents are without health care and food and this bill does not help them.

The Indian Hospital in Shiprock, NM, which serves 4,800 patients cannot order supplies needed to keep people alive.

The hospital is running out of carbon dioxide which is essential in operating rooms and intensive care units.

Next week while this body is in recess the hospital will run out of IV bags, gauze, and bandages.

Before the Congress returns the hospital will have to turn away wheelchair bound patients with spinal injuries because the hospital does not have the supplies to help them.

And my hospital is just one of hundreds of IHS hospitals throughout the country that face these shortages. IHS hospitals provide health care to over 1 million people.

Forty young people in my district in an alcohol rehab program do not have food supplies to last until next week.

I cannot support this rule because it does not allow me to make a difference for millions of people in need.

Although the leadership chose to include funding for Indians, it is only limited to general assistance and foster care payments for American Indians and Alaska Natives remains in the balance.

The Albuquerque area clinics are now able to only treat Indians facing imminent, serious threats to their health.

In Lawton, OK, the IHS hospital has had to begin turning away transfer patients from other service areas.

Indian hospitals across the Nation remain crippled by the fact that they are running on reserves, having had to cut back on community and prevent programs, being unable to purchase new drugs, blood, and plasma. Even the purchase of heating fuel is threatened.

The House continuing resolution does not provide any funding for heating fuels for Indian schools, for Indian police or jails—the Hopi Tribe and Fort Peck Tribe have begun releasing nonthreatening prisoners—or for 638 self-governance contract employees.

The bottom line, Mr. Speaker, is that we need to pass a clean CR which would fund these vital programs which affect the lives, health, and safety of Indian children and families.

Mr. MOAKLEY. Mr. Speaker, I yield 1 minute to the gentleman from Florida [Mr. DEUTSCH].

Mr. DEUTSCH. Mr. Speaker, for those who are listening in this Chamber and in America, let us think about what this proposal does. We have gone from the absurd to the ridiculous. We have had a situation that really has been indefensible. Finally, my Republican colleagues, the radical right, are starting to follow their leadership a little bit, that they had an indefensible position where we furloughed workers but we decided to pay them at the same time.

Now what this resolution does is, we are bringing the workers back, but we are telling them, "There is nothing to do," because you do not have to be an MIT economist to understand, as the gentleman from New Mexico [Mr. RICHARDSON] pointed out, you cannot run a hospital without an IV, you cannot be a DEA agent without gasoline for your car. It really is as crazy as it sounds, the proposal. Just as reasoned Americans changed the radical right, they are going to change the radical right on this proposal, too. I would ask people out there to call their Members, 202-224-3121, and let them know.

Mr. MOAKLEY. Mr. Speaker, it gives me great pleasure to yield 1 minute to the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Speaker, in all of this discussion and debate about who goes to work, who does not go to work, who gets paid, who does not get paid, who will have the tools and the gasoline and the wherewithal to do their work, I am reminded of the comment once made by my fellow Missourian, Mark Twain: "The more you explain it to me, the more I don't understand it."

It was Lyndon Johnson who liked to use the phrase "Let us come and reason together." If we did that as a body collectively, this Nation would be far better off. It would drive us irresistibly to two conclusions: No. 1, we would adopt what the Senate has done, under the leadership of Senator DOLE, from my neighboring Kansas; it would also cause us to look seriously at the Democratic conservative coalition proposal that got a substantial number of votes on this floor.

There is an answer to this impasse: reason. Adults, people of good will, can reach those decisions. That is what we should do.

Mr. DREIER. Mr. Speaker, I yield 1½ minutes to my friend, the gentleman from Glens Falls, NY [Mr. SOLOMON].

Mr. SOLOMON. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, it is said to see us stand up here and just keep throwing spears back and forth. Mr. Speaker, there is a headline here in one of the papers this morning that says, "House GOP Backs

Off Shutdown." Truly, what Speaker GINGRICH has done, believing in this statement right here, he has bent over backwards for the last 48 hours, working with a diverse group of Republicans and conservative Democrats, to try to come to a compromise to see if we cannot get this Government functioning and get on the road to a balanced budget. That is coming from the bottom of his heart when he made this statement.

Mr. Speaker, here we have a bill before us today which is going to provide for nutrition programs for Meals on Wheels, child welfare programs, administration of unemployment insurance, so terribly important, passport visas, veterans compensation. This is what this bill is all about.

But I hear talk about defeating the previous question. I can assure Members that with Speaker GINGRICH for the last 48 hours literally banging people on the head to get them to come to a consensus to bring this bill together, to put these people back to work, you are jeopardizing it with talking about defeating the previous question. If you defeat the previous question, I am going to tell you, we might have trouble putting our consensus back together, and this whole thing could fall apart. That is not what you want, that is not what I want, and it certainly is not what Speaker GINGRICH wants. I urge Members to pass the previous question. Let us get on with the rule, and let us pass this vital piece of legislation.

Mr. MOAKLEY. Mr. Speaker, I include for the RECORD the amendment I would offer if the previous question is defeated.

The text of the amendment is as follows:

AMENDMENT TEXT FOR THE PREVIOUS QUESTION

In the resolution strike, "the motion printed in the report of the Committee on Rules accompanying this resolution" and insert in lieu thereof, "a motion to concur in the Senate amendment with an amendment consisting of the text printed in section 2 of this resolution."

At the end of the resolution add the following new section:

**"Section 2. Title I Section 106(c) of Public Law 104-56 is amended by striking "December 15, 1995" and inserting "January 26, 1996.""**

TITLE II

VETERANS AFFAIRS

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipt, and funds, for the several departments, agencies, corporations and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

SEC. 201. ENSURED PAYMENT DURING FISCAL YEAR 1996 OF VETERANS' BENEFITS IN EVENT OF LACK OF APPROPRIATIONS.

(a) PAYMENTS REQUIRED.—In any case during fiscal year 1996 in which appropriations are not otherwise available for programs, projects, and activities of the Department of Veterans Affairs, the Secretary of Veterans Affairs shall nevertheless ensure that—

(1) payments of existing veterans benefits are made in accordance with regular proce-

dures and schedules and in accordance with eligibility requirements for such benefits; and

(2) payments to contractors of the Veterans Health Administration of the Department of Veterans Affairs are made when due in the case of services provided that directly relate to patient health and safety.

(b) FUNDING.—There is hereby appropriated such sums as may be necessary for the payments pursuant to subsection (a), including such amounts as may be necessary for the costs of administration of such payments.

(c) CHARGING OF ACCOUNTS WHEN APPROPRIATIONS MADE.—In any case in which the Secretary uses the authority of subsection (a) to make payments, applicable accounts shall be charged for amounts so paid, and for the costs of administration of such payments, when regular appropriations become available for those purposes.

(d) EXISTING BENEFITS SPECIFIED.—For purposes of this section, existing veterans benefits are benefits under laws administered by the Secretary of Veterans Affairs that have been adjudicated and authorized for payment as of—

(1) December 15, 1995; or

(2) if appropriations for such benefits are available (other than pursuant to subsection (b)) after December 15, 1995, the last day on which appropriations for payments of such benefits are available (other than pursuant to subsection (b)).

SEC. 202. Section 201 shall cease to be effective on September 30, 1996.

SEC. 203. For the purposes of this title of this Act, the time covered by this title of this Act shall be considered to have begun on January 4, 1996.

TITLE III

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

SEC. 301. Such amounts as may be necessary under the authority and conditions provided in applicable appropriations Acts for the fiscal year 1995 for paying salaries of Federal employees during periods when there is otherwise no funding authority for their salaries. Any period in which there is a lapse in appropriations with respect to the agency activity in which the employee is engaged shall not be considered to be furloughed when on leave and shall be subject to the same leave regulations as if no lapse in appropriations had occurred.

SEC. 312. ELIGIBILITY FOR UNEMPLOYMENT COMPENSATION.—Notwithstanding any other provisions of law, beginning on January 2, 1996, any Federal employee who is excepted from furlough and is not being paid due to a lapse in appropriations shall be deemed to be totally separated from Federal service and eligible for unemployment compensation benefits under subchapter I of chapter 85 of title 5 of the United States Code with no waiting period for such eligibility to accrue.

SEC. 313. For the purposes of this title, Federal employees returning to work under the provisions of section 310 shall be deemed to have returned to work at the first regularly scheduled opportunity after December 15, 1995.

SEC. 314. Appropriations made pursuant to section 301 are made notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 701 of the United States Information and Educational Exchange Act of 1948, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236), section 53 of the Arms

Control and Disarmament Act, and section 10 of Public Law 91-672.

## TITLE IV

That the following sums are hereby appropriated, out of the general fund and enterprise funds of the District of Columbia for the District of Columbia for the fiscal year 1996, and for other purposes, namely:

SEC. 401. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 for continuing projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this title of this Act) which were conducted in the fiscal year 1995 and for which appropriations, funds, or other authority would be available in the following appropriations Act:

The District of Columbia Appropriations Act, 1996: *Provided*, That whenever the amount which would be made available or the authority which would be granted in this Act is greater than that which would be available or granted under current operations, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate.

(b) Whenever the amount which would be made available or the authority which would be granted under the Act listed in this section as passed by the House as of the date of enactment of this Act, is different from that which would be available or granted under such Act as passed by the Senate as of the date of enactment of this Act, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate or the rate permitted by the action of the House or the Senate, whichever is lower, under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995: *Provided*, That where an item is not included in either version or where an item is included in only one version of the Act as passed by both Houses as of the date of enactment of this Act, the pertinent project or activity shall not be continued except as provided for in section 411 or 412 under the appropriation, fund, or authority granted by the applicable appropriations Act for the fiscal year 1995 and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

## CLARIFICATION OF CERTAIN REIMBURSEMENTS

SEC. 501. CLARIFICATION OF REIMBURSEMENT TO STATES FOR FEDERALLY FUNDED EMPLOYEES.

(a) If a State used State funds to continue carrying out a Federal program or furloughed State employees whose compensation is advanced or reimbursed in whole or in part by the Federal Government—

(1) such furloughed employees shall be compensated at their standard rate of compensation for such period;

(2) the State shall be reimbursed for expenses that would have been paid by the Federal Government during such period had appropriations been available, including the cost of compensating such furloughed employees, together with interest thereon due under section 6503(d) of title 31, United States Code; and

(3) the State may use funds available to the State under such Federal program to reimburse such State, together with interest thereon due under section 6503(d) of title 31, United States Code; and

(b) For purposes of this subsection, the term "State" shall have the meaning as such term is defined under the applicable Federal program under subsection (a).

(c) The authority under this section applies with respect to any period in fiscal year 1996 (not limited to periods beginning or ending after the date of the enactment of this

Act) during which there occurs a lapse in appropriations with respect to any department or agency of the Federal Government which, but for such lapse in appropriations, would have paid, or made reimbursement relating to, any of the expenses referred to in subsection (a) with respect to the program involved. Payments and reimbursements under this authority shall be made only to the extent and in amounts provided in advance in appropriations Acts.

(2) Amend the title so as to read: "Making appropriations for certain activities for the fiscal year 1996, and for other purposes".

Mr. Speaker, I yield my remaining time to the gentleman from West Virginia [Mr. MOLLOHAN].

The SPEAKER pro tempore (Mr. BUNNING of Kentucky). The gentleman from West Virginia [Mr. MOLLOHAN] is recognized for 1 minute.

Mr. MOLLOHAN. Mr. Speaker, I rise in opposition to the rule. Here we are in day 21 of what can best be described as a hostage situation. I wish someone from the other side of the aisle could stand up and explain the thinking behind all this, because frankly I do not understand what kind of games are really being played here. The situation is irrational. It is wasteful. Worst of all, it is hurting people; Federal workers and their families for sure, but citizens, senior citizens, underprivileged children, the disabled, and countless others who need Government services and depend on them for their basic needs.

May I give the Members an example? Just today I heard from an out-of-work coal miner in my district. He was supposed to begin school to get a fresh start, but he cannot. Why? Because the Republican majority in this Congress is holding up the funds for his retraining. He is being held hostage, and so are countless other Americans.

Now we are about to consider some kind of a continuing resolution, and if it comes to a vote, then sure, I will support it because it releases some of the hostages, but shame on those who will not release all of the hostages. Mr. Speaker, there is a better way. Let us pass a clean CR.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the columnist Charles Krauthammer wrote an interesting piece the other day in which he made it clear that if this were business as usual, we would see a package agreed to with phony numbers, phony assumptions, and all; but, quite frankly, this is not business as usual. Unfortunately, we are in a position where many of my colleagues on the other side are, unfortunately, representing the party of government. We, on the other hand, epitomize the party of the people. We are the party that is trying to do what it is that the American people sent us here to do, and that is balance the Federal budget.

We are all concerned about the fact that the Federal Government is shut down. That is the reason we have come up with this package, which does ensure that Federal employees are not

caught in the crossfire. We hope that business as usual will come to an end. We found, unfortunately, that this problem has created a clear understanding of the fact that the Federal Government's reach is way too far. A truck cannot be certified by the EPA, a private sector business merger cannot go through, because the Federal Government is closed down.

We need to reduce the size and scope of Government. We need to balance the budget for our children and their children. Let us move ahead, pass this responsible package which will pay those Federal workers.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MOAKLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 228, nays 187, not voting 18, as follows:

[Roll No. 6]

YEAS—228

|              |               |               |
|--------------|---------------|---------------|
| Allard       | Crapo         | Hastings (WA) |
| Archer       | Creameans     | Hayworth      |
| Armey        | Cubin         | Hefley        |
| Bachus       | Cunningham    | Heineman      |
| Baker (CA)   | Davis         | Henger        |
| Baker (LA)   | Deal          | Hilleary      |
| Ballenger    | DeLay         | Hobson        |
| Barr         | Diaz-Balart   | Hoekstra      |
| Barrett (NE) | Dickey        | Hoke          |
| Bartlett     | Doolittle     | Horn          |
| Barton       | Dornan        | Hostettler    |
| Bass         | Dreier        | Houghton      |
| Bateman      | Duncan        | Hunter        |
| Bereuter     | Dunn          | Hutchinson    |
| Bilbray      | Ehlers        | Hyde          |
| Bilirakis    | Ehrlich       | Inglis        |
| Bliley       | Emerson       | Istook        |
| Blute        | English       | Johnson (CT)  |
| Boehlert     | Ensign        | Johnson, Sam  |
| Boehner      | Everett       | Jones         |
| Bonilla      | Ewing         | Kasich        |
| Bono         | Fawell        | Kelly         |
| Brownback    | Flanagan      | Kim           |
| Bryant (TN)  | Foley         | King          |
| Bunn         | Forbes        | Kingston      |
| Bunning      | Fowler        | Klug          |
| Burr         | Fox           | Knollenberg   |
| Burton       | Franks (CT)   | Kolbe         |
| Buyer        | Franks (NJ)   | LaHood        |
| Callahan     | Frelinghuysen | Largent       |
| Calvert      | Frisa         | Latham        |
| Camp         | Funderburk    | LaTourrette   |
| Campbell     | Gallegly      | Laughlin      |
| Canady       | Ganske        | Lazio         |
| Castle       | Gekas         | Leach         |
| Chabot       | Gilchrest     | Lewis (CA)    |
| Chambliss    | Gillmor       | Lewis (KY)    |
| Chenoweth    | Gilman        | Linder        |
| Christensen  | Goodlatte     | Livingston    |
| Chrysler     | Goodling      | LoBiondo      |
| Clinger      | Goss          | Longley       |
| Coble        | Graham        | Lucas         |
| Coburn       | Gunderson     | Manzullo      |
| Collins (GA) | Gutknecht     | Martini       |
| Combest      | Hall (TX)     | McCollum      |
| Cooley       | Hancock       | McCreery      |
| Cox          | Hansen        | McDade        |
| Crane        | Hastert       | McHugh        |

|             |               |             |
|-------------|---------------|-------------|
| McInnis     | Riggs         | Stearns     |
| McIntosh    | Roberts       | Stump       |
| McKeon      | Rogers        | Talent      |
| Metcalf     | Rohrabacher   | Tate        |
| Meyers      | Ros-Lehtinen  | Tauzin      |
| Mica        | Roth          | Taylor (NC) |
| Miller (FL) | Roukema       | Thomas      |
| Molinari    | Royce         | Thornberry  |
| Moorhead    | Salmon        | Tiahrt      |
| Morella     | Sanford       | Torkildsen  |
| Myrick      | Saxton        | Upton       |
| Nethercutt  | Scarborough   | Vucanovich  |
| Neumann     | Schaefer      | Waldholtz   |
| Ney         | Schiff        | Walker      |
| Nussle      | Seastrand     | Walsh       |
| Oxley       | Sensenbrenner | Wamp        |
| Packard     | Shadegg       | Watts (OK)  |
| Parker      | Shaw          | Weldon (FL) |
| Paxon       | Shays         | Weldon (PA) |
| Petri       | Shuster       | Weller      |
| Pombo       | Skeen         | White       |
| Porter      | Smith (MI)    | Whitfield   |
| Portman     | Smith (NJ)    | Wicker      |
| Pryce       | Smith (TX)    | Wolf        |
| Quinn       | Smith (WA)    | Young (AK)  |
| Radanovich  | Solomon       | Young (FL)  |
| Ramstad     | Souder        | Zeliff      |
| Regula      | Spence        | Zimmer      |

NAYS—187

|              |                |               |
|--------------|----------------|---------------|
| Abercrombie  | Gibbons        | Neal          |
| Ackerman     | Gonzalez       | Oberstar      |
| Andrews      | Gordon         | Obey          |
| Baesler      | Green          | Olver         |
| Baldacci     | Gutierrez      | Ortiz         |
| Barcia       | Hall (OH)      | Orton         |
| Barrett (WI) | Hamilton       | Owens         |
| Becerra      | Harman         | Pallone       |
| Beilenson    | Hastings (FL)  | Pastor        |
| Bentsen      | Hefner         | Payne (NJ)    |
| Berman       | Hilliard       | Payne (VA)    |
| Bevill       | Hinchee        | Pelosi        |
| Bishop       | Holden         | Peterson (FL) |
| Bonior       | Hoyer          | Peterson (MN) |
| Borski       | Jackson (IL)   | Pickett       |
| Boucher      | Jackson-Lee    | Pomeroy       |
| Brewster     | (TX)           | Poshard       |
| Browder      | Jacobs         | Rahall        |
| Brown (CA)   | Jefferson      | Rangel        |
| Brown (FL)   | Johnson (SD)   | Reed          |
| Brown (OH)   | Johnson, E. B. | Richardson    |
| Cardin       | Johnston       | Rivers        |
| Clay         | Kanjorski      | Roemer        |
| Clayton      | Kaptur         | Roybal-Allard |
| Clement      | Kennedy (MA)   | Rush          |
| Clyburn      | Kennedy (RI)   | Sabo          |
| Coleman      | Kennelly       | Sanders       |
| Collins (IL) | Kildee         | Sawyer        |
| Collins (MI) | Klecicka       | Schroeder     |
| Condit       | Klink          | Schumer       |
| Conyers      | LaFalce        | Scott         |
| Costello     | Lantos         | Serrano       |
| Coyne        | Levin          | Sisisky       |
| Cramer       | Lewis (GA)     | Skaggs        |
| Danner       | Lincoln        | Skelton       |
| de la Garza  | Lipinski       | Slaughter     |
| DeFazio      | Lofgren        | Spratt        |
| DeLauro      | Luther         | Stenholm      |
| Dellums      | Maloney        | Stokes        |
| Deutsch      | Manton         | Stupak        |
| Dicks        | Markey         | Tanner        |
| Dingell      | Martinez       | Taylor (MS)   |
| Dixon        | Mascara        | Tejeda        |
| Doggett      | Matsui         | Thompson      |
| Dooley       | McCarthy       | Thornton      |
| Doyle        | McDermott      | Thurman       |
| Durbin       | McHale         | Torres        |
| Edwards      | McKinney       | Towns         |
| Engel        | McNulty        | Trafficant    |
| Eshoo        | Meehan         | Velazquez     |
| Evans        | Meek           | Vento         |
| Farr         | Menendez       | Visclosky     |
| Fattah       | Mfume          | Volkmer       |
| Fields (LA)  | Miller (CA)    | Ward          |
| Filner       | Minge          | Waters        |
| Foglietta    | Mink           | Watt (NC)     |
| Ford         | Moakley        | Waxman        |
| Frank (MA)   | Mollohan       | Williams      |
| Frost        | Montgomery     | Wise          |
| Furse        | Moran          | Woolsey       |
| Gejdenson    | Murtha         | Wynn          |
| Gephardt     | Nadler         | Yates         |
| Geren        |                |               |

NOT VOTING—18

|             |           |         |
|-------------|-----------|---------|
| Bryant (TX) | Flake     | Myers   |
| Chapman     | Greenwood | Norwood |
| Fazio       | Hayes     | Quillen |
| Fields (TX) | Lightfoot | Rose    |

|          |            |        |
|----------|------------|--------|
| Stark    | Studds     | Wilson |
| Stockman | Torricelli | Wyden  |

□ 1301

Mr. PETE GEREN of Texas and Mr. FORD changed their vote from "yea" to "nay."

So the previous question was ordered. The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. FLAKE. Mr. Speaker, due to an unavoidable detention earlier today I was unable to cast my vote on rollcalls 6 and 7. Had I been present I would have voted on rollcall vote No. 7, a "yes"; rollcall vote No. 6, a "no."

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to. A motion to reconsider was laid on the table.

REQUEST TO MODIFY MOTION OFFERED BY MR. LIVINGSTON

Mr. OBEY. Mr. Speaker, I ask unanimous consent that the rule just passed be amended to read as follows: "It shall be"—

Mr. DREIER. I object.

Mr. OBEY. Can I read it first, Mr. Speaker?

Mr. DREIER. I heard the unanimous-consent request, and I objected.

The SPEAKER pro tempore. The gentleman from Wisconsin will proceed.

Mr. OBEY. Mr. Speaker, I ask unanimous consent that the rule just passed be amended to read as follows: "It shall also be in order to consider an amendment by the minority leader or his designee adding at the end of H.J. Res. 334 a new title II, consisting of the text of H.J. Res. 131"—

Mr. DREIER. Mr. Speaker, I object.

Mr. OBEY. "Continuing funding for many critical Federal departments through January 26, 1996, and authorizing—

The SPEAKER pro tempore. The gentleman will suspend.

Mr. DREIER. Mr. Speaker, I object.

Mr. OBEY. "A 2.4-percent pay raise for the Armed Forces of the United States."

The SPEAKER pro tempore. The gentleman will suspend.

Mr. DREIER. Now that he has completed, I object.

The SPEAKER pro tempore. Objection is heard.

PARLIAMENTARY INQUIRY

Mr. OBEY. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. OBEY. Are we at the point in the procedures of this House where Members are gagged before they can even bring a question to the Chair? Are we really at that point, Mr. Speaker?

The SPEAKER pro tempore. If the gentleman will suspend, the Chair will give the gentleman an answer.

The Chair was trying to get order, and the gentleman kept reading, and the Chair would have gotten order, and that is the regular order of the House.

The objections would have been heard after the gentleman had finished stating the request. That is the normal order of the House.

Mr. OBEY. I hope the gentleman from California will respect that.

Mr. LIVINGSTON. Mr. Speaker, pursuant to House Resolution 334, I call up the bill (H.R. 1643) to authorize the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of Bulgaria, with a Senate amendment thereto.

The Clerk read the title of the bill.

MOTION OFFERED BY MR. LIVINGSTON

Mr. LIVINGSTON. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment and the motion.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. TEMPORARY EXTENSION OF THE CONTINUING RESOLUTION.

(a) IN GENERAL.—Section 106(c) of Public Law 104-56 is amended by striking "December 15, 1995" and inserting "January 12, 1996".

(b) EFFECTIVE PERIOD.—The amendment made by subsection (a) shall be considered to have taken effect on December 16, 1995.

SEC. 2. ELIGIBILITY FOR UNEMPLOYMENT COMPENSATION.

Beginning on January 2, 1996, any Federal employee who is excepted from furlough and is not being paid due to a lapse in appropriations shall be eligible for unemployment compensation benefits with no waiting period for such eligibility to accrue. With respect to any person who is eligible for such benefits by reason of the preceding sentence, any such benefits received shall be subject to repayment in the same manner and to the same extent when eligibility by reason of the preceding sentence ceases as if such cessation were an end to the period of unemployment.

The text of the motion is as follows:

Mr. LIVINGSTON (or his designee) moves that the House concur in the Senate amendment with an amendment, as follows:

(1) In lieu of the matter proposed by said amendment, insert:

TITLE I

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

SEC. 101. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 for continuing the following projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this Act) which were conducted in the fiscal year 1995:

All nutrition services for the elderly under the account heading "Aging services programs" under the Administration on Aging in the Department of Health and Human Services;

All grants to States for child welfare services, authorized by title IV, part B, subpart 1, of the Social Security Act, under the account heading "Children and families services programs" under the Administration for

Children and Families in the Department of Health and Human Services;

All Federal Parent Locator Service activities, as authorized by section 453 of the Social Security Act, under the account heading "Children and families services programs" under the Administration for Children and Families in the Department of Health and Human Services;

All State unemployment insurance administration activities under the account heading "State unemployment insurance and employment service operations" under the Employment and Training Administration in the Department of Labor;

All general welfare assistance payments and foster care payments, as authorized by law, funded under the account heading "Operation of Indian programs" under the Bureau of Indian Affairs in the Department of the Interior;

All projects and activities funded under the account heading "Family support payments to States" under the Administration For Children and Families in the Department of Health and Human Services;

All projects and activities funded under the account heading "Payments to States for foster care and adoption assistance" under the Administration For Children and Families in the Department of Health and Human Services;

All administrative activities necessary to carry out the projects and activities in the preceding two paragraphs;

All projects and activities funded under the account headings "Dual benefits payments account", "Limitation on administration" and "Limitation on railroad unemployment insurance administration fund" under the Railroad Retirement Board;

All projects and activities necessary to accommodate visitors and to provide for visitor services in the National Park System, the National Wildlife Refuges, the National Forests, the facilities operated by the Smithsonian Institution, the National Gallery of Art, the John F. Kennedy Center for the Performing Arts, and the United States Holocaust Memorial; and

All projects and activities necessary to process VISAS and passports and to provide for American citizen services, notwithstanding section 15 of the State Department Basic Authorities Act of 1956: *Provided*, That whenever the amount which would be made available or the authority which would be granted under an Act which included funding for fiscal year 1996 for the projects and activities listed in this section is greater than that which would be available or granted under current operations, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate.

(b) Whenever the amount which would be made available or the authority which would be granted under the Act which included funding for fiscal year 1996 for the projects and activities listed in this section as passed by the House as of the date of enactment of this Act, is different from that which would be available or granted under such Act as passed by the Senate as of the date of enactment of this Act, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate or the rate permitted by the action of the House or the Senate, whichever is lower, under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

(c) Whenever an Act which included funding for fiscal year 1996 for the projects and activities listed in this section has been passed by only the House or only the Senate as of the date of enactment of this Act, the pertinent project or activity shall be continued under the appropriation, fund, or author-

ity granted by the one House at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower, and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

SEC. 102. Appropriations made by section 101 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 103. No appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1995.

SEC. 104. No provision which is included in the appropriations Act enumerated in section 101 but which was not included in the applicable appropriations Act for fiscal year 1995 and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this Act.

SEC. 105. Appropriations made and authority granted pursuant to this title of this Act shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this Act.

SEC. 106. Unless otherwise provided for in this title of this Act or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this Act shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this title of this Act, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) September 30, 1996, except for the projects and activities under the headings "Family support payments to States" and "Payments to States for foster care and adoption assistance", for which date shall be March 15, 1996, whichever first occurs.

SEC. 107. Expenditures made pursuant to this title of this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. No provision in the appropriations Act for the fiscal year 1996 referred to in section 101 of this Act that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 106(c) of this Act.

SEC. 109. Appropriations and funds made available by or authority granted pursuant to this title of this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 110. For the purposes of this title of this Act, the time covered by this title of this Act shall be considered to have begun on December 16, 1995.

SEC. 111. Notwithstanding any other provision of this Act, except section 106, funds appropriated under section 101 for the payment of vested dual benefits under the Railroad Retirement Act shall be made available so as to fully fund the payments made on January 1, 1996, and the payments to be made within the period covered by this Act including those payments to be made on the first day of each month within the period covered by this Act. In addition to the funds appropriated under section 101 of this Act,

\$12,800,000 is appropriated to restore full funding for payments made for the period prior to January 1, 1996.

SEC. 112. Notwithstanding any other provision of this Act, except section 106, the authorities provided under subsection (a) of section 140 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236) shall remain in effect during the period of this Act, notwithstanding paragraph (3) of said subsection.

## TITLE II

### VETERANS AFFAIRS

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

SEC. 201. ENSURED PAYMENT DURING FISCAL YEAR 1996 OF VETERANS' BENEFITS IN EVENT OF LACK OF APPROPRIATIONS.—

(a) PAYMENTS REQUIRED.—In any case during fiscal year 1996 in which appropriations are not otherwise available for programs, projects, and activities of the Department of Veterans Affairs, the Secretary of Veterans Affairs shall nevertheless ensure that—

(1) payments of existing veterans benefits are made in accordance with regular procedures and schedules and in accordance with eligibility requirements for such benefits; and

(2) payments to contractors of the Veterans Health Administration of the Department of Veterans Affairs are made when due in the case of services provided that directly relate to patient health and safety.

(b) FUNDING.—There is hereby appropriated such sums as may be necessary for the payments pursuant to subsection (a), including such amounts as may be necessary for the costs of administration of such payments.

(c) CHARGING OF ACCOUNTS WHEN APPROPRIATIONS MADE.—In any case in which the Secretary uses the authority of subsection (a) to make payments, applicable accounts shall be charged for amounts so paid, and for the costs of administration of such payments, when regular appropriations become available for those purposes.

(d) EXISTING BENEFITS SPECIFIED.—For purposes of this section, existing veterans benefits are benefits under laws administered by the Secretary of Veterans Affairs that have been adjudicated and authorized for payments as of—

(1) December 15, 1995; or  
(2) if appropriations for such benefits are available (other than pursuant to subsection (b)) after December 15, 1995, the last day on which appropriations for payment of such benefits are available (other than pursuant to subsection (b)).

SEC. 202. Section 201 shall cease to be effective on September 30, 1996.

SEC. 203. For the purposes of this title of this Act, the time covered by this title of this Act shall be considered to have begun on January 4, 1996.

## TITLE III

That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

SEC. 301. Such amounts as may be necessary under the authority and conditions provided in applicable appropriations Acts for the fiscal year 1995 for paying salaries of Federal employees excepted from the provisions of the Antideficiency Act (31 U.S.C.

1341 et seq) who are continuing projects and activities conducted in fiscal year 1995 who work during periods when there is otherwise no funding authority for their salaries.

SEC. 302. Appropriations made by section 301 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 303. No appropriation or funds made available or authority granted pursuant to section 301 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1995.

SEC. 304. No provision which is included in the appropriations Act enumerated in section 301 but which was not included in the applicable appropriations Act for fiscal year 1995 and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this Act.

SEC. 305. Appropriations made and authority granted pursuant to this title of this Act shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this Act.

SEC. 306. Unless otherwise provided for in this title of this Act or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of the Act shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this title of this Act, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) January 26, 1996, whichever first occurs.

SEC. 307. Expenditures made pursuant to this title of this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 308. No provision in the appropriations Act for the fiscal year 1996 referred to in section 301 of this Act that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 306(c) of this Act.

SEC. 309. Appropriations and funds made available by or authority granted pursuant to this title of this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 310. ALL FEDERAL EMPLOYEES DEEMED TO BE EXCEPTED EMPLOYEES.—

(a) IN GENERAL.—Section 1342 of title 31, United States Code, is amended for the period December 15, 1995 through January 26, 1996—

(1) by inserting after the first sentence "All officers and employees of the United States Government or the District of Columbia government shall be deemed to be performing services relating to emergencies involving the safety of human life or the protection of property."; and

(2) by striking out the last sentence.

SEC. 311. EXCEPTED EMPLOYEES UNDER NORMAL LEAVE POLICY.—Federal employees considered excepted from furlough during any period in which there is a lapse in appropriations with respect to the agency activity in which the employee is engaged shall not be considered to be furloughed when on leave and shall be subject to the same leave regulations as if no lapse in appropriations had occurred.

SEC. 312. ELIGIBILITY FOR UNEMPLOYMENT COMPENSATION.—Notwithstanding any other provisions of law, beginning on January 2, 1996, any federal employee who is excepted from furlough and is not being paid due to a lapse in appropriations shall be deemed to be totally separated from Federal service and eligible for unemployment compensation benefits under subchapter I of chapter 85 of title 5 of the United States Code with no waiting period for such eligibility to accrue.

SEC. 313. For the purposes of this title, Federal employees returning to work under the provisions of section 310 shall be deemed to have returned to work at the first regularly scheduled opportunity after December 15, 1995.

SEC. 314. Appropriations made pursuant to section 301 are made notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 701 of the United States Information and Educational Exchange Act of 1948, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236), section 53 of the Arms Control and Disarmament Act, and section 10 of Public Law 91-672.

#### TITLE IV

That the following sums are hereby appropriated, out of the general fund and enterprise funds of the District of Columbia for the District of Columbia for the fiscal year 1996, and for other purposes, namely:

SEC. 401. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 for continuing projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this title of this Act) which were conducted in the fiscal year 1995 and for which appropriations, funds, or other authority would be available in the following appropriations Act:

The District of Columbia Appropriations Act, 1996:

*Provided*, That whenever the amount which would be made available or the authority which would be granted in this Act is greater than that which would be available or granted under current operations, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate.

(b) Whenever the amount which would be made available or the authority which would be granted under the Act listed in this section as passed by the House as of the date of enactment of this Act, is different from that which would be available or granted under such Act as passed by the Senate as of the date of enactment of this Act, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate or the rate permitted by the action of the House or the Senate, whichever is lower, under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995: *Provided*, That where an item is not included in either version or where an item is included in only one version of the Act as passed by both Houses as of the date of enactment of this Act, the pertinent project or activity shall not be continued except as provided for in section 411 or 412 under the appropriation, fund, or authority granted by the applicable appropriations Act for the fiscal year 1995 and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

SEC. 402. Appropriations made by section 401 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 403. No appropriation or funds made available or authority granted pursuant to section 401 shall be used to initiate or re-

sume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1995.

SEC. 404. No provision which is included in the appropriations Act enumerated in section 401 but which was not included in the applicable appropriations Act for fiscal year 1995 and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this title of this Act.

SEC. 405. Appropriations made and authority granted pursuant to this title of this Act shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this title of this Act.

SEC. 406. Unless otherwise provide for in this title of this Act or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this Act shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this title of this Act, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) September 30, 1996, whichever first occurs.

SEC. 407. Notwithstanding any other provision of this title of this Act, except section 406, none of the funds appropriated under this title of this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 408. Expenditures made pursuant to this title of this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 409. No provision in the appropriations Act for the fiscal year 1996 referred to in section 401 of this title of this Act that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 406(c) of this Act.

SEC. 410. Appropriations and funds made available by or authority granted pursuant to this title of this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 411. Notwithstanding any other provision of this title of this Act, except section 406, whenever the Act listed in section 401 as passed by both the House and Senate as of the date of enactment of this Act does not include funding for an ongoing project or activity for which there is a budget request, or whenever the rate for operations for an ongoing project or activity provided by section 401 for which there is a budget request would result in the project or activity being significantly reduced, the pertinent project or activity may be continued under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 by increasing the rate for operations provided by section 401 to a rate for operations not to exceed one that provides the minimal level that would enable existing activities to continue. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this Act bears to 366. For the purposes of this title of this Act the minimal level means a rate for operations that is reduced from the current rate by 25 percent.

SEC. 412. Notwithstanding any other provision of this title of this Act, except section 406, whenever the rate for operations for any continuing project or activity provided by section 401 or section 411 for which there is a budget request would result in a furlough of Government employees, that rate for operations may be increased to the minimum level that would enable the furlough to be avoided. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this Act bears to 366.

SEC. 413. Notwithstanding any other provision of this title of this Act, except sections 406, 411, and 412, for those programs that had high initial rates of operation or complete distribution of funding at the beginning of the fiscal year in fiscal year 1995 because of distributions of funding to States, foreign countries, grantees, or others, similar distributions of funds for fiscal year 1996 shall not be made and no grants shall be awarded for such programs funded by this title of this Act that would impinge on final funding prerogatives.

SEC. 414. This title of this Act shall be implemented so that only the most limited funding action of that permitted in this title of this Act shall be taken in order to provide for continuation of projects and activities.

SEC. 415. The provisions of section 132 of the District of Columbia Appropriations Act, 1988, Public Law 100-202, shall not apply for this title of this Act.

SEC. 416. Notwithstanding any other provision of this title of this Act, except section 406, none of the funds appropriated under this title of this Act shall be used to implement or enforce any system or registration of unmarried, cohabiting couples whether they are homosexual, lesbian, heterosexual, including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples; nor shall any funds made available pursuant to any provision of this title of this Act otherwise be used to implement or enforce D.C. Act 9-188, signed by the Mayor of the District of Columbia on April 15, 1992.

#### TITLE V

##### CLARIFICATION OF CERTAIN REIMBURSEMENTS

SEC. 501. CLARIFICATION OF REIMBURSEMENT TO STATES FOR FEDERALLY FUNDED EMPLOYEES.—

(a) If a State used State funds to continue carrying out a Federal program or furloughed State employees whose compensation is advanced or reimbursed in whole or in part by the Federal Government—

(1) such furloughed employees shall be compensated at their standard rate of compensation for such period;

(2) the State shall be reimbursed for expenses that would have been paid by the Federal Government during such period had appropriations been available, including the cost of compensating such furloughed employees, together with interest thereon due under section 6503(d) of title 31, United States Code; and

(3) the State may use funds available to the State under such Federal program to reimburse such State, together with interest thereon due under section 6503(d) of title 31, United States Code.

(b) For purposes of this subsection, the term "State" shall have the meaning as such term is defined under the applicable Federal program under subsection (a).

(c) The authority under this section applies with respect to any period in fiscal year 1996 (not limited to periods beginning or ending after the date of the enactment of this

Act) during which there occurs a lapse in appropriations with respect to any department or agency of the Federal Government which, but for such lapse in appropriations, would have paid, or made reimbursement relating to, any of the expenses referred to in subsection (a) with respect to the program involved. Payments and reimbursements under this authority shall be made only to the extent and in amounts provided in advance in appropriations Acts.

(2) Amend the title so as to read: "Making appropriations for certain activities for the fiscal year 1996, and for other purposes."

The SPEAKER pro tempore. Pursuant to House Resolution 334, the gentleman from Louisiana [Mr. LIVINGSTON] will be recognized for 30 minutes, and the gentleman from Wisconsin [Mr. OBEY] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. LIVINGSTON].

REQUEST TO MODIFY MOTION OFFERED BY MR. LIVINGSTON

Mr. OBEY. Mr. Speaker, I ask unanimous consent to modify the motion at the desk to include the following amendment at the appropriate place: In section 101, insert "all authorized projects and activities and programs of the Department of Veterans' Affairs not otherwise provided for in this act."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

Mr. LIVINGSTON. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

REQUEST TO MODIFY MOTION OFFERED BY MR. LIVINGSTON

Mr. MOLLOHAN. Mr. Speaker, I ask unanimous consent to modify the motion at the desk to include the following amendment: "At the appropriate place under section 101, insert the following new citation: Black lung benefits administered by the Department of Labor and the Social Security Administration and the related administrative costs."

Mr. LIVINGSTON. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

REQUEST TO MODIFY MOTION OFFERED BY MR. LIVINGSTON

Mrs. THURMAN. Mr. Speaker, I ask unanimous consent to modify the motion at the desk to include the following amendment: "At the appropriate place under section 101, insert the following new citation: Rehabilitation services administered by the Department of Education."

Mr. LIVINGSTON. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

#### GENERAL LEAVE

Mr. LIVINGSTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the motion to dispose of the Senate amendment to H.R. 1643, now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. OBEY. Mr. Speaker, I have another unanimous-consent request.

Mr. LIVINGSTON. Mr. Speaker, who is recognized for the purposes of time?

The SPEAKER pro tempore. The gentleman from Louisiana has the time.

Mr. LIVINGSTON. Mr. Speaker, I yield myself such time as I may consume.

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, I am pleased to bring to floor a motion to dispose of the Senate amendment to H.R. 1643.

This bill originated in the House as a grant of most-favored-nation status to Bulgaria. The Senate amended this bill by striking all of the text of the House-passed version and inserting a provision that would extend the expired continuing resolution until January 12.

The motion that I am offering today would strike the Senate-proposed provision and insert instead a targeted appropriations bill. Most of the targeted activities are the same ones the Senate proposed in another bill it originated, S. 1508.

Mr. Speaker, the targeted appropriations bill we have offered today would provide funding until September 30, 1996, for the following activities: nutrition programs for the elderly, which includes the Meals on Wheels Program, which serves 600,000 elderly; child welfare programs that provide assistance in 2,500,000 child maltreatment cases and the Federal Parent Locator service, affecting 20,000 child support cases; administration of unemployment insurance; general assistance payments affecting 53,000 native American families and foster care payments affecting 3,000 native American children; railroad retirement payments for 170,000 retired railroad workers; visitor services in the National Park System and the wildlife refuges, affecting 383,000 visitors per day, in the 155 national forests, and in the national museums, affecting 102,000 visitors per day; passports, visa, and American citizen services abroad to enable processing 23,000 passports and 20,000 visas per day; veterans compensation, pensions for over 2,500,000 veterans, and educational program payments for 170,000 GI bill students; and the operation of the District of Columbia using its own revenues.

□ 1315

The bill provides two other targeted appropriations until March 15, 1996. They are aid to families with dependent children, affecting 13 million recipients and foster care and adoption services.

Mr. Speaker, in addition to these targeted appropriations, this bill declares any Federal worker who has been furloughed to be an excepted employee, and when these workers return to their jobs they, and all the currently excepted employees, would be paid and would receive back pay from December

16, 1995. This provision would be effective until January 26, 1996.

Now, Mr. Speaker, these are the major provisions of this targeted appropriations bill. Other more minor provisions cover authorization of payments to States for furloughed State employees whose salaries are reimbursed by the Federal Government, and authorizations dealing with the leave policy of Federal employees and eligibility for unemployment compensation.

Adopting this motion, which provides a targeted appropriations bill, will provide funding for some of the most important of our governmental services that have been shut down since the last continuing resolution expired and will eliminate most of the inequity problems this situation created for our Federal workers. We need to pay the people who have been working, and we need to pay the others who want to come back to work. This bill will do exactly that.

Mr. Speaker, this bill will rectify some major problems of the current partial shutdown of the Government.

Mr. Speaker, we should pass this bill while the bigger negotiations continue that will lead to the reopening of the entire Government. It is not a total answer to the situation we are in, but it is a step forward. I strenuously urge the adoption of this motion.

Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself 8 minutes.

Mr. Speaker, as everyone in this House knows, the gentleman from Louisiana and I are very good friends, although he made the mistake of joining the wrong political party, and I think if our friendship can withstand these differences, it will be quite a testimony to the possibilities in life.

But let me simply say that I think we are at a very serious point in the history of this institution. We have seen for the last month an incredibly silly situation in which Government workers were first paid for work that they were forbidden to do, and now they are forbidden to be paid for work which they are being required to do. I have had a situation in my own district where a very large number of people who are not Government employees have had their lives severely messed up by this silly situation.

Mr. Speaker, I have such affected persons in Superior. I have a student at the University of Wisconsin in Superior who is Finnish. He is from Finland. He is a member of the university hockey team. He cannot get his entry visa into the United States because the Government is shut down. People like Tyler Radenz in my district, George Rohmeyer of Marshfield, Carrie Linder of Ashland, David Weber of Wausau, Carolyn Hern of Dedolph, Buckley Gilk of Merrill, Robert Vandeslice of Sheldon, Klaus Kroner of Stevens Point. These are real live human beings, with real names and real problems, and all

of those problems have been caused by the Congress of the United States.

I think we need to make certain people understand why we are in this situation, so let me go back to basics. The fiscal year began on October 1. By October 1, this Congress had not passed a single appropriation bill of the 13 bills before us, so a continuing resolution was required in order to keep the government open. One short continuing resolution was passed.

But since then the situation has been quite different. Since then a number of appropriation bills have been passed. Six of them are still not passed. Three of them have been vetoed. Three have not even gotten to the President.

We have been told time and time again by our friends on the Republican side of the aisle that the reason the Government is shut down is because the President vetoed appropriation bills. That is simply not the case. We have had Presidents veto appropriation bills throughout the entire history of this Congress.

Since the Civiletti memo, which first required the shutdown of Government when appropriation bills were not passed in a timely fashion, and that was in 1981, we have had only 8 working days in 14 years during which the Government has been shut down. Yet today we have gone an enormous amount of time with chaos, not just for Government employees, but for the taxpayers who we are supposed to be serving as well, and that is not because the President vetoed appropriation bills. The President, when he vetoed those three appropriation bills, asked the Congress to keep the Government open while those differences between the Congress and the President were resolved.

Mr. Speaker, 70 percent of the dollars in dispute on appropriation bills, 70 percent are contained in appropriation bills which have yet to reach the White House desk. The District of Columbia appropriations bill, the foreign operations bill, and the Labor, Health, Education, and social services bill, none of those bills has gotten to the President because of disputes within the Congress itself.

So let us not hear any more nonsense about the President shutting down the Government, because that is exactly what it is. That assertion is nonsense. The Government is shut down because this country was told since April by the Speaker of this House, Mr. GINGRICH, and a good many others in the Republican leadership, that they intended at the end of the fiscal year to shut down the Government unless they got the President to buy into their budget deal. So that is why the Government is shut down today.

Now we have had some new developments. We had Senator DOLE, the leading Republican candidate for President, who decided to break with the Republicans in the House, and he offered a proposal to keep the Government open. I applaud him for that. That is exactly what we ought to do.

First the Republican House caucus resisted that. Now, belatedly, they have decided to have a partial Government opening. But the problem is that the way they intend to reopen these parts of the Government will deal with some of the problems of Government workers, but they will not deal with the problems of taxpayers, who still will not get the full array of services to which they are entitled.

As I said earlier, Pell grants will be held up; 400 cancer research grants are being held up; 300 Head Start programs are going to be squeezed; we are not going to be seeing contractors with the Government paid for the services they are providing. That is irresponsible, and it will be a very expensive decision long term, because contractors will demand higher reimbursement in the future, having seen the mess that has been created by the majority party.

Then, the worst of all offenses, in my view, is that yesterday one Member of this House, a distinguished committee chairman, threatened to try to impeach the Secretary of the Treasury if he did everything possible to keep Government open, as he has been trying to do since this impasse first began. As a result of that threat, the stock market went down, the bond market sagged, and I would submit to you that means that millions of Americans have lost some of their own wealth, the value of some of their own hard-earned savings, including a lot of pensioners, because of some of the irresponsible and extreme comments coming at us from the majority side of the aisle.

I think the time has come for this Congress not just to provide this limited opening up of Government services, but to open up the Government to provide the full range of services to which the taxpayers are entitled. That is what we wanted to do on the previous motion.

Mr. Speaker, I would urge Members to vote for this resolution, but I would also urge the majority to bring forward another resolution which fully opens up Government, because if you do not do that, what you are simply doing is engaging in a political retreat, but still shooting American taxpaying hostages as we go.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. OBEY. Mr. Speaker, the gentleman should get time from his own side.

Mr. LIVINGSTON. Mr. Speaker, I am most pleased to yield 6 minutes to the distinguished majority whip, the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding me time.

Why I was asking the gentleman from Wisconsin to yield is the gentleman from Wisconsin is trying to rewrite history. The gentleman's claim that the reason that the appropriations bills are not passed is because the Republicans have not passed them and sent them to the President. The gentleman is correct that three of the bills

were vetoed by the President. What he fails to show you on his chart, the biggest part of that pie, the red part, is the Labor-HHS appropriations bill being held up in the Senate by liberal Democrats. We could pass that bill today if the liberal Democrats would stop their filibuster.

So I come to this floor in support of this legislation that takes a dramatic step toward fiscal responsibility, while freeing the Federal workers from the perils of the President's poisoned veto pen and his lack of memory of commitments that he has made.

This bill marks the beginning; this bill is the first day of the rest of the year. Let me explain. I am convinced that the President does not want a balanced budget. For 46 days the President could negotiate a balanced budget, and he has chosen not only not to negotiate, but the President has not even chosen to uphold the law that he signed on November 20 that expired last Wednesday. So I am convinced that there is not going to be a balanced budget. So what do we do for the rest of the year? We do what we were sent here to do, and that is to pass appropriation bills and send them to the President.

Now, this President wants more spending. That is why he does not want a balanced budget, because the minute he lays a 7-year balanced budget on the table he has just cut \$1 trillion of spending over the next 7 years, and the liberals are fighting that with every fiber of their soul. They want to continue to spend the American family's money, they want to continue to raise the debt on the American family. That is what this is all about.

So, we have found another way of funding these agencies, a very creative way. This is not giving in. This is not moving toward the President. This is what we were sent here to do. We are going to do a targeted appropriations, and we are going to fund those agencies that we want to fund. We are not going to fund those agencies that we do not want to fund.

Now, I was asked, well, then why are you only paying the Federal employees to January 26? The reason I do not want to pay them for the rest of the year is I could guarantee, if this process continues, there are going to be some Federal employees sometime around January 26 or around February that are going to get notices that they better go look for another job because their agency or their program is not going to be funded.

That is why we only paid them to January 26. That is where we are today. And I might say, later on this afternoon we are going to pass a CR triggered by the President.

□ 1330

Finally, if he just will lay out a 7-year balanced budget, honestly scored by CBO using honest numbers, he can open the Government and give those workers that my colleagues say have

nothing to do, something to do, because he could open the Government until January 26. It is in the President's hands to give these people, especially the furloughed workers, something to do to earn their pay. The President could just simply do it by honoring his promises that actually started in his campaign.

To those who question our resolve about getting to a balanced budget, let me just say that the Republicans will never surrender in our efforts to get a balanced budget, but we will not keep Federal employees on the firing line when it is Bill Clinton who should be fired for not coming up with a real budget using honest numbers.

This legislation is a very important step to getting to that balanced budget. After all, we will not make targeted appropriations for programs that waste taxpayers' money for no reason. Do not expect Republicans to make targeted appropriations for Ron Brown's Commerce Department or Hazel O'Leary's Energy Department, or other wasteful Government agencies.

We, in the House, are now in control. Members, we do not have to consult with the Senate, we do not have to consult with the Democrats. If we do not like an agency, we just do not have to bring it up here to vote on it and it is unfunded. It will not be funded.

Mr. ROGERS. Mr. Speaker, will the gentleman yield?

Mr. DELAY. I yield to the gentleman from Kentucky.

Mr. ROGERS. Mr. Speaker, do I understand the gentleman to say that the second resolution that will come up this afternoon will, in effect, say we will fund the entire Government; that all the President has to do is file his balanced budget amendment; is that correct?

Mr. DELAY. Mr. Speaker, the gentleman is correct; all the President has to do is keep his promise, or at least obey the law that he signed.

Mr. ROGERS. And if the gentleman will continue to yield, if the President files a 7-year balanced budget amendment, just files it, we do not have to act upon it, just file it, we will open up the entire Government?

Mr. DELAY. That is right. It has to be certified by CBO as being honest.

Mr. ROGERS. Mr. Speaker, I think the gentleman has done a wonderful job and I commend him for it.

Mr. DELAY. Mr. Speaker, I thank the chairman, and reclaiming my time, let me just finish by saying that the American people have seen the future of Government that is partially closed, and many have found that it works just fine.

We will get to a balanced budget by weeding out wasteful and inefficient Washington spending, and this is a good way to start that process. So I urge all of my colleagues to support this very historic legislation.

Mr. OBEY. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan [Mr. BONIOR], the distinguished Democratic whip.

Mr. BONIOR. Mr. Speaker, I thank my colleague for yielding time to me.

Since my friend from Texas mentioned the issue of travel in his remarks, let me raise a question to the distinguished gentleman from Louisiana. The gentleman opened his remarks on this debate by saying that this resolution that we have before us right now would open up the most important Government services that have been shut down in this Government, and he listed them; named them.

He also mentioned in that list all projects and activities necessary to process visas, passports, and to provide for American citizens' services. Now, American citizens' services abroad can very well mean and, in fact, does mean providing for taking care of legislators, Federal legislators, who travel abroad.

REQUEST TO AMEND MOTION OFFERED BY MR. LIVINGSTON

Mr. BONIOR. Mr. Speaker, I ask unanimous consent that this resolution be amended to prevent congressional travel abroad.

Mr. ROGERS. Mr. Speaker, I reserve the right to object.

The SPEAKER pro tempore. Will the gentleman from Louisiana yield for that purpose?

Mr. LIVINGSTON. Mr. Speaker, reserving the right to object, I would say to the gentleman that the gentleman might have a valid point and this may be an issue we have to take up later on, but it is not the purpose of this legislation.

Further reserving the right to object, I yield to the gentleman from Kentucky [Mr. ROGERS].

Mr. ROGERS. Mr. Speaker, would the gentleman in the well be willing to include the White House travel office in that proposal?

Mr. LIVINGSTON. Mr. Speaker, further reserving the right to object, I do not think the gentleman included the Secretary of Energy's incredibly wasteful travels around the world, but because that may be a good subject for this House to resolve in the coming days and weeks, I would put that one on the table.

Mr. Speaker, I object at this time.

The SPEAKER pro tempore. Objection is heard.

Mr. BONIOR. Mr. Speaker, I expected there would be objection, but that just shows my colleagues where we are with this debate. Here we have a situation where we have really a half-baked resolution before us. To show Members how insane it is, we are opening up some areas of the Government, but we still have a resolution that does not address the issues of contractors who process Medicare claims. It will affect over 24,000 private sector jobs and millions of Medicare claims.

We have no funds for small business loans, meaning that 260 small businesses are losing tens of millions of dollars a day, no funds for cleaning up the poisonous waste that is affecting our neighborhoods and our lands and our industrial sites around America.

Thousands of people are going to be laid off because they cannot do those jobs.

Funds for home loans, people who have saved and scrimped to put the money together to get a home loan to make the American dream of ownership real for their families are being denied, and here we are going to allow Members of Congress to travel all over the world? And when I asked for a unanimous consent that they be excluded until we get this resolution problem with the budget taken care of there was objection.

So I say to my colleagues, we are at this impasse, an unprecedented impasse. We have been through 220 years of government, 10 wars, a Civil War, they came in here and burned this building down and went over to the White House and burned the White House down, and we have never had the Government shut down longer than we have right now. And after 21 days, even though my colleagues over here have not seen the light yet, they are starting to feel the heat, and part of the heat is keeping us here, doing our work, not globe trotting around the world while this crisis is before the American people.

Now, my friend from Louisiana said, well, maybe another time we will do this. There is going to be a third continuing resolution today, maybe we can include that. That is another time. Maybe we can include that in that continuing resolution. So I urge my colleagues, as half baked as this is, we need to support the resolution, but believe me, we have a long way to go before we can get this thing straightened out.

Mr. LIVINGSTON. Mr. Speaker, I yield myself 1 minute, and would say to the previous speaker that he has raised a good point. In fact, there have been Republicans and Democrats who have abused the travel rules. Personally, I think that we ought to take the travel abuse question before the standing committees, and thoroughly review the criteria under which travel is abused, not only in the House of Representatives and the other body but throughout the executive branch.

This is a real and critical issue, and, in fact, I am going to invite my friend from Florida [Mr. YOUNG], to conduct hearings on the use of military aircraft for the purpose of travel by the executive branch and the legislative branch that does not benefit the taxpaying citizen.

Good and valuable travel is worthwhile and helps the relationship of this country to other countries around the world, but certainly we have seen evidence that there has been abuses. We have to look at the matter more closely.

Mr. Speaker, I yield 2 minutes and 30 seconds to the gentleman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Speaker, I thank the gentleman for yielding time to me.

Every day I have said during this shutdown, let our people go back to work. This resolution that we have before us is going to do that. It is not the answer to the entire situation of the shutdown, but it is a major and very important first step.

Some 760,000 Federal employees throughout the country, whether they are working or not working, whether they are accepted or not accepted, have not been receiving a salary. Like all of us, they have mortgages, rent, utilities, tuition, other living expenses that they have to pay and the check has not come in.

This measure is going to do that. It is not only going to pay them, it is going to let them go back to work, because we do not believe that anybody who works for the Federal Government is not essential. They are there because they are essential.

This is going to have targeted appropriations; targeted appropriations for the elderly, for the children, for child support enforcement, passports and visas, for administration of unemployment offices, for museums and parks, a long litany of the emergency situations where we do need to have funding. AFDC would be funded through March, the rest would be funded and be assured of that through the entire fiscal year, September 30.

I think this is important. Now, we need more than that, I agree. We need to have our Federal contractors know that they can be involved with the Federal Government for those contracts. We need to make sure that those grants that NIH has are going to be able to be allocated where they belong, the National Science Foundation, and that will come with the next resolution that we are going to pass.

Now we can say to the President, "Mr. President, just submit what you said you would submit, a balanced budget scored by CBO in 7 years." If I were he, I would submit one. I would probably submit it with no tax cuts in it. Let him do it. As soon as he does that, that triggers off the entire Federal Government fully operating in conjunction with the private sector and all the services.

Please vote for this and encourage the President to come up with a balanced budget in 7 years scored by CBO.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Speaker, today we will consider legislation that represents a retreat by the extremist wing of the Gingrich Republicans. Their agenda was to punish old people, punish children, punish veterans, and others by holding this Government hostage. Today, after relentless and rightful pounding public pressure, they are sounding retreat and some Federal workers will go back to work.

This is a curious piece of legislation. The Republicans' strange strategy of shutting down the Government has

been followed by an even stranger strategy of bringing employees back to work but not giving them the operating funds to do their jobs. They are going to pay Federal employees now to do nothing. Once again, the American people and the American taxpayers lose.

□ 1345

My Republican colleagues' strategy to link the budget to shutting down the Government failed, and now, quite frankly, they are scrambling. It failed because the values of these extreme Republicans do not represent the values of the American people, neither on a shutdown of the Government nor on the issue of the balanced budget.

The American people believe that we must balance the budget, but only if we protect Medicare and Medicaid, education and the environment, and not provide one of the biggest tax breaks in this Government's history to the wealthiest Americans.

In November, the Congress voted and the President agreed to a continuing resolution that would balance the budget by protecting America's values and America's priorities, including Medicare, Medicaid, education, and the environment. We need to honor that agreement.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. GILCHREST].

(Mr. GILCHREST asked and was given permission to revise and extend his remarks.)

Mr. GILCHREST. Mr. Speaker, I rise in support of the resolution. Mr. Speaker, we have all heard the awesome crash when an irresistible force hits an immovable object. Maybe in the last week we have gotten some insight into that particular explosion. We have seen the crash between a 30-year culture of deficit spending and the resolve of a nation to have some sense of fiscal responsibility.

To my great regret, we have seen Federal employees and others squeezed between the forces of the past and those of a frugal future. For those of us who support a balanced budget, perhaps we were naive to think that the tradition of deficits would die quietly and easily, but today we have to govern. We have to recognize that the White House in all likelihood will probably not come to the table with a balanced budget any time soon, and we must put the Federal employees back to work.

As George Will has pointed out, Britain's parliamentary system does not lend itself to train wrecks; we do not see this kind of showdown in Cuba; but the Founding Fathers vested Congress and this particular House with the power of the purse and the power of debate. The President, our Founding Fathers gave, apparently, which seems obvious now, the power to be an obstructionist.

Unlike previous Congresses who chose to blame the President with the

fiscal deficit, we have accepted the responsibility and the people have given us this idea to balance the budget. It is a superior idea, for today we will end the shutdown as prudent government requires, but the fight for a balanced budget will not stop here and it will ultimately succeed.

As has been pointed out before, history knows no force more powerful than an idea, and the idea to balance the Federal budget; its time has come.

Mr. Speaker, I urge support for this resolution.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Speaker, I am going to support this resolution because it is what I call a one-third measure. Not a half measure, it does not go that far, but a one-third measure.

My friend, the gentleman from Maryland [Mr. GILCHREST] who preceded me, is a gentleman for whom I have a great deal of respect and even more than that, affection, but I would remind the gentleman that when he talks about the President of the United States being an obstructionist, I would remind him in 1980, the entire debt of this Nation was \$945 billion. It grew by \$3.5 trillion over the next 12 years under President Reagan and President Bush. Were they not obstructionists? Did they not care about this deficit? They could have stopped it, as the gentleman claims the President is stopping this process.

Mr. Speaker, the fact of the matter is, we work together on policies to try to move this Government forward. The gentleman from Texas [Mr. DELAY], the whip, and so many of the Republicans have been talking about the President not meeting his obligation under the law. This is the law. It says nothing, nothing in section 203 about the President putting a balanced budget on the table. Nothing, my friends.

Read it. Stop misleading the American public and intimating that the President has not told the truth or has not met his commitments. In fact, this President has spent more time negotiating with the Republican leadership in the Senate and the House than any President in history. Apparently, Senator DOLE thought it was negotiation in good faith, because he unanimously led a unanimous consent for a continuing resolution to put Government workers back to work and to put Government back to service for the American public.

My friends, we will pass this resolution, this bill. In my opinion, it is flawed at best; but it is necessary, and I will support it. But let us tell the truth.

Mr. LIVINGSTON. Mr. Speaker, I yield myself such time as I may consume just to say that I am reminded that Bush and Reagan had Democrat Houses of Representatives.

Mr. Speaker, I yield 1 minute to the gentleman from Georgia [Mr. KINGSTON].

Mr. KINGSTON. Mr. Speaker, I am glad that the gentleman from Michigan who spoke a few minutes ago brought up the travel situation, because Hazel O'Leary, the Democrat, the Clinton appointee, the Secretary of Energy, spent \$500,000 going to Pakistan, \$729,000 going to India, \$663,000 going to South Africa, not to mention trips, trips, trips, Vienna, Paris, Moscow, all over the world.

Mr. Speaker, I think it is incredible that the Democrat Party is not outraged and demanding her resignation so that we can go on to try to balance the budget and get a firm grip on the situation right now, so that we can cut down on the deficit.

It is absolutely absurd for her to be spending money like that when Federal employees are out of work because President Clinton will not negotiate, will not come to the table.

The gentleman talked about history. I think it is important to bring history into it. Yet, when we talk about our Founding Fathers, we should always be reminded that they did not have a \$5 trillion deficit. They would be alarmed to know that we spend \$20 billion each month in interest on the national debt.

Mr. Speaker, I think we need to pass this. We need to get the Government working again and we need to balance the budget.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from California [Ms. LOFGREN].

Ms. LOFGREN. Mr. Speaker, I am new to Congress, but when I reread the Constitution last night, I reminded myself again that the Constitution provides for systems of checks and balances, vetoes and veto overrides. Nowhere is there a provision to shut down the Government when we do not succeed in getting our own way.

But as the majority whip, the gentleman from Texas [Mr. DELAY] said: "We are only going to vote today on what the Republicans want to do." I think it is important that the gentleman said that. We are only going to allow those agencies to go back to work that the gentleman from Texas and the Republicans like.

One of the questions I have, although I will vote for this because I want the retirees from the railroads to get their money, is what happens to startup industries in Silicon Valley? If a startup industry wants to go public after next week, because the Securities and Exchange Commission is running out of money, this company, even after 18 months of work, will not be able to do so. It may be that we do not think that the Securities and Exchange Commission should be involved in this process at all, but we should not leave these companies hanging out to dry. We should be grown-ups, like Senator DOLE.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Pennsylvania [Mr. FOX].

Mr. FOX of Pennsylvania. Mr. Speaker, I rise today in support of the Liv-

ingston motion, the Back to Work bill. This legislation will, for the first time in this Congress, bring furloughed Federal employees back to work with pay; and those employees who have been working, make sure they are also paid.

It also has a very important additional element. It will make sure that there will be full funding through September 30, 1996, for the following agencies: the Nutritional Services for the Elderly, Federal Parent Locator Service, the State Administration of Unemployment Benefits, general assistance and foster care payments for Native Americans, grants to States for child welfare services, railroad retirement benefits, Visitors Services for the National Parks System, the National Wildlife Refuges, and National Forests, the Smithsonian Institution, the National Gallery of Art, the John F. Kennedy Center, and the Holocaust Museum.

In addition, the issuance of passports and visas, the consular services for American citizens abroad, veterans' benefits and payments to the VA contractors for medical services, and, of course, the District of Columbia for their funds.

This legislation is the right move and a bipartisan Congress should in fact adopt it. I expect that once we adopt it, the Senate will follow suit and hopefully the President will sign it into law. But at the same time we will also hopefully pass, this afternoon, legislation which will finally fund all government operations, only after Congress receives notice from the Congressional Budget Office that they have certified the President has submitted an honest 7-year balanced budget.

Mr. Speaker, the country wants a balanced budget, and they want it for the reason that we can reduce for the first time the overburdening cost of carrying a deficit too large, too expensive, and one that has cost every single man, woman, and child more than the Defense Department's annual budget.

Mr. Speaker, I ask my colleagues, therefore, to join me in supporting this legislation which will make sure that we have our balanced budget, but we also make sure that our Federal workers who are providing constituent services and who want to support their families get back to work and are paid.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from Rhode Island [Mr. KENNEDY].

(Mr. KENNEDY of Rhode Island asked and was given permission to revise and extend his remarks.)

Mr. KENNEDY of Rhode Island. Mr. Speaker, this bill is better than nothing, but for the 2,000 Almacs employees who just got their pink slips on September 15, this bill means nothing to them.

There was a glimmer of hope, because the President and the Department of Labor promised them \$2 million, one-third of which was going to go to them immediately to help get them the new jobs. For Richard and Robert

LaBreche, they went to the competitor and the competitor would only pay them \$4.75 an hour. That is not enough for them to make ends meet. They were used to getting \$30,000 a year.

Mr. Speaker, they could get those new jobs if they got the retraining dollars they needed, but this bill does not open up the whole Government and that is what is wrong with it. We should open up the whole Government and let all the people get the representation that they are paying for as taxpayers of this country.

Mr. LIVINGSTON. Mr. Speaker, I yield myself 1 minute to respond to the gentleman that just spoke in the well.

Mr. Speaker, I would point out to the gentleman that after this bill is through, we are going to come up with a bill that will allow the President of the United States to put the entire Government back to work, completely, unequivocally, and without exception, at least until January 26.

Mr. Speaker, all the President has to do to trigger this bill is put a balanced budget on the table, which is scored by CBO as being honest and legitimate, that balances the budget by the year 2002.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois [Mr. HYDE], the chairman of the Committee on the Judiciary.

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Mr. Speaker, this is important legislation, it is creative legislation, but it is made necessary by the unusual circumstances in which we find ourselves.

Mr. Speaker, it is a fact that the Federal employees are innocent victims, caught in a crossfire between the White House and Congress. It is not only unfair, but really immoral to deprive them of their salaries. They are in this situation through no fault of their own and any remedy righting the situation requires that they get paid.

So that is what this effort accomplishes and it is very worthwhile. More than that, it is an effort to bring the President to the table, living up to his word when he signed a bill on November 20 promising to produce a balanced budget scored by the Congressional Budget Office with honest numbers. He has yet to do that, and that is the real sticking point.

I have heard people on the other side criticize us for not doing our job, for not coming forth with the appropriations bills. But, of course, we have. It is the Senate, the other body, rather, that has strange and peculiar rules that permit filibuster, and that has halted in its tracks the appropriation for Health and Human Services.

Mr. KENNEDY of Rhode Island. Mr. Speaker, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Rhode Island.

Mr. KENNEDY of Rhode Island. Mr. Speaker, would the chairman of the Committee on the Judiciary tell this

House whether in the Constitution it has shutdown as an alternative form of forcing a dialog between the executive branch and the legislative branch? Because I understood the Constitution to read that the President would have the power to veto, and in that instance the Congress and the President would get together and negotiate. The gentleman from Illinois is making a good point that the House is in between.

Mr. HYDE. Mr. Speaker, reclaiming my time, the gentleman has consumed all my time. I am sure that was not his nefarious purpose. I am out of time; otherwise, I would have a very learned answer for the gentleman.

□ 1400

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida [Mrs. THURMAN].

Mrs. THURMAN. Mr. Speaker, first of all, there is a document back here that says the President and the Congress shall enact. It does not say that he is going to bring forth. But I am more concerned about the continuing resolution that is before us.

Just a few minutes ago, I offered a unanimous consent to put back in rehabilitation services because we have a major problem out there, folks. I have to tell Members, I got a letter from my community college, this is happening all over the State of Florida, it is happening all across this country, where in fact our departments of labor no longer can finance their agreement to provide these dollars for students to go back to school. They are walking into classes and being told that there is no money available to them. Here is a woman, shutdown effects rehabilitation. A woman who had been in a coma. She came out of the coma. She has gone back trying to get services so that she can be a productive citizen, so she can pay taxes to this country. She wants to be a good person. She is being denied this by this Government.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia [Mr. DAVIS].

Mr. DAVIS. Mr. Speaker, I thank the distinguished chairman of the Committee on Appropriations for yielding time to me.

I would like to ask a couple of questions. We have, in addition to the Federal employees who have been furloughed and unpaid since December 15, in my district thousands of Federal contractors, a majority of whom have been working with fiscal year 1995 money, and their employees have been unpaid by the Federal Government because their contracting officers have not been able to work, according to EPA, and the contracting officers, technical representatives, and those who oversee these contracts. Under this these people would be put back on the work, those key contracting officers.

Does the gentleman see any reason why the fiscal year 1995 money then could not be spent to these contractors at that point?

Mr. LIVINGSTON. Mr. Speaker, will the gentleman yield?

Mr. DAVIS. I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. Mr. Speaker, I know the gentleman understands that all Federal employees are now going to be paid because of the gentleman's valiant efforts. There seems, to this gentleman, to be no impediment toward using fiscal year 1995 money in its entirety to pay whatever contractors are out there who are eligible to receive those funds.

Mr. DAVIS. Mr. Speaker, would it not seem to the gentleman reasonable that the administration, we would hope the administration would do everything possible at that point to utilize these contracts in the interest of the Government?

Mr. LIVINGSTON. Mr. Speaker, if the gentleman will continue to yield, unless the administration has political reasons for acting in such a manner, I would think there would be no reason for them not to pay those contractors.

Mr. DAVIS. Mr. Speaker, I thank the gentleman.

Let me finally say that I will support this, the bill before us today. It is not everything I had hoped for, as a representative of many Federal employees who have been furloughed and not paid during this time period, but it is a step in the right direction.

We have really let the hostages off the plane today. Now the budget battle can be engaged between the President and Congress. I hope that leaders from both sides will sit together, act like grownups, and work out these agreements and we will not have to go through this again.

This has been a long and difficult period for Federal employees. I want to personally thank those who have stayed in there, working over Christmas vacation, working through the new year, many of them being unpaid while we here have not been able to do our job in agreeing with the President. I think the Federal employees during this period have been the unsung heroes of this and the only people who can hold their heads high while Congress and the President have dithered.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Speaker, I am glad that the national embarrassment of this Government shutdown is at least coming to an end temporarily. Throughout the shutdown I have been arguing for no budget, no pay. It was a simple concept. If Members of Congress did not do their duty and keep the Government running, Members of Congress would not receive their paychecks.

That did not sit very well with some of the Republican leaders, and it has never been brought to the floor. And that is unfortunate. But today I have a compromise proposal for the gentleman from Louisiana [Mr. LIVINGSTON]. I would like to suggest that we say in the future that the very last appropriations bill which can be sent by

this Congress to the President is the legislative appropriations bill. After we have done all the other appropriations bills, we will take care of ourselves.

The concept is simple. We do not get dessert until we have cleaned our plates. And when Members of Congress realize that they cannot play with the lives of innocent Federal employees unless they risk their own staff and their own time here in Congress, I think they will take it more seriously. Let us hope this embarrassment is not just over temporarily. Let us hope it is over permanently. But let us get down to a balanced budget but not on the backs of innocent people.

Mr. LIVINGSTON. Mr. Speaker, how much time remains on both sides?

The SPEAKER pro tempore (Mr. BUNNING of Kentucky). The gentleman from Louisiana [Mr. LIVINGSTON] has 6 minutes remaining, and the gentleman from Wisconsin [Mr. OBEY] has 10 minutes remaining.

Mr. LIVINGSTON. Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 1½ minutes to the gentleman from North Carolina [Mr. HEFNER].

Mr. HEFNER. Mr. Speaker, I just would like to make a couple of points here.

I am glad to see that we are finally moving in the right direction. This absolutely does not do a whole heck of a lot, but it gets people back on the payroll. I am hearing so much from many from this side of the aisle about a balanced budget, that the President is not bringing forward a balanced budget. I did a little research. The last Republican President to offer a balanced budget was Richard Nixon. There were two budgets offered by Ronald Reagan.

There were two votes taken on budgets by Ronald Reagan, neither one of which was balanced. One of them got one vote, Jack Kemp gave it one vote; and the other got 37 votes. So to say it is an obligation of the President of the United States to offer a balanced budget and hold the President hostage and these people hostages because the President will not present a balanced budget.

I would like to know what compromises the Republicans have made on the budget that passed here and was legitimately vetoed. We do not know what concessions they have made. They have not come by. They have not come back with a budget that is balanced in 7 years and scored by CBO and done the protection that the President insisted on. So I think it is a little bit unusual to demand that the President offer a balanced budget before we can negotiate to put all these people back to work. It is a little bit, I would say, in my opinion, it is a little bit hypocritical to blame the President of the United States for us not doing our job and sending these appropriations bills to us, at least 2 months overdue and then even objected to from the majority of this body.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas [Ms. JACKSON-LEE].

Ms. JACKSON-LEE of Texas. Mr. Speaker, as I said earlier this morning, Mr. Speaker, I wanted us to approach this in a bipartisan manner. I was before the Committee on Rules last evening at about 10:30 to offer to them House Joint Resolution 155, a resolution that would comply with the intent of this Congress to put Federal workers back to work on behalf of the American people but in fact give them the resources to do their job.

With this present legislation on the floor of the House, we still will have—come Monday or whenever this Government opens—Federal mortgages and housing vouchers will be halted. Contractors handling Medicare claims will still not be paid. Federal funds to States for Medicaid will still be limited. Grants for State JOBS programs and social services will still not be issued. Assistance to small businesses, the very backbone of America, small businesses that in fact provide the opportunity for people to work, will not be able to get SBA guaranteed loans.

We can do this together, Mr. Speaker, if we pass a continuing resolution to fund the entire Government, a clean CR, House Joint Resolution 155. This is not a good piece of legislation. It does not help workers do the job for America.

Mr. OBEY. Mr. Speaker, I yield 30 seconds to the gentleman from Washington [Mr. MCDERMOTT].

(Mr. MCDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Speaker, I rise in opposition.

Sometimes we look at all of this and we wonder where these numbers come from, a 7-year balanced budget. What is magic about the 26th of January? Why does this only go to the 26th of January? Is it tied to the State of the Union Message?

I would suggest that this is a resolution to allow the Speaker to go on a fundraising trip across this country. He will be in Seattle on the 10th of January. I do not know where else he is going to be, but this is simply to get people out of town so they can raise money for the next election. It is not to deal with the problems of this country.

Mr. Speaker, I rise in strong opposition to the Republican plan to partially reopen the Government and will not be a part of their cynical political game to hold the Federal Government hostage until they can pass their extreme and irresponsible agenda.

The House Republicans are offering two separate bills today. They want to partially reopen the Government by paying some Federal employees to go back to work, but without giving them the resources to serve the American people. For example, they want to send the Small Business Administration employees back to work, but will prohibit them from disbursing loans. They want to send Environmental Protection Agency employees back to

their offices, but not allow them to make sure that the Nation's waterways remain clean. Everywhere you look, the lights will be on, but no one will be allowed to serve and the public's business will go undone.

All Federal workers should be allowed to go back to work immediately, with full pay, but, in my view it is absurd and foolish to put Federal employees back to work without giving them the resources to serve the people who rely on them.

The second part of the Republican strategy seeks to blackmail the President by holding Federal employees and the services they provide hostage until he agrees with their extreme political agenda. This legislation states that Congress will pass a clean continuing resolution, one that would both put Federal employees back to work and allow them to adequately serve the American people, if and only if the President supports their economic agenda of destroying the safety net and giving a huge tax cut to America's wealthiest.

I will not vote for legislation which seeks to blackmail the President and engages in a blatant attempt to supersede the powers given to Congress by the U.S. Constitution.

Mr. Speaker, we could avoid passing this ruinous legislation altogether, if the House Republican leadership would be willing to join their Senate colleagues in passing a clean continuing resolution—with no strings attached. In doing so, they could easily reopen the Government without holding the American people who rely on it for needed services hostage.

Unfortunately, Mr. Speaker, they are unwilling to even allow the Senate-passed continuing resolution to come to a vote.

Let's get America back on track, let's pass a clean continuing resolution. Most importantly though, let's not put Federal employees back to work without allowing them to do their job.

Mr. OBEY. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I think the previous speaker has just summed up what is at hand here or what is afoot, is a better way to put it. What this simply is is a very strange and goofy way to provide an opportunity for Members of Congress to get out of town for the next 2 weeks, put Government people back on the payroll, but limit what they can do.

It solves the problems of Government workers who are not getting paid, but it leaves an awful lot of problems for taxpayers who are still not getting served. That is a fundamental problem. If that is as far as the majority party will go, then we have no choice but to support it because it is a partial opening up of the Government.

I wanted to point out another interesting bit of strangeness. The Prompt Payment Act requires that the Government pay its bills within 30 days. If no payments are made, the Government is required by law to pay interest on those outstanding obligations at a rate of 6 percent. That means that, because these obligations are piling up, we are going to have to pay added interest, added interest at a time of such a large debt, because of the stubbornness of Members in this House who insist on putting their ideology ahead of our obligation to serve all of the taxpayers

whether they be Republican, Democrat, Independent, or anything else.

I would urge Members to vote for this resolution, but would urge the majority party to bring a resolution before this House that truly opens up all of Government so that we can provide all of the services that we are obligated to provide.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the very distinguished gentleman from New York [Mr. FORBES], a member of the Committee on Appropriations.

(Mr. FORBES asked and was given permission to revise and extend his remarks.)

Mr. FORBES. Mr. Speaker, I rise in support of the resolution and this effort before us today.

Mr. Speaker, this is about the President keeping a promise that he made, a promise that he made on November 20 to the American people that he was going to participate, participate in creating balanced budget over the next 7 years, a balanced budget that would be with honest numbers, no more smoke and mirrors. That is really what we have before us. Is this opportunity to unite as Americans in favor of a balanced budget, something my friends in the minority have long expressed support for, something the President of the United States has long expressed support for.

Going back to 1992, when he was a candidate for the Presidency of the United States, he said he wanted a balanced budget. We have pleaded with him, we have begged him. We have spent 20 hours in concert with the President of the United States, 20 hours of face-to-face negotiations begging and pleading, Mr. President, bring us the balanced budget. Here is the blank slate, Mr. President. Tell us how you want to balance the budget and we will be with you.

We have an opportunity today to give the President again another opportunity to fully open up the Government, move forward on a balanced budget and let us get Americans back to work.

Mr. LIVINGSTON. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. YOUNG], the distinguished chairman of the Subcommittee on National Security of the Committee on Appropriations.

□ 1415

Mr. YOUNG of Florida. Mr. Speaker, I detect a breath of bipartisanship as we approach a vote on this important piece of legislation, not a heavy breeze, or not a big wind, but at least a breath of bipartisanship, and that is what it is going to take to get our job done. We need to pass this legislation, which I strongly support, and allow the people, who are not responsible at all for the dilemma that we find ourselves in, to get back to work and to get paid.

There have been a lot of delays. The gentleman from Wisconsin [Mr. OBEY], our friend, has presented charts so

many times indicating the delays and the bills that did not get to the President. The fact is all but three of the appropriations bills got to the President, and he vetoed four of them.

But that is not the issue today. The idea is not who do we blame, but how do we get most of the job resolved, and that is what we are going to do by passage of this legislation today.

In addition I wanted to say to my dear friend, the gentleman from Michigan [Mr. BONIOR], who raised a very good point about the use of Federal funds for travel, that I plan to pursue this issue. During the early consideration of the defense appropriations bill I announced to the House that we intended to find out how much money was being spent for the use of military aircraft for nonmilitary travel by all branches of Government.

We would have already had those hearings, except for the delays that were caused by the many issues pre-occupying the President and Congress. But all of that is in the past now, Mr. BONIOR. We are going to have those hearings that the gentleman is interested in.

But I would like to close on this thought. The bipartisanship that we feel today would serve this Nation and this Congress well if we could remember that here in this hallowed Chamber is where we do the people's business, and if we would take our political activities and our campaigning for the next election back to the precincts and our districts where they belong, then the people's business would be better served.

Mr. OBEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. COLEMAN].

(Mr. COLEMAN asked and was given permission to revise and extend his remarks.)

Mr. COLEMAN. Mr. Speaker, I would like to take this opportunity to express my support for the effort to reopen the Government. The shutdown is costing taxpayers \$50 million a day. The total cost of the 21-day shutdown, by far the longest in history, now exceeds \$600 million. Democratic appropriations members have made over 30 attempts to reopen the Government without restrictions while budget negotiations continue. However, all of these attempts have been blocked by the Republican majority.

I have also been opposed to all motions to adjourn and/or recess before the Congress has passed all of its appropriations bills. The Gingrich revolution has not allowed the necessary work of the Congress to be completed. We should not go home until our work here is completed.

I have been a member of the Appropriations Committee when the Democrats held the majority in the House and we served under a Republican President. During this period, the Republican President vetoed appropriations bills many times. However, the Democratic majority allowed the Government to continue operations while the parties settled their differences. In fact, while President Reagan was in office, the Government functioned under a continuing resolution that lasted for 1 year.

By October 1, not 1 of the 13 appropriations bills had been passed by this Congress. Today, six appropriations bills have not become law. Instead of working out the differences and passing this critical legislation, the Republicans have staged this showdown between Congress and the President. In every instance in the past where Congress failed to pass one or two appropriations bills, the majority has passed a continuing resolution to allow those agencies to be funded at no increased level of spending. It is simply wrong to hold millions of Federal workers and Americans who rely on the Government services to the whim of this majority.

Today, the Republicans are offering a targeted continuing resolution. I am in opposition to this targeted approach. While this approach represents progress toward ending the Gingrich Republican shutdown, it still does not cover critical needs such as Federal Medicaid matching funds, payments to Medicare contractors, small business loans, worker protection, environmental protection, and Superfund cleanup.

Under this bill, some workers would be provided pay until January 26, others until March 15, and still others until September 30. This chaotic approach is ludicrous. The Republicans are already allowing people to stay home from work and get paid, now they are allowing people to go back to work but not to perform all of their duties. Why not give the American taxpayers the full value of their Government? Why approve only a restricted temporary Government?

The Republican effort to tie budget negotiations to appropriations funding is one I disagree with. This tactic is economically and morally wrong. The President of the United States has the power, under the Constitution, to veto any legislation he feels is not in the best interest of the country. The Congress has the ability to either override the veto or negotiate with the administration. Congress does not have the constitutional right to hold Federal workers hostage because the President has acted in opposition to their efforts.

This bill is the result of the fanaticism by a minority of Republicans. There are enough votes in the House to open the Government without these ridiculous restrictions. However, because the Republican freshmen have been opposed to compromise, the leadership has not allowed a clean continuing resolution to be voted on.

Although I am opposed to the limited nature of this bill, it is the only effort the splintered Republican majority is able to offer and I will support it as a better alternative over the current shutdown.

Mr. OBEY. Mr. Speaker, I yield our remaining 5 minutes to the gentleman from Missouri [Mr. GEPHARDT], the distinguished Democrat leader.

(Mr. GEPHARDT asked and was given permission to revise and extend his remarks.)

Mr. GEPHARDT. Mr. Speaker, it is with great reluctance and disappointment that I rise in support of this legislation. I have been disappointed by suggestions by those on the other side of the aisle that the President of the United States has somehow broken a promise or gone back on his word. I think that assertion is absolutely wrong.

If we look back at the agreement and the original continuing resolution, the President did not agree to put down a 7-year budget scored by CBO by a certain time, no more than the Republican side agreed that they would put down a budget that he would score as being sufficient for his priorities of saving Medicare and Medicaid and not giving tax cuts to the wealthy paid for by the cuts in Medicare and Medicaid. The agreement was that when a negotiation yielded a hoped-for settlement or agreement, that that agreement would balance the budget in 7 years. The President has kept that agreement, not just the letter of that agreement, but the spirit of that agreement.

When we go from working in the Congress, as we do under the Constitution, to either override a veto or to pass another bill, we move into a different realm. That realm is now a room in the White House. It is a negotiation in private to try to reach an agreement that is good for the country. I have been in the meetings. I find it abhorrent for people to say that he is not acting in good faith. That is not what I have seen and heard.

I participated in the summit in 1990 with President Bush. The negotiators spent all of about an hour with President Bush in 1990. I am not complaining. We talked with Richard Darman who was his representative in the negotiation.

In this negotiation, which has been going on for days, this President has sat in the room for at least 40 hours, face-to-face with the Speaker of the House and the Senate majority leader, and he is painstakingly working the details to find an agreement that, yes, will balance the budget in 7 years, by CBO judgment, but which will also meet his requirements of saving Medicare and Medicaid, saving education and the environment, and not slashing those programs to pay for tax cuts for the wealthiest Americans.

Now because somehow the President has not passed somebody's sincerity test, and for what reason I cannot tell my colleagues, we now have before us a measure which makes no sense. Who can explain to anybody why we are going to bring people back to work and pay them, in some cases for doing nothing? Last week we paid people to stay at home; next week I guess we are going to pay them to do nothing. We ought to put another proviso in this to provide people crossword puzzles so they will have something to do in the office. This makes no earthly sense.

I beg the majority to come to their senses. They have achieved what they wanted to achieve. This President is negotiating in good faith.

In the name of sense and decency, let these negotiations go on, and let us get an honest compromise and a balanced budget that recognizes the priorities of the American people.

Mr. LIVINGSTON. Mr. Speaker, I yield myself the balance of the time.

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Speaker, decency, common sense, good-faith, all of those great words are nice but here is the agreement, in case we forget. But here is the resolution that passed the House of Representatives and the Senate and went to the President and he agreed to it. The wording in the law is as follows: "The President and the Congress shall enact legislation in the first session of the 104th Congress to achieve a balanced budget not later than fiscal year 2002 as estimated by the Congressional Budget Office," et cetera, et cetera.

I will say that the words are very clear in that law and the President is in violation of this agreement.

Now where, Mr. President, is the balanced budget to be achieved in the next 7 years? The President has not produced it, and, when he does, according to the next piece of legislation that will clear this House of Representatives today, the Government will go back to work as planned on a normal basis. Until then, Mr. President, we are going to continue to be faced with a problem. The President wants the status quo. He wants to continue to fund the big bureaucracies. He wants to take the taxpayers' money and he wants to spend it as normal. We do not. We want to cut Government. We want to slice back the role of the Federal bureaucracy that the Democrats have created over the last 40 years.

And there it is the current situation, Mr. Speaker and my friends and colleagues. Let us put Government back to work temporarily, right now, until January 26.

But the crisis is not over. The President must fulfill his responsibilities under this agreement to balance the budget in 7 years. If he does not, the crisis will go on because we are indeed committed to save this country, to save the economic future of our children and our grandchildren by putting the country back on a firm and normal fiscal track so that we pay our bills, and we save this Nation from economic catastrophe.

Mr. COSTELLO. Mr. Speaker, I rise today in support of a balanced budget. In fact, I have consistently cosponsored and voted for a balanced budget amendment. However, I continue to be disappointed that we are in a stalemate about how to reach this goal.

The Federal Government has been shut down for 21 days. This shutdown—the longest in history—has cost the taxpayers in excess of \$600 million to date. Over 200,000 Federal workers have gone without pay since December 16. They, like other Americans, have mortgages, car payments, utility bills, and mouths to feed. In addition, millions of Americans depend on a variety of Government services that they have already paid for. Americans have needs that are not being met because the Republicans in the House refuse to agree on a compromise balanced budget.

Today, the House will pass a resolution to provide funding for selected Government func-

tions, including the Meals on Wheels Program; visitor services in the National Parks; passport and visa services; railroad retirement payments and unemployment insurance. While this is a small step in the right direction for our Nation, I am gravely concerned because this targeted approach does not cover other critical needs such as payments to Medicare contractors, Federal Medicaid matching funds, small business loans, worker protection, environmental protection, and Superfund cleanup. It could also lead to the ludicrous situation of paying Federal workers to do nothing.

President Clinton and the majority leader in the Senate were right weeks ago when they agreed to separate the issues of funding the Government this year and finalizing a 7-year plan to balance the Federal budget. We should pass a clean continuing resolution to fund all operations of the Government, including small businesses that rely on Government contracts. Then we must focus on the people's business to get the budget balanced in 7 years.

We operate in a democracy, not a dictatorship. People have paid in advance for Government services, they are not receiving. It is time to sit down and work out a 7-year balanced budget without denying the people Government services.

Mr. GILMAN. Mr. Speaker, though I do have some concerns with this measure, as a Member that represents over 4,000 Federal workers I will vote for this bill in attempt to end the plight currently plaguing my constituents.

I am heartened at the fact that with the passage of this measure we will end the current practice of punishing Federal workers because the President is unable to offer a 7-year balanced budget with real numbers. I believe strongly in our efforts to sign into law a 7-year balanced budget with real numbers, but believe it can be accomplished through tough negotiations, and not by punishing our Federal workers.

I do wish that Congress could offer a clean continuing resolution which would allow contractors with the Government to obtain the payment needed to continue performing the vital services they offer throughout our local communities.

It is important that we in the Congress bear in mind that those Federal workers currently furloughed want to work. They have not been furloughed because of bad performance, but because they have been pawns in the budget impasse.

Let me be clear. I believe strongly in the need for a balanced budget with real numbers, and I am encouraged that Congress is serious about achieving this goal. Accordingly, tough negotiations must continue between the President and the Congress. We must achieve a balanced budget.

But I believe there is no reason why these tough negotiations cannot continue while Federal employees are on the job doing the work for which they are being paid.

I ask my colleagues to support this measure and get our Federal employees back to work.

Mrs. COLLINS of Illinois. Mr. Speaker, during my tenure in Congress I have been witness to a whole lot of things, but I have never seen such a despicable display of political gamesmanship and purely partisan, selfish maneuvering as is coming from the Gingrich Republicans these days. While I reluctantly

support the very limited continuing appropriations bill we are considering today, I am appalled at the tactics that have been employed by the GOP over the last 21 days to hold the Federal Government and the American people hostage to their extreme ideological agenda.

Despite the fact that the majority leader in the other body, Senator DOLE, said a few days ago, "Enough is enough," and rightly called on the House to pass a clean continuing resolution to reopen the entire Government, the Gingrich groupies continue to play games. While H.R. 1643 will reopen the Government for selected Federal activities, it remains an inadequate measure in that it leaves many critical Federal responsibilities unmet. In addition, while it properly returns our dedicated Federal employees to work with full pay, it neglects to fund many of the programs which they are charged to administer. In other words, it takes some of the political heat off the Republicans, without providing a real solution to the crisis we face.

For instance, the legislation before us fails to reinstate much-needed Federal Medicaid matching funds, payments to Medicare contractors, dollars for EPA toxic waste cleanup, student loans, HUD home loans, small business loans, Centers for Disease Control flu-tracking and public health oversight activities, and the Federal Emergency Management Agency's food and shelter program, just to name a few.

My constituents are fed up with the lack of respect shown by the Republican majority of this Congress for their needs and concerns. They are fed up with the shutdown of services vital to the proper functioning of their communities. They are fed up with the arrogance of the GOP Members that proclaim "It's my way or no way at all."

Mr. Speaker, the House Republicans at every turn of these budget negotiations have simply refused to carry out their constitutional responsibilities to govern. It is unbelievable, it is childish, it is dangerous, and it is wrong. Believe me when I say that the American people realize this and the American people will act accordingly to make their displeasure known.

Mr. STEARNS. Mr. Speaker, we are all concerned about our Federal workers and the need to find a way to end this shutdown.

While no one wants to see this situation continue, there is an even more overwhelming concern that is being voiced by the majority of the Members in the House. Their greatest fear is that if we comply with requests to pass a continuing resolution [CR] to get us through this month then the President will renege on his promise once again.

As we all know, in an effort to work in a bipartisan manner, back in November we passed a CR that would run through December 15. We did this in good faith. What happened to the promise made by the President to produce a balanced budget in 7 years using congressional budget numbers? We are still waiting that document to be put on the table. You know, Mr. Speaker, it makes it tremendously difficult to negotiate when only one side has produced the necessary budget that meets all the requirements that were previously set down by the President in his State of the Union Address in January of 1993.

What caused this shutdown? Quite simply, the President vetoed appropriations bills that currently force this partial shutdown. The agencies that have not yet had funds appro-

riated for 1996 are the State Department, Justice Department, Commerce Department, Interior Department, Small Business Administration, Veterans Affairs Department, Forest Service, Housing and Urban Development Department, and the Environmental Protection Agency.

People need to realize that most of the Federal Government would be open today if the President had either signed a balanced budget or signed the funding bills for the affected agencies. We are willing to work out a compromise with the President, but he has to tell us what he wants. So far, he has simply vetoed every bill that has hit his desk. That's not leadership, it's gridlock.

Mr. Speaker, 40 years ago there was no national debt to speak of, and Americans paid only 3 percent of their income to the Federal Government. Today, we have a \$5 trillion national debt, and the average American family pays a full 25 percent of its income to the Federal Government. Taxes at all levels of government now consume 40 percent of the average family's income—more than they spend on food, clothing, and shelter combined.

The fiscal year 1996 appropriations process is proof of our commitment to balance the budget through thoughtful and sound spending. The representatives of the people of America have some very difficult spending. We have had to make cuts in many important programs; we have been forced to prioritize our spending—just as American families have been doing for years. We have done this because we are interested in the future of our country. We have put aside partisanship and self-interest so that our country will not buckle under the burden of its debt, so that our children may have a future.

I find it not only frustrating but also terribly disheartening that the President has chosen to veto a majority of the appropriations bills we have sent to him. He says that the appropriations bills don't provide enough money. The President feels that the Government does not spend enough money. Mr. President, we have a \$5 trillion debt. This President has made it clear that his administration's goals are quite different from the vast majority of the American people.

These Presidential vetoes make it abundantly clear that he is committed to more of the tax-and-spend policies that have nearly ruined our country financially; the bills he vetoes have caused the shutdown of portions of the Federal Government, thus punishing his own employees simply because he refuses to adhere to the promise he made to produce a 7 year balanced budget using Congressional Budget Office [CBO] numbers. Congress has done what it had to do. We have proven our commitment to reduce Federal spending and to make the Government more efficient. Apparently, the President has a different agenda.

Why is a 7-year balanced budget so important? Many leading economists believe that a balanced budget would result in a drop in interest rates of up to 2 percent. For a 30-year, \$75,000 mortgage, that's \$37,000 saved over the life of the loan. Americans will have more take home pay because our budget includes a \$500 per-child tax credit. We also have true welfare reform which is a No. 1 priority for most Americans.

What happens if we don't achieve our goal of a balanced budget in 7 years? Five years

from now all Federal revenues will go to just five programs—health care entitlements, federal retirement, Social Security, and interest on the debt. Our children will be faced with lifetime tax rates of 80 percent just to pay interest on the debt. That's why it is so important that we stick to our principles. Our country needs to go in a new direction. We must cut taxes and cut spending. We must think of our children and their children. Currently, future generations will have to deal with a soaring debt and outrageously high taxes. Is this the legacy we want to leave them? I do not think so. I believe we will work out an agreement with the President. I pray that we do so for all those federal employees who have been asked to bear the brunt of this budget impasse.

Mr. Speaker, I would also like to ask my colleagues to please give consideration to co-sponsoring legislation I have introduced, H.R. 2828. This bill provides for the comparable treatment of Federal employees, Members of Congress, and the President during a period in which there is a Federal Government shutdown. Let's put our paychecks where our values are and disavow special treatment.

Mr. VENTO. Mr. Speaker, the shutdown of the Government has affected Americans all across the country. The Federal government should be predictable and certain, but due to the inaction of this House under GOP leadership, the extreme accusations by some Republicans of an incompetent Federal Government are being made a self-fulfilling prophecy by these same Republicans.

As just one good example, I have received dozens of calls from railroad retirees in Minnesota who live on fixed incomes and have had their retirement benefits cut because of the shutdown! In fact, the Railroad Retirement Board has had to cut January vested dual benefit payments by 64% for 160,000 railroad retirees across the Nation. This means that retirees who earned their pensions through many years of hard work and who live on fixed incomes are having trouble meeting their rent payments. And of course there are no assurances that they will receive any of their benefits in the future if this shutdown continues.

The sad reality here is that these retirees are being denied the benefits they earned as the Republicans play political games and shutdown the Government and shut out Federal workers. This Congress ought to do its job and act today on a real continuing resolution to keep the full Government running—and provide the 160,000 railroad retirees with their earned benefits.

This isn't about who is for a balanced budget, rather it's how to balance the budget. Nor is this shutdown about political honesty, in fact the more some boast of their monopoly on truth and honesty, the more firm you should hold on to your wallet. We are thirteen weeks into the fiscal year and have had four weeks of Federal Government shutdown because of GOP straw man arguments about economic forecasts and games to seek political advantage. This resolution finally provides some relief but leaves many programs, and most importantly the people we serve, in a lurch. Ironically, it pays Federal workers but ties their hands so they can't do their jobs. As Mark Twain stated, "The more you explain it to me the more I don't understand it".

Mr. Speaker, it isn't the Federal Government that's incompetent, rather it is the Republican-

led, know-it-all, arrogant Congress, which after a year can't have its actions blamed on inexperience. No, the problem is indifference and political one-ups-manship. Enough is enough. Free the hostages and let the railroad retirees have their pensions. Put the American people's Federal Government back to work—the full Government, not this half-baked GOP political fig leaf designed more for political relief and which will just result in more shutdown threats and Federal Government uncertainty.

Mr. PAYNE of Virginia. Mr. Speaker, I am going to join reluctantly in voting for this measure. It will send our Federal employees back to work and restore normal operations to our national parks, Meals on Wheels, the passport office, and several other vital programs. We will end for now this cruel game that has made innocent Federal workers pawns in a political dispute over which they have no control.

As Senate Majority Leader DOLE said Wednesday: "Enough is enough." And this measure is better than nothing.

But let there be no mistake, Mr. Speaker: This legislation is the most bizarre measure that I have seen in 8 years as a Member of Congress.

With it, we'll send HUD's employees back to work, but they won't be able to perform all of the duties and services that they're charged with.

Everyone would be back on the job at the Education Department, but there would be no new student loans.

And for the many Federal contractors who have been burned badly by this Government shutdown, this measure offers no relief. Medicare contractors, NASA contractors, and even those who supply food to Federal prisons will be among those who will continue to be harmed by the games that some people are playing in Washington.

Mr. Speaker, 1 year and 1 day ago, the Republican majority came to power pledging to run government like a business.

Well before coming to Congress I built and operated businesses. And I have employed hundreds of people. And let me tell you something: This is not how you run a business.

You don't send people to work and deprive them of the money or material they need to do their jobs and still expect to be successful.

We need a clean continuing resolution to put the Government back to work, and then let's spend our time and energy balancing the budget in 7 years. That's what we were sent here to do.

The SPEAKER pro tempore. All time has expired.

Pursuant to House Resolution 334, the previous question is ordered.

The question is on the motion offered by the gentleman from Louisiana [Mr. LIVINGSTON].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OBEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 401, nays 17, not voting 15, as follows:

[Roll No 7]

YEAS—401

|              |                |              |
|--------------|----------------|--------------|
| Abercrombie  | Dooley         | Kaptur       |
| Ackerman     | Doolittle      | Kasich       |
| Allard       | Dornan         | Kelly        |
| Andrews      | Doyle          | Kennedy (MA) |
| Archer       | Dreier         | Kennedy (RI) |
| Armey        | Duncan         | Kennelly     |
| Bachus       | Dunn           | Kildee       |
| Baesler      | Durbin         | Kim          |
| Baker (CA)   | Edwards        | King         |
| Baker (LA)   | Ehlers         | Kingston     |
| Baldacci     | Ehrlich        | Klecicka     |
| Ballenger    | Emerson        | Klink        |
| Barcia       | Engel          | Klug         |
| Barrett (NE) | English        | Knollenberg  |
| Barrett (WI) | Ensign         | Kolbe        |
| Bartlett     | Eshoo          | LaFalce      |
| Bass         | Evans          | LaHood       |
| Bateman      | Everett        | Lantos       |
| Becerra      | Ewing          | Latham       |
| Bielenson    | Farr           | LaTourette   |
| Bentsen      | Fattah         | Laughlin     |
| Bereuter     | Fawell         | Lazio        |
| Berman       | Fields (LA)    | Leach        |
| Bevill       | Filner         | Levin        |
| Bilbray      | Flanagan       | Lewis (CA)   |
| Bilirakis    | Foglietta      | Lewis (GA)   |
| Bishop       | Foley          | Lewis (KY)   |
| Bliley       | Forbes         | Lincoln      |
| Blute        | Ford           | Linder       |
| Boehkert     | Fowler         | Lipinski     |
| Boehner      | Fox            | Livingston   |
| Bonilla      | Frank (MA)     | LoBiondo     |
| Bonior       | Franks (CT)    | Lofgren      |
| Bono         | Franks (NJ)    | Longley      |
| Borski       | Frelinghuysen  | Lowe         |
| Boucher      | Frisa          | Lucas        |
| Brewster     | Frost          | Luther       |
| Browder      | Funderburk     | Maloney      |
| Brown (CA)   | Furse          | Manton       |
| Brown (FL)   | Galleghy       | Manzullo     |
| Brown (OH)   | Gejdenson      | Markey       |
| Brownback    | Gekas          | Martinez     |
| Bryant (TN)  | Gephardt       | Martini      |
| Bunn         | Geren          | Mascara      |
| Bunning      | Gilchrest      | Matsui       |
| Burr         | Gillmor        | McCarthy     |
| Burton       | Gilman         | McCollum     |
| Buyer        | Gonzalez       | McCrary      |
| Callahan     | Goodlatte      | McDade       |
| Calvert      | Goodling       | McDermott    |
| Camp         | Gordon         | McHale       |
| Campbell     | Goss           | McHugh       |
| Canady       | Green          | McInnis      |
| Cardin       | Greenwood      | McIntosh     |
| Castle       | Gunderson      | McKeon       |
| Chambliss    | Gutierrez      | McKinney     |
| Christensen  | Gutknecht      | McNulty      |
| Chryslers    | Hall (OH)      | Meehan       |
| Clay         | Hall (TX)      | Meek         |
| Clayton      | Hamilton       | Menendez     |
| Clement      | Hancock        | Metcalf      |
| Clinger      | Hansen         | Meyers       |
| Clyburn      | Harman         | Mfume        |
| Coble        | Hastert        | Mica         |
| Coburn       | Hastings (WA)  | Miller (CA)  |
| Coleman      | Hayworth       | Miller (FL)  |
| Collins (GA) | Hefley         | Minge        |
| Collins (IL) | Hefner         | Mink         |
| Collins (MI) | Heineman       | Moakley      |
| Combest      | Herger         | Molinari     |
| Condit       | Hilleary       | Mollohan     |
| Conyers      | Hilliard       | Montgomery   |
| Cooley       | Hinche         | Moorhead     |
| Costello     | Hobson         | Moran        |
| Cox          | Hoke           | Morella      |
| Coyne        | Holden         | Murtha       |
| Cramer       | Horn           | Myrick       |
| Crane        | Houghton       | Nadler       |
| Crapo        | Hoyer          | Neal         |
| Creameans    | Hunter         | Nethercatt   |
| Cubin        | Hutchinson     | Neumann      |
| Cunningham   | Hyde           | Ney          |
| Danner       | Inglis         | Norwood      |
| Davis        | Istook         | Nussle       |
| de la Garza  | Jackson (IL)   | Oberstar     |
| Deal         | Jackson-Lee    | Obey         |
| DeFazio      | (TX)           | Olver        |
| DeLauro      | Jacobs         | Ortiz        |
| DeLay        | Jefferson      | Orton        |
| Dellums      | Johnson (CT)   | Owens        |
| Deutsch      | Johnson (SD)   | Oxley        |
| Diaz-Balart  | Johnson, E. B. | Packard      |
| Dicks        | Johnson, Sam   | Pallone      |
| Dingell      | Johnston       | Parker       |
| Dixon        | Jones          | Pastor       |
| Doggett      | Kanjorski      | Paxon        |

|               |               |             |
|---------------|---------------|-------------|
| Payne (NJ)    | Scarborough   | Thornton    |
| Payne (VA)    | Schaefer      | Thurman     |
| Pelosi        | Schiff        | Torkildsen  |
| Peterson (FL) | Schroeder     | Torres      |
| Peterson (MN) | Schumer       | Torrice     |
| Petri         | Scott         | Towns       |
| Pickett       | Seastrand     | Traficant   |
| Pombo         | Sensenbrenner | Upton       |
| Pomeroy       | Serrano       | Velazquez   |
| Porter        | Shaw          | Vento       |
| Portman       | Shays         | Visclosky   |
| Poshard       | Shuster       | Volkmer     |
| Pryce         | Sisisky       | Vucanovich  |
| Quinn         | Skaggs        | Waldholtz   |
| Radanovich    | Skeen         | Walker      |
| Rahall        | Skelton       | Walsh       |
| Ramstad       | Slaughter     | Wamp        |
| Rangel        | Smith (MI)    | Ward        |
| Reed          | Smith (NJ)    | Waters      |
| Regula        | Smith (TX)    | Watt (NC)   |
| Richardson    | Solomon       | Watts (OK)  |
| Riggs         | Spence        | Waxman      |
| Rivers        | Spratt        | Weldon (FL) |
| Roth          | Stearns       | Weldon (PA) |
| Roemer        | Stenholm      | Weller      |
| Rogers        | Stokes        | White       |
| Rohrabacher   | Stump         | Whitfield   |
| Ros-Lehtinen  | Stupak        | Wicker      |
| Roth          | Talent        | Williams    |
| Roukema       | Tanner        | Wise        |
| Tate          | Tate          | Wolf        |
| Royce         | Tauzin        | Woolsey     |
| Rush          | Taylor (MS)   | Wynn        |
| Sabo          | Taylor (NC)   | Yates       |
| Salmon        | Tejeda        | Young (AK)  |
| Sanders       | Thomas        | Young (FL)  |
| Sawyer        | Thompson      | Zeliff      |
| Saxton        | Thornberry    | Zimmer      |

NAYS—17

|           |               |            |
|-----------|---------------|------------|
| Barr      | Gibbons       | Sanford    |
| Barton    | Graham        | Shadegg    |
| Chabot    | Hastings (FL) | Smith (WA) |
| Chenoweth | Hoekstra      | Souder     |
| Dickey    | Hostettler    | Tiahrt     |
| Ganske    | Largent       |            |

NOT VOTING—15

|             |           |          |
|-------------|-----------|----------|
| Bryant (TX) | Hayes     | Stark    |
| Chapman     | Lightfoot | Stockman |
| Fazio       | Myers     | Studds   |
| Fields (TX) | Quillen   | Wilson   |
| Flake       | Rose      | Wyden    |

□ 1443

Mr. FROST changed his vote from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: "a bill making appropriations for certain activities for the fiscal year 1996, and for other purposes".

A motion to reconsider was laid on the table.

□ 1445

#### FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1996

Mr. OBEY. Mr. Speaker, I ask unanimous consent to call up for immediate consideration House Joint Resolution 131, continuing funding for many critical Federal departments through January 29, 1996, authorizing a 2.4-percent pay raise for the Armed Forces of the United States, and waiving all points of order against such an amendment.

Mr. SOLOMON. Mr. Speaker, I object.

The SPEAKER pro tempore (Mr. HASTERT). Under the guidelines consistently issued by the successive Speakers and recorded on page 534 of the House Rules Manual, the Chair is constrained not to entertain the gentleman's request until it has been